

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0629
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Upon consideration of the recommendation of the Manager of Public Works that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B, for the upcoming year, upon the real property, exclusive of improvements thereon, benefited the Council finds, as follows:

(a) A local maintenance district providing for the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B, was created by Ordinance No. 980, Series of 1996;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B are \$33,437.00 which amount the Manager of Public Works has the authority to expend for the purposes stated herein;

(c) The Manager of Public Works has complied with all provisions of law relating to the publishing of notice to the owners of real properties to be assessed and to all persons interested generally, and the Council sitting as a Board of Equalization has heard and determined all written complaints and objections, if any, filed with the Manager of Public Works;

(d) The real property within the Santa Fe Drive Pedestrian Mall B will be benefited in an amount equal to or in excess of the amount to be assessed against said property because of the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

Section 2. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B in the amount of \$33,437.00 are hereby

1 assessed against the real properties, exclusive of improvements thereon, within said local
2 maintenance district as follows:

3 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series
4 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
5 amount appearing after such series shall be the assessment for each lot in the series.

6
7 WITTER'S FIRST ADDITION TO THE CITY OF DENVER

8 BLOCK 16
9 Lots
10 West 5.75' Lots 19 and 20 and South 11.099' Lot 18, inclusive \$679.45

11
12 HALLACK'S SUBDIVISION OF BLOCKS 27, 28, 38, 39 OF WITTER'S FIRST
13 ADDITION TO THE CITY OF DENVER

14 BLOCK 27
15 Lots
16 1-20 \$265.78

17
18 BLOCK 28
19 Lots
20 1-20 \$265.41

21
22 BLOCK 39
23 Lots
24 1-9 \$265.49
25 10 \$176.66

26
27 HUNT'S ADDITION TO DENVER
28 BLOCK 12

29 Lots
30 21-23 \$265.83

31
32 BLOCK 13
33 Lots
34 21-38 \$265.73
35 East 100.5' Lots 39 and 40 \$265.73

36
37 BLOCK 20
38 Lots
39 East 100.0' Lots 21-25 \$265.83
40 26-40 \$265.83

41
42 BLOCK 21
43 Lots
44 21-40 \$265.41

45

1 SMITH'S ADDITION TO THE CITY OF DENVER
 2 BLOCK 6
 3 Lots
 4 10 \$176.66
 5 11-20 \$265.41
 6

7 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
 8 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
 9 priority of the lien for local public improvement districts.

10 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
 11 and payable on the first day of January of the year next following the year in which this assessing
 12 ordinance became effective, and said assessments shall become delinquent if not paid by the last
 13 day of February of the year next following the year in which this assessing ordinance became
 14 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
 15 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

16 **Section 6.** Any unspent revenue and revenue generated through investment shall be
 17 retained and credited to the Santa Fe Drive Pedestrian Mall B Local Maintenance District for future
 18 long term or program maintenance of the District.

19 COMMITTEE APPROVAL DATE: (by Consent) September 19, 2013

20 MAYOR-COUNCIL DATE: (by Consent) September 24, 2013

21 PASSED BY THE COUNCIL: _____, 2013

22 _____ - PRESIDENT

23 APPROVED: _____ - MAYOR _____, 2013

24 ATTEST: _____ - CLERK AND RECORDER,
 25 EX-OFFICIO CLERK OF THE
 26 CITY AND COUNTY OF DENVER

27 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013

28 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - October 3, 2013

29 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
 30 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
 31 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
 32 §3.2.6 of the Charter.

33 Douglas J. Friednash, City Attorney

34 BY: _____, Assistant City Attorney DATE: _____, 2013