

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1092  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care, operation,**  
7 **repair, maintenance and replacement of Delgany Street Local Maintenance**  
8 **District upon the real property, exclusive of improvements thereon, benefited.**  
9

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

11 **Section 1.** Upon consideration of the recommendation of the Executive Director of the  
12 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of  
13 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement  
14 of Delgany Street Local Maintenance District (“Delgany Street”), for the upcoming year, upon the  
15 real property, exclusive of improvements thereon, benefited, the Council finds, as follows:

16 (a) A local maintenance district providing for the continuing care, operation, repair,  
17 maintenance and replacement of Delgany Street, was created by Ordinance No. 755, Series of 2002;

18 (b) The annual cost of the continuing care, operation, repair, maintenance and  
19 replacement of Delgany Street is \$21,350.00, which amount the Executive Director of the  
20 Department of Transportation and Infrastructure has the authority to expend for the purposes stated  
21 herein;

22 (c) The Executive Director of the Department of Transportation and Infrastructure has  
23 complied with all provisions of law relating to the publishing of notice to the owners of real properties  
24 to be assessed and to all persons interested generally, and the Council sitting as a Board of  
25 Equalization has heard and determined all written complaints and objections, if any, filed with the  
26 Executive Director of the Department of Transportation and Infrastructure;

27 (d) The real property within the Delgany Street will be benefited in an amount equal to or  
28 in excess of the amount to be assessed against said property because of the continuing care,  
29 operation, repair, maintenance and replacement of said Delgany Street.

30 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and  
31 replacement of Delgany Street to be assessed against the real properties, exclusive of improvements  
32 thereon, benefited are hereby approved.

33 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and  
34 replacement of Delgany Street in the amount of \$21,350.00 are hereby assessed against the real  
35 properties, exclusive of improvements thereon, within said local maintenance district as follows:

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

4 EAST DENVER, THE COMMONS SUBDIVISION, FILING #1

5 BLOCK 1

6 Lot

7 1 \$6,332.62

8

9 BLOCK 11

10 Lots

11 11-12, inclusive \$4,523.31

12 13-16, inclusive \$10,494.07

13

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

17 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due  
18 and payable on the first day of January of the year next following the year in which this assessing  
19 ordinance became effective, and said assessments shall become delinquent if not paid by the last  
20 day of February of the year next following the year in which this assessing ordinance became  
21 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the  
22 property subject to the assessment, and such lien may be sold by the City as provided by the Charter  
23 and ordinances of the City and County of Denver.

24 **Section 6.** Any unspent revenue and revenue generated through investment shall be  
25 retained and credited to Delgany Street Local Maintenance District for future long term or program  
26 maintenance of the District.

27 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

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1 COMMITTEE APPROVAL DATE: October 13, 2020 by Consent

2 MAYOR-COUNCIL DATE: October 20, 2020

3 PASSED BY THE COUNCIL: \_\_\_\_\_ November 2, 2020

4 *Steve Filmon* - PRESIDENT

5 APPROVED: *[Signature]* - MAYOR \_\_\_\_\_ Nov 4, 2020

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_ ; \_\_\_\_\_

10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 22, 2020

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
12 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §  
14 3.2.6 of the Charter.

15  
16 Kristin M. Bronson, Denver City Attorney

17 BY: *Kristin J. Crawford*, Assistant City Attorney DATE: Oct 21, 2020  
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