

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB19-1131
COMMITTEE OF REFERENCE:
4 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 the South Broadway Streetscape**
8 **(Arizona Avenue to Iowa Avenue) Local Maintenance District upon the real**
9 **property, exclusive of improvements thereon, benefited.**

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

12 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that
13 an ordinance be enacted for the purpose of assessing the annual costs of the continuing care,
14 operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona
15 Avenue to Iowa Avenue) Local Maintenance District (“South Broadway Streetscape (Arizona Avenue
16 to Iowa Avenue)”), for the upcoming year, upon the real property, exclusive of improvements thereon,
17 benefited, the Council finds, as follows:

18 (a) A local maintenance district providing for the continuing care, operation, repair,
19 maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa
20 Avenue), was created by Ordinance No. 38, Series of 2008;

21 (b) The annual cost of the continuing care, operation, repair, maintenance and
22 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) is \$47,200.00,
23 which amount the Manager of Public Works has the authority to expend for the purposes stated
24 herein;

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

29 (d) The real property within the South Broadway Streetscape (Arizona Avenue to Iowa
30 Avenue) will be benefited in an amount equal to or in excess of the amount to be assessed against
31 said property because of the continuing care, operation, repair, maintenance and replacement of
32 said South Broadway Streetscape (Arizona Avenue to Iowa Avenue).

33 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
34 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) to be assessed
35 against the real properties, exclusive of improvements thereon, benefited are hereby approved.

1 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
 2 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) in the amount of
 3 \$47,200.00 are hereby assessed against the real properties, exclusive of improvements thereon,
 4 within said local maintenance district as follows:

5 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series shall
 6 be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount
 7 appearing after such series shall be the assessment for each lot in the series.
 8

9 FLEMING'S BROADWAY ADDITION
 10 BLOCK 4

11 Lot 1 - Lot 5, inclusive except part of west to City.....	\$1,250.03
12 Lot 6 - Lot 7, inclusive, except part on west to City.....	\$500.01
13 Lot 8 - Lot 10, inclusive, except part on west to City.....	\$750.02
14 Lot 11 except part on west to City.....	\$250.01
15 Lot 12 - Lot 13, inclusive, except part on west to City.....	\$500.01
16 Lot 14 - Lot 15, inclusive, except part on west to City.....	\$500.01
17 Lot 16 - Lot 17, inclusive, except part on west to City.....	\$500.01
18 Lot 18 - Lot 19, inclusive, except part on west to City.....	\$500.01
19 Lot 20 - Lot 22, inclusive, except part on west to City.....	\$750.02
20 Lot 23 - Lot 24, inclusive, except part on west to City.....	\$500.01

21
 22 JEROME'S BROADWAY SUBDIVISION SECOND FILING
 23 BLOCK 2

24 Lot 25 – Lot 28, inclusive	\$1,000.02
25 Lot 29 – Lot 34, inclusive	\$1,500.03

26
 27 JEROME'S BROADWAY SUBDIVISION SECOND FILING, BLOCK 2 AND OVERLAND PARK
 28 SUBDIVISION, BLOCK 1

29 Lot 8 - Lot 11, Overland Park Subdivision, Block 1; 30 together with Lot 18 – Lot 24, Jerome's Broadway 31 Subdivision Second Filing, Block 2; together with an 32 unplatted parcel of land described as follows, a portion 33 of the northeast 1/4 of the northwest 1/4, Section 22, 34 Township 4 South, Range 68 east of the 6 th Prime 35 Meridian, beginning at the northwest corner of Lot 11, 36 Block 1 of Overland Park Subdivision, thence north 37 along the east line of the alley in said Block 1 and said 38 line extended northerly to the southwest corner of Lot 39 18, Block 2, said Jerome's Broadway Subdivision 40 Second Filing, thence east along the south line of said 41 Lot 18 to the southeast corner thereof, thence south 42 along the west line of Broadway to the northeast corner 43 of said Lot 11, Block 1 of Overland Park Subdivision, 44 thence along the north line of said Lot 11 to the point 45 of beginning.	\$3,449.04
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1	OVERLAND PARK SUBDIVISION	
2	BLOCK 2	
3	Lot 25 - Lot 30, inclusive	\$1,500.03
4	Lot 31 - Lot 35, inclusive	\$1,250.02
5	Lot 36 - Lot 37, inclusive	\$500.01
6	Lot 38 - Lot 41, inclusive	\$1,000.02
7	Lot 42 - Lot 43, inclusive	\$500.01
8	Lot 44 - Lot 45, inclusive	\$500.01
9	Lot 46 - Lot 48, inclusive	\$750.02
10		
11	BLOCK 5	
12	Lot 24 - Lot 25, inclusive	\$500.01
13	Lot 26	\$250.01
14	Lot 27 - Lot 31, inclusive	\$1,250.02
15	Lot 32 - Lot 33, inclusive	\$500.01
16	Lot 34 & south 24.25' of Lot 35, inclusive	\$492.51
17	Lot 36 - Lot 37 & north 9" of Lot 35, inclusive	\$507.51
18	Lot 38 - Lot 39, inclusive	\$500.01
19	Lot 40 - Lot 41, inclusive	\$500.01
20	Lot 42 - Lot 43, inclusive, beginning 16.37' south of northeast corner	
21	Lot 43 thence west 22.25' southwest 3.61' west 34.75' south 0.5' west	
22	65' south 31.13' east 125' north 33.63' to point of beginning	\$336.30
23	Beginning at the northeast corner of Lot 43 south 16.37' west 22.25'	
24	southwest 3.62' to a point 25.25' west of east line & 18.37' south of	
25	north line Lot 43 west 34.75' south 0.5' west 65' north 18.87' east 125'	
26	more or less	\$163.70
27	Lot 44	\$250.01
28	Lot 45 - Lot 46, inclusive	\$500.01
29		
30	BLOCK 6	
31	Lot 25 - Lot 28, inclusive	\$1,000.02
32	Lot 29 - Lot 30, inclusive	\$500.01
33	Lot 31 - Lot 32, inclusive	\$500.01
34	Lot 33 - Lot 36, inclusive	\$1,000.02
35	Lot 37 - Lot 38, inclusive	\$500.01
36	Lot 39	\$250.01
37	Lot 40	\$250.01
38	Lot 41 - Lot 48, inclusive	\$2,000.05
39		
40	SHERMAN SUBDIVISION	
41	BLOCK 9	
42	Lot 1 - Lot 3, and that part of Lot 4 beginning northeast corner of Lot 1	
43	thence south 81.47' west 126.47' north 81.12' east 126.45' to point of	
44	beginning, inclusive,	\$811.22
45	Lot 4 - Lot 8, inclusive, except south 7' of Lot 8 & except beginning	
46	northeast corner Lot 4 thence south 6.47' west 126.47' north 6.12' east	
47	126.45' to point of beginning	\$1,118.82
48	Lot 9 & south 7' of Lot 8, inclusive	\$320.01
49	Lot 10	\$250.01
50	Lot 11 - Lot 13 & north ½ of Lot 14, inclusive	\$875.02

1	Lot 15 & south ½ of Lot 14, inclusive	.....	\$375.01
2	Lot 16 - Lot 23, inclusive	.....	\$2,000.05
3			
4	BLOCK 24		
5	Lot 1 - Lot 2, inclusive	.....	\$500.02
6	North 24.675' of Lot 3	.....	\$246.76
7	Lot 4 - Lot 5 & south 0.325' of Lot 3, inclusive	.....	\$503.26
8	Lot 6 - Lot 11, inclusive	.....	\$1,500.03
9	Lot 12 - Lot 17, inclusive	.....	\$1,500.03
10	Lot 18	.....	\$250.01
11	Lot 19 & north 7.5' of Lot 20, inclusive	.....	\$325.01
12	Lot 21- Lot 22, & south 17.5' of Lot 20, inclusive	.....	\$675.02
13	Lot 23	.....	\$250.01
14	Lot 24	.....	\$250.01
15			
16	BLOCK 25		
17	Lot 1 – Lot 3, inclusive	.....	\$750.02
18	Lot 4 – Lot 5, inclusive	.....	\$500.01
19	Beginning northwest corner Lot 6 thence south 37.5' thence east 13.2'		
20	thence northwest to a point on the north line of Lot 6 12.98' east of		
21	northwest corner thence west to point of beginning	.....	\$375.01
22	Lot 8 & south ½ of Lot 7, inclusive	.....	\$375.01
23	Lot 9 - Lot 10, inclusive	.....	\$500.02
24	Lot 11 - Lot 12, inclusive	.....	\$500.02
25	Lot 13 except south 10.50' thereof & except part for South Broadway	.....	\$145.01
26	South 10.50' of Lot 13 & north 9.40' of Lot 14 except part for South Broadway, inclusive		\$199.01
27	South 15.60' of Lot 14 – Lot 15, inclusive, except south 22.60' thereof		
28	& except part for South Broadway	.....	\$180.00
29	North 16' of south 22.60' of Lot 15 except part for South Broadway	.....	\$160.00
30	South 6.60' of Lot 15 - Lot16, inclusive, except south 13.60' thereof		
31	& except part for South Broadway	.....	\$180.00
32	South 13.60' of Lot 16 - Lot 17, inclusive, except south 20.60' thereof &		
33	except part for South Broadway	.....	\$180.00
34	North 16' of south 20.60' of Lot 17 except part for South Broadway	.....	\$160.00
35	South 4.60' of Lot 17 - Lot 18, inclusive, except south 9.70' thereof &		
36	except part for South Broadway	.....	\$199.01
37	Lot 19 & south 9.7' Lot 18, inclusive	.....	\$347.01
38	Lot 20 - Lot 23, inclusive	.....	\$1,000.02

39

40 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts

41 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the

42 priority of the lien for local public improvement districts.

43 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due

44 and payable on the first day of January of the year next following the year in which this assessing

45 ordinance became effective, and said assessments shall become delinquent if not paid by the last

46 day of February of the year next following the year in which this assessing ordinance became

47 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the

1 property subject to the assessment, and such lien may be sold by the City as provided by the Charter
2 and ordinances of the City and County of Denver.

3 **Section 6.** Any unspent revenue and revenue generated through investment shall be
4 retained and credited to the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
5 Maintenance District for future long term or program maintenance of the District.

6 COMMITTEE APPROVAL DATE: October 29, 2019 by Consent

7 MAYOR-COUNCIL DATE: November 5, 2019

8 PASSED BY THE COUNCIL: _____

9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____

11 ATTEST: _____ - CLERK AND RECORDER,
12 EX-OFFICIO CLERK OF THE
13 CITY AND COUNTY OF DENVER

14 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

15 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: November 7, 2019

16 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the
17 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
18 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
19 3.2.6 of the Charter.

20
21 Kristin M. Bronson, Denver City Attorney

22
23 BY: _____, Assistant City Attorney DATE: _____