

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2021

COUNCIL BILL NO. CB21-1252
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 Broadway Viaduct Pedestrian Mall**
8 **Local Maintenance District upon the real property, exclusive of improvements**
9 **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 Executive Director of the
13 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of
14 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement
15 of the Broadway Viaduct Pedestrian Mall Local Maintenance District (“Broadway Viaduct Pedestrian
16 Mall”), for the upcoming year, upon the real property, exclusive of improvements thereon, benefited,
17 the Council finds, as follows:

18 (a) A local maintenance district providing for the continuing care, operation, repair,
19 maintenance and replacement of the Broadway Viaduct Pedestrian Mall, was created by Ordinance
20 No. 838, Series of 1998;

21 (b) The annual cost of the continuing care, operation, repair, maintenance and
22 replacement of the Broadway Viaduct Pedestrian Mall is \$50,000.00, which amount the Executive
23 Director of the Department of Transportation and Infrastructure has the authority to expend for the
24 purposes stated herein;

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

30 (d) The portion of the annual costs for the continuing care, operation, repair, maintenance
31 and replacement of the Broadway Viaduct Pedestrian Mall to be assessed against the properties,
32 exclusive of improvements thereon, benefited is \$48,351.35;

33 (e) The portion of the annual costs of the continuing care, operation, repair, maintenance
34 and replacement of the Broadway Viaduct Pedestrian Mall to be borne by the City and County of
35 Denver is \$1,648.65; and

1 (f) The real property within the Broadway Viaduct Pedestrian Mall will be benefited in an
2 amount equal to or in excess of the amount to be assessed against said property because of the
3 continuing care, operation, repair, maintenance and replacement of said Broadway Viaduct
4 Pedestrian Mall.

5 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
6 replacement of the Broadway Viaduct Pedestrian Mall to be assessed against the real properties,
7 exclusive of improvements thereon, benefited are hereby approved.

8 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
9 replacement of the Broadway Viaduct Pedestrian Mall in the amount of \$48,351.35 are hereby
10 assessed against the real properties, exclusive of improvements thereon, within said local
11 maintenance district as follows:

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

15
16 CASE & EBERT'S ADDITION TO THE CITY OF DENVER
17 BLOCK 1
18 Lots

19 1-4, inclusive.....	\$1,644.16
20 5-10, inclusive.....	\$4,415.91
21 16-19, inclusive.....	\$3,389.80

22
23 BLOCK 15
24 Lot 16.....

	\$3,936.54
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25
26 CURTIS & CLARK'S ADDITION TO DENVER, COLORADO
27 BLOCK 60
28 Lots 11-15, inclusive.....

	\$3,391.99
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29
30 THAT PART OF EAST DENVER COMMONLY KNOWN AS:
31 DAVIS ADDITION TO DENVER
32 BLOCK 61
33 Lots

34 1-3, Northerly 1/2 vacated alley adjacent to Lot 3, inclusive	\$1,795.50
35 25-27, inclusive.....	\$2,145.20
36 28-29, Southerly 1/2 vacated alley adjacent to Lot 29, inclusive	\$1,811.03

37
38 THE MCPHEE & MCGINNITY BLOCK IN DENVER, COLORADO Unplatted

	\$5,438.11
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39
40 MULLEN'S ADDITION TO THE CITY OF DENVER
41 BLOCK 3
42 Lots 1-4, inclusive

	\$3,389.80
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43
44

1	PLATTE ADDITION TO DENVER	
2	BLOCK 55	
3	Lots	
4	4-8, inclusive.....	\$3,408.39
5	19-23, inclusive.....	\$3,096.74
6	26-29, inclusive.....	\$2,582.81
7	30-32, inclusive.....	\$1,781.86

8		
9	BLOCK 56	
10	Lot	
11	16.....	\$2,733.71

12 THAT PART OF EAST DENVER COMMONLY KNOWN AS:
13 STECK'S ADDITION TO DENVER
14 BLOCK 33
15 Lot
16 31..... \$3,389.80

19
20 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
21 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
22 priority of the lien for local public improvement districts.

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

30 **Section 6.** Any unspent revenue and revenue generated through investment shall be
31 retained and credited to the Broadway Viaduct Pedestrian Mall Local Maintenance District for future
32 long term or program maintenance of the District.

33 [THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
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1 COMMITTEE APPROVAL DATE: November 2, 2021 by Consent
2 MAYOR-COUNCIL DATE: November 9, 2021
3 PASSED BY THE COUNCIL: _____ November 22, 2021
4 *Steve Filmore* - PRESIDENT
5 APPROVED: _____ - MAYOR _____
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: November 10, 2021
11 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the 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
18 BY: *Jonathan Griffin* , Assistant City Attorney DATE: Nov 9, 2021