

BY AUTHORITY,

ORDINANCE NO. _____

COUNCIL BILL NO. CB17-1118

SERIES OF 2017

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 East 13th Avenue Pedestrian Mall 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 East 13th Avenue Pedestrian Mall Local Maintenance District ("East 13th Avenue Pedestrian Mall"), 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 East 13th Avenue Pedestrian Mall, was created by Ordinance No. 134, Series of 1996;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall is \$42,030.00, 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 East 13th Avenue Pedestrian Mall 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 Streetscape.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall 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 East 13th Avenue Pedestrian Mall in the amount of \$42,030.00 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 shall
4 be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount
5 appearing after such series shall be the assessment for each lot in the series.

6
7 H.C. BROWN'S 2ND ADDITION TO DENVER, COLORADO
8 BLOCK 65
9 Lots
10 West 60' Lots 1-4, inclusive \$1,240.74
11 East 65' Lots 1-4 & Adjacent strip of land, inclusive \$1,635.26

12
13 BLOCK 66
14 Lots
15 20 & Adjacent strip of land, inclusive \$2,961.77

16
17 J.W. SMITH'S ADDITION TO DENVER
18 BLOCK 65
19 Lot
20 40 \$2,585.16

21
22 BLOCK 66
23 Lot
24 21 \$2,585.16

25
26 BLOCK 79
27 Lots
28 1 \$2,585.16
29 40 \$2,585.16

30
31 BLOCK 80
32 Lots
33 20-21 \$2,585.16

34
35 BLOCK 83
36 Lots
37 20-21 \$2,585.16

38
39 BLOCK 84
40 Lots
41 1 \$2,585.16
42 40 \$2,585.16

43
44 BLOCK 89
45 Lots
46 1 \$2,585.16
47 40 \$2,585.16

1 BLOCK 90
2 Lots
3 20-21 \$2,585.16
4

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

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

15 **Section 6.** Any unspent revenue and revenue generated through investment shall be
16 retained and credited to the East 13th Avenue Pedestrian Mall Local Maintenance District for future
17 long term or program maintenance of the District.

18 COMMITTEE APPROVAL DATE: October 10, 2017 by Consent

19 MAYOR-COUNCIL DATE: October 17, 2017

20 PASSED BY THE COUNCIL: _____ October 30, 2017

21 _____ *ALB* - PRESIDENT

22 APPROVED: _____ *JW* - MAYOR Oct 31, 2017

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

26 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

27 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 19, 2017

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

32 Kristin M. Bronson, Denver City Attorney

33 BY: *Kristin J. Crawford*, Assistant City Attorney DATE: Oct 17, 2017