

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0589
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 Consolidated Larimer Street 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 Consolidated Larimer Street Pedestrian Mall 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 Consolidated Larimer Street Pedestrian Mall, was created by Ordinance No.779, Series of 1997;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall are \$24,000.00 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 filed with the Manager of Public Works;

(d) The Consolidated Larimer Street Pedestrian Mall currently has sufficient reserves to pay for \$4,000.00 of the 2012 annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall, the amount to be assessed against the properties, exclusive of improvements thereon.

(e) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$20,000.00;

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

5 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
6 replacement of the Consolidated Larimer Street Pedestrian Mall to be assessed against the real
7 properties, 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 Consolidated Larimer Street Pedestrian Mall in the amount of \$20,000.00 are
10 hereby 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
13 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
14 amount appearing after such series shall be the assessment for each lot in the series.
15

16	EAST DENVER	
17	BLOCK 51	
18	Lots	
19	17 Except the Southwesterly 6.0'	\$159.07
20	18-32	\$209.09
21		
22	BLOCK 52	
23	Lots	
24	17-26	\$208.92
25		
26	BLOCK 63	
27	Lots	
28	1-16	\$208.92
29		
30	BLOCK 64	
31	Lots	
32	1-16	\$209.07
33		
34	THAT PART OF EAST DENVER COMMONLY KNOWN AS STECK'S ADDITION	
35	BLOCK 52	
36	Lots	
37	27-32	\$208.92
38		
39	BLOCK 53	
40	Lots	
41	17-32	\$208.59
42		

1 BLOCK 62
2 Lots
3 1-16

\$208.54

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 subject the property
13 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

14 **Section 6.** Any unspent revenue and revenue generated through investment shall be
15 retained and credited to the Consolidated Larimer Street Pedestrian Mall Local Maintenance
16 District for future long term or program maintenance of the District.

17 COMMITTEE APPROVAL DATE: (by Consent) August 18, 2011

18 MAYOR-COUNCIL DATE: August 30, 2011

19 PASSED BY THE COUNCIL: _____, 2011

20 _____ - PRESIDENT

21 APPROVED: _____ - MAYOR _____, 2011

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

25 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

26 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - September 8, 2011

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

31 Douglas J. Friednash, City Attorney

32 BY: _____, Assistant City Attorney DATE: _____, 2011