

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2015

COUNCIL BILL NO. CB15-0708
COMMITTEE OF REFERENCE:
4 Infrastructure & Culture

5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care, operation,**
7 **repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall**
8 **Local Maintenance District upon the real property, exclusive of improvements**
9 **thereon, benefited.**

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 Public
12 Works that an ordinance be enacted for the purpose of assessing the annual costs of the
13 continuing care, operation, repair, maintenance and replacement of the East 13th Avenue
14 Pedestrian Mall, for the upcoming year, upon the real property, exclusive of improvements thereon,
15 benefited the Council finds, as follows:

16 (a) A local maintenance district providing for the continuing care, operation, repair,
17 maintenance and replacement of the East 13th Avenue Pedestrian Mall, was created by Ordinance
18 No. 134, Series of 1996;

19 (b) The annual costs of the continuing care, operation, repair, maintenance and
20 replacement of the East 13th Avenue Pedestrian Mall are \$30,600.00 which amount the Executive
21 Director of Public Works has the authority to expend for the purposes stated herein;

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

27 (d) The real property within the East 13th Avenue Pedestrian Mall will be benefited in an
28 amount equal to or in excess of the amount to be assessed against said property because of the
29 continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

30 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
31 replacement of the East 13th Avenue Pedestrian Mall to be assessed against the real properties,
32 exclusive of improvements thereon, benefited are hereby approved.

33 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
34 replacement of the East 13th Avenue Pedestrian Mall in the amount of \$30,600.00 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
4 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
5 amount appearing after such series shall be the assessment for each lot in the series.

6		
7	H.C. BROWN'S 2 ND ADDITION TO DENVER, COLORADO	
8	BLOCK 65	
9	Lots	
10	West 60' Lots 1-4, inclusive	\$903.32
11	East 65' Lots 1-4 & Adjacent strip of land, inclusive	\$1,190.55
12		
13	BLOCK 66	
14	Lots	
15	20 & Adjacent strip of land, inclusive	\$2,156.31
16		
17	J.W. SMITH'S ADDITION TO DENVER	
18	BLOCK 65	
19	Lot	
20	40	\$1,882.12
21		
22	BLOCK 66	
23	Lot	
24	21	\$1,882.12
25		
26	BLOCK 79	
27	Lots	
28	1	\$1,882.12
29	40	\$1,882.12
30		
31	BLOCK 80	
32	Lots	
33	20-21	\$1,882.12
34		
35	BLOCK 83	
36	Lots	
37	20-21	\$1,882.12
38		
39	BLOCK 84	
40	Lots	
41	1	\$1,882.12
42	40	\$1,882.12
43		
44	BLOCK 89	
45	Lots	
46	1	\$1,882.12
47	40	\$1,882.12
48		
49	BLOCK 90	

1 Lots
2 20-21 \$1,882.12
3

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

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

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

16 COMMITTEE APPROVAL DATE: October 1, 2015 by consent

17 MAYOR-COUNCIL DATE: October 6, 2015

18 PASSED BY THE COUNCIL: _____, 2015

19 _____ - PRESIDENT

20 APPROVED: _____ - MAYOR _____, 2015

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

24 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2015; _____, 2015

25 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 8, 2015

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

30 D. Scott Martinez, Denver City Attorney

31 BY: _____, Assistant City Attorney DATE: _____, 2015