

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0590
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 Santa Fe Drive Pedestrian Mall A 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 Santa Fe Drive Pedestrian Mall A 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 Santa Fe Drive Pedestrian Mall A, was created by Ordinance No. 979, Series of 1996;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall A are \$28,140.00 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 Santa Fe Drive Pedestrian Mall A currently has sufficient reserves to pay for \$10,140.00 of the 2012 annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall A, 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 Santa Fe Drive Pedestrian Mall A to be assessed against the properties, exclusive of improvements thereon, benefited are \$17,550.89;

1 (f) The portion of the annual costs of the continuing care, operation, repair, maintenance
2 and replacement of the Santa Fe Drive Pedestrian Mall A to be borne by the City and County of
3 Denver is \$449.11; and

4 (g) The real property within the Santa Fe Drive Pedestrian Mall A will be benefited in an
5 amount equal to or in excess of the amount to be assessed against said property because of the
6 continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

7 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
8 replacement of the Santa Fe Drive Pedestrian Mall A to be assessed against the real properties,
9 exclusive of improvements thereon, benefited are hereby approved.

10 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
11 replacement of the Santa Fe Drive Pedestrian Mall A in the amount of \$17,550.89 are hereby
12 assessed against the real properties, exclusive of improvements thereon, within said local
13 maintenance district as follows:

14 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series
15 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
16 amount appearing after such series shall be the assessment for each lot in the series.
17

18	ELMWOOD ADDITION TO THE CITY OF DENVER	
19	BLOCK 6	
20	Lot 1	\$174.05
21	Lot 2	\$106.23
22	Lots 3-4	\$113.26
23		
24	BLOCK 7	
25	Lots 1-20	\$112.29
26		
27	BLOCK 18	
28	Lots 1-20	\$112.29
29	Lot 21	\$8.44
30		
31	HUNT'S ADDITION TO DENVER	
32	BLOCK 30	
33	Lots 21-24 except west 115.0'	\$112.34
34	Lots 25-40	\$112.34
35		
36	BLOCK 31	
37	Lots 21 & 22 East 100.9'	\$112.29
38	Lot 23 South 15.0' East 100.9'	\$67.38
39	Lot 23 North 10.0'	\$44.92
40	Lots 24-37	\$112.29
41	Lot 38 East 58.55'	\$111.75
42	Lot 39 East 58.56'	\$110.76

1	Lot 40 East 58.57'	\$114.63
2		
3	BLOCK 38	
4	Lots 11 and 12 East 122.0'	\$224.58
5	Lots 13-20	\$224.58
6		
7	BLOCK 39	
8	Lot 11	\$224.58
9	Lots 12-17	\$224.54
10	Lot 18	\$224.56
11		
12	SMITH'S ADDITION TO THE CITY OF DENVER	
13	BLOCK 7	
14	Lots 1-20	\$112.29
15		
16	BLOCK 18	
17	Lots 1-15	\$112.29
18	Lot 16	\$78.74
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 subject the property
28 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

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

32

1 COMMITTEE APPROVAL DATE: (by Consent) August 18, 2011
2 MAYOR-COUNCIL DATE: August 30, 2011
3 PASSED BY THE COUNCIL: _____, 2011
4 _____ - PRESIDENT
5 APPROVED: _____ - MAYOR _____, 2011
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011
10 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - September 8, 2011
11 Pursuant to section 13-12, 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 Douglas J. Friednash, City Attorney
16 BY: _____, Assistant City Attorney DATE: _____, 2011