

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2021

COUNCIL BILL NO. CB21-1162
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 South Broadway Streetscape (Arizona Avenue to Iowa Avenue) 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 Executive Director of the Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District (“South Broadway Streetscape (Arizona Avenue to Iowa Avenue)”), 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 South Broadway Streetscape (Arizona Avenue to Iowa Avenue), was created by Ordinance No. 38, Series of 2008;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) is \$47,200.00, which amount the Executive Director of the Department of Transportation and Infrastructure has the authority to expend for the purposes stated herein;

(c) The Executive Director of the Department of Transportation and Infrastructure 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 Executive Director of the Department of Transportation and Infrastructure; and

(d) The real property within the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) 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 South Broadway Streetscape (Arizona Avenue to Iowa Avenue).

1 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
 2 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) to be assessed
 3 against the real properties, exclusive of improvements thereon, benefited are hereby approved.

4 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
 5 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) in the amount of
 6 \$47,200.00 are hereby assessed against the real properties, exclusive of improvements thereon,
 7 within said local maintenance district as follows:

8 NOTE: Where a series of lots is followed by “inclusive”, the amount appearing after the series shall
 9 be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the amount
 10 appearing after such series shall be the assessment for each lot in the series.

11
 12 FLEMING'S BROADWAY ADDITION
 13 BLOCK 4

14 Lot 1 - Lot 5, inclusive except part of west to City	\$ 1,250.03
15 Lot 6 - Lot 7, inclusive, except part on west to City.....	\$ 500.01
16 Lot 8 - Lot 10, inclusive, except part on west to City.....	\$ 750.02
17 Lot 11 except part on west to City	\$ 250.01
18 Lot 12 - Lot 13, inclusive, except part on west to City.....	\$ 500.01
19 Lot 14 - Lot 15, inclusive, except part on west to City.....	\$ 500.01
20 Lot 16 - Lot 17, inclusive, except part on west to City.....	\$ 500.01
21 Lot 18 - Lot 19, inclusive, except part on west to City.....	\$ 500.01
22 Lot 20 - Lot 22, inclusive, except part on west to City.....	\$ 750.02
23 Lot 23 - Lot 24, inclusive, except part on west to City.....	\$ 500.01

24
 25 JEROME'S BROADWAY SUBDIVISION SECOND FILING
 26 BLOCK 2

27 Lot 25 – Lot 28, inclusive	\$ 1,000.02
28 Lot 29 – Lot 34, inclusive	\$ 1,500.03

29
 30 JEROME'S BROADWAY SUBDIVISION SECOND FILING, BLOCK 2 AND OVERLAND PARK
 31 SUBDIVISION, BLOCK 1

32 Lot 8 - Lot 11, Overland Park Subdivision, Block 1; together with Lot 18
 33 – Lot 24, Jerome's Broadway Subdivision Second Filing, Block 2;
 34 together with an unplatted parcel of land described as follows, a portion
 35 of the northeast 1/4 of the northwest 1/4, Section 22, Township 4 South,
 36 Range 68 east of the 6th Prime Meridian, beginning at the northwest
 37 corner of Lot 11, Block 1 of Overland Park Subdivision, thence north
 38 along the east line of the alley in said Block 1 and said line extended
 39 northerly to the southwest corner of Lot 18, Block 2, said Jerome's
 40 Broadway Subdivision Second Filing, thence east along the south line
 41 of said Lot 18 to the southeast corner thereof, thence south along the
 42 west line of Broadway to the northeast corner of said Lot 11, Block 1 of
 43 Overland Park Subdivision, thence along the north line of said Lot 11 to
 44 the point of beginning. \$ 3,449.04

1	OVERLAND PARK SUBDIVISION		
2	BLOCK 2		
3	Lot 25 - Lot 30, inclusive	.....	\$ 1,500.03
4	Lot 31 - Lot 35, inclusive	.....	\$ 1,250.02
5	Lot 36 - Lot 37, inclusive	.....	\$ 500.01
6	Lot 38 - Lot 41, inclusive	.....	\$ 1,000.02
7	Lot 42 - Lot 43, inclusive	.....	\$ 500.01
8	Lot 44 - Lot 45, inclusive	.....	\$ 500.01
9	Lot 46 - Lot 48, inclusive	.....	\$ 750.02
10			
11	BLOCK 5		
12	Lot 24 - Lot 25, inclusive	.....	\$ 500.01
13	Lot 26	.....	\$ 250.01
14	Lot 27 - Lot 31, inclusive	.....	\$ 1,250.02
15	Lot 32 - Lot 33, inclusive	.....	\$ 500.01
16	Lot 34 & south 24.25' of Lot 35, inclusive	.....	\$ 492.51
17	Lot 36 - Lot 37 & north 9" of Lot 35, inclusive	.....	\$ 507.51
18	Lot 38 - Lot 39, inclusive	.....	\$ 500.01
19	Lot 40 - Lot 41, inclusive	.....	\$ 500.01
20	Lot 42 - Lot 43, inclusive, beginning 16.37' south of northeast corner Lot		
21	43 thence west 22.25' southwest 3.61' west 34.75' south 0.5' west 65'		
22	south 31.13' east 125' north 33.63' to point of beginning.....		\$ 336.30
23	Beginning at the northeast corner of Lot 43 south 16.37' west 22.25'		
24	southwest 3.62' to a point 25.25' west of east line & 18.37' south of north		
25	line Lot 43 west 34.75' south 0.5' west 65' north 18.87' east 125' more or		
26	less	.....	\$ 163.70
27	Lot 44	.....	\$ 250.01
28	Lot 45 - Lot 46, inclusive	.....	\$ 500.01
29			
30	BLOCK 6		
31	Lot 25 - Lot 28, inclusive	.....	\$ 1,000.02
32	Lot 29 - Lot 30, inclusive	.....	\$ 500.01
33	Lot 31 - Lot 32, inclusive	.....	\$ 500.01
34	Lot 33 - Lot 36, inclusive	.....	\$ 1,000.02
35	Lot 37 - Lot 38, inclusive	.....	\$ 500.01
36	Lot 39	.....	\$ 250.01
37	Lot 40	.....	\$ 250.01
38	Lot 41 - Lot 48, inclusive	.....	\$ 2,000.05
39			
40	SHERMAN SUBDIVISION		
41	BLOCK 9		
42	Lot 1 - Lot 3, and that part of Lot 4 beginning northeast corner of Lot 1		
43	thence south 81.47' west 126.47' north 81.12' east 126.45' to point of		
44	beginning, inclusive,		\$ 811.22
45	Lot 4 - Lot 8, inclusive, except south 7' of Lot 8 & except beginning		
46	northeast corner Lot 4 thence south 6.47' west 126.47' north 6.12' east		
47	126.45' to point of beginning		\$ 1,118.82
48	Lot 9 & south 7' of Lot 8, inclusive		\$ 320.01
49	Lot 10		\$ 250.01
50	Lot 11 - Lot 13 & north 1/2 of Lot 14, inclusive		\$ 875.02

1	Lot 15 & south ½ of Lot 14, inclusive	\$ 375.01
2	Lot 16 - Lot 23, inclusive	\$ 2,000.05
3		
4	BLOCK 24	
5	Lot 1 - Lot 2, inclusive	\$ 500.02
6	North 24.675' of Lot 3	\$ 246.76
7	Lot 4 - Lot 5 & south 0.325' of Lot 3, inclusive	\$ 503.26
8	Lot 6 - Lot 11, inclusive	\$ 1,500.03
9	Lot 12 - Lot 17, inclusive	\$ 1,500.03
10	Lot 18	\$ 250.01
11	Lot 19 & north 7.5' of Lot 20, inclusive	\$ 325.01
12	Lot 21- Lot 22, & south 17.5' of Lot 20, inclusive	\$ 675.02
13	Lot 23	\$ 250.01
14	Lot 24	\$ 250.01
15		
16	BLOCK 25	
17	Lot 1 – Lot 3, inclusive	\$ 750.02
18	Lot 4 – Lot 5, inclusive	\$ 500.01
19	Beginning northwest corner Lot 6 thence south 37.5' thence east 13.2'	
20	thence northwest to a point on the north line of Lot 6 12.98' east of	
21	northwest corner thence west to point of beginning.....	\$ 375.01
22	Lot 8 & south ½ of Lot 7, inclusive	\$ 375.01
23	Lot 9 - Lot 10, inclusive	\$ 500.02
24	Lot 11 - Lot 12, inclusive	\$ 500.02
25	Lot 13 except south 10.50' thereof & except part for South Broadway	\$ 145.01
26	South 10.50' of Lot 13 & north 9.40' of Lot 14 except part for South Broadway,	
27	inclusive	\$ 199.01
28	South 15.60' of Lot 14 – Lot 15, inclusive, except south 22.60' thereof &	
29	except part for South Broadway	\$ 180.00
30	North 16' of south 22.60' of Lot 15 except part for South Broadway..	\$ 160.00
31	South 6.60' of Lot 15 - Lot16, inclusive, except south 13.60' thereof	
32	& except part for South Broadway	\$ 180.00
33	South 13.60' of Lot 16 - Lot 17, inclusive, except south 20.60' thereof &	
34	except part for South Broadway	\$ 180.00
35	North 16' of south 20.60' of Lot 17 except part for South Broadway..	\$ 160.00
36	South 4.60' of Lot 17 - Lot 18, inclusive, except south 9.70' thereof &	
37	except part for South Broadway	\$ 199.01
38	Lot 19 & south 9.7' Lot 18, inclusive	\$ 347.01
39	Lot 20 - Lot 23, inclusive	\$ 1,000.02
40		

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

44 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
45 and payable on the first day of January of the year next following the year in which this assessing
46 ordinance became effective, and said assessments shall become delinquent if not paid by the last
47 day of February of the year next following the year in which this assessing ordinance became

1 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the
2 property subject to the assessment, and such lien may be sold by the City as provided by the Charter
3 and ordinances of the City and County of Denver.

4 **Section 6.** Any unspent revenue and revenue generated through investment shall be
5 retained and credited to the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
6 Maintenance District for future long term or program maintenance of the District.

7 COMMITTEE APPROVAL DATE: October 12, 2021 by Consent

8 MAYOR-COUNCIL DATE: October 19, 2021

9 PASSED BY THE COUNCIL: November 1, 2021

10 *Stacie Filmore* - PRESIDENT

11 APPROVED: _____ - MAYOR *MS* Nov 2, 2021

12 ATTEST: _____ - CLERK AND RECORDER,
13 EX-OFFICIO CLERK OF THE
14 CITY AND COUNTY OF DENVER

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

16 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 21, 2021

17 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
18 City Attorney. We find no irregularity as to form and have no legal objection to the proposed
19 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
20 3.2.6 of the Charter.

21 Kristin M. Bronson, Denver City Attorney

22 BY: *Jonathan Griffin*, Assistant City Attorney DATE: Oct 20, 2021