

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2011

COUNCIL BILL NO. CB11-0686  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance assessing the cost of the construction and installation of the streetscape improvements in South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public Improvement District, including but not limited to sidewalks, brick pavers, trees, tree grates, irrigation, benches, trash receptacles and pedestrian lights (including amenities within the medians), providing for the assessment of the real estate included in the district, the payment of costs, and other matters incidental to the making of said improvements 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 cost of construction and installation of the streetscape improvements of South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public Improvement District, Council finds as follows:

(a) A local public improvement district providing for construction and installation of the streetscape improvements along South Broadway located in the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public Improvement District, was created by Ordinance No. 37, Series of 2008;

(b) The cost of construction and installation of the streetscape improvements along South Broadway located in the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public Improvement District is \$375,000.00, which amount, exclusive of incidentals, costs of collection and interest, does not exceed the estimate of the City Engineer approved by Ordinance No. 37, Series of 2008;

(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 cost of construction and installation of the streetscape improvements along South Broadway located in the South Broadway Streetscape (Arizona Avenue to Iowa Avenue)

1 Local Public Improvement District to be assessed against the properties benefited is \$529,441.00,  
2 inclusive of incidentals, the costs of collection and interest; and

3 (e) The portion of the cost of construction and installation of the streetscape  
4 improvements of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public  
5 Improvement District to be assessed against the properties benefited, is \$521,028.09, inclusive of  
6 incidentals, the costs of collection and interest; and

7 (f) The portion of the cost of construction and installation of the streetscape  
8 improvements of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Public  
9 Improvement District to be borne by the City and County of Denver is \$8,412.91, inclusive of  
10 incidentals, the costs of collection and interest; and

11 (g) The real property within the South Broadway Streetscape (Arizona Avenue to Iowa  
12 Avenue) Local Public Improvement District will be benefited in an amount equal to or in excess of  
13 the amount to be assessed against said property because of construction and installation of the  
14 streetscape improvements of said South Broadway Streetscape (Arizona Avenue to Iowa Avenue)  
15 Local Public Improvement District.

16 **Section 2.** The cost of construction and installation of the streetscape improvements along  
17 South Broadway located in the South Broadway Streetscape (Arizona Avenue to Iowa Avenue)  
18 Local Public Improvement District are hereby assessed against the real properties, within said local  
19 maintenance district as follows:

20 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series  
21 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the  
22 amount appearing after such series shall be the assessment for each lot in the series.  
23

24 FLEMING'S BROADWAY ADDITION  
25 BLOCK 4

26 Lots 1 - 5, inclusive, except part of west to City	\$14,021.57
27 Lots 6 - 7, inclusive, except part on west to City	\$5,608.57
28 Lots 8 - 10, inclusive, except part on west to City	\$8,412.91
29 Lot 11 except part on west to City	\$2,804.33
30 Lots 12 - 13, inclusive, except part on west to City	\$5,608.57
31 Lots 14 - 15, inclusive, except part on west to City	\$5,608.57
32 Lots 16 - 17, inclusive, except part on west to City	\$5,608.57
33 Lots 18 - 19, inclusive, except part on west to City	\$5,608.57
34 Lots 20 - 22, inclusive, except part on west to City	\$8,412.91
35 Lots 23 - 24, inclusive, except part on west to City	\$5,608.57

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1	JEROME'S BROADWAY SUBDIVISION SECOND FILING	
2	BLOCK 2	
3	Lots 25 –28, inclusive	\$11,217.24
4	Lots 29 –34, inclusive	\$16,825.81
5		
6	JEROME'S BROADWAY SUBDIVISION SECOND FILING, BLOCK 2 AND OVERLAND PARK	
7	SUBDIVISION, BLOCK 1	
8	Lots 8 - 11, Overland Park Subdivision, Block 1; together with Lots 18 –24, Jerome's Broadway	
9	Subdivision Second Filing, Block 2; together with an unplatted parcel of land described as follows,	
10	a portion of the northeast 1/4 of the northwest 1/4, Section 22, Township 4 South, Range 68 east	
11	of the 6th Prime Meridian, beginning at the northwest corner of Lot 11, Block 1 of Overland Park	
12	Subdivision, thence north along the east line of the alley in said Block 1 and said line extended	
13	northerly to the southwest corner of Lot 18, Block 2, said Jerome's Broadway Subdivision Second	
14	Filing, thence east along the south line of said Lot18 to the southeast corner thereof, thence south	
15	along the west line of Broadway to the northeast corner of said Lot 11, Block 1 of Overland Park	
16	Subdivision, thence along the north line of said Lot 11 to the point of beginning. (The unplatted	
17	portion of the parcel was previously referred to erroneously as a portion of Lot 11 and Lots 12-14,	
18	Block 1, Overland Park Subdivision)	\$38,687.78
19		
20	OVERLAND PARK SUBDIVISION	
21	BLOCK 2	
22	Lots 25 - 30, inclusive	\$16,825.81
23	Lots 31 - 35, inclusive	\$14,021.48
24	Lots 36 - 37, inclusive	\$5,608.57
25	Lots 38 - 41, inclusive	\$11,217.24
26	Lots 42 - 43, inclusive	\$5,608.57
27	Lots 44 - 45, inclusive	\$5,608.57
28	Lots 46 - 48, inclusive	\$8,412.91
29		
30	BLOCK 5	
31	Lots 24 - 25, inclusive	\$5,608.57
32	Lot 26	\$ 2,804.33
33	Lots 27 - 31, inclusive	\$14,021.48
34	Lots 32 - 33, inclusive	\$5,608.57
35	Lot 34 & south 24.25' of Lot 35, inclusive	\$5,524.49
36	Lots 36 - 37, & north 9" of Lot 35, inclusive	\$5,692.75
37	Lots 38 - 39, inclusive	\$5,608.57
38	Lots 40 - 41, inclusive	\$5,608.57
39	Lots 42 - 43, beginning 16.37' south of northeast corner Lot 43 thence west 22.25' southwest 3.61'	
40	west 34.75' south 0.5' west 65' south 31.13' east 125' north 33.63' to point of beginning, inclusive	
41		\$3,772.31
42	Beginning at the northeast corner of Lot 43 south 16.37' west 22.25' southwest 3.62' to a point	
43	25.25' west of east line & 18.37' south of north line Lot 43 west 34.75' south 0.5' west 65' north	
44	18.87' east 125' more or less	\$1,836.26
45	Lot 44	\$2,804.33
46	Lots 45 - 46, inclusive	\$5,608.57
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1	BLOCK 6	
2	Lots 25 - 28, inclusive	\$ 11,217.24
3	Lots 29 - 30, inclusive	\$5,608.57
4	Lots 31 - 32, inclusive	\$5,608.57
5	Lots 33 - 36, inclusive	\$11,217.24
6	Lots 37 - 38, inclusive	\$5,608.57
7	Lot 39	\$2,804.33
8	Lot 40	\$2,804.33
9	Lots 41 – 48, inclusive	\$22,434.55
10		
11	SHERMAN SUBDIVISION	
12	BLOCK 9	
13	Lots 1 - 3, and that part of Lot 4 beginning northeast corner of Lot 1 thence south 81.47' west	
14	126.47' north 81.12' east 126.45' to point of beginning, inclusive	\$9,099.39
15	Lots 4 – 8, except south 7' of Lot 8 & except beginning northeast corner Lot 4 thence south 6.47'	
16	west 126.47' north 6.12' east 126.45' to point of beginning	\$12,549.82
17	Lot 9 & south 7' of Lot 8, inclusive	\$3,589.52
18	Lot 10	\$2,804.33
19	Lots 11 - 13 & north ½ of Lot 14, inclusive	\$9,815.12
20	Lot 15 & south ½ of Lot 14, inclusive	\$4,206.45
21	Lots 16 - 23, inclusive	\$22,434.54
22		
23	BLOCK 24	
24	Lots 1 - 2, inclusive	\$5,608.66
25	North 24.675' of Lot 3	\$2,767.90
26	Lots 4 - 5, & south 0.325' of Lot 3, inclusive	\$5,645.10
27	Lots 6 - 11, inclusive	\$16,825.81
28	Lots 12 - 17, inclusive	\$8,412.90
29	Lot 18	\$2,804.33
30	Lot 19 & north 7.5' of Lot 20, inclusive	\$3,645.61
31	Lots 21- 22, & south 17.5' of Lot 20, inclusive	\$7,571.63
32	Lot 23	\$2,804.33
33	Lot 24	\$2,804.33
34		
35	BLOCK 25	
36	Lots 1 – 3, inclusive	\$8,412.91
37	Lots 4 – 5, inclusive	\$5,608.57
38	Beginning northwest corner Lot 6 thence south 37.5' thence east 13.2' thence northwest to a point	
39	on the north line of Lot 6 12.98' east of northwest corner thence west to point of beginning	
40		\$4,206.45
41	Lot 8 & south ½ of Lot 7, inclusive	\$4,206.45
42	Lots 9 - 10, inclusive	\$5,608.66
43	Lots 11 - 12, inclusive	\$5,608.66
44	Lot 13 except south 10.50' thereof & except part for South Broadway	\$1,626.55
45	South 10.50' of Lot 13 & north 9.40' of Lot 14 except part for South Broadway	\$2,232.27
46	South 15.60' of Lot 14 and Lot 15, except south 22.60' thereof and	
47	except part for South Broadway, inclusive	\$2,019.05
48	North 16' of south 22.60' of Lot 15 except part for South Broadway	\$1,794.72
49	South 6.60' of Lot 15 and Lot 16, except south 13.60' thereof	

1	& except part for South Broadway, inclusive and	\$2,019.05
2	South 13.60' of Lot 16 and Lot 17, except south 20.60' thereof	
3	except part for South Broadway, inclusive and	\$2,019.05
4	North 16' of south 20.60' of Lot 17 except part for South Broadway	\$1,794.72
5	South 4.60' of Lot 17 and Lot 18, except south 9.70' thereof	
6	except part for South Broadway, inclusive	\$2,232.27
7	Lot 19 & south 9.7' Lot 18, inclusive	\$3,892.38
8	Lots 20 - Lot 23, inclusive	\$11,217.24

9           **Section 3.** The cost of construction and installation of the streetscape improvements along  
10 South Broadway in the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local  
11 Public Improvement District to be assessed against the real properties are hereby approved.

12           **Section 4.** All assessments levied hereunder shall be payable, with a five percent (5%)  
13 discount, within thirty (30) days after the effective date of this assessing ordinance or, without  
14 discount, in twelve (12) equal annual. Installments beginning sixty (60) days next following the  
15 effective date of the assessing ordinance with interest of five percent (5%) per annum on the  
16 deferred payments.

17           **Section 5.** The assessments made pursuant hereto shall be a lien in the several amounts  
18 assessed against each lot or tract of land set forth in Section 2 herein, and such lien shall have the  
19 priority of the lien for local improvement districts.

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

23           **Section 7.** This Ordinance shall be recorded among the records of the Clerk and Recorder  
24 of the City and County of Denver.

25

1 COMMITTEE APPROVAL DATE: (by Consent) September 29, 2011  
2 MAYOR-COUNCIL DATE: October 11, 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 - October 13, 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