

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2020

COUNCIL BILL NO. CB20-1093  
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 East 13th Avenue 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 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 East 13th Avenue Pedestrian Mall Local Maintenance District (“East 13th Avenue Pedestrian Mall”), 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 East 13th Avenue Pedestrian Mall, was created by Ordinance No. 134, Series of 1996;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall is \$42,030.00, 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;

(d) The real property within the East 13th Avenue Pedestrian Mall 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 East 13th Avenue Pedestrian Mall.

1           **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and  
 2 replacement of the East 13th Avenue Pedestrian Mall to be assessed against the real properties,  
 3 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 East 13th Avenue Pedestrian Mall in the amount of \$42,030.00 are hereby  
 6 assessed against the real properties, exclusive of improvements thereon, within said local  
 7 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 | H.C. BROWN'S 2 <sup>ND</sup> ADDITION TO DENVER, COLORADO |            |
| 13 | BLOCK 65  |            |
| 14 | Lots  |            |
| 15 | West 60' Lots 1-4, inclusive                              | \$1,240.74 |
| 16 | East 65' Lots 1-4 & Adjacent strip of land, inclusive     | \$1,635.26 |
| 17 |   |            |
| 18 |   |            |
| 19 | BLOCK 66  |            |
| 20 | Lots  |            |
| 21 | 20 & Adjacent strip of land, inclusive                    | \$2,961.77 |
| 22 |   |            |
| 23 | J.W. SMITH'S ADDITION TO DENVER                           |            |
| 24 | BLOCK 65  |            |
| 25 | Lot   |            |
| 26 | 40  | \$2,585.16 |
| 27 |   |            |
| 28 | BLOCK 66  |            |
| 29 | Lot   |            |
| 30 | 21  | \$2,585.16 |
| 31 |   |            |
| 32 | BLOCK 79  |            |
| 33 | Lots  |            |
| 34 | 1   | \$2,585.16 |
| 35 | 40  | \$2,585.16 |
| 36 |   |            |
| 37 | BLOCK 80  |            |
| 38 | Lots  |            |
| 39 | 20-21   | \$2,585.16 |
| 40 |   |            |
| 41 | BLOCK 83  |            |
| 42 | Lots  |            |
| 43 | 20-21   | \$2,585.16 |
| 44 |   |            |
| 45 | BLOCK 84  |            |
| 46 | Lots  |            |
| 47 | 1   | \$2,585.16 |

|    |          |            |
|----|----------|------------|
| 1  | 40       | \$2,585.16 |
| 2  |          |            |
| 3  | BLOCK 89 |            |
| 4  | Lots     |            |
| 5  | 1        | \$2,585.16 |
| 6  | 40       | \$2,585.16 |
| 7  |          |            |
| 8  | BLOCK 90 |            |
| 9  | Lots     |            |
| 10 | 20-21    | \$2,585.16 |
| 11 |          |            |

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

15           **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due  
16 and payable on the first day of January of the year next following the year in which this assessing  
17 ordinance became effective, and said assessments shall become delinquent if not paid by the last  
18 day of February of the year next following the year in which this assessing ordinance became  
19 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the  
20 property subject to the assessment, and such lien may be sold by the City as provided by the Charter  
21 and ordinances of the City and County of Denver.

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

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26                           **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: October 13, 2020 by Consent

2 MAYOR-COUNCIL DATE: October 20, 2020

3 PASSED BY THE COUNCIL: \_\_\_\_\_ November 2, 2020

4 *David Plimmon* - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_ ; \_\_\_\_\_

10 PREPARED BY: Bradley T. Neiman, Assistant City Attorney DATE: October 22, 2020

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the  
12 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  
16 Kristin M. Bronson, Denver City Attorney

17 BY: *Kristin M. Bronson*, Assistant City Attorney DATE: Oct 21, 2020  
18