

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2013

COUNCIL BILL NO. CB13-0791
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 Welton Street 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 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 Welton Street 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 Welton Street Pedestrian Mall, was created by Ordinance No. 788, Series of 1995;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall is \$33,200.00 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, if any, filed with the Manager of Public Works;

(d) The real property within the Welton Street 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 Pedestrian Mall.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall in the amount of \$33,200.00 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:

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

4 CASE AND EBERT'S ADDITION TO THE CITY OF DENVER

5 BLOCK 70

6 Lots

| | | |
|----|--|-----------|
| 7 | 14-15, and Lot 16 exc N 19.3', inclusive | \$1296.93 |
| 8 | 17, S 2/3 18 and N 19.3' 16, inclusive | \$1388.96 |
| 9 | 19 and N 1/3 18, inclusive | \$759.41 |
| 10 | 20 and 21, inclusive | \$1139.11 |
| 11 | 22-29 | \$569.56 |

13 BLOCK 78

14 Lots

| | | |
|----|-------|----------|
| 15 | 1-12 | \$542.26 |
| 16 | 13 | \$728.28 |
| 17 | 14-15 | \$751.45 |

19 PARK ADDITION TO DENVER

20 BLOCK 70

21 Lots

| | | |
|----|------------------|----------|
| 22 | 17-18, inclusive | \$177.96 |
|----|------------------|----------|

24 BLOCK 151

25 Lots

| | | |
|----|------------------|-----------|
| 26 | 27-32, inclusive | \$2073.13 |
|----|------------------|-----------|

28 STILES ADDITION TO THE CITY OF DENVER

29 BLOCK 151

30 Lots

| | | |
|----|------------------|-----------|
| 31 | 17-19, inclusive | \$1884.50 |
| 32 | 20 | \$554.93 |
| 33 | 21-26, inclusive | \$3329.55 |
| 34 | 27-32, inclusive | \$1476.21 |

36 BLOCK 184

37 Lots

| | | |
|----|------------------|-----------|
| 38 | 4-8, inclusive | \$1650.62 |
| 39 | 9-10 | \$511.15 |
| 40 | 11-13, inclusive | \$1533.45 |
| 41 | 14-16, inclusive | \$1618.16 |

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

46 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be
 47 due and payable on the first day of January of the year next following the year in which this

1 assessing ordinance became effective, and said assessments shall become delinquent if not paid
2 by the last day of February of the year next following the year in which this assessing ordinance
3 became effective. A failure to pay said assessments as hereinabove set forth shall subject the
4 property subject to the assessment to sale as provided by the Charter of the City and County of
5 Denver.

6 **Section 6.** Any unspent revenue and revenue generated through investment shall be
7 retained and credited to the Welton Street Pedestrian Mall Local Maintenance District for future
8 long term or program maintenance of the District.

9 COMMITTEE APPROVAL DATE: (by Consent) October 31, 2013

10 MAYOR-COUNCIL DATE: November 5, 2013

11 PASSED BY THE COUNCIL: _____, 2013
12 _____ - PRESIDENT

13 APPROVED: _____ - MAYOR _____, 2013

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

17 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2013; _____, 2013

18 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY – November 7, 2013

19 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
20 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
21 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
22 §3.2.6 of the Charter.

23 Douglas J. Friednash, City Attorney

24 BY: _____, Assistant City Attorney DATE: _____, 2013