

BY AUTHORITY

1
2 ORDINANCE NO. _____
3 SERIES OF 2014

COUNCIL BILL NO. CB14-0875
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

7 **For an ordinance assessing the annual costs of the continuing care, operation,**
8 **repair, maintenance and replacement of the South Downing Street Pedestrian**
9 **Mall Local Maintenance District upon the real property, exclusive of**
10 **improvements thereon, benefited.**

11 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

12 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that
13 an ordinance be enacted for the purpose of assessing the annual costs of the continuing care,
14 operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall, for
15 the upcoming year, upon the real property, exclusive of improvements thereon, benefited the
16 Council finds, as follows:

17 (a) A local maintenance district providing for the continuing care, operation, repair,
18 maintenance and replacement of the South Downing Street Pedestrian Mall, was created by
19 Ordinance No. 784, Series of 1992;

20 (b) The annual cost of the continuing care, operation, repair, maintenance and
21 replacement of the South Downing Street Pedestrian Mall is \$20,000, which amount the Manager
22 of Public Works has the authority to expend for the purposes stated herein;

23 (c) The Manager of Public Works has complied with all provisions of law relating to the
24 publishing of notice to the owners of real properties to be assessed and to all persons interested
25 generally, and the Council sitting as a Board of Equalization has heard and determined all written
26 complaints and objections, if any, filed with the Manager of Public Works;

27 (d) The portion of the annual costs for the continuing care, operation, repair,
28 maintenance and replacement of the South Downing Street Pedestrian Mall to be assessed
29 against the properties, exclusive of improvements thereon, benefited are \$19,661.02;

30 (e) The portion of the annual costs of the continuing care, operation, repair, maintenance
31 and replacement of the South Downing Street Pedestrian Mall to be borne by the City and County
32 of Denver is \$338.98; and

33 (f) The real property within the South Downing Street Pedestrian Mall will be benefited in
34 an amount equal to or in excess of the amount to be assessed against said property because of
35 the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

1 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
 2 replacement of the South Downing Street Pedestrian Mall to be assessed against the real
 3 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 Downing Street Pedestrian Mall in the amount of \$19,661.02 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
 9 shall be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the
 10 amount appearing after such series shall be the assessment for each lot in the series.

11

12 EVANSTON 2ND FILING

13 Block 33

14 Lots

15 18-19	\$338.98	
16 North 1.0' Lot 20		\$13.56
17 South 24.0' Lot 20	\$325.43	
18 21-23	\$338.98	

19

20 BLOCK 56

21 Lots

22 1-7	\$338.98
23 8 Except South 14.0'	\$149.16
24 8 South 14.0'	\$189.83
25 9-24	\$338.98

26

27 MOUNTAIN VIEW PLACE 2ND FILING

28 Block 17

29 Lots

30 19-20	\$338.98
31 21-24	\$338.98

32

33 BLOCK 24

34 Lots

35 1-4	\$338.98
36 5-11	\$338.98
37 12-23	\$338.98

38

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

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

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

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

8 COMMITTEE APPROVAL DATE: October 23, 2014 [by consent]

9 MAYOR-COUNCIL DATE: November 4, 2014

10 PASSED BY THE COUNCIL: _____, 2014

11 _____ - PRESIDENT

12 APPROVED: _____ - MAYOR _____, 2014

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

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

17 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: November 6, 2014

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

22 D. Scott Martinez, City Attorney

23 BY: _____, Assistant City Attorney DATE: _____, 2014