

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2021

COUNCIL BILL NO. CB21-1264
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 Phase II Broadway 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 Phase II Broadway Pedestrian Mall Local Maintenance District (“Phase II Broadway 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 Phase II Broadway Pedestrian Mall, was created by Ordinance No. 819, Series of 1993;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall is \$357,276.73, 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 Phase II Broadway 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 Phase II Broadway Pedestrian Mall.

1 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
 2 replacement of the Phase II Broadway 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 Phase II Broadway Pedestrian Mall in the amount of \$357,276.73 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 **ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE**
 13 **BLOCK 1**
 14 Lots
 15 11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive \$4,600.12
 16 14-17, inclusive \$3,998.99
 17 18-20, inclusive \$2,999.24

18
 19 **MONTELIUS & WALKER ADDITION**
 20 **BLOCK 1**
 21 Lots
 22 1-3, inclusive \$10,565.79

23
 24 **BROADWAY TERRACE**
 25 **BLOCK 13**
 26 Lots
 27 15-16, South 16.24' 17, inclusive \$4,202.31
 28 North 33.76' 17, 18, South 1/2 19, inclusive \$4,352.79
 29 North 1/2 19, 20, inclusive \$3,001.65

30
 31 **BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF BLOCK**
 32 **SEVEN IN GALLUP'S SOUTH BROADWAY SUBDIVISION**
 33 **BLOCK 6**
 34 Lots
 35 2-6, Exc rear 6', inclusive \$6,833.35

36
 37 **BYERS SUBDIVISION**
 38 **BLOCK 38**
 39 Lots 44-48, inclusive, and the east half of the vacated alley adjacent to Lot 44.
 40 Schedule #0515204047000 \$5,122.81

41
 42 **BLOCK 40**
 43 Lots
 44 1-5, inclusive \$5,122.81
 45 Byers Sub B40 43-48 Exc
 46 Beg SW Cor 43 Th N 128.03' W

1	5.39' S 128.03Ft W 5.39' to	
2	POB, inclusive	\$5,122.81
3	That portion of land as described in Schedule #0515205028000	\$5,968.47
4		
5	BLOCK 44	
6	All of Block 44, and the west half of adjacent vacated South Bannock St.,	
7	and the north half of adjacent vacated west Nevada Pl.; Excepting there	
8	from the north 10 feet of said Block 44	\$26,572.97
9		
10	BLOCK 45	
11	Lots	
12	25-27, inclusive	\$3,001.65
13	28, West 1/2 29, inclusive	\$1,500.82
14	East 1/2 29, 30, inclusive	\$1,500.82
15	31-34, inclusive	\$4,002.19
16	35-39, West 1/2 40, inclusive	\$5,503.02
17	East 1/2 40, 41, inclusive	\$1,500.82
18	42, West 1/2 43, inclusive	\$1,500.82
19	44-48 & East 1/2 43, inclusive	\$5,503.02
20		
21	BYERS RESUBDIVISION OF BLOCKS 37 AND 39	
22	BYERS SUBDIVISION	
23	BLOCK 38	
24	That portion of land as described in Schedule #0515204052000	\$40,812.78
25	That portion of land as described in Schedule #0515204053000	\$1,640.90
26		
27	BLOCKS 39 - 42	
28	That portion of land as described in Schedule Number 0515205015000	\$5,322.92
29	That portion of land as described in Schedule Number 0515205017000	\$5,124.01
30	That portion of land as described in Schedule Number 0515205027000	\$2,721.49
31		
32	EXPOSITION ADDITION	
33	BLOCK 1	
34	Lots	
35	1-7, inclusive	\$7,003.84
36	8-10, inclusive	\$3,001.65
37	11-12, inclusive	\$2,001.10
38	13-14, inclusive	\$2,001.10
39	15-16, inclusive	\$2,001.10
40	17	\$1,000.55
41	18-21, North 6.25' 22, inclusive	\$4,252.33
42	South 1/2 23, 24, inclusive	\$2,751.51
43		
44	GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S	
45	BROADWAY SUBDIVISION	
46	BLOCK 4	
47	Lots	
48	1-4, inclusive	\$3,642.00
49	5-6, inclusive	\$2,001.10
50	7-9, North 20.8' 10, inclusive	\$3,834.10

1	South 4.2' 10, 11-12, inclusive	\$1,168.64
2		
3	BLOCK 5	
4	Lots	
5	North 50' West 1/2 Block 5	\$2,001.10
6	South 50' North 100' West 1/2 Block 5	\$2,001.10
7		
8	GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION	
9	BLOCK 36	
10	Lots	
11	9-10, inclusive	\$5,362.94
12	11, East 8.33' 12, inclusive	\$1,333.93
13	West 16.67' 12, East 21.67' 13, inclusive	\$1,534.44
14	West 3.33' 13, 14, East 5' 15, inclusive	\$1,333.93
15	West 20' 15, East 11.67' 16, inclusive	\$1,267.50
16	West 13.33' 16, East 18.33' 17, inclusive	\$1,267.09
17	West 6.67' 17, 18, inclusive	\$1,267.50
18	19, East 1/2 20, inclusive	\$1,440.79
19	West 1/2 20, 21, 22, inclusive	\$2,561.40
20	23-28, inclusive	\$6,003.29
21		
22	KETTLE'S ADDITION TO DENVER	
23	BLOCK 3	
24	Lots	
25	1-24 & Vacated Alley, inclusive	\$12,006.55
26		
27	ONE BROADWAY PLAZA SUBDIVISION	
28	BLOCK 1	
29	That part of One Broadway Plaza Subdivision, defined as follows: Beginning at the	
30	southwest corner of Broadway and Vacated West Irvington Place; thence southerly	
31	along the west line of Broadway a distance of 259.93 feet; thence westerly on an	
32	angle to the right of 89°56' 37" a distance of 165.50 feet; thence northerly on an angle	
33	to the right of 90°03'23" a distance of 112.70 feet; thence easterly on an angle to the	
34	right of 90°00'00" a distance of 17.50 feet; thence northerly on an angle to the right	
35	of 90°00'00" a distance of 33.00 feet; thence on an angle to the right of 90°00'00" a	
36	distance of 18.75 feet; thence northerly on an angle to the right of 90°00'00" a	
37	distance of 114.21 feet to the south line of Vacated West Irvington Place; thence	
38	easterly along said south line a distance of 166.75 feet to the Point of Beginning, and	
39	the south 1/2 of adjacent Vacated West Irvington Place.	
40		\$12,003.78
41		
42	PATTERSON'S SUBDIVISION	
43	BLOCK 1	
44	Lots	
45	1-5, 47, adj. vacated alley, inclusive	\$5,002.74
46	North 75' 6-8, and the North 75' of the East 15' 9, inclusive	\$3,001.65
47	9 Exc. the North 75' of the East 15' and 10-12, inclusive	\$2,001.10
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1	PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE	
2	BLOCK 1	
3	Lots	
4	1-4, inclusive	\$3,997.39
5	5	\$999.35
6	6	\$999.35
7	7	\$999.35
8	8, North 16' 9, inclusive	\$1,639.70
9	South 8.97' 9, 10, North 16' 11, inclusive	\$1,998.70
10	South 8.97' 11, 12, inclusive	\$1,358.34
11	13	\$999.35
12	14	\$999.35
13	15	\$999.35
14	16-17, inclusive	\$1,998.70
15	18-19, inclusive	\$1,998.70
16	20-22, inclusive	\$2,998.04
17	23-24, inclusive	\$1,838.61
18		
19	POMEROY'S SOUTH BROADWAY SUBDIVISION	
20	BLOCK 1	
21	1-6, and the North 22.5' Lot 1, Block 2, inclusive	\$6,719.69
22		
23	BLOCK 2	
24	Lots	
25	1 Exc. the North 22.5', 2-3, inclusive	\$2,109.56
26	4, North 10.07' 5, inclusive	\$1,406.37
27	South 15' 5, 6 and Lots 1-4, Block 3, inclusive	\$5,617.08
28		
29	BLOCK 3	
30	Lots	
31	5-6 and Lot 1, Block 4, inclusive	\$3,010.05
32		
33	BLOCK 4	
34	2	\$1,003.25
35	3	\$1,003.35
36	4-6, inclusive	\$2,809.14
37		
38	SNYDER'S SUBDIVISION TO DENVER	
39	BLOCK 1	
40	West 125' 1-5, inclusive	\$4,900.69
41	West 125' 6-7, inclusive	\$1,960.28
42	West 125' 8-9, inclusive	\$1,960.28
43	West 125' 10-15, inclusive	\$5,880.83
44	West 125' 16-17, inclusive	\$1,960.28
45	West 125' 18-19, inclusive	\$1,960.28
46	West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on	
47	the North Side of the West 125' Lot 22, inclusive	\$1,994.29
48	West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on	
49	the North Side of the West 125' Lot 22, West 125' 23-24, inclusive	\$2,906.39
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1	UNPLATTED	
2	That portion of land as described in Schedule Number 0515200048000	\$4,922.70
3	That portion of land as described in Schedule Number 0515205032000	\$15,013.03
4	That portion of land as described in Schedule Number 0515205033000	\$484.67
5	The south 42 feet of the NE 1/4, of the SE 1/4, of the NW 1/4 of SEC 15, TWP 4S,	
6	RNG 68W of the 6 th PM, City and County of Denver, State of Colorado. Schedule	
7	#0515200037000	\$1,680.92

8

9 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts

10 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the

11 priority of the lien for local public improvement districts.

12 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due

13 and payable on the first day of January of the year next following the year in which this assessing

14 ordinance became effective, and said assessments shall become delinquent if not paid by the last

15 day of February of the year next following the year in which this assessing ordinance became

16 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the

17 property subject to the assessment, and such lien may be sold by the City as provided by the Charter

18 and ordinances of the City and County of Denver.

19 **Section 6.** Any unspent revenue and revenue generated through investment shall be

20 retained and credited to the Phase II Broadway Pedestrian Mall Local Maintenance District for future

21 long term or program maintenance of the District.

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1 COMMITTEE APPROVAL DATE: November 2, 2021 by Consent
2 MAYOR-COUNCIL DATE: November 9, 2021
3 PASSED BY THE COUNCIL: _____
4 _____ - 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: November 10, 2021
11 Pursuant to section 13-9, 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
18 BY: _____, Assistant City Attorney DATE: _____