

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2017

COUNCIL BILL NO. CB17-1107
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 Broadway Pedestrian Mall A 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 Broadway Pedestrian Mall A Local Maintenance District ("Broadway Pedestrian Mall A"), 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 Broadway Pedestrian Mall A, was created by Ordinance No. 839, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A is \$59,400.00, 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 portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be assessed against the properties, exclusive of improvements thereon, benefited are \$51,572.51;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be borne by the City and County of Denver is \$7,827.49; and

(f) The real property within the Broadway Pedestrian Mall A 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.

1 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
2 replacement of the Broadway Pedestrian Mall A to be assessed against the real properties, exclusive
3 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 Broadway Pedestrian Mall A in the amount of \$51,572.51; are hereby assessed
6 against the real properties, exclusive of improvements thereon, within said local maintenance district
7 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	BROADWAY ADDITION TO BYERS SUBDIVISION	
12	BLOCK 3	
13	Lots	
14	11	\$916.93
15	12-20	\$764.10
16	12' Wide Strip Adjacent to Lot 11	\$366.77
17	BLOCK 4	
18	Lots	
19	11-14	\$762.39
20	15 South 12.5 feet	\$382.05
21	GREENWAY'S RESUBDIVISION OF BLOCK 36	
22	BLOCK 36	
23	Lots	
24	1	\$949.32
25	2-8	\$765.94
26	POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION	
27	BLOCK 33	
28	Lots	
29	1-9	\$764.10
30	10	\$947.50
31	POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION	
32	BLOCK 34	
33	Lots	
34	1-9	\$764.10
35	10	\$947.50

1	RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY	
2	SUBDIVISION	
3	Lots	
4	1	\$610.80
5	2-18	\$763.58
6	19	\$4,428.76
7		

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

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

18 **Section 6.** Any unspent revenue and revenue generated through investment shall be
19 retained and credited to the Broadway Pedestrian Mall A Local Maintenance District for future long
20 term or program maintenance of the District.

21 COMMITTEE APPROVAL DATE: October 10, 2017 by Consent

22 MAYOR-COUNCIL DATE: October 17, 2017

23 PASSED BY THE COUNCIL: _____ October 30, 2017

24 _____ *ALB* - PRESIDENT

25 APPROVED: _____ *JM* - MAYOR _____ Oct 31, 2017

26 ATTEST: _____ - CLERK AND RECORDER,
27 EX-OFFICIO CLERK OF THE
28 CITY AND COUNTY OF DENVER

29 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

30 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 19, 2017

31 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
32 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
33 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
34 § 3.2.6 of the Charter.

35 Kristin M. Bronson, Denver City Attorney

36 BY: _____ *Kristin J. Crawford*, Assistant City Attorney DATE: _____ Oct 17, 2017