

BY AUTHORITY

ORDINANCE NO.
SERIES OF 2015

COUNCIL BILL NO. CB15-0821
COMMITTEE OF REFERENCE:
Infrastructure & Culture

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B 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 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 B, 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 B was created by Ordinance No. 840, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B is \$72,300.00, which amount the Executive Director of Public Works has the authority to expend for the purposes stated herein;

(c) The Executive Director 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 Executive Director of Public Works;

(d) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B to be assessed against the properties, exclusive of improvements thereon benefited are \$67,216.18;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B to be borne by the City and County of Denver is \$5,083.82; and

1 (f) The real property within the Broadway Pedestrian Mall B will be benefited in an
2 amount equal to or in excess of the amount to be assessed against such property because of the
3 continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

4 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
5 replacement of the Broadway Pedestrian Mall B to be assessed against the real properties,
6 exclusive of improvements thereon benefited are hereby approved.

7 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
8 replacement of the Broadway Pedestrian Mall B in the amount of \$67,216.18 are hereby assessed
9 against the real properties, exclusive of improvements thereon benefited within said local
10 maintenance district as follows:

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

14
15 EXPOSITION ADDITION
16 BLOCK 8
17 Lots
18 1-2, inclusive except the East 53' \$1,431.90
19 3-24 \$715.95
20
21 FIRST ADDITION TO LINCOLN SUBDIVISION
22 BLOCK 1
23 Lots
24 1-5 \$789.61
25 30-31, inclusive \$1,429.97
26 32-33 \$714.99
27 34-46 \$715.95

28
29 UNPLATTED

30
31 Those portions of the SE ¼, NW ¼ and NE ¼, SW ¼ Section 15, Township 4 South, Range 68 West of the
32 6th Principal Meridian located between the south line of the Phase II Broadway Pedestrian Mall
33 (approximately the centerline of the Center Avenue extended from the east) and a point 180.0 feet north of
34 the northerly right-of-way line of Interstate 25, the west line of South Broadway and a line located 100 feet
35 west of and parallel with said west line.

36
37 \$33,918.03
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 being assessed to sale as provided by the Charter of the City and County of Denver.

5 **Section 6.** Any unspent revenue shall be retained and credited to the Broadway Pedestrian
6 Mall B Local Maintenance District for future long term or program maintenance of the District.

7 COMMITTEE APPROVAL DATE: October 29, 2015 [by consent]

8 MAYOR-COUNCIL DATE: November 3, 2015

9 PASSED BY THE COUNCIL: _____, 2015
10 _____ - PRESIDENT

11 APPROVED: _____ - MAYOR _____, 2015

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

15 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2015; _____, 2015

16 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: November 5, 2015

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

21 D. Scott Martinez, City Attorney

22 BY: _____, Assistant City Attorney DATE: _____, 2015