

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. CB15-0709
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 South Downing 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 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 South Downing 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 South Downing Street Pedestrian Mall, was created by Ordinance No. 784, Series of 1992;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall is \$20,000, 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 South Downing Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$19,661.02;

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

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

4 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
5 replacement of the South Downing Street Pedestrian Mall to be assessed against the real
6 properties, 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 South Downing Street Pedestrian Mall in the amount of \$19,661.02 are hereby
9 assessed against the real properties, exclusive of improvements thereon, 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 EVANSTON 2ND FILING
16 Block 33
17 Lots
18 18-19 \$338.98
19 North 1.0' Lot 20 \$13.56
20 South 24.0' Lot 20 \$325.43
21 21-23 \$338.98

22
23 BLOCK 56
24 Lots
25 1-7 \$338.98
26 8 Except South 14.0' \$149.16
27 8 South 14.0' \$189.83
28 9-24 \$338.98

29
30 MOUNTAIN VIEW PLACE 2ND FILING
31 Block 17
32 Lots
33 19-20 \$338.98
34 21-24 \$338.98

35
36 BLOCK 24
37 Lots
38 1-4 \$338.98
39 5-11 \$338.98
40 12-23 \$338.98

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

1 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
2 and payable on the first day of January of the year next following the year in which this assessing
3 ordinance became effective, and said assessments shall become delinquent if not paid by the last
4 day of February of the year next following the year in which this assessing ordinance became
5 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
6 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

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

10 COMMITTEE APPROVAL DATE: October 1, 2015 by consent
11 MAYOR-COUNCIL DATE: October 6, 2015
12 PASSED BY THE COUNCIL: _____, 2015
13 _____ - PRESIDENT
14 APPROVED: _____ - MAYOR _____, 2015
15 ATTEST: _____ - CLERK AND RECORDER,
16 EX-OFFICIO CLERK OF THE
17 CITY AND COUNTY OF DENVER

18 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2015; _____, 2015
19 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 8, 2015

20 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
21 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
22 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
23 §3.2.6 of the Charter.

24 D. Scott Martinez, Denver City Attorney
25 BY: _____, Assistant City Attorney DATE: _____, 2015