

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0789
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 Tennyson Streetscape (West 38th Avenue to West 44th Avenue) 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 Tennyson Streetscape (West 38th Avenue to West 44th Avenue) 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 Tennyson Streetscape (West 38th Avenue to West 44th Avenue), was created by Ordinance No. 345, Series of 2009;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) is \$44,800.00, 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 filed with the Manager of Public Works;

(d) The real property within the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) 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.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) to be

1 assessed against the real properties, exclusive of improvements thereon, benefited are hereby
2 approved.

3 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
4 replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) in the amount
5 of \$44,800.00 are hereby assessed against the real properties, exclusive of improvements
6 thereon, within said local maintenance district as follows:

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

10		
11	EDBROOKE'S RESUBDIVISION OF BLOCK 32 BERKELEY	
12	BLOCK 32	
13	Lots 25-28, inclusive	\$1,217.59
14		
15	FIRST ADDITION TO BERKELEY	
16	BLOCK 8	
17	Lots 20-24, inclusive, except rear 8'	\$1,521.66
18		
19	MOUNTAIN VIEW	
20	BLOCK 1	
21	East 90' of Lot 12 & Lot 13, inclusive	\$646.97
22	Lots 14-15, inclusive	\$646.97
23	Lots 16-19, inclusive	\$1,293.93
24	Lot 20 and northerly 15' of Lot 21, inclusive	\$517.57
25	Lots 22-23 & southerly 10' of Lot 21, inclusive	\$841.05
26		
27	BLOCK 3	
28	Lots 1-6, inclusive, except rear 5'	\$1,939.60
29	Lots 7-8, inclusive, except rear 5'	\$645.92
30		
31	BLOCK 4	
32	Lots 1-8, inclusive, except rear 5'	\$2,600.77
33	Lots 9-10, inclusive, except rear 5'	\$646.97
34	Lot 11 & northerly 20' of Lot 12, inclusive, except rear 5'	\$582.27
35	Lot 13 & southerly 5' of Lot 12, inclusive, except rear 5'	\$388.18
36	Lot 14 & northerly 1/2 of Lot 15, inclusive, except rear 5'	\$485.22
37	Lot 16 & southerly 1/2 of Lot 15, inclusive, except rear 5'	\$485.22
38	Lots 17-18, inclusive, except rear 5'	\$646.97
39	Lots 19-20, inclusive, except rear 5'	\$646.97
40	Lots 21-24, inclusive, except rear 5'	\$1,292.64
41		
42	RESUBDIVISION OF BLOCK 2 AND A PART OF BLOCK 1	
43	Lots 1-4, inclusive	\$1,724.81
44	Lot 5	\$430.88
45	Lot 6	\$430.88
46	Lot 7	\$430.88

1	Lot 8 & strip 8.33' north/south & 126.3' east/west which lies south of Lot 8 &	
2	reserved alley in rear Lot 8, inclusive	\$430.88
3		
4	THOMPSON'S SUBDIVISION OF BLOCKS 2, 3, 7, 10 AND 20 ARGYLE PARK	
5	BLOCK 2	
6	Lot 1 & northerly 20' of Lot 2, inclusive	\$582.27
7	Southerly 5' of Lot 2 & Lots 3-4, inclusive	\$714.24
8	Lot 5 & northerly 1/2 of Lot 6, inclusive	\$485.22
9	Lot 7 & southerly 1/2 of Lot 6, inclusive	\$485.22
10	Lots 8-9, inclusive, except southerly 21.72' of Lot 9, inclusive	\$366.18
11	Southerly 21.72' of Lot 9	\$280.78
12	Lot 10	\$323.48
13	Lots 11-12, inclusive	\$646.97
14	Lot 13	\$323.48
15	Lot 14	\$323.48
16	Lots 15-18, inclusive	\$1,319.81
17		
18	BLOCK 3	
19	Lot 1 and northerly 1/3 of Lot 2, inclusive	\$430.88
20	Southerly 2/3 of Lot 2 & northerly 21.33' of Lot 3, inclusive	\$491.69
21	The southerly 3.67' of Lot 3 & all of Lot 4, inclusive	\$371.36
22	Lots 5-6, inclusive	\$646.97
23	Lot 7	\$323.48
24	Lot 8	\$323.48
25	Lots 9-10, inclusive	\$646.97
26	Lots 11-12, inclusive	\$646.97
27	Lots 13-14, inclusive	\$646.97
28	Lots 15-16, inclusive	\$646.97
29	Lots 17-18, inclusive	\$659.90
30		
31	T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5 ARGYLE PARK	
32	BLOCK 5	
33	Lots 1-4, inclusive	\$1,405.21
34	Lots 5-7, inclusive	\$970.45
35	Lots 8-9, inclusive	\$646.97
36	Lots 10-12, inclusive	\$970.45
37	Lots 13-14, inclusive	\$646.97
38	Lot 15 & northerly 0.5' of Lot 16, inclusive	\$329.95
39	Lots 16-20, except northerly 0.5' of Lot 16, inclusive	\$1,632.94
40		
41	WEBER AND OWENS SUBDIVISION OF BLOCKS 1, 4, 6, 9, 12, 14 AND 19 ARGYLE PARK	
42	BLOCK 4	
43	Lots 1-4, inclusive, except part to City	\$970.45
44	Lots 5-6, inclusive	\$646.97
45	Lots 7-8, inclusive	\$646.97
46	Lot 9	\$323.48
47	Lot 10	\$323.48
48	Lot 11 & northerly 3' of Lot 12, inclusive	\$362.30
49	Lot 13 & southerly 22' of Lot 12, inclusive	\$608.15

1	Lot 14	\$323.48
2	Lot 15-16, inclusive	\$646.97
3	Lot 17-18, inclusive	\$504.63
4	Lots 19-20, inclusive	\$658.61

5
6 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
7 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the
8 priority of the lien for local public improvement districts.

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

15 **Section 6.** Any unspent revenue and revenue generated through investment shall be
16 retained and credited to the Tennyson Streetscape (West 38th Avenue to West 44th Avenue)
17 Local Maintenance District for future long term or program maintenance of the District.

18 COMMITTEE APPROVAL DATE: (by Consent) October 27, 2011

19 MAYOR-COUNCIL DATE: November 8, 2011

20 PASSED BY THE COUNCIL: _____, 2011

21 _____ - PRESIDENT

22 APPROVED: _____ - MAYOR _____, 2011

23 ATTEST: _____ - CLERK AND RECORDER,
24 EX-OFFICIO CLERK OF THE
25 CITY AND COUNTY OF DENVER

26 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

27 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY DATE: November 10, 2011

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

32 Douglas J. Friednash, City Attorney

33 BY: _____, Assistant City Attorney DATE: _____, 2011