

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2020

COUNCIL BILL NO. CB20-1092
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 A BILL

6 **For an ordinance assessing the annual costs of the continuing care, operation,**
7 **repair, maintenance and replacement of Delgany Street Local Maintenance**
8 **District upon the real property, exclusive of improvements thereon, benefited.**
9

10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** Upon consideration of the recommendation of the Executive Director of the
12 Department of Transportation and Infrastructure that an ordinance be enacted for the purpose of
13 assessing the annual costs of the continuing care, operation, repair, maintenance and replacement
14 of Delgany Street Local Maintenance District (“Delgany Street”), for the upcoming year, upon the
15 real property, exclusive of improvements thereon, benefited, the Council finds, as follows:

16 (a) A local maintenance district providing for the continuing care, operation, repair,
17 maintenance and replacement of Delgany Street, was created by Ordinance No. 755, Series of 2002;

18 (b) The annual cost of the continuing care, operation, repair, maintenance and
19 replacement of Delgany Street is \$21,350.00, which amount the Executive Director of the
20 Department of Transportation and Infrastructure has the authority to expend for the purposes stated
21 herein;

22 (c) The Executive Director of the Department of Transportation and Infrastructure has
23 complied with all provisions of law relating to the publishing of notice to the owners of real properties
24 to be assessed and to all persons interested generally, and the Council sitting as a Board of
25 Equalization has heard and determined all written complaints and objections, if any, filed with the
26 Executive Director of the Department of Transportation and Infrastructure;

27 (d) The real property within the Delgany Street will be benefited in an amount equal to or
28 in excess of the amount to be assessed against said property because of the continuing care,
29 operation, repair, maintenance and replacement of said Delgany Street.

30 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and
31 replacement of Delgany Street to be assessed against the real properties, exclusive of improvements
32 thereon, benefited are hereby approved.

33 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
34 replacement of Delgany Street in the amount of \$21,350.00 are hereby assessed against the real
35 properties, exclusive of improvements thereon, within said local maintenance district as follows:

1 NOTE: Where a series of lots is followed by “inclusive”, the amount appearing after the series shall
2 be the total for all lots in the series. Where a series of lots is not followed by “inclusive”, the amount
3 appearing after such series shall be the assessment for each lot in the series.

4 EAST DENVER, THE COMMONS SUBDIVISION, FILING #1

5 BLOCK 1

6 Lot

7 1 \$6,332.62

8

9 BLOCK 11

10 Lots

11 11-12, inclusive \$4,523.31

12 13-16, inclusive \$10,494.07

13

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

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

24 **Section 6.** Any unspent revenue and revenue generated through investment shall be
25 retained and credited to Delgany Street Local Maintenance District for future long term or program
26 maintenance of the District.

27 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

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1 COMMITTEE APPROVAL DATE: October 13, 2020 by Consent
2 MAYOR-COUNCIL DATE: October 20, 2020
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: October 22, 2020
11 Pursuant to section 13-12, 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: _____