

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0687
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 South Broadway Streetscape (Arizona Avenue to Iowa 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 South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District 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 Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District, was created by Ordinance No. 38, Series of 2008;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District are \$59,000.00 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 portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District to be assessed against the properties, exclusive of improvements thereon, benefited are \$59,000.00;

(f) The real property within the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District will be benefited in an amount equal to or in excess of the

1 amount to be assessed against said property because of the continuing care, operation, repair,
2 maintenance and replacement of said Pedestrian Mall.

3 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and
4 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
5 Maintenance District to be assessed against the real properties, exclusive of improvements
6 thereon, benefited are hereby approved.

7 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and
8 replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
9 Maintenance District in the amount of \$59,000.00 are hereby assessed against the real properties,
10 exclusive of improvements thereon, within said local 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 FLEMING'S BROADWAY ADDITION
16 BLOCK 4

17 Lots 1 - 5, inclusive except part of west to City	\$1,562.54
18 Lots 6 - 7, inclusive, except part on west to City	\$625.01
19 Lots 8 - 10, inclusive, except part on west to City	\$937.52
20 Lot 11 except part on west to City	\$312.51
21 Lots 12 - 13, inclusive, except part on west to City	\$625.01
22 Lots 14 - 15, inclusive, except part on west to City	\$625.01
23 Lots 16 - 17, inclusive, except part on west to City	\$625.01
24 Lots 18 - 19, inclusive, except part on west to City	\$625.01
25 Lots 20 - 22, inclusive, except part on west to City	\$937.52
26 Lots 23 - 24, inclusive, except part on west to City	\$625.01

27
28 JEROME'S BROADWAY SUBDIVISION SECOND FILING
29 BLOCK 2

30 Lots 25 – 28, inclusive	\$1,250.03
31 Lots 29 – 34, inclusive	\$1,875.04

32
33 JEROME'S BROADWAY SUBDIVISION SECOND FILING, BLOCK 2 AND OVERLAND PARK
34 SUBDIVISION, BLOCK 1

35 Lots 8 - 11, Overland Park Subdivision, Block 1; together with Lots 18 –24, Jerome's Broadway
36 Subdivision Second Filing, Block 2; together with an unplatted parcel of land described as follows,
37 a portion of the northeast 1/4 of the northwest 1/4, Section 22, Township 4 South, Range 68 east
38 of the 6th Prime Meridian, beginning at the northwest corner of Lot 11, Block 1 of Overland Park
39 Subdivision, thence north along the east line of the alley in said Block 1 and said line extended
40 northerly to the southwest corner of Lot 18, Block 2, said Jerome's Broadway Subdivision Second
41 Filing, thence east along the south line of said Lot18 to the southeast corner thereof, thence south
42 along the west line of Broadway to the northeast corner of said Lot 11, Block 1 of Overland Park
43 Subdivision, thence along the north line of said Lot 11 to the point of beginning. (The unplatted

1	portion of the parcel was previously referred to erroneously as a portion of Lot 11 and Lots 12-14,	
2	Block 1, Overland Park Subdivision)	\$4,311.30
3		
4	OVERLAND PARK SUBDIVISION	
5	BLOCK 2	
6	Lots 25 - 30, inclusive	\$1,875.04
7	Lots 31 - 35, inclusive	\$1,562.53
8	Lots 36 - 37, inclusive	\$625.01
9	Lots 38 - 41, inclusive	\$1,250.03
10	Lots 42 - 43, inclusive	\$625.01
11	Lots 44 - 45, inclusive	\$625.01
12	Lots 46 - 48, inclusive	\$937.52
13		
14	BLOCK 5	
15	Lots 24 - 25, inclusive	\$625.01
16	Lot 26	\$312.51
17	Lots 27 - 31, inclusive	\$1,562.53
18	Lots 32 - 33, inclusive	\$625.01
19	Lot 34 & south 24.25' of Lot 35, inclusive	\$615.64
20	Lots 36 - 37, & north 9" of Lot 35, inclusive	\$634.39
21	Lots 38 - 39, inclusive	\$625.01
22	Lots 40 - 41, inclusive	\$625.01
23	Lots 42 - 43, beginning 16.37' south of northeast corner Lot 43 thence west 22.25' southwest 3.61'	
24	west 34.75' south 0.5' west 65' south 31.13' east 125' north 33.63' to point of beginning, inclusive	
25		\$420.38
26	Beginning at the northeast corner of Lot 43 south 16.37' west 22.25' southwest 3.62' to a point	
27	25.25' west of east line & 18.37' south of north line Lot 43 west 34.75' south 0.5' west 65' north	
28	18.87' east 125' more or less	\$204.63
29	Lot 44	\$312.51
30	Lots 45 - 46, inclusive	\$625.01
31		
32	BLOCK 6	
33	Lots 25 - 28, inclusive	\$1,250.03
34	Lots 29 - 30, inclusive	\$625.01
35	Lots 31 - 32, inclusive	\$625.01
36	Lots 33 - 36, inclusive	\$1,250.03
37	Lots 37 - 38, inclusive	\$625.01
38	Lot 39	\$312.51
39	Lot 40	\$312.51
40	Lots 41 - 48, inclusive	\$2,500.06
41		
42	SHERMAN SUBDIVISION	
43	BLOCK 9	
44	Lots 1 - 3, and that part of Lot 4 beginning northeast corner of Lot 1 thence south 81.47' west	
45	126.47' north 81.12' east 126.45' to point of beginning, inclusive	\$1,014.02
46	Lots 4 - 8, except south 7' of Lot 8 & except beginning northeast corner Lot 4 thence south 6.47'	
47	west 126.47' north 6.12' east 126.45' to point of beginning, inclusive	\$1,398.53
48	Lot 9 & south 7' of Lot 8, inclusive	\$400.01
49	Lot 10	\$312.51

1	Lots 11 - 13 & north ½ of Lot 14, inclusive	\$1,093.78
2	Lot 15 & south ½ of Lot 14, inclusive	\$468.76
3	Lots 16 - 23, inclusive	\$2,500.06
4		
5	BLOCK 24	
6	Lots 1 - 2, inclusive	\$625.02
7	North 24.675' of Lot 3	\$308.45
8	Lots 4 - 5, & south 0.325' of Lot 3, inclusive	\$629.08
9	Lots 6 - 11, inclusive	\$1,875.04
10	Lots 12 - 17, inclusive	\$1,875.04
11	Lot 18	\$312.51
12	Lot 19 & north 7.5' of Lot 20, inclusive	\$406.26
13	Lots 21- 22, & south 17.5' of Lot 20, inclusive	\$843.77
14	Lot 23	\$312.51
15	Lot 24	\$312.51
16		
17	BLOCK 25	
18	Lots 1 – 3, inclusive	\$937.52
19	Lots 4 – 5, inclusive	\$625.01
20	Beginning northwest corner Lot 6 thence south 37.5' thence east 13.2' thence northwest to a point	
21	on the north line of Lot 6 12.98' east of northwest corner thence west to point of beginning	
22		\$468.76
23	Lot 8 & south ½ of Lot 7, inclusive	\$468.76
24	Lots 9 - 10, inclusive	\$625.02
25	Lots 11 - 12, inclusive	\$625.02
26	Lot 13 except south 10.50' thereof & except part for South Broadway	\$181.26
27	South 10.50' of Lot 13 & north 9.40' of Lot 14 except part for South Broadway, inclusive	
28		\$248.76
29	South 15.60' of Lot 14 and Lot 15, except south 22.60' thereof and	
30	except part for South Broadway, inclusive	\$225.00
31	North 16' of south 22.60' of Lot 15 except part for South Broadway	\$200.00
32	South 6.60' of Lot 15 and Lot 16, except south 13.60' thereof	
33	& except part for South Broadway, inclusive	\$225.00
34	South 13.60' of Lot 16 and Lot 17, except south 20.60' thereof and	
35	except part for South Broadway, inclusive	\$225.00
36	North 16' of south 20.60' of Lot 17 except part for South Broadway	\$200.00
37	South 4.60' of Lot 17 and Lot 18, except south 9.70' thereof	
38	except part for South Broadway, inclusive	\$248.76
39	Lot 19 & south 9.7' Lot 18, inclusive	\$433.76
40	Lots 20 - 23, inclusive	\$1,250.03

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

44 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
45 and payable on the first day of January of the year next following the year in which this assessing
46 ordinance became effective, and said assessments shall become delinquent if not paid by the last

1 day of February of the year next following the year in which this assessing ordinance became
2 effective. A failure to pay said assessments as hereinabove set forth shall subject the property
3 subject to the assessment to sale as provided by the Charter of the City and County of Denver.

4 **Section 6.** Any unspent revenue and revenue generated through investment shall be
5 retained and credited to the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local
6 Maintenance District for future long term or program maintenance of the District.

7 COMMITTEE APPROVAL DATE: (by Consent) September 29, 2011

8 MAYOR-COUNCIL DATE: October 11, 2011

9 PASSED BY THE COUNCIL: _____, 2011
10 _____ - PRESIDENT

11 APPROVED: _____ - MAYOR _____, 2011

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

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

16 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - October 13, 2011

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 Douglas J. Friednash, City Attorney

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