

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2015

COUNCIL BILL NO. CB15-0697  
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 A 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 A, 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 A, was created by Ordinance No. 839, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A is \$54,000.00, 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 A to be assessed against the properties, exclusive of improvements thereon, benefited are \$46,884.11;

(e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A to be borne by the City and County of Denver is \$7,115.89; and

1 (f) The real property within the Broadway Pedestrian Mall A will be benefited in an  
2 amount equal to or in excess of the amount to be assessed against said property because of the  
3 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 Broadway Pedestrian Mall A 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 A in the amount of \$46,884.11 are hereby assessed  
9 against the real properties, exclusive of improvements thereon, within said local maintenance  
10 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	BROADWAY ADDITION TO BYERS SUBDIVISION	
16	BLOCK 3	
17	Lots	
18	11	\$833.57
19	12-20	\$694.64
20	12' Wide Strip Adjacent to Lot 11	\$333.43
21		
22	BLOCK 4	
23	Lots	
24	11-14	\$693.08
25	15 South 12.5 feet	\$347.42
26		
27	BYER'S SUBDIVISION	
28	BLOCK 35	
29	Lots	
30	1-6	\$593.00
31	43-48	\$593.00
32		
33	GREENWAY'S RESUBDIVISION OF BLOCK 36	
34	BLOCK 36	
35	Lots	
36	1	\$863.02
37	2-8	\$696.31
38		
39	POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION	
40	BLOCK 33	
41	Lots	
42	1-9	\$694.64
43	10	\$861.36
44		
45	POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION	

1	BLOCK 34	
2	Lots	
3	1-9	\$694.64
4	10	\$861.36
5	RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY	
6	SUBDIVISION	
7	Lots	
8	1	\$555.27
9	2-18	\$694.16
10	19	\$4,026.14

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

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

21 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained and  
22 credited to the Broadway Pedestrian Mall A Local Maintenance District for future long term or  
23 program maintenance of the District.

24 COMMITTEE APPROVAL DATE: October 1, 2015 by consent  
25 MAYOR-COUNCIL DATE: October 6, 2015

26 PASSED BY THE COUNCIL: \_\_\_\_\_, 2015  
27 \_\_\_\_\_ - PRESIDENT

28 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2015

29 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
30 EX-OFFICIO CLERK OF THE  
31 CITY AND COUNTY OF DENVER

32 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2015; \_\_\_\_\_, 2015

33 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 8, 2015

34 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
35 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
36 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
37 §3.2.6 of the Charter.

38 D. Scott Martinez, Denver City Attorney

39 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2015