BY AUTHORITY ORDINANCE NO. _____ COUNCIL BILL NO. CB23-1622 SERIES OF 2023 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 Broadway Viaduct 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 the Department of Transportation and Infrastructure 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 Viaduct Pedestrian Mall Local Maintenance District ("Broadway Viaduct 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 Broadway Viaduct Pedestrian Mall, was created by Ordinance No. 838, Series of 1998;
- (b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Viaduct Pedestrian Mall is \$52,600.00, which amount the Executive Director of the Department of Transportation and Infrastructure has the authority to expend for the purposes stated herein;
- (c) The Executive Director of the Department of Transportation and Infrastructure 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 the Department of Transportation and Infrastructure;
- (d) The portion of the annual costs for the continuing care, operation, repair, maintenance and replacement of the Broadway Viaduct Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited is \$50,865.63;
- (e) The portion of the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Viaduct Pedestrian Mall to be borne by the City and County of Denver is \$1,734.37; and

- (f) The real property within the Broadway Viaduct Pedestrian Mall 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 Broadway Viaduct Pedestrian Mall.
- Section 2. The annual costs of the continuing care, operation, repair, maintenance, and replacement of the Broadway Viaduct Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.
- **Section 3.** The annual costs of the continuing care, operation, repair, maintenance, and replacement of the Broadway Viaduct Pedestrian Mall in the amount of \$50,865.63 are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:
- 12 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the amount 13 appearing after such series shall be the assessment for each lot in the series. 14
- CASE & EBERT'S ADDITION TO THE CITY OF DENVER 16

17 BLOCK 1

Lots 18

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37 38

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19	1-4, inclusive	\$1,729.66
20	5-10, inclusive	\$4,645.54
21	16-19, inclusive	\$3,566.07

22 BLOCK 15 23

\$4,141.24

24 Lot 16

26 CURTIS & CLARK'S ADDITION TO DENVER, COLORADO

27 **BLOCK 60**

28 Lots 11-15, inclusive \$3,568.37

30 THAT PART OF EAST DENVER COMMONLY KNOWN AS:

- DAVIS ADDITION TO DENVER 31
- 32 BLOCK 61
- 33 Lots

34	1-3, Northerly ½ vacated alley adjacent to Lot 3, inclusive	\$1,888.87
35	25-27, inclusive	\$2,256.75

28-29, Southerly ½ vacated alley adjacent to Lot 29, inclusive 36

THE MCPHEE & MCGINNITY BLOCK IN DENVER, COLORADO Unplatted \$5,720.89

\$1,905.20

MULLEN'S ADDITION TO THE CITY OF DENVER 40

BLOCK 3 41

Lots 1-4, inclusive 42 \$3,566.07

44

1	PLATTE ADDITION TO DENVER	
2	BLOCK 55	
3	Lots	
4	4-8, inclusive	\$3,585.63
5	19-23, inclusive	\$3,257.77
6	26-29, inclusive	\$2,717.12
7	30-32, inclusive	\$1,874.42
8		
9	BLOCK 56	
10	Lot	
11	16	\$2,875.86
12		
13	THAT PART OF EAST DENVER COMMONLY KNOWN AS:	
14	STECK'S ADDITION TO DENVER	
15	BLOCK 33	
16	Lot	
17	31	\$3,566.07
18		

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

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

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

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1	COMMITTEE APPROVAL DATE: October 31, 2023 by Consent			
2	MAYOR-COUNCIL DATE: November 7, 2023 by Consent			
3	PASSED BY THE COUNCIL:			
4		PRESID	ENT	
5	APPROVED:	MAYOR		
6 7 8	ATTEST:	CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER		
9	NOTICE PUBLISHED IN THE DAILY JOURNAL: _		;	
10	PREPARED BY: Bradley T. Neiman, Assistant City	Attorney	DATE: November 9, 2023	
11 12 13 14 15	Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.			
16 17	Kerry Tipper, Denver City Attorney			
18	BY:, Assistant City A	Attorney	DATE:	