

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-1632
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 Phase II Broadway 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 Phase II Broadway Pedestrian Mall Local Maintenance District (“Phase II Broadway 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 Phase II Broadway Pedestrian Mall, was created by Ordinance No. 819, Series of 1993;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall is \$389,761.00, 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; and

(d) The real property within the Phase II Broadway 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 Phase II Broadway Pedestrian Mall.

1 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance, and
2 replacement of the Phase II Broadway Pedestrian Mall to be assessed against the real properties,
3 exclusive of improvements thereon, benefited are hereby approved.

4 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance, and
5 replacement of the Phase II Broadway Pedestrian Mall in the amount of \$389,761.00 are hereby
6 assessed against the real properties, exclusive of improvements thereon, within said local
7 maintenance district as follows:

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

11
12 **ALKIRE BROTHER'S ADDITION TO BROADWAY TERRACE**
13 **BLOCK 1**

| | | |
|----|---|------------|
| 14 | Lots | |
| 15 | 11-13 and the North 1/2 of Adj. Vacated West Irvington Place, inclusive | \$5,038.16 |
| 16 | 14-17, inclusive | \$4,379.78 |
| 17 | 18-20, inclusive | \$3,284.84 |

18
19 **MONTELIUS & WALKER ADDITION**
20 **BLOCK 1**

| | | |
|----|----------------|-------------|
| 21 | Lots | |
| 22 | 1-3, inclusive | \$11,571.88 |

23
24 **BROADWAY PARK**
25 **BLOCK 1**

| | | |
|----|---------|-------------|
| 26 | Lots | |
| 27 | 1 | \$11,231.76 |
| 28 | Tract B | \$2,103.98 |

29
30 **BLOCK 2**
31 **Lot**

| | | |
|----|---|-------------|
| 32 | 1 | \$44,132.28 |
|----|---|-------------|

33
34 **BROADWAY TERRACE**
35 **BLOCK 13**

| | | |
|----|--|------------|
| 36 | Lots | |
| 37 | 15-16, South 16.24' 17, inclusive | \$4,602.45 |
| 38 | North 33.76' 17, 18, South 1/2 19, inclusive | \$4,767.26 |
| 39 | North 1/2 19, 20, inclusive | \$3,287.47 |

40
41 **BUSBY AND WILLIAMS RESUBDIVISION OF BLOCK SIX AND PART OF BLOCK SEVEN IN**
42 **GALLUP'S SOUTH BROADWAY SUBDIVISION**
43 **BLOCK 6**

| | | |
|----|-----------------------------|------------|
| 44 | Lots | |
| 45 | 2-6, Exc rear 6', inclusive | \$7,484.05 |

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|----|---|-------------|
| 1 | BYERS SUBDIVISION | |
| 2 | BLOCK 38 | |
| 3 | Lots 44-48, inclusive, and the east half of the vacated alley adjacent to Lot 44. | |
| 4 | Schedule #0515204047000 | \$5,610.63 |
| 5 | | |
| 6 | BLOCK 40 | |
| 7 | Lots | |
| 8 | 1-5, inclusive | \$5,610.63 |
| 9 | Byers Sub B40 43-48 Exc | |
| 10 | Beg SW Cor 43 Th N 128.03' W | |
| 11 | 5.39' S 128.03Ft W 5.39' to | |
| 12 | POB, inclusive | \$5,610.63 |
| 13 | That portion of land as described in Schedule #0515205028000 | \$6,536.82 |
| 14 | | |
| 15 | BLOCK 43 & 44 | |
| 16 | That portion of land as described in Schedule #0515202036000 | \$12,529.21 |
| 17 | | |
| 18 | BLOCK 44 | |
| 19 | That portion of land as described in Schedule #0515202043000 | \$1,700.73 |
| 20 | | |
| 21 | BLOCK 45 | |
| 22 | Lots | |
| 23 | 25-27, inclusive | \$3,287.47 |
| 24 | 28, West 1/2 29, inclusive | \$1,643.73 |
| 25 | East 1/2 29, 30, inclusive | \$1,643.73 |
| 26 | 31-34, inclusive | \$4,383.29 |
| 27 | 35-39, West 1/2 40, inclusive | \$6,027.02 |
| 28 | East 1/2 40, 41, inclusive | \$1,643.73 |
| 29 | 42, West 1/2 43, inclusive | \$1,643.73 |
| 30 | 44-48 & East 1/2 43, inclusive | \$6,027.02 |
| 31 | | |
| 32 | BLOCKS 39 - 42 | |
| 33 | That portion of land as described in Schedule Number 0515205015000 | \$5,829.79 |
| 34 | That portion of land as described in Schedule Number 0515205017000 | \$5,611.94 |
| 35 | That portion of land as described in Schedule Number 0515205027000 | \$2,980.66 |
| 36 | | |
| 37 | EXPOSITION ADDITION | |
| 38 | BLOCK 1 | |
| 39 | Lots | |
| 40 | 1-7, inclusive | \$7,670.75 |
| 41 | 8-10, inclusive | \$3,287.47 |
| 42 | 11-12, inclusive | \$2,191.67 |
| 43 | 13-14, inclusive | \$2,191.67 |
| 44 | 15-16, inclusive | \$2,191.67 |
| 45 | 17 | \$1,095.84 |
| 46 | 18-21, North 6.25' 22, inclusive | \$4,657.26 |
| 47 | South 1/2 23, 24, inclusive | \$3,013.53 |
| 48 | | |

| | | |
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| 1 | GALLUP'S RESUBDIVISION OF BLOCK 4 AND PART OF BLOCK 5 OF GALLUP'S | |
| 2 | BROADWAY SUBDIVISION | |
| 3 | BLOCK 4 | |
| 4 | Lots | |
| 5 | 1-4, inclusive | \$3,988.81 |
| 6 | 5-6, inclusive | \$2,191.67 |
| 7 | 7-9, North 20.8' 10, inclusive | \$4,199.18 |
| 8 | South 4.2' 10, 11-12, inclusive | \$1,279.95 |
| 9 | | |
| 10 | BLOCK 5 | |
| 11 | Lots | |
| 12 | North 50' West 1/2 Block 5 | \$2,191.67 |
| 13 | South 50' North 100' West 1/2 Block 5 | \$2,191.67 |
| 14 | | |
| 15 | GREENWAY'S RESUBDIVISION OF BLOCK 36 BYER'S SUBDIVISION | |
| 16 | BLOCK 36 | |
| 17 | Lots | |
| 18 | 9-10, inclusive | \$8,238.39 |
| 19 | 11, East 8.33' 12, inclusive | \$1,460.95 |
| 20 | West 16.67' 12, East 21.67' 13, inclusive | \$1,680.56 |
| 21 | West 3.33' 13, 14, East 5' 15, inclusive | \$1,460.95 |
| 22 | West 20' 15, East 11.67' 16, inclusive | \$1,388.18 |
| 23 | West 13.33' 16, East 18.33' 17, inclusive | \$1,387.75 |
| 24 | West 6.67' 17, 18, inclusive | \$1,388.18 |
| 25 | 19, East 1/2 20, inclusive | \$1,577.98 |
| 26 | West 1/2 20, 21, 22, inclusive | \$2,805.30 |
| 27 | 23-28, inclusive | \$6,574.93 |
| 28 | | |
| 29 | KETTLE'S ADDITION TO DENVER | |
| 30 | BLOCK 3 | |
| 31 | Lots | |
| 32 | 1-24 & Vacated Alley, inclusive | \$13,149.86 |
| 33 | | |
| 34 | ONE BROADWAY PLAZA SUBDIVISION | |
| 35 | BLOCK 1 | |
| 36 | That part of One Broadway Plaza Subdivision, defined as follows: Beginning at the southwest | |
| 37 | corner of Broadway and Vacated West Irvington Place; thence southerly along the west line of | |
| 38 | Broadway a distance of 259.93 feet; thence westerly on an angle to the right of 89°56' 37" a | |
| 39 | distance of 165.50 feet; thence northerly on an angle to the right of 90°03'23" a distance of 112.70 | |
| 40 | feet; thence easterly on an angle to the right of 90°00'00" a distance of 17.50 feet; thence northerly | |
| 41 | on an angle to the right of 90°00'00" a distance of 33.00 feet; thence on an angle to the right of | |
| 42 | 90°00'00" a distance of 18.75 feet; thence northerly on an angle to the right of 90°00'00" a distance | |
| 43 | of 114.21 feet to the south line of Vacated West Irvington Place; thence easterly along said south | |
| 44 | line a distance of 166.75 feet to the Point of Beginning, and the south 1/2 of adjacent Vacated | |
| 45 | West Irvington Place. | |
| 46 | | \$13,146.79 |
| 47 | PATTERSON'S SUBDIVISION | |
| 48 | BLOCK 1 | |
| 49 | Lots | |
| 50 | 1-5, 47, adj. vacated alley, inclusive | \$5,479.11 |

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| 1 | North 75' 6-8, and the North 75' of the East 15' 9, inclusive | \$3,287.47 |
| 2 | 9 Exc. the North 75' of the East 15' and 10-12, inclusive | \$2,191.67 |
| 3 | | |
| 4 | PIERCE AND HINMAN'S ADDITION TO BROADWAY TERRACE | |
| 5 | BLOCK 1 | |
| 6 | Lots | |
| 7 | 1-4, inclusive | \$4,378.03 |
| 8 | 5 | \$1,094.51 |
| 9 | 6 | \$1,094.51 |
| 10 | 7 | \$1,094.51 |
| 11 | 8, North 16' 9, inclusive | \$1,795.84 |
| 12 | South 8.97' 9, 10, North 16' 11, inclusive | \$2,189.02 |
| 13 | South 8.97' 11, 12, inclusive | \$1,487.69 |
| 14 | 13 | \$1,094.51 |
| 15 | 14 | \$1,094.51 |
| 16 | 15 | \$1,094.51 |
| 17 | 16-17, inclusive | \$2,189.02 |
| 18 | 18-19, inclusive | \$2,189.02 |
| 19 | 20-22, inclusive | \$3,283.52 |
| 20 | 23-24, inclusive | \$2,013.69 |
| 21 | | |
| 22 | POMEROY'S SOUTH BROADWAY SUBDIVISION | |
| 23 | BLOCK 1 | |
| 24 | Lots | |
| 25 | 1-6, and the North 22.5' Lot 1, Block 2, inclusive | \$7,359.56 |
| 26 | | |
| 27 | BLOCK 2 | |
| 28 | Lots | |
| 29 | 1 Exc. the North 22.5', 2-3, inclusive | \$2,310.46 |
| 30 | 4, North 10.07' 5, inclusive | \$1,540.31 |
| 31 | South 15' 5, 6 and Lots 1-4, Block 3, inclusive | \$6,151.97 |
| 32 | | |
| 33 | BLOCK 3 | |
| 34 | Lots | |
| 35 | 5-6 and Lot 1, Block 4, inclusive | \$3,296.70 |
| 36 | | |
| 37 | BLOCK 4 | |
| 38 | Lots | |
| 39 | 2 | \$1,098.92 |
| 40 | 3 | \$1,098.92 |
| 41 | 4-6, inclusive | \$3,076.66 |
| 42 | | |
| 43 | SNYDER'S SUBDIVISION TO DENVER | |
| 44 | BLOCK 1 | |
| 45 | Lots | |
| 46 | West 125' 1-5, inclusive | \$5,367.34 |
| 47 | West 125' 6-7, inclusive | \$2,146.94 |
| 48 | West 125' 8-9, inclusive | \$2,146.94 |
| 49 | West 125' 10-15, inclusive | \$6,440.81 |
| 50 | West 125' 16-17, inclusive | \$2,146.94 |

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|----|--|-------------|
| 1 | West 125' 18-19, inclusive | \$2,146.94 |
| 2 | West 125' 20-21 and a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North Side | |
| 3 | of the West 125' Lot 22, inclusive | \$2,184.20 |
| 4 | West 125' 22 Exc. a Strip 0.85' Wide on the West and 0.95' Wide on the East on the North Side of | |
| 5 | the West 125' Lot 22, West 125' 23-24, inclusive | \$3,183.14 |
| 6 | | |
| 7 | UNPLATTED | |
| 8 | That portion of land as described in Schedule Number 0515200048000 | \$5,391.44 |
| 9 | That portion of land as described in Schedule Number 0515205032000 | \$16,442.61 |
| 10 | That portion of land as described in Schedule Number 0515205033000 | \$530.84 |
| 11 | The south 42 feet of the NE 1/4, of the SE 1/4, of the NW 1/4 of SEC 15, TWP 4S, RNG 68W | |
| 12 | of the 6th PM, City and County of Denver, State of Colorado. Schedule #0515200037000 | |
| 13 | | \$1,840.98 |

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 the Phase II Broadway Pedestrian Mall Local Maintenance District for future
26 long term or program maintenance of the District.

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28 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**
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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 _____ - 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: November 9, 2023

11 Pursuant to section 13-9, 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 Kerry Tipper, Denver City Attorney

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18 BY: Anshul Bagga, Assistant City Attorney DATE: Nov 8, 2023