

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2023

COUNCIL BILL NO. CB23-1626
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 the St. Luke’s Pedestrian Mall Local**
8 **Maintenance District upon the real property, exclusive of improvements**
9 **thereon, benefited.**

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

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

18 (a) A local maintenance district providing for the continuing care, operation, repair,
19 maintenance and replacement of the St. Luke’s Pedestrian Mall, was created by Ordinance No. 878,
20 Series of 2000;

21 (b) The annual cost of the continuing care, operation, repair, maintenance and
22 replacement of the St. Luke’s Pedestrian Mall is \$344,720.00, which amount the Executive Director
23 of the Department of Transportation and Infrastructure has the authority to expend for the purposes
24 stated herein;

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

30 (d) The St. Luke’s Pedestrian Mall currently has sufficient reserves to pay for \$175,820.00
31 of the 2024 annual costs of the continuing care, operation, repair, maintenance, and replacement of
32 the St. Luke’s Pedestrian Mall;

33 (e) The portion of the annual costs for the continuing care, operation, repair, maintenance
34 and replacement of the St. Luke’s Pedestrian Mall to be assessed against the properties, exclusive
35 of improvements thereon, benefited is \$168,900.00; and

1 (f) The real property within the St. Luke's Pedestrian Mall will be benefited in an
 2 amount equal to or in excess of the amount to be assessed against said property because
 3 of the continuing care, operation, repair, maintenance and replacement of said St. Luke's Pedestrian
 4 Mall.

5 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance, and
 6 replacement of the St. Luke's Pedestrian Mall to be assessed against the real properties, exclusive
 7 of improvements thereon, benefited are hereby approved.

8 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance, and
 9 replacement of the St. Luke's Pedestrian Mall in the amount of \$168,900.00 are hereby assessed
 10 against the real properties, exclusive of improvements thereon, within said local maintenance district
 11 as follows:

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

15
 16 CLEMENTS ADDITION TO THE CITY AND COUNTY OF DENVER

17	Block 251	
18	All of Block 251 and the adjoining parcel described in Ordinance 692 of 1987	
19	and the adjoining portion of Cleveland Place Vacated by Ordinance 243 of 1975,	
20	except the northerly 19 feet of Cleveland Place adjoining Lot 26-32 inclusive	\$9,491.45
21		
22	Block 249	
23	Lots	
24	18-19, inclusive	\$1,282.62
25	20-21, inclusive	\$1,282.64
26	22-34, inclusive	\$8,337.10
27		
28	Block 250	
29	Lots	
30	1-34, inclusive and the adj Vacated Alley	\$35,451.88
31		
32	Block 261	
33	Lots	
34	1-34, inclusive and the West 1/2 of the vacated alley	\$35,451.88
35		
36	Block 262	
37	Lots	
38	1-7, inclusive and the North 15' of Lot 8 and the vacated alley adjacent to	
39	Lots 1 to 5, and Lots 27-32 inclusive except for a parcel beginning at the SE corner	
40	of Lot 27, thence West 125', thence North 25', thence East 24', thence SE	
41	15', thence East 89', thence South 16' to Point of Beginning	\$15,135.04
42	9-16, inclusive and the South 10' of Lot 8	\$5,387.05
43	7-22, inclusive	\$3,847.90
44	23	\$641.32

1	24	\$641.32
2	25	\$641.32
3	26	\$641.32
4		
5	Block 263	
6	Lots	
7	17-32, inclusive	\$10,273.82
8		
9	Block 286	
10	Lots	
11	1-32, inclusive and the adj vacated alley	\$27,345.68
12		
13	Block 297	
14	Lots	
15	1-12, inclusive	\$10,482.40
16	13-16, inclusive	\$2,565.26

17

18 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts

19 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the

20 priority of the lien for local public improvement districts.

21 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due

22 and payable on the first day of January of the year next following the year in which this assessing

23 ordinance became effective, and said assessments shall become delinquent if not paid by the last

24 day of February of the year next following the year in which this assessing ordinance became

25 effective. A failure to pay said assessments as hereinabove set forth shall become a lien on the

26 property subject to the assessment, and such lien may be sold by the City as provided by the Charter

27 and ordinances of the City and County of Denver.

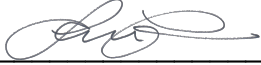
28 **Section 6.** Any unspent revenue and revenue generated through investment shall be

29 retained and credited to the St. Luke's Pedestrian Mall Local Maintenance District for future long

30 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: November 20, 2023
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
17
18 BY: *Anshul Bagga*, Assistant City Attorney DATE: Nov 8, 2023