BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB16-0876

SERIES OF 2016 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 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 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 Broadway Pedestrian Mall A Local Maintenance District ("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 $59,400.00, 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, if any, 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 Broadway Pedestrian Mall A to be assessed against the properties, exclusive of improvements thereon, benefited are $51,572.51;

(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 $7,827.49; and

(f) The real property within the Broadway Pedestrian Mall A 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 Pedestrian Mall.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A 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 Pedestrian Mall A in the amount of $51,572.51; are hereby assessed against the real properties, exclusive of improvements thereon, within said local maintenance district as follows:

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 appearing after such series shall be the assessment for each lot in the series.

BROADWAY ADDITION TO BYERS SUBDIVISION	
BLOCK 3	
Lots	
11	$916.93
12-20	$764.10
12' Wide Strip Adjacent to Lot 11	$366.77
BLOCK 4	
Lots	
11-14	$762.39
15 South 12.5 feet	$382.05
GREENWAY'S RESUBDIVISION OF BLOCK 36	
BLOCK 36	
Lots	
1	$949.32
2-8	$765.94
POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION	
BLOCK 33	
Lots	
1-9	$764.10
10	$947.50
POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION	
BLOCK 34	
Lots	
1-9	$764.10
10	$947.50
RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY	
SUBDIVISION	
Lots	
1	$610.80
2-18	$763.58
19	$4,428.76

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 subject the property subject to the assessment to sale as provided by the Charter 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 Pedestrian Mall A Local Maintenance District for future long term or program maintenance of the District.

COMMITTEE APPROVAL DATE: October 6, 2016 by consent

MAYOR-COUNCIL DATE: October 18, 2016

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 20, 2016

Pursuant to section 13-12, 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.

Kristin M. Bronson, City Attorney for the City and County of Denver

BY: _____, Assistant City Attorney DATE: _____