1	<u>B'</u>	Y AUTHORITY			
2	ORDINANCE NO	COUNCIL BILL NO. CB17-1107			
3	SERIES OF 2017	COMMITTEE OF REFERENCE:			
4		Land Use, Transportation & Infrastructure			
5 6		<u>A BILL</u>			
7 8 9 10	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.				
11	BE IT ENACTED BY THE COUNCIL OF T	HE CITY AND COUNTY OF DENVER:			
12	Section 1. Upon consideration of th	e recommendation of the Manager of Public Works that			
13	an ordinance be enacted for the purpose	of assessing the annual costs of the continuing care,			
14	operation, repair, maintenance and repla	acement of the Broadway Pedestrian Mall A Local			
15	Maintenance District ("Broadway Pedestrian Mall A"), for the upcoming year, upon the real property,				
16	exclusive of improvements thereon, benefite	ed, the Council finds, as follows:			
17	(a) A local maintenance district	providing for the continuing care, operation, repair,			
18	maintenance and replacement of the Broad	dway Pedestrian Mall A, was created by Ordinance No.			
19	839, Series of 1998;				
20	(b) The annual cost of the c	ontinuing care, operation, repair, maintenance and			
21	replacement of the Broadway Pedestrian M	all A is \$59,400.00, which amount the Manager of Public			
22	Works has the authority to expend for the p	urposes stated herein;			
23	(c) The Manager of Public Works	s has complied with all provisions of law relating to the			
24	publishing of notice to the owners of real p	properties to be assessed and to all persons interested			
25	generally, and the Council sitting as a Boa	rd of Equalization has heard and determined all written			
26	complaints and objections, if any, filed with	the Manager of Public Works;			
27	(d) The portion of the annual cost	s for the continuing care, operation, repair, maintenance			
28	and replacement of the Broadway Pedestria	n Mall A to be assessed against the properties, exclusive			
29	of improvements thereon, benefited are \$57	1,572.51;			
30	(e) The portion of the annual cost	ts of the continuing care, operation, repair, maintenance			
31	and replacement of the Broadway Pedestria	an Mall A to be borne by the City and County of Denver			
32	is \$7,827.49; and				
33	(f) The real property within the Br	oadway Pedestrian Mall A will be benefited in an amount			
34	equal to or in excess of the amount to be as	ssessed against said property because of the continuing			
35	care, operation, repair, maintenance and re	placement of said Pedestrian Mall.			
		1			

1	Section 2. The annual cost of the continuing care, ope	eration, repair, maintenance and		
2	replacement of the Broadway Pedestrian Mall A to be assessed against the real properties, exclusive			
3	of improvements thereon, benefited are hereby approved.			
4	Section 3. The annual costs of the continuing care, ope	eration, repair, maintenance and		
5	replacement of the Broadway Pedestrian Mall A in the amount of \$51,572.51; are hereby assessed			
6	against the real properties, exclusive of improvements thereon, within said local maintenance district			
7	as follows:			
8 9 10 11	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.			
12	BROADWAY ADDITION TO BYERS SUBDIVISION			
13 14	BLOCK 3 Lots			
15	11	\$916.93		
16	12-20	\$764.10		
17	12' Wide Strip Adjacent to Lot 11	\$366.77		
18				
19	BLOCK 4			
20 21	Lots 11-14	\$762.39		
22	15 South 12.5 feet	\$702.39 \$382.05		
23	15 South 12.5 loot	\$502.05		
24	GREENWAY'S RESUBDIVISION OF BLOCK 36			
25	BLOCK 36			
26	Lots			
27	1	\$949.32		
28	2-8	\$765.94		
29 30	POLK'S RESUBDIVISION OF BLOCK 33, BYERS SUBDIVISION			
31	BLOCK 33			
32	Lots			
33	1-9	\$764.10		
34	10	\$947.50		
35 36 37	POLK'S RESUBDIVISION OF BLOCK 34, BYERS SUBDIVISION BLOCK 34 Lots			
38	1-9	\$764.10		
39	10	\$947.50		

1	RESUBDIVISION OF BLOCKS 1, 2 AND 3 GALLUP'S SOUTH BROADWAY		
2	SUBDIVISION		
3	Lots		
4	1 \$	610.80	
5	2-18 \$	763.58	
6	19 \$4,	428.76	

8 **Section 4**. The assessments made pursuant hereto shall be a lien in the several amounts 9 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have the 10 priority of the lien for local public improvement districts.

11 **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 12 ordinance became effective, and said assessments shall become delinguent if not paid by the last 13 14 day of February of the year next following the year in which this assessing ordinance became 15 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 16 and ordinances of the City and County of Denver. 17

Section 6. Any unspent revenue and revenue generated through investment shall be 18 19 retained and credited to the Broadway Pedestrian Mall A Local Maintenance District for future long 20 term or program maintenance of the District.

21 COMMITTEE APPROVAL DATE: October 10, 2017 by Consent

MAYOR-COUNCIL DATE: October 17, 2017 22

PASSED BY THE COUNCIL: _____ 23

24 - PRESIDENT 25

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APPROVED: _______ - MAYOR ______

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____; 29

30 PREPARED BY: Jo Ann Weinstein, Assistant City Attorney DATE: October 19, 2017

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of 31 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed 32 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to 33 § 3.2.6 of the Charter. 34

35 Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney 36

DATE: Oct 17, 2017