## BY AUTHORITY ORDINANCE NO. \_\_\_\_\_ COUNCIL BILL NO. CB19-1145 SERIES OF 2019 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 West 38th Avenue Phase I 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 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 West 38<sup>th</sup> Avenue Phase I Pedestrian Mall Local Maintenance District ("West 38<sup>th</sup> Avenue Phase I 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 West 38<sup>th</sup> Avenue Phase I Pedestrian Mall, was created by Ordinance No. 653, Series of 1998;
- (b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the West 38<sup>th</sup> Avenue Phase I Pedestrian Mall is \$20,000.00, 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 real property within the West 38<sup>th</sup> Avenue Phase I 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 West 38<sup>th</sup> Avenue Phase I Pedestrian Mall.
- **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and replacement of the West 38<sup>th</sup> Avenue Phase I 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 West 38<sup>th</sup> Avenue Phase I Pedestrian Mall in the amount of \$20,000.00 are

hereby assessed against the real properties, exclusive of improvements thereon, within said local 1 2 maintenance district as follows: 3 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 4 appearing after such series shall be the assessment for each lot in the series. 5 6 DOWNING'S ADDITION TO NORTH DENVER 7 8 BLOCK 21 9 Lots 10 15, except easterly 9' \$1,554.66 16 and the easterly 1/2 of vacated alley 11 \$1,782.02 12 13 VIADUCT ADDITION TO DENVER BLOCK 47 14 15 Lots 16 15-16 \$1,671.68 17 18 BLOCK 48 19 Lots 20 15-16 \$1,671.68 21 22 BLOCK 50 23 Lots 24 1 \$1,671.68 25 30 \$1,671.68 26 27 BLOCK 51 28 Lots 29 1 \$1,618.18

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\$1,671.68

\$1,671.68

\$1,671.68

30

31 32

33

34

35

36 37

38

30

Lots

1

30

BLOCK 52

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 distric	ets.		
<b>Section 5</b> . 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 West 38th Avenue Phase I Pedestrian Mall Local Maintenance District	
for future long term or program maintenance of the District.			
COMMITTEE APPROVAL DATE: October 29, 2019 by Consent			
MAYOR-COUNCIL DATE: November 5, 2019			
PASSED BY THE COUNCIL:			
	PRESIDENT		
APPROVED:			
ATTEST:	- CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER		
NOTICE PUBLISHED IN THE DAILY JOURNAL: _	;		
PREPARED BY: Bradley T. Neiman, Assistant City			
Pursuant to section 13-12, D.R.M.C., this proposed the City Attorney. We find no irregularity as to form, ordinance. The proposed ordinance is not submitted § 3.2.6 of the Charter.	and have no legal objection to the proposed		
Kristin M. Bronson, Denver City Attorney			
BY: Kunton J Comford, Assistant City A	ttorney DATE: Nov 5, 2019		