

ORDINANCE NO. 779
SERIES OF 1997

BY AUTHORITY

COUNCIL BILL NO. 775
COMMITTEE OF REFERENCE:

PUBLIC WORKS

A BILL

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF THE CONSOLIDATED LARIMER STREET PEDESTRIAN MALL IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, WITH THE COSTS OF SAID CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF SAID CONSOLIDATED LARIMER STREET PEDESTRIAN MALL TO BE ASSESSED UPON THE REAL PROPERTY, EXCLUSIVE OF IMPROVEMENTS THEREON, BENEFITED.

BE IN ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Upon consideration of a recommendation that an ordinance be enacted creating a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of said Consolidated Larimer Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited, Council finds:

(a) That the Manager of Public Works of the City and County of Denver, without having received petitions therefore has proposed the establishment of a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of said Consolidated Larimer Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited;

(b) That at the time of the initiation of said proposed local maintenance district, the Manager of Public Works of the City and County of Denver estimated the total cost of the continuing care, operation, security, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall in said proposed local maintenance district for the first full year of the existence of said proposed local maintenance district;

(c) That the Manager of Public Works of the City and County of Denver gave due notice to the owners of the property benefited and to all persons interested generally concerning said local maintenance district, and a hearing was held as provided by the Charter of the City and County of Denver to hear written remonstrances to said proposed local maintenance district and for the purpose of considering the desirability of and the need for said proposed local maintenance district;

(d) That duly executed written remonstrances were not filed by the owners representing fifty or more percent of the assessed valuation of real property, exclusive of improvements thereon, within said proposed local maintenance district;

(e) That the Manager of Public Works of the City and County of Denver has entered an order approving said proposed local maintenance district;

(f) That all acts and proceedings of the Manager of Public Works of the City and County of Denver in the premises comply with the requirements of the Charter of the City and County of Denver;

(g) That by reason of the continuing care, operation, security, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall, the real property, exclusive of improvements thereon, within said proposed local maintenance district will be specially benefited in an amount equivalent to or exceeding the amount to be assessed; and

(h) That said proposed local maintenance district is lawful and necessary and should be created.

Section 2. A local maintenance district be and is hereby created for the continuing care, operation, security, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of said Consolidated Larimer Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited.

Section 3. The exterior boundaries of said local maintenance district are as follows:

Beginning at the intersection of the centerlines of Larimer Street and 20th Street; thence northwesterly along the centerline of 20th Street to the intersection with the centerlines and the centerlines extended of the alleys in Blocks 51 and 52, East Denver, and Blocks 52 and 53, that part of East Denver commonly known as Steck's Addition; thence northeasterly along said centerlines and centerlines extended to the intersection with the centerline of Park Avenue West; thence southeasterly along the centerline of Park Avenue West to the intersection with the centerlines and the centerlines extended of the alleys in Block 62, that part of East Denver commonly known as Steck's Addition and Blocks 62, 63 and 64, East Denver; thence southwesterly along said centerlines and centerlines extended to the intersection with the centerline of 20th Street; thence northwesterly along said centerline to the Point of Beginning.

Section 4. A description of the properties benefited is:

1. Lots 17-32 inclusive, Block 51
Lots 17-31 inclusive, Block 52
Lots 13-16 inclusive, Block 62
Lots 1 -16 inclusive, Block 63
Lots 1 -16 inclusive, Block 64
All in East Denver

2. Lots 27-32 inclusive, Block 52
Lots 17-32 inclusive, Block 53
Lots 1 -16 inclusive, Block 62
All in that part of East Denver commonly known as Steck's Addition

Section 5. The relative benefits to the real properties, exclusive of improvements thereon, within the local maintenance district be and are hereby apportioned based on a relationship between the lineal footage of the real property, exclusive of improvements thereon, receiving the right-of-way improvements and the total improved lineal footage; and each property owner then pays that percent of the total assessment.

Section 6. The Manager of public Works of the City and County of Denver is hereby authorized and directed to assess the costs of the continuing care, operation, security, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall, in accordance with the requirements of the Charter of the City and County of Denver.

Section 7. This ordinance shall be recorded among the records of the Clerk and Recorder of the City and County of Denver, State of Colorado.

PASSED BY THE COUNCIL November 3 1997
Cathy Reynolds - PRESIDENT
APPROVED: Will E. McCall - MAYOR NOV. 4 1997
ATTEST: Joanette Zuber - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

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PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 10/22/97
REVIEWED BY: [Signature] - CITY ATTORNEY [Signature] 1997
SPONSORED BY COUNCIL MEMBER(S) _____

