

BY AUTHORITY

ORDINANCE NO. 980

COUNCIL BILL NO. 963

SERIES OF 1996

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 SANTA FE DRIVE PEDESTRIAN MALL B 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 SANTA FE DRIVE PEDESTRIAN MALL B 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 Santa Fe Drive Pedestrian Mall B 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 Santa Fe Drive Pedestrian Mall B 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 has initiated and proposed the establishment of a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B 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 Santa Fe Drive Pedestrian Mall B 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 Santa Fe Drive Pedestrian Mall B 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 Santa Fe Drive Pedestrian Mall B, 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 Santa Fe Drive Pedestrian Mall B 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 Santa Fe Drive Pedestrian Mall B 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 Santa Fe Drive and West 10th Avenue; thence west along the centerline of West 10th Avenue to the intersection with the centerline and the centerline extended of the alley in Block 21, Hunt's Addition to Denver; thence north along said centerline to the intersection with the centerline of West 11th Avenue; thence east along said centerline a distance of 83.63 feet more or less; thence north a distance of 165.20 feet more or less to the intersection with the south lot line and the south lot line extended of Lot 26, Block 20, Hunt's Addition to Denver; thence west along said south lot line and lot line extended to the intersection with the centerline of the alley in said Block 20; thence north along said centerline and centerline extended to the intersection with the centerline of West 12 Avenue; thence east along said centerline a distance of 65.36 feet more or less; thence north a distance of 115.09 feet more or less to the intersection with the south lot line and the south lot line extended of Lot 24, Block 13, Hunt's Addition to Denver; thence west along said south lot line and south lot line extended to the intersection with the centerline of the alley in said Block 13; thence north along said centerline to the intersection with the south lot line and the south lot line extended of Lot 39, said Block 13; thence east along said south lot line a distance of 72 feet more or less; thence north to the intersection with the centerline of West 13th Avenue; thence west along said centerline to the intersection with the centerline and the centerline extended of the alley in Block 12, Hunt's Addition to Denver, thence north along said centerline to the intersection with the north lot line and the north lot line extended of Lot 23 said Block 12; thence east along said north lot line and north lot line extended to the intersection with the centerline of Santa Fe Drive; thence south along said centerline a distance of 14.02 feet more or less; thence east a distance of 37.85 feet more or less; thence south a distance of 101.10 feet more or less to the intersection with the centerline of West 13th Avenue; thence east along said centerline to the intersection with the centerline and centerline extended of the alleys in Blocks 27, 28, and 39, Hallack's Subdivision of Blocks 27, 28, 38, 39 of Witter's First Addition to the City of Denver; thence south along said centerlines and centerlines extended to the north line of Block 6, Smith's Addition to the City of Denver; thence east along said north line a distance of 5.11 feet more or less; thence south along the centerline and the centerline extended of the alley in said Block 6 to the intersection with the centerline of West 10th Avenue; thence west along said centerline to the Point of Beginning.

Section 4. A description of the properties benefited is:

1. Lots 1 through 20 inclusive, Block 27
 Lots 1 through 20 inclusive, Block 28
 Lots 1 through 10 inclusive, Block 39
 All in Hallack's Subdivision of Blocks 27, 28, 38, 39 of Witter's First Addition to the City of Denver
2. Lots 21 through 23 inclusive, Block 12
 East 112.6' Lots 21 and 22, Block 13
 East 112.0' Lot 23, Block 13
 Lots 24 through 38 inclusive, Block 13
 East 100.5' Lots 39 and 40, Block 13
 East 100.0' Lots 21 through 25 inclusive, Block 20
 Lots 26 through 40 inclusive, Block 20
 Lots 21 through 40 inclusive, Block 21
 All in Hunt's Addition to Denver
3. Lots 10 through 20 inclusive, Block 6
 Smith's Addition to the City of Denver
4. West 5.75' of South 11.099' Lot 18, Block 16
 West 5.75' Lots 19 and 20, Block 16
 All in Witter's First Addition to the City of Denver

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 Santa Fe Drive Pedestrian Mall B , 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 4 1996

Cathy Reynolds - PRESIDENT

APPROVED: Walter S. Smith - MAYOR NOV. 6 1996

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

PUBLISHED IN THE DENVER POST Nov. 1, 1996 Nov. 8, 1996

PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 10/23/96

REVIEWED BY: Reggie Kelly CITY ATTORNEY 10/23 1996

SPONSORED BY COUNCIL MEMBER(S) _____