

BY AUTHORITY

ORDINANCE NO. 788

COUNCIL BILL NO. 784

SERIES OF 1995

COMMITTEE OF REFERENCE:
PUBLIC WORKS

TRANSPORTATION

A BILL

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF THE WELTON 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 WELTON 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 Welton 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 Welton 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 initiated and proposed the establishment of a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement

of the Welton 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 Welton 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 Welton Street Pedestrian Mall in said proposed local maintenance district for the first full year of the existence of said proposed local maintenance district which total cost is \$11,800.00 and said Manager of Public Works estimated a detailed estimate for each maintenance element included 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 Welton 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 Welton 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 Welton 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 westerly flowline of Welton Street extended and the northerly flowline of Twenty Sixth Street extended, thence westerly along said northerly flowline of Twenty Sixth Street to the intersection of the westerly lot line of Lot 17, Block 151, Stile's Addition to The City of Denver extended, thence northerly along the westerly line of Lots 17 through 27, Block 151, Stile's Addition to The City of Denver to the southwest corner of Lot 27, Block 151, Park Addition to Denver, thence continuing northerly along the westerly line of Lots 27 through 32 extended and Lots 17 and 18, Block 151, Park Addition to Denver to the northwesterly corner of Lot 15, Block 70, Case and Ebert's Addition to Denver, thence continuing northerly along the westerly line of Lots 15 through 29, Block 70, Case and Ebert's Addition to Denver extended to the southerly flowline of Twenty Eighth Street, thence easterly along the flowline extended to the intersection with easterly extended lot line of Lot 1, Block 78, Case and Ebert's Addition to The City of Denver, thence southerly along the easterly lot lines of Lots 1 through 12, Block 78 Case and Ebert's Addition to Denver extended to the intersection with the northerly flowline of Twenty Sixth Avenue, thence southwesterly along the flowline extended to the intersection of the west flowline of Washington Street extended, thence south along the west flowline of Washington Street to the intersection with the easterly extended lot line of Lot 9, Block 184, Stile's Addition to The City of Denver, thence along the easterly lot lines of Lots 9 through 16, Block 184, Stile's Addition to The City of Denver to the intersection with the northerly flowline Twenty-Sixth Street, thence westerly along said northerly flowline to the point of beginning.

Section 4. A description of the properties benefited is:

Lots 17 to 32, Block 151 and Lots 4 to 16, Block 184 Stiles' Addition to the City of Denver

Lots 27 to 32, Block 151 and Lots 17 and 18, Block 70, Park Addition to The City of Denver

Lots 14 to 29, Block 70 and Lots 1 to 15, Block 78, Case and Ebert's 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 ratio of land value per lot or parcel of the total land value of each face block in the local maintenance district; 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 Welton 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 Clerk and Recorder of the City and County of Denver, State of Colorado.

PASSED BY THE COUNCIL September 25 1995

Deborah L. Ortega - PRESIDENT

APPROVED: [Signature] - MAYOR September 26, 1995

ATTEST: [Signature] - 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 9/14/95

REVIEWED BY: [Signature] & CITY ATTORNEY 9/14 1995

SPONSORED BY COUNCIL MEMBER(S) _____