

*L. Sawyer Jr.*

BY AUTHORITY

ORDINANCE NO. 654  
SERIES OF 1998

COUNCIL BILL NO. 641  
COMMITTEE OF REFERENCE:

PUBLIC WORKS AND AMENITIES

A BILL

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

BE 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, repair, maintenance and replacement of improvements at the Tennyson Street II Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of improvements at the Tennyson Street II 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, repair, maintenance and replacement of improvements at the Tennyson Street II Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of improvements at the Tennyson Street II 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, repair, maintenance and replacement of improvements at the Tennyson Street II 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, repair, maintenance and replacement of improvements at the Tennyson Street II 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, repair, maintenance and replacement of improvements at the Tennyson Street II Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of improvements at the Tennyson Street II 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 Tennyson Street and the south lot line and the south lot line extended of Lot 18, Block 4, Weber and Owen's Subdivision of Blocks 1, 4, 6, 9, 12, 14, 19 Argyle Park;  
thence southerly a distance of 11.12 feet more or less to the centerline of West 39<sup>th</sup> Avenue situated west of said Tennyson Street;  
thence westerly along the center line of said West 39<sup>th</sup> Avenue a distance of 160.83 feet more or less to the centerline of the alley in Block 2, "Block 2 Mountain View";  
thence northerly along said centerline a distance of 660.00 feet to the centerline of West 41<sup>st</sup> Avenue;  
thence easterly along the centerline of said West 41<sup>st</sup> Avenue a distance of 161.41 feet more or less to the centerline of said Tennyson Street;  
thence southerly along the centerline of said Tennyson Street a distance of 169.18 feet more or less to the centerline of West 41<sup>st</sup> Avenue situated east of said Tennyson Street;  
thence easterly along the centerline of said West 41<sup>st</sup> Avenue a distance of 164.99 feet more or less to the centerline of the alley in Block 4, "Weber and Owen's Subdivision of Blocks 1, 4, 6, 9, 12, 14, 19, Argyle Park";  
thence southerly along said centerline a distance of 479.10 feet more or less to the intersection with the south lot line and the south lot line extended of Lot 18, Block 4, Webers and Owen's Subdivision of Blocks 1, 4, 6, 9, 12, 14, 19, Argyle Park;  
thence westerly along said lot line a distance of 164.41 feet more or less to the Point of Beginning.

Section 4. A description of the properties benefited is:

Lots 1 through 18 inclusive Block 4, "Weber and Owen's Subdivision of Blocks 1, 4, 6, 9, 12, 14, 19, Argyle Park"

AND

Lots 25 through 48 inclusive, Block 2, "Block 2, Mountain View"

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, repair, maintenance and replacement of improvements at the Tennyson Street II 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 September 21 1998

Happy Haynes - PRESIDENT

APPROVED: Willy E. Wells - MAYOR September 22 1998

ATTEST: Guerman & Boyd - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

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PREPARED BY: DONALD E. WILSON, ASSISTANT CITY ATTORNEY 9/8/98

REVIEWED BY: Pat A. Wells - ASSISTANT CITY ATTORNEY 9/10 1998

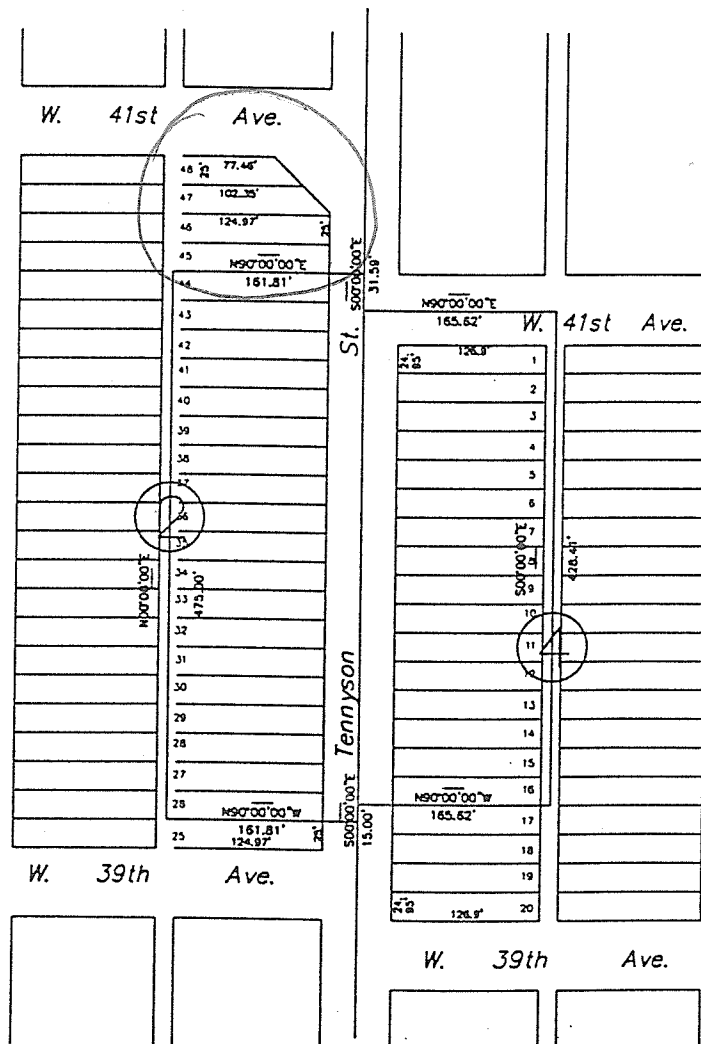
SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_

# TENNYSON STREET II PEDESTRIAN MALL MAINTENANCE DISTRICT II

COUNCIL DISTRICT NO. 1  
DENNIS GALLAGHER



BLOCK 2, MOUNTAIN VIEW



WEBER AND OWEN'S SUBDIVISION OF  
BLOCKS 1, 4, 6, 9, 12, 14, 19 ARGYLE PARK

EXHIBIT "A"