

BY AUTHORITY

ORDINANCE NO. 652

COUNCIL BILL NO. 626

SERIES OF 1996

COMMITTEE OF REFERENCE:

PUBLIC WORKS

~~9600106825 1996/08/02 09:42:58 17 5 ORD  
ELORA WEDGEWORTH DENVER COUNTY .00 .00 3MB~~

RECEIVED BY CLERK OF DENVER

A BILL

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF THE GOLDEN TRIANGLE 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 GOLDEN TRIANGLE 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, security, repair, maintenance and replacement of the Golden Triangle 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 Golden Triangle 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, 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 Golden Triangle 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 Golden Triangle 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 Golden Triangle 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 Golden Triangle 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 Golden Triangle 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 Golden Triangle 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 Acoma Street 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 alleys in Block 2, Witsitt's Addition to Denver, Block B, South Subdivision of Evans Addition to Denver and Subdivision of Blocks 43, 44, 45, 46, 57, 58, 59, 60 in Evans Addition to Denver; thence north along said centerline and centerline extended to the intersection with the centerline of West 12th Avenue; thence east along said centerline to the intersection with the centerline and the centerline extended of the alley in Block 60, Subdivision of Blocks 43, 44, 45, 46, 57, 58, 59, 60 in Evans Addition to Denver; thence south along said centerline to the intersection with the north lot line and the north lot line extended of Lot 19 said Block 60; thence west along said lot line and lot line extended a distance of 40 feet; thence south to the intersection with the centerline of West 11th Avenue; thence east along said centerline to the intersection with the centerline and the centerline extended of the alley in Block A, South subdivision of Evans Addition to Denver and Block 1, Witsitt's Addition to Denver; thence south along said centerline and centerline extended a distance of 529.91 feet more or less; thence west a distance of 59.85 feet; thence south a distance of 21.23 feet; thence west a distance of 50.15 feet; thence south a distance of 102.5 feet 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 14-26 Inclusive, Block A, South Subdivision of Evans Addition to Denver.
2. Lots 1-13 Inclusive, Block B, South Subdivision of Evans Addition to Denver.
3. Lots 1-17 Inclusive, Block 59, Subdivision of Blocks 43, 44, 45, 46, 57, 58, 59, 60 in Evans Addition to Denver.
4. West 120' Lots 18 & 19, Lots 20-34 Inclusive, Block 60, Subdivision of Blocks 43, 44, 45, 46, 57, 58, 59, 60 in Evans Addition to Denver.
5. The west 1/2 of Block 1, Witsitt's Addition to Denver except for that portion described as follows: Beginning at the southeast corner of said west 1/2 Block 1; thence north 83.73 feet; thence west 49.85 feet; thence south 21.23 feet; thence west 50.15 feet; thence south 62.5 feet; thence east 100 feet to the Point of Beginning.
6. Lots 10-20 Inclusive, Block 2, Witsitt's Addition to 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 Golden Triangle 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 July 29 1996

Cathy Reynolds - PRESIDENT

APPROVED: Walter E. Scott - MAYOR July 29 1996

ATTEST: Jo Ann Kelly, Deputy - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

PUBLISHED IN THE DENVER POST July 26 1996 August 2 1996

PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 7/17/96

REVIEWED BY: Rob Kelly - CITY ATTORNEY 7/18 1996

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

