

ORDINANCE NO. 655
SERIES OF 1998

BY AUTHORITY

COUNCIL BILL NO. 642
COMMITTEE OF REFERENCE:

PUBLIC WORKS AND AMENITIES

A BILL

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF IMPROVEMENTS AT THE REVISED WEST 32ND AVENUE 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 IMPROVEMENTS AT THE REVISED WEST 32ND AVENUE 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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 improvements at the Revised West 32nd Avenue 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:

AREA NO. 1

Beginning at the intersection of the centerlines of West 32nd Avenue and Newton Street;
thence north along the centerline of Newton Street to the intersection with the north lot line
extended of Lot 50, Block 2, Packard's Hill Subdivision;
thence east along the north lot line extended and the north lot line of said Lot 50 to the
intersection with a line 45 feet east of and parallel with the west line of said Lot 50;
thence south along said line to the intersection with the centerline of West 32nd Avenue;
thence west along the centerline of West 32nd Avenue to the Point of Beginning.

AREA NO. 2

Beginning at the intersection of the centerlines of West 32nd Avenue and Newton Street;
thence south along the centerline of Newton Street to the intersection with the south lot line
extended of Lot 48, Block 7, Wolff Place;
thence west along the south lot line extended and the south lot line of said Lot 48 and the south
lot line and the south lot line extended of Lot 1, Block 7, Wolff Place to the intersection with the
centerline of Newton Street;
thence north along the centerline of Newton Street to the intersection with the centerline of West
32nd Avenue;
thence east along the centerline of West 32nd Avenue to the Point of Beginning.

AREA NO. 3

Beginning at the intersection of the centerlines of West 32nd Avenue and Perry Street;
thence east along the centerline of West 32nd Avenue to the intersection with a line 4.0 feet west
of and parallel with the west lot line and the west lot line extended of Lot 21, Block 4, Highland
Place;
thence north along said line to the intersection with the south alley line of the east-west alley in
said Block 4;
thence east along said south alley line to the intersection with the east lot line of Lot 25 of said
Block 4;
thence south along said east lot line and east lot line extended to the intersection with the
centerline of West 32nd Avenue;
thence west along said centerline to the intersection with the east lot line and the east lot line
extended of Lot 1, Block 8, Wolff Place;
thence south along said east lot line and east lot line extended to the southeast corner of said Lot
1;
thence west along the south lot line and the south lot line extended of said Lot 1 to the
intersection with the centerline of Perry Street;
thence north along the centerline of Perry Street to the Point of Beginning.

Section 4. A description of the properties benefited is:

1. The west 45 feet of Lot 50, Block 2, Packard's Hill Subdivision
2. Lots 1 - 5 inclusive, Block 4, Highland Place
3. Lots 1 and 48, Block 7, Wolff Place
4. Lot 1, Block 8, Wolff Place

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 improvements at the Revised West 32nd Avenue 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

Harvey Hayes - PRESIDENT

APPROVED: W. W. E. [Signature] - MAYOR September 22 1998

ATTEST: [Signature] - 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. [Signature] - ASSISTANT CITY ATTORNEY 9/10 1998

SPONSORED BY COUNCIL MEMBER(S) _____

EXHIBIT "A"

Revised West 32nd Avenue Pedestrian Mall Maintenance District
 Project No. 97- 313
 Council Dist. 1, Dennis Gallagher

