

*Phase II Broadway*

BY AUTHORITY

ORDINANCE NO. 819  
SERIES OF 1993

COUNCIL BILL NO. 823  
COMMITTEE OF REFERENCE:

PUBLIC WORKS

A B I L L

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, REPAIR, MAINTENANCE AND REPLACEMENT OF THE PHASE II BROADWAY 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 SAID PHASE II BROADWAY PEDESTRIAN MALL TO BE ASSESSED UPON THE REAL PROPERTY, EXCLUSIVE OF IMPROVEMENTS THEREON, BENEFITED.

BE IT 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 the Phase II Broadway 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 said Phase II Broadway 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 has received petitions proposing a local maintenance district for the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway 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 said Phase II Broadway Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited;

(b) That sufficient petitions, as required by the Charter of the City and County of Denver were received by the Manager of Public Works of the City and County of Denver, that said petitions were regularly filed and were in due and regular form and properly

and County of Denver estimated the total cost of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway 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 \$78,400.00 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;

(d) 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;

(e) 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;

(f) That the Manager of Public Works of the City and County of Denver has entered an order approving said proposed local maintenance district;

(g) 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;

(h) That by reason of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway 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

(i) That said proposed local maintenance district is

Section 2. A local maintenance district be and is hereby created for the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway 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 said Phase II Broadway 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 centerline of Alameda Avenue and the centerline of South Broadway; thence easterly along the centerline of Alameda Avenue a distance of 175.0 feet; thence southerly along the centerline extended and the centerline of the alleys in Block 4, Gallup's Resubdivision of Block 4 and part of Block 5, Gallup's South Broadway Subdivision and Block 5, Gallup's South Broadway Subdivision and Block 6, Busby and William's Resubdivision of Block 6 and part of Block 7 in Gallup's South Broadway Subdivision and Blocks 1, 2, 3 and 4, Pomeroy's South Broadway Subdivision a distance of 1,323.25 feet to the centerline of Virginia Avenue; thence easterly along said centerline of Virginia Avenue a distance of 23.76 feet; thence southerly along the centerline extended and the centerline of the alley in Block 1, Exposition Addition a distance of 660.0 feet to the centerline of Center Avenue; thence westerly along the centerline of Center Avenue a distance of 190.70 feet more or less to the centerline of South Broadway; thence continuing westerly along the centerline extended of West Center Avenue a distance of 208.0 feet to a point; thence northerly along a line 158.0 feet west of and parallel to the west line of South Broadway a distance of 682.55 feet to the centerline of West Virginia Avenue; thence continuing northerly along the centerline extended and the centerline of the alley in Block 40, Byers Subdivision a distance of 313.55 feet to the centerline of West Alaska Place; thence easterly along the centerline of said West Alaska Place a distance of 35.0 feet; thence northerly along the east line extended and the

and the centerline of the alleys in said Block 1, Snyder's Subdivision to Denver and Block 1, Pierce and Hinman's Addition to Broadway Terrace a distance of 1,308.39 feet more or less to the centerline of Bayaud Avenue; thence westerly a distance of 189.25 feet more or less to the west line of said SE1/4, Section 10; thence southerly along said west line SE1/4 a distance of 1.39 feet; thence westerly along the centerline of West Bayaud Avenue a distance of 167.70 feet more or less to the east line extended of the vacated alley in Block 2, Broadway Place; thence northerly along the east line extended and the east line of said vacated alley a distance of 328.35 feet more or less to the centerline of West Archer Place; thence westerly along said centerline a distance of 50.0 feet to the west line extended of Lot 47, Block 1, Patterson's Subdivision; thence northerly along said west line extended, the west line of said Lot 47 and the west line extended of Lot 12 said Block 1 a distance of 324.16 feet more or less to the centerline of West Ellsworth Avenue; thence easterly along said centerline a distance of 9.50 feet; thence northerly on an angle to the left of  $89^{\circ}56'37''$  a distance of 112.70 feet; thence easterly on an angle to the right of  $90^{\circ}03'23''$  a distance of 17.50 feet; thence northerly on an angle to the left of  $90^{\circ}00'00''$  a distance of 33.00 feet; thence westerly on an angle to the left of  $90^{\circ}00'00''$  a distance of 18.75 feet; thence northerly on an angle to the right of  $90^{\circ}00'00''$  a distance of 114.21 feet to the south line of Vacated West Irvington Place; thence westerly along said south line a distance of 25.75 feet; thence northerly along the centerline of the alleys in Block 1, Alkire Brothers Addition to Broadway Terrace and Block 13, Broadway Terrace a distance of 722.27 feet more or less to the centerline of West 2nd Avenue; thence easterly along said centerline to the Point of Beginning.

Section 4. A description of the properties benefited is:  
 Lots 1 through 12 Inclusive Block 4, and Block 5, Gallup's Resubdivision of  
 Block 4 and part of Block 5 of Gallup's Broadway Subdivision.

Lots 1 through 6 Inclusive, Block 6, Busby and William's Resubdivision of  
 Block Six and part of Block Seven in Gallup's South Broadway Addition.

Lots 1 through 6 Inclusive, Block 1, Lots 1 through 6 Inclusive, Block 2, Lots  
 1 through 6 Inclusive, Block 3 and Lots 1 through 6 Inclusive, Block 4 all in  
 Pomeroy's South Broadway Subdivision.

Lots 1 through 24 Inclusive, Block 1, Exposition Addition.

That part of the SE1/4, NW1/4, Section 15, T4S, R66W of the 6th PM bounded by  
 the west line of South Broadway, a line 158.0 feet west of and parallel with  
 said west line, the south line of West Virginia Avenue and a line 680.00 feet  
 south of and parallel with said south line. Lots 1 through 24 Inclusive and  
 Lots 44 through 49 Inclusive, Block 37, Byers Resubdivision of Blocks 37 and  
 39 Byers Subdivision.

Lots 1 through 24 Inclusive and Lots 44 through 49 Inclusive Block 37 Byers  
 Resubdivision of Blocks 37 and 39, Byers Subdivision.

Lots 1 through 5 Inclusive and Lots 44 through 48 Inclusive, Block 38, Byers  
 Subdivision.

Lots 1 through 5 Inclusive and Lots 44 through 49 Inclusive, Block 39, Byers  
 Resubdivision of Blocks 37 and 39 Byers Subdivision.

Lots 1 through 6 Inclusive and Lots 43 through 48 Inclusive, Block 40, Byers  
 Subdivision.

Section 4. A description of the properties benefited is:

1. Lots 1 and 2 except the east 53 feet  
and  
Lots 3 through 24 inclusive, Block 8, Exposition Addition.
2. Lots 1 through 5 inclusive, Lots 30 through 46 inclusive, Block 1, First Addition to Lincoln Subdivision.
3. Those portions of the SE  $\frac{1}{4}$ , NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Township 4 South, Range 68 West of the 6<sup>th</sup> Principal Meridian located between the south line of the Phase II Broadway Pedestrian Mall (approximately the centerline of Center Avenue extended from the east) and the northerly right-of-way line of Interstate 25, the west line of South Broadway and a line located 100 feet west of and parallel with said west line.