

BY AUTHORITY

ORDINANCE NO. 1090

COUNCIL BILL NO. 1100

SERIES OF 1994

COMMITTEE OF REFERENCE:

PUBLIC WORKS

A BILL

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF THE 22ND STREET AND PARK AVENUE WEST 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 22ND STREET AND PARK AVENUE WEST 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 22nd Street and Park Avenue West 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 22nd Street and Part Avenue West 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, without having received petitions, proposed a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the 22nd Street and Park Avenue West 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 22nd Street and Park Avenue West 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 22nd Street and Park Avenue West 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 \$41,642.00 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 22nd Street and Park Avenue

West 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 22nd Street and Park Avenue West 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 22nd Street and Park Avenue West 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 East of Broadway

Beginning at the intersection of the centerline of Broadway and the centerline and the centerline and the centerline extended of the alley in Block 91, Stiles' Addition to the City of Denver;
thence northeasterly along said centerline to the centerline of Park Avenue West;
thence southeasterly along said centerline to the centerline and the centerline extended of the alley in Block 114, Stiles' Addition to the City of Denver;
thence southwesterly along said centerline to the northeasterly line and the northeasterly line extended of Lot 20 said Block 114;
thence southeasterly along said northeasterly line said Lot 20 to the centerline of Champa Street;
thence southwesterly to the centerline and the centerline extended of Lot 15, Block 123, Stiles' Addition to the City of Denver;
thence southeasterly to the centerline of the alley in said Block 123;
thence northeasterly along said centerline to the centerline of Park Avenue West;
thence southeasterly along said centerline to the centerline and the centerline extended of the alley in Block 146, Stiles' Addition to the City of Denver;
thence southwesterly along said centerline to the centerline of 22nd Street;
thence northwesterly along said centerline to the centerline of Stout Street;
thence southwesterly to the southwesterly line and the southwesterly line extended of Lot 23, Block 124, Stiles' Addition to the City of Denver and Lot 23, Block 124, Clement's Addition to the City of Denver;

thence northwesterly along said southwesterly line said Lots 23 to the centerline of the alley in said Block 124, Stiles' Addition to the City of Denver;

thence northeasterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 4 said Block 124;

thence northwesterly along said southwesterly line said Lot 4 to the centerline of Champa Street;

thence northwesterly along said centerline to the intersection with a line 22 9/12 feet southwesterly of and parallel with the southwesterly line of Lot 31, Block 113, Stiles' Addition to the City of Denver;

thence northwesterly along said southwesterly line to the centerline of Broadway;

thence northerly along said centerline to the point of beginning.

Area West of Broadway

Beginning at the intersection of the centerline of Broadway and the northeasterly line and the northeasterly line extended of Lot 27, Block 61 in that portion of East Denver commonly known as Steck's Addition;

thence northwesterly along said northeasterly line said Lot 27 to the centerline of the vacated alley located in said Block 61;

thence southwesterly to the northeasterly line and the northeasterly line extended of Lot 7 said Block 61;

thence northwesterly along said northeasterly line said Lot 7 to the centerline of Larimer Street;

thence southwesterly along said centerline to the northeasterly line and the northeasterly line extended of Lot 21, Block 54 in that portion of East Denver commonly known as Steck's Addition;

thence northwesterly along said northeasterly line said Lot 21 to the centerline of the alley in said Block 54;

thence northeasterly along said centerline to the northeasterly line and the northeasterly line extended of Lot 11 said Block 54;

thence northwesterly along said northeasterly line said Lot 11 to the centerline of Market Street;

thence southwesterly along said centerline to the northeasterly line and the northeasterly line extended of Lot 20, Block 34 in that portion of East Denver commonly known as Steck's Addition;

thence northwesterly along said northeasterly line said Lot 20 to the centerline of the alley in said Block 34;

thence northeasterly along said centerline to the centerline of 24th Street;

thence northwesterly along said centerline to a point on the southeasterly line of the vacated portion of Lot 33, Block 3, Gaston's Addition to the City of Denver;

thence northeasterly along said southeasterly line to the northeasterly corner of said Lot 33;

thence westerly on the northerly line of said Block 3 and the northerly line of Reserved Potter Court to the northwesterly corner of said Block 3;

thence southwesterly on the northwesterly line of said Block 3 to the centerline of Park Avenue West;

thence southeasterly on said centerline to the centerline and the centerline extended of the alley located between Block 2, Gaston's Addition to the City of Denver and Block 26 in that portion of East Denver commonly known as Steck's Addition;

thence southwesterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 5 said Block 26;

thence southeasterly along said southwesterly line said Lot 5 to the centerline of Blake Street;

thence southwesterly along said centerline to a line 1.0 foot southwesterly of and parallel with the southwesterly line of Lot 6, Block 35 in that portion of East Denver commonly known as Steck's Addition;

thence southeasterly along said southwesterly line to the centerline of the alley in said Block 35;

thence southwesterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 25 said Block 35;

thence southeasterly along said southwesterly line said Lot 25 to the centerline of Market Street;

thence southwesterly to the northeasterly and the northeasterly lines extended of Lots 13 and 20 said Block 35;

thence northwesterly along said northeasterly lines said Lots 13 and 20 to the centerline of Blake Street;

thence southwesterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 11, Block 36 in that portion of East Denver commonly known as Steck's Addition;

thence southeasterly along said southwesterly line said Lot 11 to the centerline of the alley in said Block 36;

thence northeasterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 28 said Block 36;

thence southeasterly along said southwesterly line said Lot 28 to the centerline of Market Street;

thence northeasterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 2, Block 52 in that portion of East Denver commonly known as Steck's Addition;

thence southeasterly along said southwesterly line said Lot 2 to the centerline of the alley in said Block 52;

thence southwesterly along said centerline to the southwesterly lines and the southwesterly lines extended of Lot 29 said Block 52, Lot 29, Block 52, East Denver and Lot 4, Block 63, East Denver;

thence southeasterly along said southwesterly lines said Lots 29, 29 and 4 to the centerline of the alley in said Block 63;

thence northeasterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 30 said Block 63;

thence southeasterly along said southwesterly line said Lot 30 to the centerline of Lawrence Street;

thence northeasterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 2, Block 81, East Denver;

thence southeasterly along said southwesterly line said Lot 2 to the centerline of the alley in said Block 81;

thence southwesterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 29 said Block 81;
thence southeasterly along said southwesterly line said Lot 29 to the centerline of Arapahoe Street;
thence northeasterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 2, Block 92, East Denver;
thence southeasterly along said southwesterly line said Lot 2 to the centerline of the alley in said Block 92;
thence southwesterly along said centerline to the southwesterly line and the southwesterly line extended of Lot 27 said Block 92;
thence southeasterly along said southwesterly line said Lot 27 to the centerline of Curtis Street;
thence northeasterly along said centerline to the centerline of Broadway;
thence northerly along said centerline to the point of beginning.

Excluding the following properties:

Lots 21 to 27 inclusive Block 53

Lots 2 to 12 Inclusive, Lots 23 to 30 Inclusive, Block 62

The southwesterly 1/2 Lot 3, Lot 4, Block 82

All in that portion of East Denver commonly known as Steck's Addition

Lots 23 to 25 Inclusive, Block 62

The southwesterly 1/2 Lot 3, Lots 4 to 14 inclusive, Lots 23 to 25 inclusive, the southwesterly 20.732 feet Lot 26

All in Block 82

Lots 9 to 13 inclusive, the northeasterly 1/2 of Lot 14, Block 91

All in East Denver

Lots 7 to 12 inclusive, Lot 20, Block 91

All in Stille's Addition to the City of Denver

Section 4. A description of the properties benefited is:

1. Lots 23 to 26 inclusive, Block 124
Clement's Addition to the City of Denver
2. Lots 24 to 27 inclusive, Block 61
vacated Lot 12, Lots 13 to 16 inclusive
All in Block 83
All in that portion of East Denver commonly known as Davis Addition
3. Lots 1 to 5 inclusive, Block 26
Lots 1 to 16 inclusive, Block 27

Lots 1 to 20 inclusive, Block 34

Lots 1 to 6 inclusive, the north easterly 1.0 foot of Lot 7, Lots 13 to 20 inclusive, Lots 25 to 32 inclusive

All in Block 35

Lots 1 to 11 inclusive, Lots 28 to 32 inclusive

All in Block 36

Lots 1 and 2, Lots 29 to 32 inclusive

All in Block 52

Lots 1 to 20 inclusive, Lots 28 to 32 inclusive

All in Block 53

Lots 11 to 21 inclusive, Block 54

Lots 7 to 27 inclusive and the vacated alley adjoining said lots, Block 61

Lot 1, Lots 13 to 16 inclusive, Lots 21 and 22, Lots 31 and 32 all in Block 62

Lots 1 and 2, northeasterly 1/2 Lot 3

All in Block 82

Lots 13 to 16 inclusive, Block 83

All in that portion of East Denver commonly known as Steck's Addition

4. Lots 29 to 31 inclusive, Block 52

Lots 13 to 22 inclusive, Block 62

Lots 1 to 4 inclusive, Lots 30 to 32 inclusive

All in Block 63

Lots 1 and 2, Lots 29 to 32 inclusive

All in Block 81

Lots 1 and 2, northeasterly 1/2 Lot 3, Lots 15 to 22 inclusive, the northeasterly 4.28 feet Lot 26, Lots 27 to 32 inclusive

All in Block 82

Southwesterly 1/2 Lot 14, Lots 15 to 19 inclusive

All in Block 91

Lots 1 and 2, Lots 27 to 32 inclusive

All in Block 92

All in East Denver

5. Lots 3 to 33 inclusive, vacated portions of Lots 17 to 33 inclusive, Reserved Potter Court adjacent to Lots 3 to 32 inclusive

All in Block 3

All in Gaston's Addition to the City of Denver

6. Lots 28 to 32 inclusive, Block 82

Lots 17 to 19 inclusive, Lots 22 to 32 inclusive

All in Block 91

Northeasterly 22 9/12 feet Lot 30, Lots 31 and 32

All in Block 113

Lots 1 to 20 inclusive, Block 114

Southwesterly 1/2 Lot 15, Lots 16 to 32 Inclusive

All in Block 123

Lots 1 to 4 inclusive, Lots 23 to 32 inclusive

All in Block 124

Lots 1 to 16 inclusive, Block 146

All in Stiles' 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 as follows: The assessment is apportioned based on a relationship between the lineal footage of the real property receiving the right-of-way receiving the improvements and the total improved lineal footage.

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 22nd Street and Park Avenue West 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 December 27 1994

Deborah L. Ortega - PRESIDENT

APPROVED: Wally Ewert - MAYOR December 29 1994

ATTEST: Wendy Taylor - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

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REVIEWED BY: Kim L. Hale - ^{Asst} CITY ATTORNEY 12/14 1994

SPONSORED BY COUNCIL MEMBER(S) _____