

BY AUTHORITY

ORDINANCE NO. 672
SERIES OF 2009

COUNCIL BILL NO. 653
COMMITTEE OF REFERENCE:
Public Works

A BILL

For an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall Local Maintenance District 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 the recommendation of the Manager of Public Works that an ordinance be enacted for the purpose of assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall upon the real property, exclusive of improvements thereon, benefited the Council finds, as follows:

(a) A local maintenance district providing for the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall, was created by Ordinance No. 654, Series of 1998;

(b) The annual cost of the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall is \$4,643.00 which amount the Manager of Public Works has the authority to expend for the purposes stated herein;

(c) The Manager of Public Works has complied with all provisions of law relating to the publishing of notice to the owners of real properties to be assessed and to all persons interested generally, and the Council sitting as a Board of Equalization has heard and determined all written complaints and objections filed with the Manager of Public Works;

(d) The annual cost for the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited is \$4,643.00; and

(e) The real property within the Tennyson Street Pedestrian Mall will be benefited in an amount equal to or in excess of the amount to be assessed against said property because of the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

Section 2. The annual cost of the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall to be assessed against the real properties, exclusive of improvements thereon, benefited are hereby approved.

Section 3. The annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Street Pedestrian Mall in the amount of \$4,643.00 are hereby

1 assessed against the real properties, exclusive of improvements thereon, within said local
2 maintenance district as follows:

3 NOTE: Where a series of lots is followed by "inclusive", the amount appearing after the series
4 shall be the total for all lots in the series. Where a series of lots is not followed by "inclusive", the
5 amount appearing after such series shall be the assessment for each lot in the series.
6

7 BLOCK 2, MOUNTAIN VIEW
8 BLOCK 2

9 Lots	
10 25-30, 33-38, 45-46	\$115.78
11 31	\$112.72
12 32	\$118.83
13 39-40	\$116.82
14 41-42	\$114.73
15 43-44	\$123.88

16
17 WEBER AND OWEN'S SUBDIVISION OF BLOCKS 1,4,6,9,12,14,19 ARGYLE PARK
18 BLOCK 4

19 Lots	
20 1-18	\$115.54

21
22 **Section 4.** The assessments made pursuant hereto shall be a lien in the several amounts
23 assessed against each lot or tract of land set forth in Section 3 herein, and such lien shall have
24 the priority of the lien for local public improvement districts.

25 **Section 5.** Without demand, said assessments as set forth in Section 3 herein, shall be due
26 and payable on the first day of January of the year next following the year in which this
27 assessing ordinance became effective, and said assessments shall become delinquent if not
28 paid by the last day of February of the year next following the year in which this assessing
29 ordinance became effective. A failure to pay said assessments as hereinabove set forth shall
30 subject the property subject to the assessment to sale as provided by the Charter of the City and
31 County of Denver.

32 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained
33 and credited to the Tennyson Street Pedestrian Mall Local Maintenance District for future long
34 term or program maintenance of the District.

35 **Section 7.** This Ordinance shall be recorded among the records of the Clerk and Recorder of
36 the City and County of Denver.

1 CONSENT AGENDA: (by consent) October 12, 2009
2 MAYOR-COUNCIL DATE: October 27, 2009
3 PASSED BY THE COUNCIL November 16 2009

4 Jeanne Popolo - PRESIDENT

5 APPROVED: Alan Gallo - MAYOR Nov. 17 2009

6 ATTEST: Stephanie Haas - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

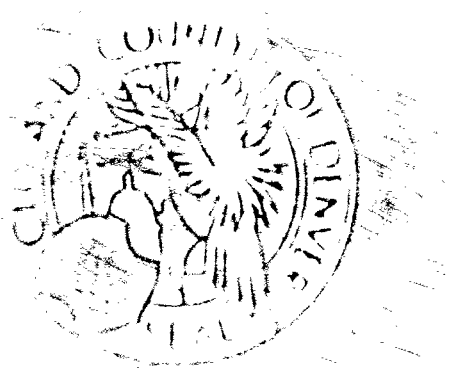
9 NOTICE PUBLISHED IN THE DAILY JOURNAL Nov. 13, 2009; Nov. 20, 2009

10 PREPARED BY: Jo Ann Weinstein - ASSISTANT CITY ATTORNEY - November 5, 2009

11 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 §3.2.6 of the Charter.

15 City Attorney

16 BY: [Signature], Asst City Attorney - 5 Nov 2009



CITY AND COUNTY OF DENVER
STATE OF COLORADO

Certification

I, **Stephanie Y. O'Malley**, Clerk and Recorder,
Ex-Officio Clerk of the City and County of Denver,
do hereby certify that the attached is a true and correct copy of

Ordinance No. 672, Series of 2009

I hereunto have set my hand
and affixed the Seal of the
City and County of Denver,
State of Colorado.
This 20th day of November,
A.D. 2009



Clerk and Recorder, Ex-Officio
Clerk of the City and County of Denver

Deputy

