

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2009

COUNCIL BILL NO. 643
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 15th 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 15th 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 15th Street Pedestrian Mall, was created by Ordinance No. 786, Series of 1992;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the 15th Street Pedestrian Mall are \$26,684.62 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 costs for the continuing care, operation, repair, maintenance and replacement of the 15th Street Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$26,684.62;

(e) The real property within the 15th 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 costs of the continuing care, operation, repair, maintenance and replacement of the 15th 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 15th Street Pedestrian Mall in the amount of \$26,684.62 are hereby assessed

1 against the real properties, exclusive of improvements thereon, within said local maintenance
2 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 EAST DENVER

7 BLOCK 12

8 Lots

9 1, except for the area bounded by the northwesterly lot line of Lot 1 \$1,874.71

10 and a line parallel to this line and located 18' to the southeast of said line

11 30 \$2,190.14

12 Vacated Alley adjacent to Lots 1 and 30 \$280.34

13

14 BLOCK 13

15 Lots

16 16-17 \$2,190.14

17 That portion of 15th Street (vacated) lying between the southwesterly

18 line of Lots 16 and 17 extended and the vacated alley in Block 13

19 and a line 10' southwesterly of and parallel with said lines \$ 280.34

20

21 That portion of Wewatta Street (vacated) lying between the northwesterly

22 line of Lot 16, Block 13, the northwesterly line of said Lot extended

23 southwesterly a distance of 10' and a line 8.5' northwesterly of and

24 parallel with said lines. \$148.93

25

26 BLOCK 16

27 Lots

28 16 \$2,190.14

29 17 \$2,190.14

30

31 BLOCK 17

32 Lots

33 1 \$2,190.14

34 32 \$2,190.14

35

36 BLOCK 18

37 Lots

38 1 \$2,194.52

39 32 \$2,194.52

40

41 BLOCK 19

42 Lots

43 16 \$2,190.14

44 17 \$2,190.14

45

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

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

8 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained
9 and credited to the 15th Street Pedestrian Mall Local Maintenance District for future long term or
10 program maintenance of the District.

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

13 COMMITTEE APPROVAL: (by consent) September 8, 2009

14 MAYOR-COUNCIL DATE: October 6, 2009

15 PASSED BY THE COUNCIL _____ 2009

16 _____ - PRESIDENT

17 APPROVED: _____ - MAYOR _____ 2009

18 ATTEST: _____ - CLERK AND RECORDER,
19 EX-OFFICIO CLERK OF THE
20 CITY AND COUNTY OF DENVER

21 NOTICE PUBLISHED IN THE DAILY JOURNAL _____ 2009; _____ 2009

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

23 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
24 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
26 §3.2.6 of the Charter.

27 City Attorney

28 BY: _____, _____ City Attorney - _____ 2009