

1 **BY AUTHORITY**

2 ORDINANCE NO.  
3 SERIES OF 2009

COUNCIL BILL NO. 647  
COMMITTEE OF REFERENCE:  
Public Works

4  
5 **A BILL**

6 **For an ordinance assessing the annual costs of the continuing care,**  
7 **operation, repair, maintenance and replacement of the Santa Fe Drive**  
8 **Pedestrian Mall B Local Maintenance District upon the real property,**  
9 **exclusive of improvements thereon, benefited.**

10 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

11 **Section 1.** Upon consideration of the recommendation of the Manager of Public Works that an  
12 ordinance be enacted for the purpose of assessing the annual costs of the continuing care,  
13 operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B upon  
14 the real property, exclusive of improvements thereon, benefited the Council finds, as follows:

15 (a) A local maintenance district providing for the continuing care, operation, repair,  
16 maintenance and replacement of the Santa Fe Drive Pedestrian Mall B, was created by  
17 Ordinance No. 980, Series of 1996;

18 (b) The annual costs of the continuing care, operation, repair, maintenance and  
19 replacement of the Santa Fe Drive Pedestrian Mall B are \$34,737.00 which amount the Manager  
20 of Public Works has the authority to expend for the purposes stated herein;

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

25 (d) The annual costs for the continuing care, operation, repair, maintenance and  
26 replacement of the Santa Fe Drive Pedestrian Mall B to be assessed against the properties,  
27 exclusive of improvements thereon, benefited are \$34,737.00; and

28 (e) The real property within the Santa Fe Drive Pedestrian Mall B will be benefited in  
29 an amount equal to or in excess of the amount to be assessed against said property because of  
30 the continuing care, operation, repair, maintenance and replacement of said Pedestrian Mall.

31 **Section 2.** The annual costs of the continuing care, operation, repair, maintenance and  
32 replacement of the Santa Fe Drive Pedestrian Mall B to be assessed against the real properties,  
33 exclusive of improvements thereon, benefited are hereby approved.

1 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and  
2 replacement of the Santa Fe Drive Pedestrian Mall B in the amount of \$34,737.00 are hereby  
3 assessed against the real properties, exclusive of improvements thereon, within said local  
4 maintenance district as follows:

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

8

9 WITTER'S FIRST ADDITION TO THE CITY OF DENVER

10 BLOCK 16

11 Lots

12 West 5.75' Lots 19 and 20 and South 11.099' Lot 18, inclusive \$ 705.87

13

14 HALLACK'S SUBDIVISION OF BLOCKS 27, 28, 38, 39 OF WITTER'S FIRST  
15 ADDITION TO THE CITY OF DENVER

16 BLOCK 27

17 Lots

18 1-20 \$276.11

19

20 BLOCK 28

21 Lots

22 1-20 \$275.73

23

24 BLOCK 39

25 Lots

26 1-9 \$ 275.81

27 10 \$ 183.53

28

29 HUNT'S ADDITION TO DENVER

30 BLOCK 12

31 Lots

32 21-23 \$ 276.17

33

34 BLOCK 13

35 Lots

36 21-38 \$ 276.06

37 East 100.5' Lots 39 and 40 \$ 276.06

38

39 BLOCK 20

40 Lots

41 East 100.0' Lots 21-25 \$ 276.17

42 26-40 \$ 276.17

43

44 BLOCK 21

45 Lots

46 21-40 \$ 275.73

47

1	SMITH'S ADDITION TO THE CITY OF DENVER		
2	BLOCK 6		
3	Lots		
4	10		\$ 183.53
5	11-20		
6			
7	\$ 275.73 WITTER'S FIRST ADDITION TO THE CITY OF DENVER		
8	BLOCK 16		
9	Lots		
10	West 5.75' Lots 19 and 20 and South 11.099' Lot 18, inclusive		\$
11	705.87		
12			
13	HALLACK'S SUBDIVISION OF BLOCKS 27, 28, 38, 39 OF WITTER'S FIRST		
14	ADDITION TO THE CITY OF DENVER		
15	BLOCK 27		
16	Lots		
17	1-20		\$ 276.11
18			
19	BLOCK 28		
20	Lots		
21	1-20		\$ 275.73
22			
23	BLOCK 39		
24	Lots		
25	1-9		\$ 275.81
26	10		\$ 183.53
27			
28	HUNT'S ADDITION TO DENVER		
29	BLOCK 12		
30	Lots		
31	21-23		\$ 276.17
32			
33	BLOCK 13		
34	Lots		
35	21-38		\$ 276.06
36	East 100.5' Lots 39 and 40		\$ 276.06
37			
38	BLOCK 20		
39	Lots		
40	East 100.0' Lots 21-25		\$ 276.17
41	26-40		\$ 276.17
42			
43	BLOCK 21		
44	Lots		
45	21-40		\$ 275.73
46			
47	SMITH'S ADDITION TO THE CITY OF DENVER		
48	BLOCK 6		
49	Lots		
50	10		\$ 183.53

1 11-20

\$ 275.73

2

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

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

13 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained  
14 and credited to the Santa Fe Drive Pedestrian Mall B Local Maintenance District for future long  
15 term or program maintenance of the District.

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

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

19 MAYOR-COUNCIL DATE: October 6, 2009

20 PASSED BY THE COUNCIL \_\_\_\_\_ 2009

21 \_\_\_\_\_ - PRESIDENT

22 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2009

23 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
24 EX-OFFICIO CLERK OF THE  
25 CITY AND COUNTY OF DENVER

26 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2009; \_\_\_\_\_ 2009

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

28 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
29 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
30 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
31 §3.2.6 of the Charter.

32 City Attorney

33 BY: \_\_\_\_\_, \_\_\_\_\_ City Attorney - \_\_\_\_\_ 2009