

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2009

COUNCIL BILL NO. 652
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 East 13th Avenue 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 East 13th Avenue 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 East 13th Avenue Pedestrian Mall, was created by Ordinance No. 134, Series of 1996;

(b) The annual costs of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall are \$28,774.00 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 costs for the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall to be assessed against the properties, exclusive of improvements thereon, benefited are \$28,774.00; and

(e) The real property within the East 13th Avenue 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 East 13th Avenue 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 East 13th Avenue Pedestrian Mall in the amount of \$28,774.00 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 H.C. BROWN'S 2ND ADDITION TO DENVER, COLORADO

8 BLOCK 65

9 Lots

10 West 60'Lots 1-4, inclusive \$ 849.51

11 East 65' Lots 1-4 & Adjacent strip of land, inclusive \$1,119.51

12

13 BLOCK 66

14 Lots

15 20 & Adjacent strip of land, inclusive \$2,027.64

16

17 J.W. SMITH'S ADDITION TO DENVER

18 BLOCK 65

19 Lot

20 40 \$1,769.81

21

22 BLOCK 66

23 Lot

24 21 \$1,769.81

25

26 BLOCK 79

27 Lots

28 1 \$1,769.81

29 40 \$1,769.81

30

31 BLOCK 80

32 Lots

33 20-21 \$1,769.81

34

35 BLOCK 83

36 Lots

37 20-21 \$1,769.81

38

39 BLOCK 84

40 Lots

41 1 \$1,769.81

42 40 \$1,769.81

43

44 BLOCK 89

45 Lots

46 1 \$1,769.81

47 40 \$1,769.81

48

49 BLOCK 90

1 Lots
2 20-21

\$1,769.81

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 East 13th Avenue Pedestrian Mall 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 CONSENT AGENDA: (by consent) October 12, 2009

19 MAYOR-COUNCIL DATE: October 27, 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