

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2009

COUNCIL BILL NO. 655  
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 Expanded Greektown**  
8 **Pedestrian Mall Local Maintenance District upon the real property, exclusive**  
9 **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 Expanded Greektown Pedestrian Mall  
14 upon the real property, exclusive of improvements thereon, benefited the Council finds, as  
15 follows:

16 (a) A local maintenance district providing for the continuing care, operation, repair,  
17 maintenance and replacement of the Expanded Greektown Pedestrian Mall, was created by  
18 Ordinance No. 656, Series of 1998;

19 (b) The annual cost of the continuing care, operation, repair, maintenance and  
20 replacement of the Expanded Greektown Pedestrian Mall is \$25,000.00 which amount the  
21 Manager of Public Works has the authority to expend for the purposes stated herein;

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

26 (d) The annual cost for the continuing care, operation, repair, maintenance and  
27 replacement of the Expanded Greektown Pedestrian Mall to be assessed against the properties,  
28 exclusive of improvements thereon, benefited is \$25,000.00; and

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

32 **Section 2.** The annual cost of the continuing care, operation, repair, maintenance and  
33 replacement of the Expanded Greektown Pedestrian Mall to be assessed against the real  
34 properties, 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 Expanded Greek Town Pedestrian Mall in the amount of \$25,000.00 are  
 3 hereby assessed against the real properties, exclusive of improvements thereon, within said  
 4 local 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	BREWER'S 2 <sup>ND</sup> ADDITION	
10	BLOCK 1	
11	Lot	
12	1	\$1,439.50
13		
14	BLOCK 2	
15	Lot	
16	1	\$1,409.14
17		
18	CHAMBERLINS' SUBDIVISION	
19	BLOCK 1	
20	Lot	
21	50	\$1,428.26
22		
23	BLOCK 2	
24	Lots	
25	1	\$1,428.26
26	50	\$1,428.26
27		
28	BLOCK 3	
29	Lots	
30	1	\$1,428.26
31	50	\$1,428.26
32		
33	COLFAX AVENUE PARK SUBDIVISION	
34	BLOCK 13	
35	Lots	
36	23	\$1,405.76
37	24	\$1,405.76
38		
39	BLOCK 14	
40	Lots	
41	23	\$1,405.88
42	24	\$1,405.76
43		
44	BLOCK 15	
45	Lots	
46	23-24 & Vacated Alley inclusive	\$2,985.84
47		
48	ROHLFING'S SUBDIVISION	

1	BLOCK 3	
2	Vacated Portion of Block 3, East	\$1,405.76
3	Vacated Portion of Block 3, West	\$1,405.76
4		
5	BLOCK 4	
6	North 49.3' of the vacated portion of the west one half of Block 4	\$1,405.76
7	Vacated portion of the east one half Block 4	\$1,405.76
8		
9	BLOCK 5	
10	Vacated portion of Block 5	\$ 778.01

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

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

21 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained  
22 and credited to the Expanded Greektown Pedestrian Mall Local Maintenance District for future  
23 long term or program maintenance of the District.

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

1 COMMITTEE APPROVAL: (by consent) October 12, 2009  
2 MAYOR-COUNCIL DATE: October 27, 2009  
3 PASSED BY THE COUNCIL \_\_\_\_\_ 2009

4 \_\_\_\_\_ - PRESIDENT  
5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2009  
6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL \_\_\_\_\_ 2009; \_\_\_\_\_ 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: \_\_\_\_\_, \_\_\_\_\_ City Attorney - \_\_\_\_\_ 2009