

1 **BY AUTHORITY**

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

COUNCIL BILL NO. 656  
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 Golden Triangle**  
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 Golden Triangle Pedestrian Mall upon the  
14 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 Golden Triangle Pedestrian Mall, was created by  
17 Ordinance No. 652, Series of 1996;

18 (b) The annual cost of the continuing care, operation, repair, maintenance and  
19 replacement of the Golden Triangle Pedestrian Mall is \$16,340.00 which amount the Manager of  
20 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 cost for the continuing care, operation, repair, maintenance and  
26 replacement of the Golden Triangle Pedestrian Mall to be assessed against the properties,  
27 exclusive of improvements thereon, benefited is \$16,340.00; and

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

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

34 **Section 3.** The annual costs of the continuing care, operation, repair, maintenance and  
35 replacement of the Golden Triangle Pedestrian Mall in the amount of \$16,340.00 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 SOUTH SUBDIVISION OF EVANS ADDITION TO DENVER

8 BLOCK A

9 Lots

10 14-17, inclusive \$ 716.02

11 18-26 \$ 202.66

12  
13 BLOCK B

14 Lots

15 1-10, inclusive \$2,026.55

16 11-13, inclusive \$ 509.39

17  
18 SUBDIVISION OF BLOCKS 43, 44, 45, 46, 57, 58, 59, 60 IN EVANS ADDITION TO DENVER

19 BLOCK 59

20 Lots

21 1-17, inclusive \$3,509.99

22  
23 BLOCK 60

24 Lots

25 West 120' lot 18 \$ 267.50

26 West 120' lot 19 \$ 202.66

27 20-34 \$ 202.66

28  
29 WHITSITT'S ADDITION TO DENVER

30 BLOCK 1

31 Whitsitt's Addition B1 Dif Book 1611-657 \$ 709.30

32 Whitsitt's Add, B1 S 62.5' of W 50' \$ 506.64

33 Whitsitt's Add B1 beg. 150' N of SW cor B1 the E 150' N 110.61' S 111.56' to POB \$ 904.33

34  
35 BLOCK 2

36 Lots

37 10 \$ 97.36

38 11-20, inclusive \$2,026.55

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

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

1 **Section 6.** Any unspent revenue and revenue generated through investment shall be retained  
2 and credited to the Golden Triangle Pedestrian Mall Local Maintenance District for future long  
3 term or program maintenance of the District.

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

6 CONSENT AGENDA: (by consent) October 12, 2009

7 MAYOR-COUNCIL DATE: October 27, 2009

8 PASSED BY THE COUNCIL \_\_\_\_\_ 2009

9 \_\_\_\_\_ - PRESIDENT

10 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_ 2009

11 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
12 EX-OFFICIO CLERK OF THE  
13 CITY AND COUNTY OF DENVER

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

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

16 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
17 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
18 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
19 §3.2.6 of the Charter.

20 City Attorney

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