

15th St

BY AUTHORITY

ORDINANCE NO. 786

COUNCIL BILL NO. 797

SERIES OF 1992

COMMITTEE OF REFERENCE:

PUBLIC WORKS

A B I L L

FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF THE 15TH STREET PEDESTRIAN MALL IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, WITH THE COSTS OF SAID CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF SAID 15TH STREET PEDESTRIAN MALL TO BE ASSESSED 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 a recommendation that an ordinance be enacted creating a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the 15th Street Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of said 15th Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited, Council finds:

(a) That the Manager of Public Works of the City and County of Denver has received petitions proposing a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the 15th Street Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of said 15th Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited;

(b) That sufficient petitions, as required by the Charter of the City and County of Denver were received by the Manager of Public Works of the City and County of Denver, that said petitions were regularly filed and were in due and regular form and properly executed;

(c) That at the time of the initiation of said proposed local maintenance district, the Manager of Public Works of the City and County of Denver estimated the total cost of the continuing care, operation, security, repair, maintenance and replacement of the 15th Street Pedestrian Mall in said proposed local maintenance district for the first full year of the existence of said proposed local maintenance district which total cost is \$13,858.00 and said Manager of Public Works estimated a detailed estimate for each maintenance element included in said proposed local maintenance district for the first full year of the existence of said proposed local maintenance district;

(d) That the Manager of Public Works of the City and County of Denver gave due notice to the owners of the property benefited and to all persons interested generally concerning said local maintenance district, and a hearing was held as provided by the Charter of the City and County of Denver to hear written remonstrances to said proposed local maintenance district and for the purpose of considering the desirability of and the need for said proposed local maintenance district;

(e) That duly executed written remonstrances were not filed by the owners representing fifty or more percent of the assessed valuation of real property, exclusive of improvements thereon, within said proposed local maintenance district;

(f) That the Manager of Public Works of the City and County of Denver has entered an order approving said proposed local maintenance district;

(g) That all acts and proceedings of the Manager of Public Works of the City and County of Denver in the premises comply with the requirements of the Charter of the City and County of Denver;

(h) That by reason of the continuing care, operation, security, repair, maintenance and replacement of the 15th Street Pedestrian Mall, the real property, exclusive of improvements thereon, within said proposed local maintenance district will be specially benefited in an amount equivalent to or exceeding the amount to be assessed; and

(i) That said proposed local maintenance district is lawful and necessary and should be created.

Section 2. A local maintenance district be and is hereby created for the continuing care, operation, security, repair, maintenance and replacement of the 15th Street Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of said 15th Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited.

Section 3. The exterior boundaries of said local maintenance district are as follows:

That part of 15th Street between the northeasterly flow line and the northeasterly right-of-way line of said 15th Street between the center line of Blake Street and the center line of Wewatta Street.

And

That part of 15th Street between the southeasterly flow line and the southeasterly right-of-way line of said 15th Street between the center line of Blake Street and the center line of Wewatta Street.

Section 4. A description of the properties benefited is:

Lots 1 and 30 and adjacent vacated alley Block 12, Lots 1 and 32 Block 17  
 Lots 1 and 32 Block 18, Lots 16 and 17 Block 13  
 Lots 16 and 17 Block 16, Lots 16 and 17 Block 19  
 all in East Denver.

And

That portion of 15th Street (vacated) lying between the southwesterly line of Lots 16 and 17 extended and the vacated alley in Block 13 and a line 10' southwesterly and parallel with said lines.

And

That portion of Wynkoop Street (vacated) lying between the southeasterly line of Lot 17, Block 13, the southeasterly line of said Lot extended southwesterly a distance of 10' and a line 4.75' southeasterly of and parallel with said lines.

And

That portion of Wewatta Street (vacated) lying between the northwesterly line of Lot 16, Block 13, the northwesterly line of said Lot extended southwesterly a distance of 10' and a line 8.5' northwesterly of and parallel with said lines.

Section 5. The relative benefits to the real properties, exclusive of improvements thereon, within the local maintenance district be and are hereby apportioned as follows: the assessment is apportioned based upon the ratio of the average actual value of each lot in the local maintenance district as to the average actual value

of all of the lots in the local maintenance district; and each property owner then pays that percent of the total assessment.

Section 6. The Manager of Public Works of the City and County of Denver is hereby authorized and directed to assess the costs of the continuing care, operation, security, repair, maintenance and replacement of the 15th Street Pedestrian Mall, in accordance with the requirements of the Charter of the City and County of Denver.

APPROVED BY:

Michael Musgrave  
Acting Manager of Public Works

Section 7. This ordinance shall be recorded among the records of the Clerk and Recorder of the City and County of Denver, State of Colorado.

PASSED BY THE COUNCIL October 26, 1992

Samona Martin - PRESIDENT

APPROVED: Wally Smith - MAYOR October 27, 1992

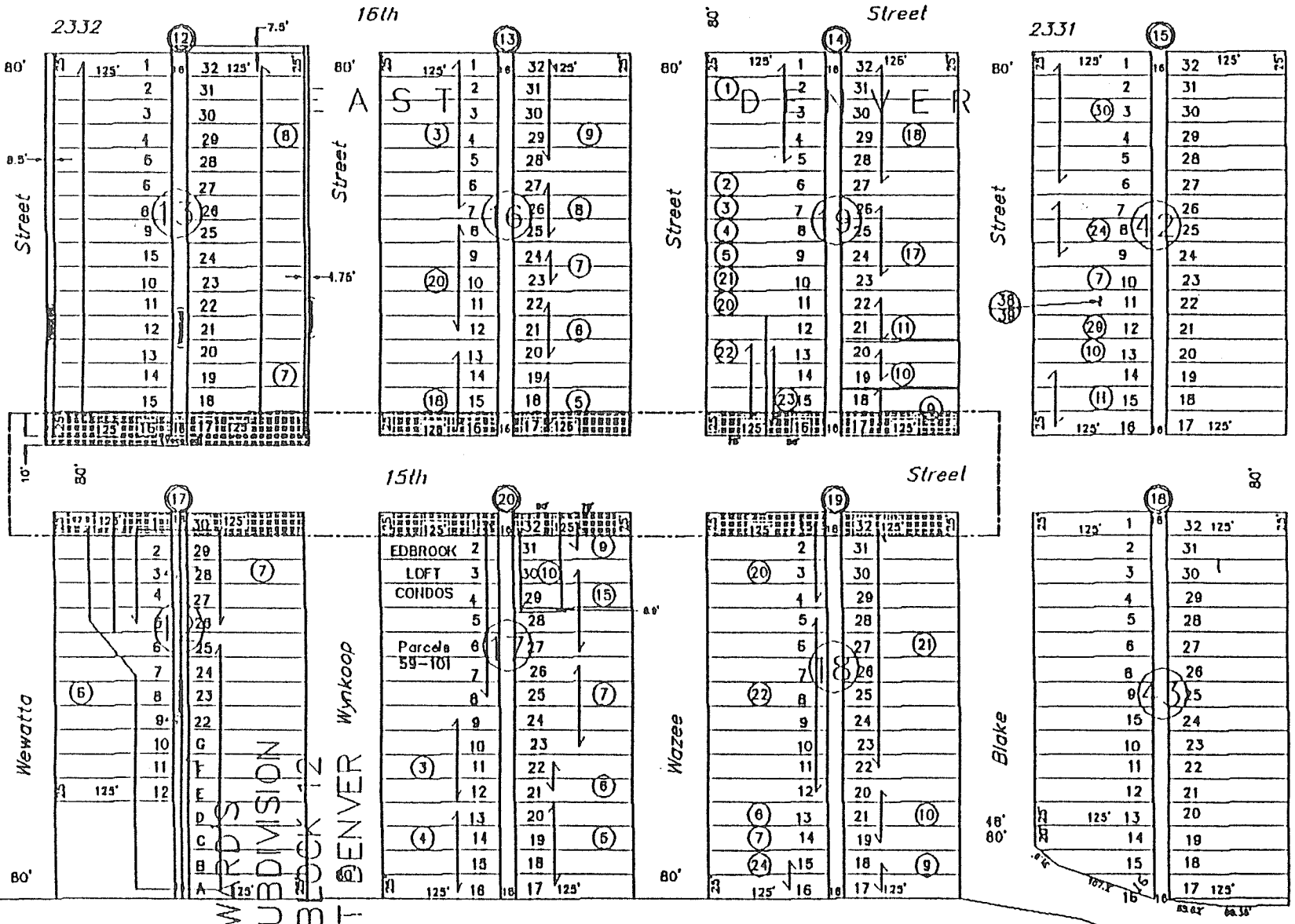
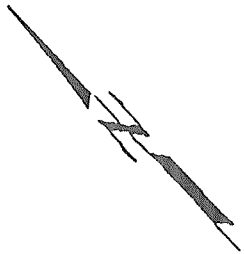
ATTEST: Paul Taylor - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

PUBLISHED IN THE DAILY JOURNAL Oct. 25, 1992 Oct. 30, 1992

PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 10/19/92

REVIEWED BY: [Signature] CITY ATTORNEY 10/19 1992

SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_



HOWARDS  
RESUBDIVISION  
OF BLOCK 12  
EAST DENVER