

2000

BY AUTHORITY

ORDINANCE NO. 822
SERIES OF 1994

COUNCIL BILL NO. 836
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 20TH 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 20TH 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 20th 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 20th 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, without having received petitions, proposed a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of the 20th 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 20th Street Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited;

(b) 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 20th 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 \$7,911.00 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;

(c) 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;

(d) 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;

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

(f) 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;

(g) That by reason of the continuing care, operation, security, repair, maintenance and replacement of the 20th 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

(h) 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 20th 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 20th 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:

Beginning at the intersection of the north line of Section 34, T.3S., R.68W., 6th p.m., with the north line of Lot 1, Block 23, East Denver, which point being 109.00 feet, more or less, northwesterly from the most easterly corner of said Lot 1; Thence southwesterly parallel with the southeast right-of-way line of Wazee Street to the southwest line of said Lot 1; Thence southeasterly along the southwest line and the southwest line extended of Lots 1 and 32 of said Block 23 to the most southerly corner of Lot 32, said Block 23; Thence southeasterly across Blake Street to the most westerly corner of Lot 1, Block 38, East Denver; Thence southeasterly along the southwest line and the southwest line extended of Lots 1 and 32 of said Block 38 to the most southerly corner of Lot 32, said Block 38; Thence southeasterly across Market Street to the most westerly corner of Lot 1, Block 50, East Denver; Thence southeasterly along the southwest line and the southwest line extended of Lots 1 and 32, said Block 50 to the centerline of Larimer Street; Thence northeasterly along said centerline to the intersection with the southeast extension of the northeast line of Lot 17, Block 51, East Denver; Thence northwesterly along said extension and the northeast line and the northeast line extended of Lots 17 and 16, said Block 51 to the most northerly corner of said Lot 16; Thence northwesterly across Market Street to the most easterly corner of Lot 18, Block 37, East Denver; Thence northwesterly along the northeast line and the northeast line extended of Lots 18 and 15, said Block 37 to the intersection with the centerline of Blake Street; Thence southwesterly along said centerline to the intersection with the centerline of 20th Street; Thence northwesterly along the centerline of 20th Street to the north line of said Section 34; Thence westerly along the north line of said Section 34 to the Point of Beginning.

Section 4. A description of the properties benefited is:

1. Lots 1 and 32, Block 50, East Denver.
2. Lots 1 and 32, Block 38, East Denver.
3. Lot 32 and the southerly 109 feet of Lot 1, Block 23, East Denver.
4. Lot 18, Block 37, East Denver, and part of the east half (E 1/2) of the northsouth alley vacated by Ordinance No. 47, Series of 1993, being adjoining said Lot 18, less a part of said Lot 18 as described in Parcel TK 2279-09-20 Rev. 2 recorded at the Denver County Clerk and Recorder's Office on January 26, 1993 at Reception No. R-93-0010699, containing 1,744 square feet or 0.040 acres, more or less.
5. Lot 15, Block 37, East Denver, and part of the west half (W 1/2) of the northsouth alley vacated by Ordinance No. 47, Series of 1993, being adjoining said Lot 15, less a part of said Lot 15 as described in Parcel Row 2279-09-10 Rev. 2 recorded at the Denver County Clerk and Recorder's Office on September 3, 1992 at Reception No. R-92-0102338, containing 1,060 square feet or 0.024 acres, more or less.
6. Lot 17, Block 51, East Denver, less a part of said Lot 17 as described in Parcel TK 2279-08-009 recorded at the Denver Clerk and Recorder's Office on March 11, 1993 at Reception No. R-93-00031437, containing 2,299 square feet or 0.053 acres, more or less.
7. Lot 16, Block 51, East Denver, less a part of said Lot 16 as described in Parcel TK 2279-08-19 Rev. 2 recorded at the Denver County Clerk and Recorder's Office on December 21, 1992 at Reception No. R-92-0151905, containing 611 square feet or 0.014 acres, more or less.

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 on a relationship between the lineal footage of the real property receiving the right-of-way receiving the improvements and the total improved lineal footage.

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 20th Street Pedestrian Mall, in accordance with the requirements of the Charter of the City and County of Denver.

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 17 1994

Deborah L. Ortega - PRESIDENT

APPROVED: [Signature] - MAYOR October 19, 1994

ATTEST: [Signature] - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

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PREPARED BY: ROBERT M. KELLY, ASSISTANT CITY ATTORNEY 10/5/94

REVIEWED BY: [Signature] & CITY ATTORNEY 10/6 1994

SPONSORED BY COUNCIL MEMBER(S) _____