

BY AUTHORITY

ORDINANCE NO. 839  
SERIES OF 1998

COUNCIL BILL NO. 826  
COMMITTEE OF REFERENCE:

~~PUBLIC WORKS AND AMENITIES~~

A BILL

**FOR AN ORDINANCE CREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF IMPROVEMENTS OF THE BROADWAY PEDESTRIAN MALL MAINTENANCE DISTRICT A IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, WITH THE COSTS OF SAID CONTINUING CARE, OPERATION, SECURITY, REPAIR, MAINTENANCE AND REPLACEMENT OF IMPROVEMENTS OF THE BROADWAY PEDESTRIAN MALL MAINTENANCE DISTRICT A TO BE ASSESSED UPON THE REAL PROPERTY, EXCLUSIVE OF IMPROVEMENTS THEREON, BENEFITED.**

**BE IN 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 improvements of the Broadway Pedestrian Mall Maintenance District A in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of improvements of the Broadway Pedestrian Mall Maintenance District A 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, without having received petitions therefore, has initiated and proposed the creation of a local maintenance district for the continuing care, operation, security, repair, maintenance and replacement of improvements of the Broadway Pedestrian Mall Maintenance District A in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of improvements of the Broadway Pedestrian Mall Maintenance District A 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 improvements of the Broadway Pedestrian Mall Maintenance District A in said proposed local maintenance district for

the first full year of the existence of said proposed expanded 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 improvements of the Broadway Pedestrian Mall Maintenance District A, 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 improvements of the Broadway Pedestrian Mall Maintenance District A in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, security, repair, maintenance and replacement of improvements of the Broadway Pedestrian Mall Maintenance District A 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 centerlines of South Broadway and West Alameda Avenue;  
thence north along the centerline of South Broadway to the intersection with the south lot line and  
the south lot line extended of Lot 8, Block 36, Greenway's Resubdivision of Block 36, Byer's  
Subdivision;  
thence west along said lot line and said lot line extended to the intersection with the centerline of  
the alley in said Block 36;  
thence north along said centerline and the centerline extended to the alley in said Block 36 and  
the alleys in Block 35, Byer's Subdivision, Block 34, Polk's Resubdivision of Block 34, Byer's  
Subdivision and Block 33, Polk's Resubdivision of Block 33, Byer's Subdivision to the intersection  
with the centerline of West Bayaud Avenue;  
thence east along the centerline of West Bayaud Avenue to the intersection with the centerline of  
South Broadway;  
thence south along the centerline of South Broadway to the intersection with a line and a line  
extended, said line being 12.5 feet north of and parallel to the south line of Lot 15, Block 4,  
Broadway Addition to Byer's Subdivision;  
thence east along said line to the intersection with the centerline of the alley in said Block 4;  
thence south along the centerline and the centerline extended of the alley in said Block 4 and the  
centerline and the centerline extended of the alleys in Block 3, Broadway Addition to Byer's  
Subdivision and the Resubdivision of Blocks 1, 2 and 3 Gallop's South Broadway Subdivision to  
the intersection with the centerline of Alameda Avenue;  
thence west along said centerline to the Point of Beginning.

**Section 4. A description of the properties benefited is:**

1. Lots 11-20 inclusive, Block 3  
Lots 11-14 inclusive and the south 12.5 feet Lot 15, Block 4  
All in Broadway Addition to Byers Subdivision
2. Lots 1-6 inclusive, Lots 43-48 inclusive, Block 35, Byer's Subdivision
3. Lots 1-8 inclusive, Block 36, Greenway's Resubdivision of Block 36, Byers Subdivision
4. Lots 1-10 inclusive, Block 33, Polk's Resubdivision of Block 33, Byers Subdivision
5. Lots 1-10 inclusive, Block 34, Polk's Resubdivision of Block 34, Byers Subdivision
6. Lots 1-19 inclusive, Resubdivision of Blocks 1, 2 and 3 Gallop's South Broadway Subdivision

**Section 5.** The relative benefits to the real properties, exclusive of improvements thereon, within the local maintenance district be and are hereby apportioned based on a relationship between the lineal footage of the real property, exclusive of improvements thereon, receiving the right-of-way improvements and the total improved lineal footage; 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 improvements of the Broadway Pedestrian Mall Maintenance District A, 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 November 23 1998

Harry Gray - PRESIDENT  
APPROVED: Fred Thompson ACTING MAYOR Nov 24 1998

ATTEST: Guillermo G. Gomez - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

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

