ORDINANCE NO. 878
SERIES OF 2000

BY AUTHORITY
COUNCIL BILL NO. 838
COMMITTEE OF REFERENCE:
PUBLIC WORKS

A BILL

For an ordinance creating a Local Maintenance District for the continuing care, operation, security, repair, maintenance and replacement of the St. Luke's 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 St. Luke's Pedestrian Mall 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 the St. Luke's 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 St. Luke's Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited, Council finds:

(a) 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 St. Luke's 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 St. Luke's Pedestrian Mall to be assessed upon the real property, exclusive of improvements thereon, benefited;

(b) 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) 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 St. Luke's Pedestrian Mall in said proposed local maintenance district for the first full year of the existence of said proposed local maintenance district is $105,870.00 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) 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) 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) The Manager of Public Works of the City and County of Denver has entered an order
approving said proposed local maintenance district;

g) All acts and proceedings of the Manager of Public Works of the City and County of
Denver comply with the requirements of the Charter of the City and County of Denver;

h) By reason of the continuing care, operation, security, repair, maintenance and
replacement of the St. Luke's 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 St. Luke's 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 St. Luke's 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 centerline of 20th Avenue and the southern public right-of-way
boundary of Park Avenue West extended; thence southeasterly along the southern public right-of-way
boundary of Park Avenue West to the intersection with the centerline of Clarkson Street; thence south
along the centerline of Clarkson Street to a point 19 feet south of the northern boundary of Lot 4,
Block 5, Park Avenue Addition; thence west to the centerline of the public right-of-way (alley)
between Washington Street and Clarkson Street; thence south to the intersection with 18th Avenue;
thence west along the centerline of 18th Avenue to the intersection with the public right-of-way (alley)
between Pennsylvania Street and Logan Street; thence north along the centerline of the public right-of-way (alley) between Pennsylvania Street and Logan Street to a point 13.2 feet south of the southern property line of Lot 2, Block 263, Clements Addition; thence west 26.4 feet; thence north 3.2 feet; thence west 99.1 feet to the intersection of the eastern public right-of-way of Logan Street, 10 feet south of the southern property boundary of Lot 2, Block 263, Clements Addition; thence north, along the eastern public right-of-way of Logan Street, extended across 19th Avenue to the northern property boundary of Lot 15, Block 249, Clements Addition; thence east along the property line of Lot 15, Block 249, Clements Addition, to the intersection with the center line of the public right-of-way (alley) between Pennsylvania Street and Logan Street; thence north along the center line of the public right-of-way (alley) between Pennsylvania Street and Logan Street to the intersection of the extended southern property boundary of Lot 2, Block 249, Clements Addition; thence west along the southern property boundary of Lot 2, Block 249, Clements Addition to the intersection with the eastern public right-of-way boundary of Logan Street; thence north along the extended eastern public right-of-way boundary of Logan Street to the centerline of vacated Court Place; thence northeasterly along the centerline of vacated Court Place to the intersection of the southern public right-of-way boundary of Park Avenue West; thence southeasterly to the eastern public right-of-way boundary of the vacated public right-of-way (alley) of Block 224, Clements Addition; thence, southwestly to the northwesterly corner of Lot 26 said Block 224; thence southeasterly along the southern lot line of said Lot 26 to a point 19 feet southeast of the southeasterly corner of said Lot 26 in the vacated Cleveland Place; thence northeasterly along a line 19 feet southeast of the western public right-of-way boundary of vacated Cleveland Place to the southern public right-of-way boundary of Park Avenue West; thence southeasterly to the POINT OF BEGINNING.

Section 4. A description of the properties benefited is:

The proposed district includes all real property (land only) abutting the streets identified in the description above. It also includes the following lots and blocks:

1. Lots 1 and 2, Block 249;
2. Lots 15 to 34 inclusive, Block 249;
3. Lots 1 and 2, Block 263;
4. The north 10 feet of the west 99 feet of Lot 3 and the north 13.2 feet of the east 26.4 feet of Lot 3, Block 263;
5. Lots 17 to 32, Block 263;
6. All of Block 250 and the vacated public right-of-way (alley);
7. All of Block 261 and the vacated public right-of-way (alley);
8. All of Block 262;
9. All of Block 286 and the vacated public right-of-way (alley);
10. Lots 1 to 17 inclusive, Block 263;
11. Lots 1 to 16 inclusive, Block 297;
12. All of Block 225 and adjoining 22nd Street vacated by Ordinance 243 of 1975 and the adjoining Court Place vacated by Ordinance 269 of 1980;
13. All of Block 251 and the adjoining parcel described in Ordinance 692 of 1987, and the adjoining portion of Cleveland Street vacated by Ordinance 243 of 1975, except the northerly 19 feet of Cleveland Place adjoining Lots 26-32, inclusive;
14. All of Block 224 and adjoining Cleveland Place vacated by Ordinance 243 of 1973, EXCEPT Lots 26-32, inclusive;
15. All in Clements Addition to the City of Denver.
2. Lots 1 to 3 inclusive, Block 5, Park Avenue Addition;
The north 19 feet of Lot 4, Block 5, Park Avenue Addition;
All of Block 4, Park Avenue Addition,
All in Park Avenue Addition to Denver.

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 the St. Luke's 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 11-06-00 2000

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REVIEWED BY: CITY ATTORNEY 10/25 2000
SPONSORED BY COUNCIL MEMBER(S)