

BY AUTHORITY

ORDINANCE NO. 656  
SERIES OF 1998

COUNCIL BILL NO. 643  
COMMITTEE OF REFERENCE:  
PUBLIC WORKS AND AMENITIES

A BILL

FOR AN ORDINANCE EXPANDING AND RECREATING A LOCAL MAINTENANCE DISTRICT FOR THE CONTINUING CARE, OPERATION, REPAIR, MAINTENANCE AND REPLACEMENT OF IMPROVEMENTS AT THE EXPANDED GREEK TOWN PEDESTRIAN MALL IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, WITH THE COSTS OF SAID CONTINUING CARE, OPERATION, REPAIR, MAINTENANCE AND REPLACEMENT OF IMPROVEMENTS AT THE EXPANDED GREEK TOWN 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 expanding and recreating a local maintenance district for the continuing care, operation, repair, maintenance and replacement of improvements at the Expanded Greek Town Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of improvements at the Expanded Greek Town 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, without having received petitions therefore, has initiated and proposed the expansion and recreation of a local maintenance district for the continuing care, operation, repair, maintenance and replacement of improvements at the Expanded Greek Town Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of improvements at the Expanded Greek Town 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, repair, maintenance and replacement of improvements at the Expanded Greek Town Pedestrian Mall 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 expanded 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 expanded local maintenance district and for the purpose of considering the desirability of and the need for said proposed expanded 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 expanded local maintenance district;

(e) That the Manager of Public Works of the City and County of Denver has entered an order approving said proposed expanded 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, repair, maintenance and replacement of improvements at the Expanded Greek Town Pedestrian Mall, the real property, exclusive of improvements thereon, within said proposed expanded local maintenance district will be specially benefited in an amount equivalent to or exceeding the amount to be assessed; and

(h) That said proposed expanded local maintenance district is lawful and necessary and should be expanded and recreated.

Section 2. A local maintenance district be and is hereby expanded and recreated for the continuing care, operation, repair, maintenance and replacement of improvements at the Expanded Greek Town Pedestrian Mall in the City and County of Denver, State of Colorado, with the costs of said continuing care, operation, repair, maintenance and replacement of improvements at the Expanded Greek Town 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 Colfax Avenue and the centerline extended of Detroit Street;  
thence north along the centerline extended and the centerline of Detroit Street to the intersection with the north lot line and the north lot line extended of Lots 23 and 24, Blocks 13, 14 and 15, Colfax Avenue Park Subdivision;  
thence east along said north lot lines and north lot lines extended to the intersection with the centerline of St. Paul Street;  
thence south along said centerline and the centerline extended of St. Paul Street to the intersection with the centerline of Colfax Avenue;  
thence east along said centerline to the intersection with the centerline extended of St. Paul Street;  
thence south along said centerline extended and the centerline of St. Paul Street to the intersection with the south lot line and the south lot line extended of Lots 1 and 50, Block 3, Lots 1 and 50, Block 2 and Lot 50, Block 1, Chamberlin's Subdivision and Lot 1, Block 2 and Lot 1, Block 1, Brewer's 2<sup>nd</sup> Addition;  
thence west along said south lot lines and south lot lines extended to the intersection with the centerline of the alley adjacent to Block 1, Brewer's 2<sup>nd</sup> Addition;  
thence south along said centerline to the intersection with the south line and the south line extended of the vacated portion of Block 5 and the vacated portion of the east one half of Block 4, Rohlfing's Subdivision;  
thence west along said south line and the south line extended to the intersection with the centerline of the alley in said Block 4;  
thence north along said centerline to the intersection with a line and a line extended said line being 19.92 feet, more or less, north of and parallel with the south line and the south line extended of the vacated portion of the west one half of said Block 4;  
thence west along said line and said line extended to the intersection with the centerline of Elizabeth Street;  
thence south along said centerline to the intersection with the south line and the south line extended of the vacated portion of Block 3, Rohlfing's Subdivision;  
thence west along said south line and south line extended to the intersection with the centerline of Columbine Street;  
thence north along said centerline and centerline extended to the intersection with the centerline of Colfax Avenue;  
thence east along said centerline to the Point of Beginning.

Section 4. A description of the properties benefited is:

1. Lots 23 and 24, Block 13  
Lots 23 and 24, Block 14  
Lots 23 and 24 and adjacent vacated alley, Block 15  
All in Colfax Avenue Park Subdivision
2. Lot 50, Block 1  
Lots 1 and 50, Block 2  
Lots 1 and 50, Block 3  
All in Chamberlin's Subdivision
3. Lot 1, Block 1  
Lot 1, Block 2  
All in Brewer's 2<sup>nd</sup> Addition
4. Vacated portion of Block 3  
North 49.3 feet of the vacated portion of the west one half Block 4  
Vacated portion of the east one half Block 4  
Vacated portion of Block 5  
All in Rohlfig's 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, repair, maintenance and replacement of improvements at the Expanded Greek Town 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 September 21 1998  
Harvey Hayden - PRESIDENT  
APPROVED: Wally E. Muir - MAYOR September 22 1998  
ATTEST: Rosemary E. Grodzki - CLERK AND RECORDER,  
EX-OFFICIO CLERK OF THE  
CITY AND COUNTY OF DENVER

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PREPARED BY: DONALD E. WILSON, ASSISTANT CITY ATTORNEY 9/8/98  
REVIEWED BY: Ruth A. Wilson - ASSISTANT CITY ATTORNEY 9/10 1998  
SPONSORED BY COUNCIL MEMBER(S) \_\_\_\_\_

