

**FIRST READING:** March 17, 2015

**SECOND READING:** April 7, 2015

**ORDINANCE NO. 5927**

**AN ORDINANCE CREATING AND ESTABLISHING THE LOVELAND DOWNTOWN DEVELOPMENT AUTHORITY IN THE CITY OF LOVELAND, COLORADO**

**WHEREAS**, pursuant to Ordinance No. 5906, a special election was held in the City of Loveland, Colorado, on Tuesday, February 10, 2015, wherein the following question was submitted to the qualified electors entitled to vote thereon:

Shall the Loveland Downtown Development Authority be organized pursuant to Part 8, Article 25, Title 31, Colorado Revised Statutes to exercise all powers authorized therein within the boundaries of the area legally described in Ordinance No. 5906 of the City Council of the City of Loveland, Colorado, and generally described as follows:

The proposed DDA is generally bounded by northbound Lincoln Avenue and southbound Cleveland Avenue; the eastern boundary of the proposed DDA goes from the tip of the southern gateway, following Lincoln Avenue to 3<sup>rd</sup> Street SE, east 2 blocks to Washington Avenue, 6 blocks north to 4<sup>th</sup> Street, east one block to Adams Avenue, north to 5<sup>th</sup> Street, and then back west to Washington Avenue; then from the intersection of 5<sup>th</sup> Street and Washington Avenue, north one block and west one block to Jefferson Avenue, north 1½ blocks and west another ½ block, then continuing northward, including the properties that front on Lincoln Avenue, toward Eisenhower Boulevard, to 1/2 block south of Eisenhower Boulevard, then east to Jefferson Avenue, north to the alley one half block past 16<sup>th</sup> Street, west 190 feet, north to the boundary with Lakeside Cemetery, west to Lincoln Avenue, north to the end of the one way system, and from the tip of the northern gateway, the western boundary includes the properties on the west side of Cleveland Avenue heading south to 11<sup>th</sup> Street, then west to just past the railroad tracks, south on Railroad Avenue for one block, and again west on 10<sup>th</sup> Street to Garfield Avenue, then south 11 blocks to past 2<sup>nd</sup> Street SW to the intersection of Garfield Avenue and Railroad Avenue, then following the irrigation ditch southeast back to Cleveland Avenue and then south to the end of the one way system.

**WHEREAS**, the returns of said election have been duly canvassed, and the Designated Election Official of the City of Loveland, Colorado, has determined that a majority of the qualified electors voting on said question cast ballots in favor thereof.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**

**LOVELAND, COLORADO, THAT:**

**Section 1.** Creation of Loveland Downtown Development Authority. There is hereby created and established pursuant to part 8 of article 25 of title 31, Colorado Revised Statutes, a downtown development authority in the City of Loveland, Colorado, to be known as the “Loveland Downtown Development Authority” (the “DDA”).

**Section 2.** Authority of DDA. The DDA shall be a body corporate with all the purposes and powers now or hereafter authorized by Part 8 of Article 25 of Title 31, Colorado Revised Statutes, and all additional and supplemental powers necessary or convenient to carry out and effectuate the purposes and provisions of said Part 8.

**Section 3.** Area of DDA. The DDA shall exercise its powers within the area bounded as follows:

**Legal Description of DDA**

Beginning at the point of intersection of the south right-of-way (ROW) line of E. 4<sup>th</sup> Street and the east ROW line of N. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 3<sup>rd</sup> Street; thence continuing southerly to the point of intersection of the south ROW line of E. 3<sup>rd</sup> Street and the east ROW line of N. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the north ROW line of E. 1<sup>st</sup> Street; thence southwesterly to the point of intersection of the south ROW line of E. 1<sup>st</sup> Street and the east ROW line of S. Washington Avenue; thence southerly along said east ROW line its point of intersection with the north ROW line of the alley between E. 1<sup>st</sup> Street and 2<sup>nd</sup> Street S.E.; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of S. Washington Avenue; thence continuing southerly along said east ROW line its point of intersection with the north ROW line of 2<sup>nd</sup> Street S.E.; thence continuing southerly to the point of intersection of the south ROW line of 2<sup>nd</sup> Street S.E. and the east ROW line of S. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the south ROW line extended of 3<sup>rd</sup> Street S.E.; thence westerly along said extended line to the point of intersection of the west ROW line of S. Washington Avenue and the south ROW line of 3<sup>rd</sup> Street S.E.; thence continuing westerly along said south ROW line to its point of intersection with the east ROW line of S. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north line extended of the 5<sup>th</sup> Street S.E. ROW; thence continuing southerly along said east ROW line to its point of intersection with the south line of the 5<sup>th</sup> Street S.E. ROW line; thence southerly along said east ROW line to its point of intersection with the north line of the 8<sup>th</sup> Street S.E. ROW; thence continuing southerly along said east ROW line to its point of intersection with the south line of the 8<sup>th</sup> Street S.E. ROW; thence westerly along the south line extended of the 8<sup>th</sup> Street S.E. ROW to the west line of the S. Lincoln Avenue ROW; thence northerly along the west ROW line of S. Lincoln Avenue to its point of intersection with the southwest line of the S. Cleveland Avenue ROW; thence continuing northwesterly along said southwest ROW line to its point of intersection with the south line of the 5<sup>th</sup> Street S.E. ROW; thence northerly along the west line of the S. Cleveland Avenue ROW to its point of intersection with the north line of the 5<sup>th</sup> Street S.E. ROW; thence continuing northerly along said west ROW line of S. Cleveland Avenue to its intersection with the north bank of the Farmer’s Ditch; thence northwesterly along said bank to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad and the south line of Henrikson Addition; thence continuing northwesterly along said south line to the southwest corner of Henrikson Addition; thence northerly along the west line of said Henrikson Addition to its point of intersection with the south ROW line of 2<sup>nd</sup> Street S.W.; thence westerly along said south ROW line to the NW corner of Mill First Addition; thence northerly perpendicular to said ROW line to a point on the south line of Mill Second Addition; thence westerly along said south line to the SW corner of Mill Second Addition; thence northerly and easterly along the west line of said Mill Second Addition to the NW corner thereof; thence easterly and southerly along the north line of Mill Second Addition to the NE corner thereof; thence northwesterly to the SE corner of Riverside Addition; thence northerly along the east line of Riverside Addition to its point of intersection with the south ROW line of W. 1<sup>st</sup> Street; thence continuing northerly to the point of intersection of the north ROW line of W. 1<sup>st</sup> Street



vacated alley ROW; thence easterly along said south line to the centerline of the vacated alley ROW; thence northerly along said centerline to its point of intersection with the south ROW line of E. Eisenhower Boulevard; thence continuing northerly along the west line extended of said Lots to its point of intersection with the centerline of E. Eisenhower Avenue; thence westerly along said centerline, to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northwesterly along said west ROW line to its point of intersection with the north line extended of the E. 15<sup>th</sup> Street ROW; thence easterly along said north line extended to its point of intersection with the west ROW line of Jackson Avenue; thence easterly along said north line extended of the East 15<sup>th</sup> Street ROW to its point of intersection with the east ROW line of Jackson Avenue; thence continuing easterly along the north ROW of E. 15<sup>th</sup> Street to its point of intersection with the east ROW line of the alley between Jackson Avenue and N. Lincoln Avenue; thence northerly along said east ROW of the alley to its point of intersection with the south ROW line of E. 16<sup>th</sup> Street; thence northerly along said east ROW of the alley to its point of intersection with the north ROW line of E. 16<sup>th</sup> Street; thence continuing northerly along said east ROW of the alley to its point of intersection with the southern property line of the Loveland Burial Park Cemetery; thence easterly along said southern property line to its point of intersection with the west ROW line of N. Cleveland Avenue; thence northeasterly along the northwestern ROW line of N. Cleveland Avenue to its point of intersection with the west ROW line of N. Lincoln Avenue; thence northerly along said west ROW line to its point of intersection with the south line extended of the E. 20<sup>th</sup> Street ROW; thence easterly along said south line extended to its intersection with the east ROW line of N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the south boundary line of the Stephenson 1<sup>st</sup> Subdivision; thence easterly along said south boundary line to its point of intersection with the west boundary of the Conger Subdivision of the North End Addition; thence southerly along said west boundary line to its intersection with the south boundary of the Conger Subdivision of the North End Addition; thence easterly along said south boundary to its intersection with the west boundary line of the Grandview Subdivision of North End Addition; thence southerly along said west boundary line to its intersection with the north ROW line of E. 16<sup>th</sup> Street; thence southeasterly across E. 16<sup>th</sup> Street to the point of intersection of the south ROW line of E. 16<sup>th</sup> Street and the east ROW line of N. Jefferson Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. Eisenhower Blvd.; thence southerly along said east ROW line to its point of intersection with the south ROW line of E. Eisenhower Blvd; thence continuing southerly along said east ROW line to its point of intersection with the south boundary line extended of the WARNOCK ADD AMD L1-4 35-39 & POR L40 & VACATED ALLEY Subdivision; thence westerly along said south boundary line extended to its intersection with the west ROW line of N. Jefferson Avenue; thence westerly along said south boundary line to its point of intersection with the west ROW line extended of the alley between N. Lincoln Avenue and N. Jefferson Avenue; thence southerly along said west alley line to its point of intersection with the north ROW line of E. 13<sup>th</sup> Street; thence continuing southerly to the point of intersection of said west alley line and the south ROW line of E. 13<sup>th</sup> Street; thence continuing southerly along said west alley line to its points of intersection with the north ROW line of E. 12<sup>th</sup> Street; thence continuing southerly to the point of intersection of said west alley line with the south ROW line of E. 12<sup>th</sup> Street; thence continuing southerly along said west alley line to its point of intersection with the north line of Little Barnes Ditch; thence continuing southerly to the point of intersection of said west alley line and the south line of said Ditch; thence continuing southerly along said west alley line to its point of intersection with the centerline of the alley ROW vacated via Ordinance 3317 and recorded at Reception Number 86051452 adjoining Block 2, Lincoln Place Addition; thence easterly along the centerline of said vacated alley to its point of intersection with the east line of Lot 10, Block 2, Lincoln Place Addition; thence southerly along said east line 20 feet to a point; thence westerly perpendicular to said east line to a point on the east line of Lot 11, Block 2, Lincoln Place Addition; thence southerly along the east line of said Lot 11 to its point of intersection with the north ROW line of E. 11<sup>th</sup> Street; thence continuing southerly to the point of intersection of the east line of Lot 11, Block 3, Lincoln Place Addition and the south ROW line of E. 11<sup>th</sup> Street; thence westerly along said south ROW line to its point of intersection with the east line of Lot 13, Block 3, Lincoln Place Addition; thence southerly along said east line to its point of intersection with the north ROW line of the Great Western/Omni Railroad; thence easterly along said north ROW line to its point of intersection with the east line of Lot 10, Block 3, Lincoln Place Addition; thence southerly to the point of intersection of the east line of Lot 2, Block 5, Orchard Park Addition and the south ROW line of said Railroad; thence continuing southerly along the east line of said Lot 2 to the NE corner of Lot 1, Block 5, Orchard Park; thence continuing south along the east line of said Lot 1 to its point of intersection with the north ROW line of E. 10<sup>th</sup> Street; thence southwestly to the point of intersection of the south ROW line of E. 10<sup>th</sup> Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 8<sup>th</sup> Street; thence continuing southerly to the point of intersection of the south ROW line of E. 8<sup>th</sup> Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 8<sup>th</sup> Street and E. 7<sup>th</sup> Street; thence easterly along said

north ROW line to its point of intersection with the west ROW line of N. Jefferson Avenue; thence continuing easterly to the point of intersection of said north ROW line and the east ROW line of N. Jefferson Avenue; thence southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 7<sup>th</sup> Street; thence continuing southerly to the point of intersection of the south ROW line of E. 7<sup>th</sup> Street and the east ROW line of E. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of the alley between E. 7<sup>th</sup> Street and E. 6<sup>th</sup> Street; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue; thence continuing southerly along said east line to its point intersection with the north ROW line of E. 6<sup>th</sup> Avenue; thence easterly along said north line to its point intersection with the west ROW line of N. Washington Avenue; thence continuing easterly to the point intersection of the north ROW line of E. 6<sup>th</sup> Avenue and the east ROW line of N. Washington Avenue; thence southerly to the point of intersection of the south ROW line of E. 6<sup>th</sup> Avenue and the east ROW line of N. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 6<sup>th</sup> Street and E. 5<sup>th</sup> Street; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Washington Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 5<sup>th</sup> Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of N. Adams Avenue; thence continuing easterly to the point of intersection of the north ROW line of E. 5<sup>th</sup> Street and the east ROW line of N. Adams Avenue; thence southerly to the point of intersection of the south ROW line of E. 5<sup>th</sup> Street and the east ROW line of N. Adams Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 4<sup>th</sup> Street; thence continuing southerly to the point of intersection of the east ROW line of N. Adams Avenue and the south ROW line of E. 4<sup>th</sup> Street; thence westerly to the point of intersection of the west ROW line of N. Adams Avenue and the south ROW line of E. 4<sup>th</sup> Street; thence continuing westerly along said south ROW line to the Point of Beginning;

And,

Less [County building parcel] LOTS 13 THRU 16, BLK 7, City of Loveland, County of Larimer, State of Colorado; ALSO POR VACATED ALLEY PER BK 1712 PG 733; and [Former Home State Bank parcel] LOTS 1 THRU 8, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Museum parcel] LOTS 19-24, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Vacant Parking Lot parcel] LOTS 1-7, LESS S 25 FT LOTS 1-3 AND LESS S 25 FT OF E 5 FT LOT 4, BLK 13, City of Loveland, County of Larimer, State of Colorado; and [Lincoln Place parcel] The subdivision LINCOLN PLACE COMMUNITY, City of Loveland, County of Larimer, State of Colorado (20100069697) in its entirety (formerly known as Block 41 of Finley's Addition, City of Loveland, County of Larimer, State of Colorado), and [Street & Alley ROW] The full right-of-way of East 6th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and All public alley right-of-way within BLK 12, City of Loveland, County of Larimer, State of Colorado; and The full right-of-way of East 5th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the westerly boundary line of the N. Lincoln Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The north half of the street right-of-way of the intersection of East 5th Street and N. Lincoln Avenue, north of the centerline of East 5th Street, City of Loveland, County of Larimer, State of Colorado; and The north half of the right-of-way of East 5th Street north of the centerline of East 5th Street, east of the easterly boundary of the N. Lincoln Avenue right-of-way, and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The west half of the street right-of-way of N. Jefferson Avenue south of the southerly boundary of East 6th Street, and north of the northerly boundary of E 5th Street, City of Loveland, County of Larimer, State of Colorado.

**Section 4.** **Bond Ordinance or Resolution.** Any ordinance or resolution by which bonds are hereafter issued pursuant to Part 8 of Article 25 of Title 31, Colorado Revised Statutes, shall specify the maximum net effective interest rate of such bonds.

**Section 5.** **Actions by City Officers and Employees.** All actions not inconsistent with the provisions of this ordinance heretofore taken by the Designated Election Official of the City of Loveland, Colorado, or any other City officer or employee, directed towards the creation and establishment of a downtown development authority and the appointment of the board thereof, are hereby ratified, approved

and confirmed.

**Section 6.** Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

**Section 7.** Safety Clause. The City Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

**Section 8.** Publication. As provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading, in which case the Ordinance or the amendments shall be published in full.

**Section 9.** Effective. This Ordinance shall be in full force and effect ten days after its final publication, as provided in City Charter Section 4-8(b).

ADOPTED this 17<sup>th</sup> day of April, 2015.



Cecil A. Gutierrez  
Cecil A. Gutierrez, Mayor

ATTEST:

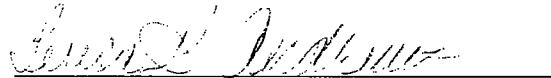
[Signature]  
City Clerk

APPROVED AS TO FORM:

[Signature]  
City Attorney

Ordinance # 5927

I, Teresa G. Andrews, City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on March 17, 2015 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full on March 21, 2015, and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on April 11, 2015.



City Clerk

Effective Date: April 21, 2015