

**Planning & Development Department
Scanning Cover Sheet**

Case No A-0002-55

APN

Location W CHARLESTON BLVD

Applicant NEUMEYER & R & E KITE

Subject

ANNEXATION OF PROPERTY ON THE EAST HALF, NORTH
EAST ONE QUARTER SECTION 1, T21S, R60E



A. G. Neumeyer
Richard & Edith
Kite

At this time the Board considered the petition of A. G. Neumeyer and Richard and Edith Kite for annexation of the E $\frac{1}{2}$, NE $\frac{1}{4}$, Section 1, T21S, R60E.

Commissioner Sharp moved that the petition of A. G. Neumeyer and Richard and Edith Kite for annexation of the above described property to the City be approved and the ordinance prepared.

Motion seconded by Commissioner Bunker and carried by the following vote: Commissioners Bunker, Fountain, Sharp, Whipple and His Honor voting aye; noes, none.

STREET NAME CHANGE
Clydie Road
Public Hearing Set

Consideration of the Board was given to the recommendation of the Planning Commission that the name of Clydie Road at the north end of Mountain View Tract No. 1 be changed to Alta Drive.

Commissioner Sharp moved that a public hearing on the name change of Clydie Road, located at the north end of Mountain View Estates Addition, to Alta Drive be set for June 29, 1955.

Motion seconded by Commissioner Bunker and carried by the following vote: Commissioners Bunker, Fountain, Sharp, Whipple and His Honor voting aye; noes, none.

McNEIL PARK SUBDIVISION
Tentative Map

At this time the Board considered the tentative map of McNeil Park Subdivision, approved by the Planning Commission.

Commissioner Sharp moved that the tentative map of McNeil Park Subdivision be approved on the condition that the school site be cleared with the Board of Education.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Bunker, Sharp, Whipple and His Honor voting aye; noes, none. Commissioner Fountain passed his vote.

BEVERLY GREEN TRACT NO. 4
Tentative Map

Consideration of the Board was given to the tentative map of Beverly Green Tract No. 4, consisting of 10 acres located between St. Louis and Canosa from Rexford Drive to 6th Street.

Commissioner Bunker moved that the tentative map of Beverly Green Tract No. 4 be approved, subject to arrangement with the Board of Education on the school site.

Motion seconded by Commissioner Sharp and carried by the following vote: Commissioners Bunker, Fountain, Sharp, Whipple and His Honor voting aye; noes, none.

TWIN LAKES VILLAGE TRACT
NO. 4
Tentative Map

At this time the Board considered the tentative map of Twin Lakes Village Tract No. 4, consisting of 27 acres.

Commissioner Bunker moved that the tentative map of Twin Lakes Village No. 4 be approved.

Motion seconded by Commissioner Sharp and carried by the following vote: Commissioners Bunker, Fountain, Sharp, Whipple and His Honor voting aye; noes, none.

GREATER LAS VEGAS ADDITION
Tentative Map

At this time the revised tentative map of Greater Las Vegas Addition was considered by the Board.

Commissioner Sharp moved that the revised tentative map of Greater Las Vegas Addition be referred back to the Engineering Department for further study on the drainage in this tract.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Bunker, Fountain, Sharp, Whipple and His Honor voting aye; noes, none.

June 7, 1955

REPORT ON THE APPLICATION FOR ANNEXATION OF THE
E $\frac{1}{2}$, OF THE NE $\frac{1}{4}$, SECTION 1, T21S, R6OE

An application for the annexation of the E $\frac{1}{2}$, of the NE $\frac{1}{4}$, Section 1, T21S R6OE, MDB&M, has been submitted by A. G. Neumeier. Mr. Neumeier has submitted evidence of ownership of the northerly 20 acres of this 80 acre tract with successive options to purchase the remaining 60 acres.

The area in question is zoned R-E by the Commissions of Clark County and in accordance with Ordinance #517 must be annexed to the City with an R-E zoning classification. It is the stated intention of the applicant to apply for a re-classification to R-1 to permit the development of the area as a single family residential subdivision. If fully developed, the area will have an ultimate population of approximately 300 families, or roughly 900 people. A check by the Engineering Department has shown that the area is contiguous to the City and is located outside of the limits of any incorporated township.

The Engineering Department has indicated that there will be difficult problems involved in providing sewers for the southerly half of the tract and Mr. Neumeier has indicated that he plans to develop only the northerly 40 acres in the immediate future. The northerly half would have a population to approximately 150 families or 450 people and would add an estimated 81,000 gallons per day to the City sewage system. The Engineering Department has determined that sewage facilities are available or could readily be made available to provide the proper sewage facilities for the tract. A trunk line sewer will have to be laid to connect with the existing Charleston Boulevard line at Hyde Park, a distance of approximately 2000 feet. The applicant has submitted letters indicating that water and electric power can be provided by the proper public utilities.

MAJOR STREETS: A portion of the easterly boundary of this tract will abut on the proposed major artery known as Decatur Lane which both City and County agree shall be a 150 foot right-of-way and will therefore require a dedication of 75 feet from this applicant, along the easterly boundary of the S $\frac{1}{2}$, E $\frac{1}{2}$, NE $\frac{1}{4}$ of Section 1, T21S, R6OE. The northerly edge of the tract abuts on Charleston Boulevard, designated as a primary major highway, and prior to the development of the tract, we should be assured of a 50 foot right-of-way dedication south of the centerline.

FRANKLIN J. BILLS
Director of Planning

June 7, 1955

REPORT ON THE APPLICATION FOR ANNEXATION OF THE
 $E\frac{1}{2}$, OF THE $NE\frac{1}{4}$, SECTION 1, T21S, R6OE

An application for the annexation of the $E\frac{1}{2}$, of the $NE\frac{1}{4}$, Section 1, T21S R6OE, MDB&M, has been submitted by A. G. Neumeyer. Mr. Neumeyer has submitted evidence of ownership of the northerly 20 acres of this 80 acre tract with successive options to purchase the remaining 60 acres.

The area in question is zoned R-E by the Commissions of Clark County and in accordance with Ordinance #517 must be annexed to the City with an R-E zoning classification. It is the stated intention of the applicant to apply for a re-classification to R-1 to permit the development of the area as a single family residential subdivision. If fully developed, the area will have an ultimate population of approximately 300 families, or roughly 900 people. A check by the Engineering Department has shown that the area is contiguous to the City and is located outside of the limits of any incorporated township.

The Engineering Department has indicated that there will be difficult problems involved in providing sewers for the southerly half of the tract and Mr. Neumeyer has indicated that he plans to develop only the northerly 40 acres in the immediate future. The northerly half would have a population to approximately 150 families or 450 people and would add an estimated 81,000 gallons per day to the City sewage system. The Engineering Department has determined that sewage facilities are available or could readily be made available to provide the proper sewage facilities for the tract. A trunk line sewer will have to be laid to connect with the existing Charleston Boulevard line at Hyde Park, a distance of approximately 2000 feet. The applicant has submitted letters indicating that water and electric power can be provided by the proper public utilities.

MAJOR STREETS: A portion of the easterly boundary of this tract will abut on the proposed major artery known as Decatur Lane which both City and County agree shall be a 150 foot right-of-way and will therefore require a dedication of 75 feet from this applicant, along the easterly boundary of the $S\frac{1}{2}$, $E\frac{1}{2}$, $NE\frac{1}{4}$ of Section 1, T21S, R6OE. The northerly edge of the tract abuts on Charleston Boulevard, designated as a primary major highway, and prior to the development of the tract, we should be assured of a 50 foot right-of-way dedication south of the centerline.

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MAJOR STREETS: A portion of the easterly boundary of this tract will abut on the proposed major artery known as Decatur Lane which both City and County agree shall be a 150 foot right-of-way and will therefore require a dedication of 75 feet from this applicant, along the easterly boundary of the S $\frac{1}{2}$, E $\frac{1}{2}$, NE $\frac{1}{4}$ of Section 1, T21S, R6OE. The northerly edge of the tract abuts on Charleston Boulevard, designated as a primary major highway, and prior to the development of the tract, we should be assured of a 50 foot right-of-way dedication south of the centerline.

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An application for the annexation of the E $\frac{1}{2}$, of the NE $\frac{1}{4}$, Section 1, T21S R6OE, MDB&M, has been submitted by A. G. Neumeyer. Mr. Neumeyer has submitted evidence of ownership of the northerly 20 acres of this 80 acre tract with successive options to purchase the remaining 60 acres.

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MAJOR STREETS: A portion of the easterly boundary of this tract will abut on the proposed major artery known as Decatur Lane which both City and County agree shall be a 150 foot right-of-way and will therefore require a dedication of 75 feet from this applicant, along the easterly boundary of the S $\frac{1}{2}$, E $\frac{1}{2}$, NE $\frac{1}{4}$ of Section 1, T21S, R6OE. The northerly edge of the tract abuts on Charleston Boulevard, designated as a primary major highway, and prior to the development of the tract, we should be assured of a 50 foot right-of-way dedication south of the centerline.

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Director of Planning

Annexation The application of Will Max Schwartz, representing Bisno & Bisno, requesting the annexation of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, of Section 21, T20S, R61E, MDB&M, consisting of ten acres more or less, referred to the Planning Commission for recommendation by the City Commission on May 18, 1955, was presented.

Will Max
Schwartz
for
Bisno &
Bisno

Commissioner Tiberti moved that this application requesting the annexation of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, T20S, R61E, MDB&M, consisting of ten acres more or less, be approved subject to the dedication of rights-of-way where the Master Plan of Streets and Highways is affected, which motion was seconded by Commissioner Rather and unanimously voted.

Annexation The petition for annexation by H. E. Hazard, Jake W. Dielemo and C. D. Baker, representing Baker & Hazard, Inc., for the annexation of the S $\frac{1}{2}$, N $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ and the S $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 21, T20S, R61E, MDB&M, referred to the Planning Commission for recommendation by the City Commission on May 18, 1955, was presented.

Hazard,
Dielemo &
Baker

Commissioner Tiberti moved that the petition for the annexation of the S $\frac{1}{2}$, N $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, and the S $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 21, T20S, R61E, MDB&M, be approved subject to the dedication of rights-of-way where the Master Plan of Streets and Highways is affected, which motion was seconded by Commissioner Rather and unanimously voted.

A. G.
Neumeyer

A petition for annexation of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 1, T21S, R60E, MDB&M, by A. G. Neumeyer, was presented by Mr. Neumeyer. Commissioner Phelps moved that the petition for annexation of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 1, T21S, R60E, MDB&M, by Mr. A. G. Neumeyer be approved subject to the dedication of rights-of-way where the Master Plan of Streets and Highways is affected, which motion was seconded by Commissioner Rather and unanimously voted.

Rex L.
Jensen

The request for approval of a record of survey for four lots and cul-de-sac on a portion of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 33, T20S, R61E, MDB&M, owned by Rex L. Jensen and deferred from the meetings of

June 10, 1955

Mr. A. G. Neuneyer
116 North Third St.
Las Vegas, Nevada

Dear Mr. Neuneyer:

The Board of City Planning Commissioners, at their regular meeting on June 9, 1955, voted to recommend approval of your petition for the annexation of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 1, T21S, R60E.

The Board of City Commissioners will consider this petition at their next meeting scheduled for June 15, 1955 at 7:30 P.M. in the Council Chamber of City Hall.

Yours very truly,

FRANKLIN J. BILES
Director of Planning

FJB/wt

cc: City Manager

PLANNING DEPARTMENT

LAS VEGAS, NEVADA

June 10, 1955

Honorable Mayor and Board of City Commissioners
City Hall
Las Vegas, Nevada

Gentlemen:

At a regular meeting on June 9, 1955, the City Planning Commission voted to refer to the Board of City Commissioners the petition of A. G. Reunyer for the annexation of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$, Section 1, T21S, R60E, N33E21, with the recommendation that it be approved.

Respectfully,

FRANKLIN J. PIPPS
Director of Planning

FJB/wt

cc: City Manager

June 7, 1955

REPORT ON THE APPLICATION FOR ANNEXATION OF THE
E $\frac{1}{2}$, OF THE NE $\frac{1}{4}$, SECTION 1, T21S, R6OE

An application for the annexation of the E $\frac{1}{2}$, of the NE $\frac{1}{4}$, Section 1, T21S R6OE, MDB&M, has been submitted by A. G. Neumeier. Mr. Neumeier has submitted evidence of ownership of the northerly 20 acres of this 80 acre tract with successive options to purchase the remaining 60 acres.

The area in question is zoned R-E by the Commissions of Clark County and in accordance with Ordinance #517 must be annexed to the City with an R-E zoning classification. It is the stated intention of the applicant to apply for a re-classification to R-1 to permit the development of the area as a single family residential subdivision. If fully developed, the area will have an ultimate population of approximately 300 families, or roughly 900 people. A check by the Engineering Department has shown that the area is contiguous to the City and is located outside of the limits of any incorporated township.

The Engineering Department has indicated that there will be difficult problems involved in providing sewers for the southerly half of the tract and Mr. Neumeier has indicated that he plans to develop only the northerly 40 acres in the immediate future. The northerly half would have a population to approximately 150 families or 450 people and would add an estimated 81,000 gallons per day to the City sewage system. The Engineering Department has determined that sewage facilities are available or could readily be made available to provide the proper sewage facilities for the tract. A trunk line sewer will have to be laid to connect with the existing Charleston Boulevard line at Hyde Park, a distance of approximately 2000 feet. The applicant has submitted letters indicating that water and electric power can be provided by the proper public utilities.

MAJOR STREETS: A portion of the easterly boundary of this tract will abut on the proposed major artery known as Decatur Lane which both City and County agree shall be a 150 foot right-of-way and will therefore require a dedication of 75 feet from this applicant, along the easterly boundary of the S $\frac{1}{2}$, E $\frac{1}{2}$, NE $\frac{1}{4}$ of Section 1, T21S, R6OE. The northerly edge of the tract abuts on Charleston Boulevard, designated as a primary major highway, and prior to the development of the tract, we should be assured of a 50 foot right-of-way dedication south of the centerline.

FRANKLIN J. BILLS
Director of Planning

ORIGINAL

A. G. NEUMEYER
SYNDICATED INVESTMENTS

116 NORTH THIRD STREET
LAS VEGAS, NEVADA
TELEPHONE 6171

24th May, 1955

The Honorable Mayor and
Board of Commissioners
City of Las Vegas, Nevada

Gentlemen:

We, the undersigned property owners, do hereby respectfully request that the following described property be annexed to the City of Las Vegas:

The North Half ($N\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 1, Township 21 South, Range 60 East, M.D.B. and M.

EXCEPTING the interest in the East Thirty (30) feet of the above described property as conveyed to the County of Clark for street and road purposes, by deed dated December 14, 1953, and recorded December 29, 1953, as Document No. 421107, of Clark County, Nevada records.

ALSO EXCEPTING the interest in the West Thirty (30) feet of the East Half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the above described property for street and road purposes as conveyed to the County of Clark, by deed dated January 13, 1954, and recorded February 17, 1954, as Document No. 3542 in Book No. 2 of Official Records, of Clark County, Nevada Records.

Deed recorded in Book 45 of Official Records, 14th March, 1955, as Document No. 39035, in the County Recorder's office of Clark County, Nevada. Owner of property, A. G. NEUMEYER, a married man.

AND

PARCEL I: The South Half ($S\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 1, Township 21 South, Range 60 East, M.D.B. and M.

EXCEPTING the interest in the East Thirty (30) feet of the above described property as conveyed to the County of Clark for street and road purposes, by deed dated December 14, 1953, and recorded December 29, 1953, as Document No. 421107, of Clark County, Nevada records.

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PARCEL II: The North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 1, Township 21 South, Range 60 East, M.D.B. and M.

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PARCEL III: The South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 1, Township 21 South, Range 60 East, M.D.B. and M.

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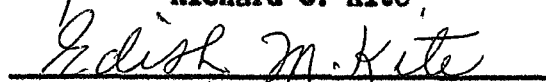
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Owner of property, Richard C. Kite and Edith M. Kite, husband and wife.

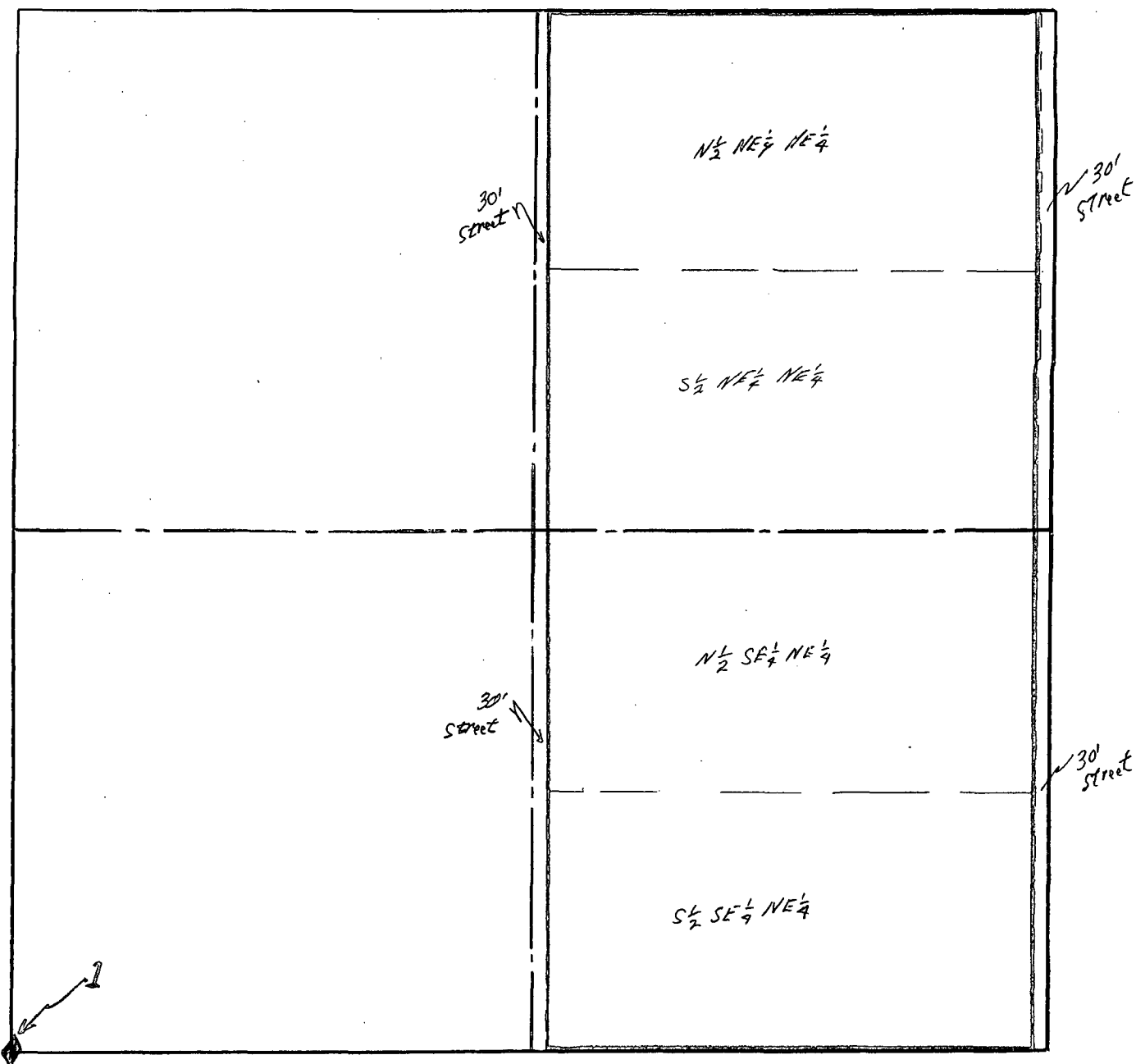
Cordially,


A. G. Neumoyer


Richard C. Kite


Edith M. Kite

CITY OF LAS VEGAS, NEVADA



Section 1 $NE\frac{1}{4}$
Township 21
Range 60
Grantor

Date 5-27-55
Scale
Recorded
Inst. No.

June 7, 1955

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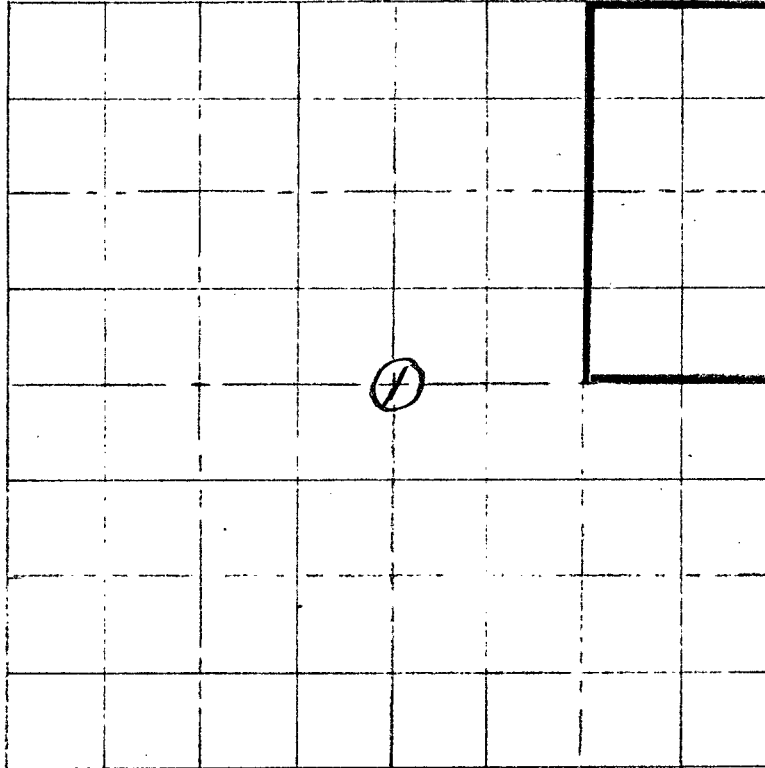
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FRANKLIN J. BILLS
Director of Planning

SECTION 1 , TWP. 21 SOUTH, RANGE 60 EAST,

M. D. B. & M.

CHARLESTON BLVD.



NOTE: This plat is made from the legal description in this folder, in order to show area for which annexation is requested. No plat was found in folder when checked, and this plat will help to bring folder up to date.

September 6, 1956

212

September 19, 1955

A. G. Neumeyer
115 North Third St.
Las Vegas, Nevada

Dear Mr. Neumeyer:

Relative to your application for the annexation of a portion of Section 1, T21S, R60E, I am advised by the Department of Public Works that it will be necessary for you to secure the vacation of two right-of-way dedications to Clark County before this property can be annexed to the City of Las Vegas.

The two portions of property referred to are as follows:

(1) The West 30 feet of the East $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 1, T21S, R60E. (Deed #421107)

(2) The East 30 feet of the East one-half of the Northeast quarter, Section 1, T21S, R60E. (Deed #3542, Book #2)

I am advised that the proper procedure in this case would be that after securing the vacations of these portions from Clark County, you should add them to your petition to the City of Las Vegas for the annexation of this tract.

Very truly yours,

FRANKLIN J. BILLS
Director of Planning

FJD/wt

cc: City Manager
Director of Public Works

Handwritten notes:
Sum
Rec
5/27/55

HOWARD W. CANNON
RALSTON O. HAWKINS
MURRAY POSIN

CITY ATTORNEY
ASST CITY ATTORNEYS


INTER-OFFICE MEMO

TO: G. E. WADE, DIRECTOR OF PUBLIC WORKS

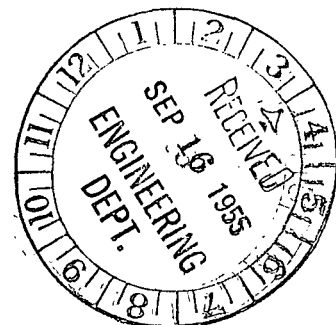
FROM: HOWARD W. CANNON, CITY ATTORNEY

SUBJECT: ANNEXATION - YOUR MEMO OF 9/13/55

Re: the above mentioned matter, wish to advise that these streets should be vacated first, and then the description added to the land to be annexed.


HOWARD W. CANNON
City Attorney *ec*

HWC:ec



REC'D

DEPARTMENT OF PUBLIC WORKS

NO. _____

CONTRACT NO. AND/OR SUBDIVISION

ABBREVIATIONS FOR ACTION

A - ACTION AU - ACTION URGENT I - INFORMATION

ROUTED TO	SEQUENCE & ACTION REQUIRED	INITIAL AND DATE	REMARKS AND/OR ACTION TAKEN
DIRECTOR OF PUBLIC WORKS WORKS ENGINEER	1		
ENGINEERING DEPARTMENT OFFICE ENGINEER			
FIELD ENGINEER			
BUDGET CLERK	3		<i>A</i>
<i>Planning</i> RIGHT-OF-WAY BUILDING	2		<i>FF</i>
GARAGE			
MAINTENANCE DEPARTMENT			
SANITATION DEPARTMENT			
STREET DEPARTMENT			
STREET LIGHTING DEPARTMENT			
ETC.			

DUE DATE _____

55-22 REV

*File
Review A
to Q*

1
Sept. 12, 1955

Director of Public Works

Director of Planning

Proposed A. G. Neumeyer Annexation

In accordance with our request for the vacation of 30 foot easements on either side of this tract prior to annexation, Mr. Neumeyer presented this matter to the Clark County authorities.

He now advises me that in order to get the approval of the County for this vacation, he needs a letter from a responsible City official, setting forth precisely what our request and requirements are. I will be glad to prepare such a letter, either for my signature or the City Manager's, if you will advise me by memorandum of exactly what is needed in this case.

FRANKLIN J. BILLS

FJB/wt

cc: City Manager

July 8, 1955

Director of Public Works

Director of Planning

Al Neureyer Annexation

Reference is made to the memo on this subject from the Assistant City Attorney to your office, dated June 21, 1955. The question raised in this memo relative to the dedication of property on Charleston Boulevard has been resolved, at least to my satisfaction. As a result of a check made by members of your department, it appears that there has been no dedication of property for Charleston Boulevard and therefore, the area is contiguous and there is no legal reason why it should not be annexed.

However, the question of the exceptions in the descriptions relating to two thirty foot north-south rights-of-way is still unresolved and the Attorney's Office is undoubtedly correct in their legal position that possibly the owner could refuse to improve those rights-of-way when he subdivides on the ground that it would not be a part of the subdivision.

Probably the technically correct way out of the dilemma would be to insist that Mr. Neureyer get a vacation of those rights-of-way from the County and then eliminate the exceptions in his description so that when the property is subdivided, we would have unquestioned legal control over the improvements of those rights-of-way. The question in my mind is whether or not we have sufficient justification to require Mr. Neureyer to do this inasmuch as the procedure would be somewhat time consuming. Just as a thought, I wonder if it would not be possible to achieve what we desire by insisting prior to the annexation, on a signed agreement from Mr. Neureyer, that the owner will be responsible for making full improvements on any or all streets in this area at the time of subdivision.

CHARLES J. JONES
Director of Planning

RJD/vt

cc: City Manager
City Attorney

File
293

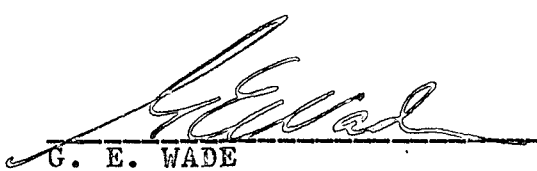
DIRECTOR OF PUBLIC WORKS
INTER-OFFICE COMMUNICATION

DATE: July 11, 1955

TO: FRANKLIN BILLS, DIRECTOR OF PLANNING
FROM: G. E. WADE, DIRECTOR OF PUBLIC WORKS
SUBJECT: AL NEUMEYER ANNEXATION

In reference to your memorandum of July 8, 1955, regarding subject annexation, your proposal as contained in paragraph three appears to be possibly the most equitable solution.

One question comes to mind, and that is: Suppose that Mr. Neumeyer disposes of the property after annexation to the City and prior to subdivision of the entire parcel, will, then, any agreement that Mr. Neumeyer has with the City carry over to the possible new owners, or is it possible that we may have some difficulty in the future unless such an agreement is made a part of the annexation agreement and so recorded?


G. E. WADE
DIRECTOR OF PUBLIC WORKS

GEW:da

cc: City Manager
City Attorney



The following is description
for Variation on Neumeyer & Kite
Property before Annexation.

The W 30 ft of E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec 1-
21-60 (Acad # 421107)
T3 County

4
The E 30 ft of E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec 1-21-60
(Acad # 35742 in Bl 2)
T0 County.

C O P Y

DIRECTOR OF PUBLIC WORKS
INTER-OFFICE COMMUNICATION

DATE: June 24, 1955

TO: Franklin J. Bills, Director of Planning
FROM: George E. Wade, Director of Public Works
SUBJECT: REPORTS ON ANNEXATIONS

Returned herewith are the rough drafts of your Reports on Annexation together with the following comments of the Engineering Department regarding same:

Re: Petition of Baker and Hazard

This parcel is so situated that sewage and drainage should prove no problem.

Re: Petition of Bisno and Bisno

This parcel is so situated that it may offer a problem of sewage disposal. It will be required that an eight inch lateral sewer about 2000 feet long be installed and grade from the parcel to the Harrison Trunk Sewer is such that sufficient fall will be a problem in this line.

Re: Petition of Neumeyer and Kite

This parcel is so situated that sewage disposal and drainage should offer no problem except that it will be required to construct a trunk sewer of approximately 2000 feet to tie-in with the existing Charleston Blvd. Trunk.

/s G. E. Wade

Director of Public Works

RTW/2
enc.

C O P Y

F. L. ...
...

George E. Wade, Director of Public Work
Ralston O. Hawkins, Assistant City Attorney

June 24, 1955

This office in preparing the ordinance for annexations approved at the meeting of June 15, 1955, has discovered a problem in the annexation of A. G. Neumeyer, Richard and Edith Kite, which calls for serious consideration on the part of the City.

The Petition and the description which accompany the same shows that the areas sought to be annexed does not include the streets previously deeded to Clark County; therefore, if the ordinance follows literally the petition which the applicants made, the county's area is not annexed to the City and the area would be an island surrounded by county roads.

This in itself might not be an objection to annexation although the charter provision provides that the area sought to be annexed must be contiguous to the city limits. Assuming for the moment that we could say the area was contiguous without having the streets, the problem still remains for consideration as to whether or not the city desires to annex. The reason why consideration should be given to this is the fact that since there are dedicated roads fronting on the area to be annexed, the subdivision map could be filed excluding the streets and then it would be the responsibility of the county or the city to improve the streets. In addition to that, under the subdivision statute, when land fronts on a dedicated street, it is not considered to be a subdivision. The applicant therefore could divide the lots along this dedicated street and there would be no way to refuse him building permits even though the street was not improved.

We therefore feel that under the petition as it now stands the City should not annex this area unless they desire to do so with the knowledge that it is possible that the streets would have to be improved at the cost of the individuals who may purchase homes in that area if it should be subdivided.

As a possible solution to this matter, we feel that the applicants should get together with the county officials and if the county would vacate these streets and the owner file a subdivision map showing a dedication of them, then the streets would have to be improved at the cost and expense of the subdivider. If these streets

Mr. George E. Wade

Page Two

June 24, 1955

were vacated to the property owner then he could petition for annexation and his area would be adjacent and contiguous to the city limits and an annexation would be proper.

We will wait for further word from your office before proceeding with the ordinance to annex this area.

Very truly yours,

HOWARD W. CANNON
City Attorney

By


BALSTON C. HAWKINS
Assistant City Attorney

ROE mm