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**BILL NO. 2007-44**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-21950)

Sponsored by: Councilman Steven D. Ross      Summary: Annexes property described generally as located on the south side of Kyle Canyon Road, approximately 330 feet east of the Alpine Ridge Way alignment.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

Those portions of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 1, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, together with the south half right of way of KYLE CANYON ROAD (formerly State Highway SR-39, 100 feet wide as measured from centerline thereof) described as follows:

That portion of the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 1, lying on the south of the centerline of said KYLE CANYON ROAD, and that portion of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 1, lying on the south of the centerline of said KYLE CANYON ROAD.

SECTION 2: The City Council hereby determines that the described territory

1 meets the requirements provided by law for annexation to the City for the following reasons:

- 2           A.     The area to be annexed was contiguous to the City's boundaries at the  
3                   time the annexation proceedings were instituted;
- 4           B.     More than one-eighth (1/8) of the aggregate external boundaries of  
5                   the area are contiguous to the City;
- 6           C.     The territory proposed to be annexed is not included within the  
7                   boundaries of another incorporated city or within the boundaries of  
8                   any unincorporated town as those boundaries existed as of July 1,  
9                   1983;
- 10          D.     The City is eligible to annex the described territory since the  
11                   landowners have signed a petition constituting one hundred percent  
12                   (100%) of the owners of record of individual lots or parcels of land  
13                   within the annexation area.

14               SECTION 3: The City will provide police protection through the Las Vegas  
15 Metropolitan Police Department, fire protection, street maintenance, and library services  
16 immediately upon annexation. Garbage collection by the company franchised by the City  
17 will also be provided immediately. The City sanitary sewer system will serve the proposed  
18 annexation area. Any connection to or extension of this sewer line to serve the annexation  
19 area shall be at the expense of the landowners. Other services, such as participation in the  
20 City's recreational programs, special education classes and programs, public works planning,  
21 building inspections, and other City services will also be available immediately. Utilities  
22 such as gas, electricity, telephone, and water are provided by private utility companies and  
23 other services to the area will not be affected by annexation. Street paving, curbs and gutters,  
24 sidewalks and street lights which are not in place at the time of annexation will be installed  
25 in the presently developed areas upon the request of the property owners and at their expense  
26 by means of special assessment districts. Such improvements will be extended into the  
27 undeveloped areas as development takes place and the need therefor arises, and will be  
28 located according to the needs of the area at that time. Such installations will also be made

1 at the expense of the property owners, either by means of special assessment districts or as  
2 prerequisites to the approval of subdivision plats, building permits or other land use or  
3 development applications.

4 SECTION 4: The annexation of the described territory shall become  
5 effective on the 14th day of September, 2007, and on that date the City will have the funds  
6 appropriated in sufficient amount to finance the extension into the described territory of  
7 police protection, fire protection, street maintenance, street sweeping, and street lighting  
8 maintenance.

9 SECTION 5: The described territory, together with the inhabitants and  
10 property thereof, shall, from and after the 14th day of September, 2007, be subject to all  
11 debts, laws, ordinances and regulations in force in the City and shall be entitled to the same  
12 privileges and benefits as other parts of the City, and shall be subject to municipal taxes  
13 levied by the City.

14 SECTION 6: The City Engineer is hereby instructed to cause to be prepared  
15 an accurate map or plat of the described territory and to record the map or plat, together with  
16 a certified copy of this ordinance, in the office of the County Recorder of Clark County,  
17 Nevada, which recording shall be done prior to the 14th day of September, 2007.

18 SECTION 7: The described territory, which previously has been zoned R-U  
19 (County of Clark classification), is hereby classified as U (PCD) (City of Las Vegas  
20 classification), which is deemed to be the City equivalent of the County classification.

21 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,  
22 clause of phrase in this ordinance or any part thereof, is for any reason held to be  
23 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such  
24 decision shall not affect the validity or effectiveness of the remaining portions of this  
25 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that  
26 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or  
27 phrase thereof irrespective of the fact that any one or more sections, subsections,  
28 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid

1 or ineffective.

2 SECTION 9: All ordinances or parts of ordinances, sections, subsections,  
3 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las  
4 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

5 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_,  
6 2007.

7 APPROVED:

8  
9 By OSCAR B. GOODMAN, Mayor

10 ATTEST:

11  
12 BEVERLY K. BRIDGES, CMC  
13 City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 7-24-07  
16 Date

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1 The above and foregoing ordinance was first proposed and read by title to the Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2007, and referred to the following committee  
3 composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2007, which was a \_\_\_\_\_ meeting of said Council; that  
6 at said \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City  
7 Council as first introduced and adopted by the following vote:

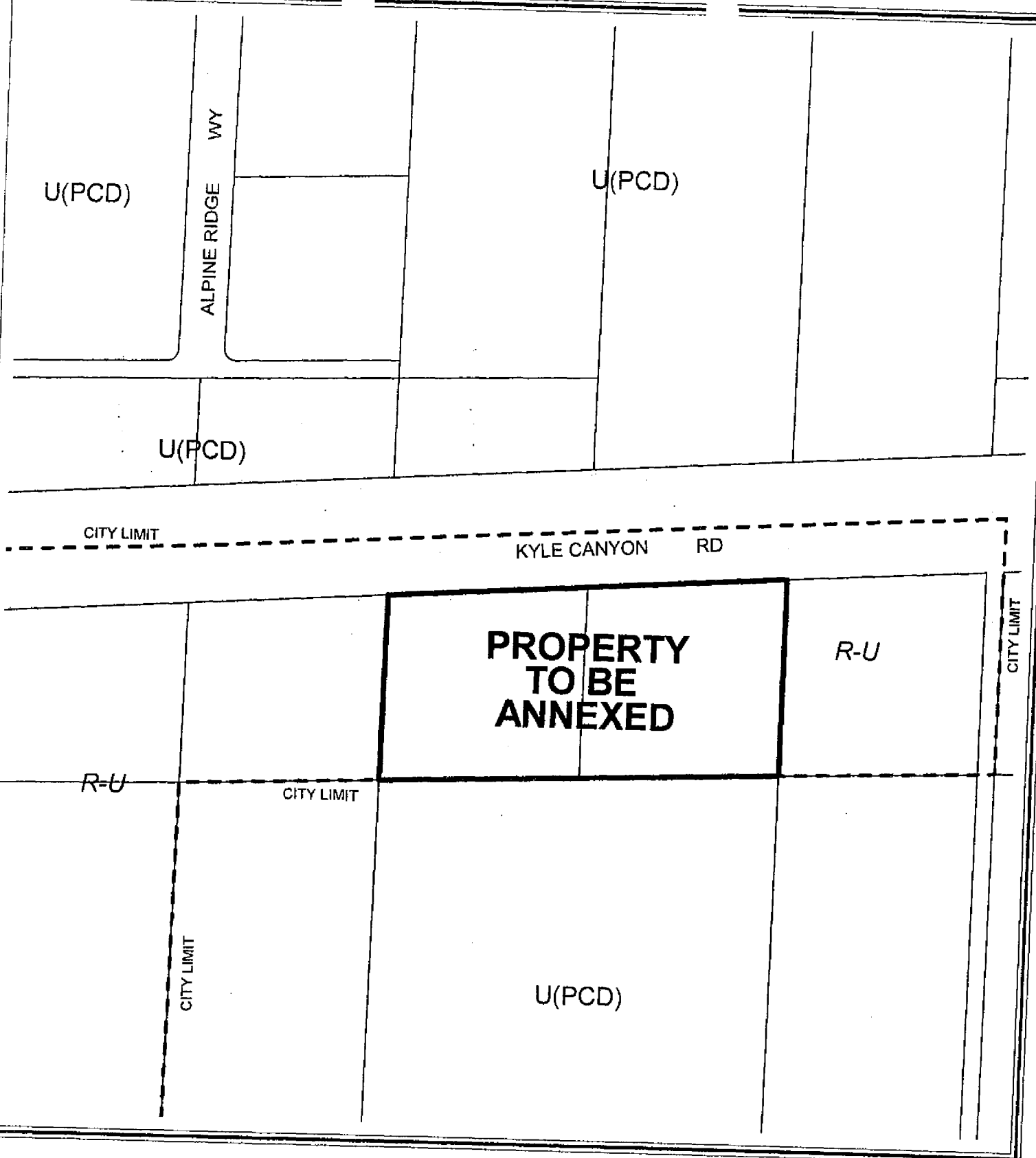
8 VOTING "AYE": \_\_\_\_\_  
9 VOTING "NAY": \_\_\_\_\_  
10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 \_\_\_\_\_  
17 BEVERLY K. BRIDGES, CMC  
18 City Clerk  
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CASE: ANX-21950

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