



054510

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CITY CLERK

June 24, 2005

2005 JUN 30 A 9:02

Department of Taxation
1550 East College Parkway, Suite 115
Carson City, Nevada 89706

Re: Annexation ANX-3026
Parcel Number(s): APN: 100-00-002-001,002,003,007,008,009,013,014,015
APN: 099-22-000-001, 099-23-000-001, and 099-24-000-001

Gentlemen:

In compliance with Nevada Revised Statutes 268.597, a copy of an Annexation Ordinance for ANX-3026 and recorded Accurate map are referred to your office. Please note that the effective date of the Ordinance is June 10, 2005.

The annexation area consists of approximately 7728 acres, generally located on the north side of Moccasin Road, west of the Buffalo Drive alignment.

If there are any questions regarding this annexation, please advise.

Very truly yours,

Thomas A. Perrigo
Planning and Development Department

TAP:tm

Attachment:

1. Annexation Ordinance #5773
2. Accurate Map

cc: City Clerk
(w/Annexation Ordinance & Location Map)

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
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www.lasvegasnevada.gov
18112-001-1-05
CLV 7009



Requestor:
CITY CLERK-LAS VEGAS CITY
06/10/2005 14:19:10 T20050106874
Book/Instr: 20050610-0003474
Ordinance Page Count: 7
Fees: \$0.00 N/C Fee: \$0.00

1 APNs: 100-00-002-001

2
3 CERTIFIED AS A TRUE COPY
4 *Beverly K. Deane*
5 CITY CLERK, CITY OF LAS VEGAS, CHIEF CLERK
6 NEVADA
7 (2 pgs - 6/8/05)

Frances Deane
Clark County Recorder

8 **COPY**

BILL NO. 2005-26

9 ORDINANCE NO. 5773

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
11 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
12 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
13 CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-3026)

14 Sponsored by: Councilman Michael Mack Summary: Annexes property described
15 generally as located on the north side of
16 Moccasin Road, between the Buffalo Drive
17 alignment to the east and Spin Ranch Road to
18 the west.

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

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

24 Township 18 South, Range 59 East, Mount Diablo Meridian
25 Sections 22, 23, and 24.

26 Township 18 South, Range 60 East, Mount Diablo Meridian
27 Sections 19, 20, and 21;
28 Sections 28, 29, 30, 31, 32, and 33.

SECTION 2: The City Council hereby determines that the described territory
meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time
the annexation proceedings were instituted;

- 1 B. More than one-eighth (1/8) of the aggregate external boundaries of the area
2 are contiguous to the City;
- 3 C. The territory proposed to be annexed is not included within the boundaries
4 of another incorporated city or within the boundaries of any unincorporated
5 town as those boundaries existed as of July 1, 1983;
- 6 D. The territory in question is eligible to be annexed to the City because it is
7 property owned by a governmental entity, and the City received a written
8 statement from that entity indicating that it owns the territory and does not
9 object to the City's annexation of the territory.
- 10 E. In compliance with the procedural requirements of NRS Chapter 268, the
11 City is authorized to annex the territory in question because:
- 12 (1) In accordance with NRS 268.584, the City Council, on February 16,
13 2005, adopted a resolution of intent to annex, along with the form of
14 a notice of public hearing to be provided to property owners within
15 the annexation area, and set a public hearing for April 6, 2005.
- 16 (2) In accordance with NRS 268.578 and 268.588, the City Council, on
17 March 2, 2005, approved an annexation report and made it available
18 for inspection and copying thereafter.
- 19 (3) In accordance with NRS 268.586, the City mailed by certified mail,
20 return receipt requested, a copy of the notice of public hearing to the
21 owner of the property within the annexation area, as determined with
22 reference to the records of the Clark County Assessor.
- 23 (4) In accordance with NRS 268.586, the City had the notice of public
24 hearing published in a newspaper of general circulation within the
25 territory to be annexed, on three separate occasions in compliance
26 with the requirements of NRS 268.586.
- 27 (5) In accordance with NRS 268.590, the City Council held a public
28 hearing on April 6, 2005, at which time persons who wished to be

1 heard concerning the matter were given that opportunity. During the
2 public hearing, and within the 15-day period following the public
3 hearing, the number of persons who protested the annexation (zero)
4 was less than a "majority of the property owners" as defined by NRS
5 268.574(3).

6 (6) In accordance with NRS 268.592, because less than a majority of the
7 property owners protested the annexation, the territory may be
8 annexed by the City.

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

27 SECTION 4: The annexation of the described territory shall become
28 effective as of the applicable date set forth in Section 8 of this Ordinance, and on that date

1 | the City will have the funds appropriated in sufficient amount to finance the extension into
2 | the described territory of police protection, fire protection, street maintenance, street
3 | sweeping, and street lighting maintenance.

4 | SECTION 5: The described territory, together with the inhabitants and
5 | property thereof, shall, from and after the applicable effective date set forth in Section 8 of
6 | this Ordinance, be subject to all debts, laws, ordinances and regulations in force in the City
7 | and shall be entitled to the same privileges and benefits as other parts of the City, and shall
8 | be subject to municipal taxes levied by the City.

9 | SECTION 6: The City Engineer is hereby instructed to cause to be prepared
10 | an accurate map or plat of the described territory and to record the map or plat, together with
11 | a certified copy of this ordinance, in the office of the County Recorder of Clark County,
12 | Nevada, which recording shall be done prior to the 10th day of June, 2005.

13 | SECTION 7: The described territory, which previously has been zoned R-U
14 | (County of Clark classification), is hereby classified as U (RC) (City of Las Vegas
15 | classification), which is deemed to be the City equivalent of the County classification.

16 | SECTION 8: The territory described in this Ordinance was previously the
17 | subject of an annexation ordinance (Ordinance No. 5657), adopted on January 7, 2004.
18 | Because of a possible misreading of State law, there is a question regarding the validity of
19 | the annexation accomplished by Ordinance No. 5657. The intent and purpose of the City
20 | Council in adopting this Ordinance is to reconfirm the annexation previously accomplished
21 | by Ordinance No. 5657. Upon recordation of this Ordinance and the corresponding map or
22 | plat in accordance with Section 6 of this Ordinance, the annexation of territory as described
23 | in this Ordinance shall be effective as follows:

24 | (A) As of the recordation of Ordinance No. 5657, except to the extent there is a
25 | judicial declaration or determination that the territory was not properly annexed by the
26 | adoption of Ordinance No. 5657 and is not otherwise deemed to be, or to be treated as, a part
27 | of the City;

28 | (B) As of the 10th day of June, 2005, to the extent there is a judicial declaration

1 or determination that the territory was not properly annexed by the adoption of Ordinance
2 No. 5657 and is not otherwise deemed to be, or to be treated as, a part of the City.

3 SECTION 9: If any section, subsection, subdivision, paragraph, sentence,
4 clause or phrase in this ordinance or any part thereof is for any reason held to be
5 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such
6 decision shall not affect the validity or effectiveness of the remaining portions of this
7 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that
8 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or
9 phrase thereof irrespective of the fact that any one or more sections, subsections,
10 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
11 or ineffective.

12 SECTION 10: All ordinances or parts of ordinances, sections, subsections,
13 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

15 PASSED, ADOPTED and APPROVED this 1st day of June,
16 2005.

17 APPROVED:

18
19 By 
20 OSCAR B. GOODMAN, Mayor

21 ATTEST:

22 
BARBARA JO RONEMUS, City Clerk

23 APPROVED AS TO FORM:

24 Val Steed 4-20-05
Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 4th day of May, 2005, and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 1st day of June, 2005, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Mayor Goodman
Councilmembers: Reese, Brown, Weekly, Mack, Wolfson and Tarkanian

VOTING "NAY": None

EXCUSED: None

ABSTAINED: None

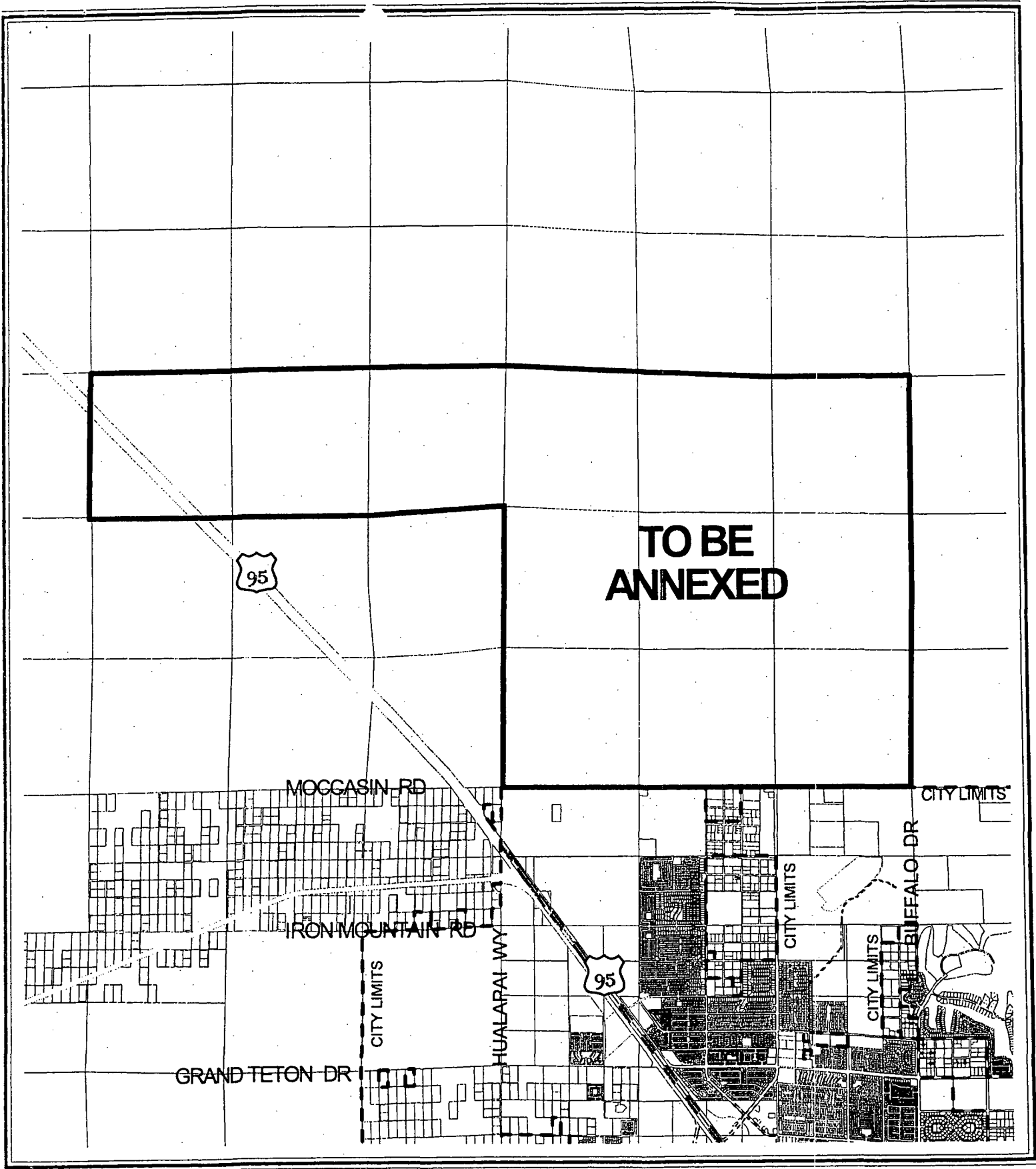
APPROVED:


OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

WHEN RECORDED PLEASE MAIL TO:
THOMAS A. PERRIGO
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101



CASE: ANX-3026

