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NOTICE OF HEARING ON THE IMPROVEMENT OF CERTAIN STREETS AND ALLEYS, AND PARTS THEREOF, AND PROPOSED ASSESSMENTS WITHIN THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 412

NOTICE IS HEREBY GIVEN to the owner or owners of each lot or parcel of property within the proposed Las Vegas, Nevada, Special Improvement District No. 412, each tenant of each mobile home park that is located on any of such lots or parcels and to all other interested persons that:

The City Council of the City of Las Vegas, Nevada, has provisionally ordered that, as a portion of a total project that will include the installation of four travel lanes, plus additional pavement sections 8 feet in width on both sides of the travel lanes; a raised median island or a two-way center left turn lane, or a combination thereof; traffic control devices; curbs and gutters; sidewalks; streetlights; sanitary sewer laterals; potable water laterals; driveway approaches; and drainage facilities (the "Project" herein), certain improvements be installed along certain streets within those certain areas of said City that are hereinafter more specifically described as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. I shall consist of the installation of pavement sections 8 feet in width along both sides of Washington Avenue (80 feet wide) and portions thereof, within said City, from the centerline of Martin Luther King Boulevard (80 feet wide) westerly to the centerline of Rancho Drive Street (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. II shall consist of the installation of standard "L" type curbs and gutters along both sides of Washington Avenue (80 feet wide) and portions thereof, within said City, from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. III (Sidewalks)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. III shall consist of the installation of standard concrete sidewalks 5 feet in width along both sides of Washington Avenue (80 feet wide) and portions thereof, within said City, from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Street Lighting)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. IV shall consist of the installation of streetlights and any and all appurtenances along both sides of Washington Avenue (80 feet wide) and portions thereof, within said City, from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

SEE ATTACHED

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTY A. FERGUSON, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of THREE insertions from the period of APRIL 9, 1991 to APRIL 23, 1991, on the following days:

APRIL 9, 16, 23, 1991

Signed: Christy A Ferguson

Subscribed and sworn to before me this 23rd day of April, 1991

Maria C. Sherin
Notary Public



083979

ASSESSMENT UNIT NO. III (Sidewalks)

Each lot or parcel of real property lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 28 or Section 29, Township 20 South, Range 60 East, M.D.M., which abuts Washington Avenue (80 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue).

ASSESSMENT UNIT NO. IV (Street Lighting)

Each lot or parcel of real property lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 28 or Section 29, Township 20 South, Range 60 East, M.D.M., which abuts Washington Avenue (80 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue).

ASSESSMENT UNIT NO. V (Sanitary Sewer Laterals)

Each lot or parcel of real property lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 28 or Section 29, Township 20 South, Range 60 East, M.D.M., which abuts Washington Avenue (80 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue).

ASSESSMENT UNIT NO. VI (Potable Water Laterals)

Each lot or parcel of real property lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 28 or Section 29, Township 20 South, Range 60 East, M.D.M., which abuts Washington Avenue (80 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue).

ASSESSMENT UNIT NO. VII (Residential Driveway Approaches)

Each lot or parcel of real property lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 28 or Section 29, Township 20 South, Range 60 East, M.D.M., which abuts Washington Avenue (80 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue).

ASSESSMENT UNIT NO. VIII (Commercial Driveway Approaches)

Each lot or parcel of real property lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 28 or Section 29, Township 20 South, Range 60 East, M.D.M., which abuts Washington Avenue (80 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Martin Luther King Boulevard (80 feet wide) westerly to the east right-of-way line of Rancho Drive (125 feet wide south of Washington Avenue and 100 feet wide north of Washington Avenue).

The proposed improvements will result in no substantial change in street elevations or grades. All persons interested are hereby advised that the plans, plats, typical sections, preliminary estimates of the total cost, the description of the property to be assessed, the portion of the cost to be assessed thereagainst and the maximum amount of the benefits estimated to be derived by each lot or parcel of property with respect to the respective assessment units are on file in the Office of said City Clerk and may be inspected by any property owner or other interested person during regular office hours.

On Wednesday, the 1st day of May, 1991, at 2:00 o'clock p.m. in Rooms 201 and 202 of the Cashman Field Center, 850 Las Vegas Boulevard North, Las Vegas, Nevada, or at any time prior to said date and time, at the Office of said City Clerk on the 10th floor of the Las Vegas City Hall Complex, 400 E. Stewart Avenue, Las Vegas, Nevada 89101, the owner or owners of any of the lots or parcels to be assessed or any other person interested in any thereof or any tenant of any mobile home park that is located on any of such lots or parcels may file a written protest or objection and may appear before said City Council at said time and place and be heard as to the propriety and advisability of making such improvements, as to the costs thereof, as to the proposed method of the payment therefor, and as to the amount thereof to be assessed against, and the amount of the maximum benefits estimated to be derived from such improvements by the respective lots and parcels of property to be so improved.

Any owner of any of such lots or parcels, any other person interested in any thereof or any tenant of any mobile home park that is located on any of such lots or parcels who wishes to make any protest or objection must make such protest or objection in writing at the Office of said City Clerk at least three days before the time set for such hearing. In this connection, a person should object to the formation of said Special Improvement District in the manner as aforesaid if his or her support therefor is based upon a statement or representation concerning said District that is not contained in the language of this notice. Any person who files a written protest or objection three days before the time of such hearing as aforesaid shall have the right, within thirty (30) days after said City Council has finally passed upon such protest or objection, to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred.

NOTE: A PERSON'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT (A) THE MAKING OF SUCH IMPROVEMENTS IS IMPROPER OR ILL ADVISED, (B) THE COSTS THEREOF ARE EXCESSIVE, (C) THE PROPOSED METHOD OF PAYMENT THEREFOR IS IMPROPER OR (D) THE AMOUNT OF THE ESTIMATED COSTS TO BE ASSESSED AGAINST THE LOT OR PARCEL OF PROPERTY THAT HE OR SHE OWNS OR IS OTHERWISE INTERESTED OR ON WHICH IS LOCATED A MOBILE HOME PARK OF WHICH HE OR SHE IS A TENANT, OR THE AMOUNT OF THE MAXIMUM BENEFITS ESTIMATED TO BE DERIVED BY SUCH LOT OR PARCEL FROM THE PROPOSED IMPROVEMENT THEREOF, OR BOTH, ARE EXCESSIVE WILL BE AT SUCH HEARING.

NO SUCH PERSON WILL BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE IN SUPPORT OF HIS OR HER PROTEST OR OBJECTION IN ANY SUCH ACTION OR SUIT IN ANY COURT.

If the owners of more than one-half of the frontage that is to be assessed for the improvements that are to be installed in ASSESSMENT UNIT NO. I, or of more than one-half of the lineal footage that is to be assessed for the improvements that are to be installed in ASSESSMENT UNIT NO. II, or ASSESSMENT UNIT NO. III, shall file written objections thereto, the particular improvement for that particular assessment unit shall not be installed; provided, however, that since one-half or more of the total cost of the entire Project will be paid for other than by the levy of special assessments, the City Council may, pursuant to NRS 271.305(7)(b)(1), order the installation of the street paving in ASSESSMENT UNIT NO. I, the installation of the curbs and gutters in ASSESSMENT UNIT NO. II, the installation of the sidewalks in ASSESSMENT UNIT NO. III or the installation of the street lighting system in ASSESSMENT UNIT NO. IV, or any combination thereof, in which event the installation of such improvements shall not be stayed, deferred or prevented by written complaints, protests and objections thereto. If the owners of the lots or parcels of property that will be assessed for more than one-half of the costs of the improvements that are to be installed in ASSESSMENT UNIT NO. V or ASSESSMENT UNIT NO. VI shall file written objections thereto, the particular improvements for that particular assessment unit shall not be installed. The improvements that are to be installed in ASSESSMENT UNIT NO. VII and ASSESSMENT UNIT NO. VIII will be installed to serve each particular lot or parcel at the location and in the number and size as are specified by the owner thereof, and no such improvement will be installed to serve any lot or parcel without the approval of the owner thereof.

After such hearing, said City Council shall make a determination as to the advisability of so improving said streets and parts thereof, shall determine the kind and character of such improvements so to be made and shall enter into a contract with the bidder that submits the lowest responsive and responsible bid for the doing of such work and the furnishing of all necessary materials in response to a duly advertised invitation for construction bids. After the making of such contract, said City Council shall determine what portion of the cost of such work, including incidentals, shall be assessed against the lots and parcels of property specially benefited, and the assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum benefits to the property assessed. Said City Council shall provide that the assessments may be payable without interest or demand during a specified period, at the election of the owner, or in twenty substantially equal semiannual installments of principal. Said City Council shall also provide the time and terms of payment of such assessments and the rate of interest per annum upon deferred payments thereof, which rate shall not exceed by more than 3% the index of twenty bonds that was most recently published before the date on which the ordinance levying the assessments is adopted, and shall fix the penalties to be collected upon delinquent payments.

By order of the City Council of the City of Las Vegas, Nevada. Dated this 3rd day of April, 1991.

KATHLEEN M. WIGGS, City Clerk
PUB: April 9, 16, 23, 1991
Review-Journal