

EMERGENCY ORDINANCE NO. 839

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN SAID CITY BY CURBING, GUTTERING AND INSTALLING SIDEWALKS ALONG BRACKEN AVENUE FROM 10TH STREET TO 11TH STREET; TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-50 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; AND TO DEFRAY THE ENTIRE COSTS AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO FRONTAGE; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS FOR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD; DIRECTING NOTICE THEREOF TO BE GIVEN; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of the City of Las Vegas in the County of Clark and State of Nevada deems it expedient and for the best interests of said City to improve a portion of Bracken Avenue from 10th Street to 11th Street hereinafter more particularly described by constructing on both sides thereof concrete curbs and gutters wherever necessary, and installing sidewalks along the same; and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-50 for the purpose of making said improvements and to defray the entire cost and expense thereof by special assessments made according to the frontage against the owners and the assessable lots, premises, and property specially benefited by such improvements and included within said district; and

WHEREAS, there is not included within said district any public or other property against which a valid special assessment cannot be levied by said City; and

WHEREAS, in no case does the estimated amount of any special assessment upon any lot or premises for said improvements exceed one hundred percent (100%) of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation; and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas, it is fair and equitable that no portion of said cost and expense be borne by the City from its general funds; and

WHEREAS, said Board considers it necessary, desirable, and for the best interests of the City, to take the steps provided by law for the organization of an assessment district and the construction therein of said improvements; and

WHEREAS, said Board, by a resolution duly adopted and approved on the 4th day of May, 1960, ordered the City Engineer to make estimates of the expense thereof and plats, diagrams and plans of the work and of the locality to be improved, and to file such estimates, plats, diagrams and plans with the City Clerk for public examination; and

WHEREAS, said estimates, plats, diagrams and plans were so filed on the 11th day of May, 1960.

NOW, THEREFORE, the Board of Commissioners of the City of Las Vegas does ordain as follows:

SECTION 1. That the Board of Commissioners of the City of Las Vegas, County of Clark and State of Nevada, does hereby declare its determination to make certain public improvements by curbing, guttering and installing sidewalks on Bracken Avenue from 10th Street to 11th Street, to create a special assessment district therefor, and

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to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and properties specially benefited by such improvements and included within said district.

SECTION 2. That the Board proposes to improve the said street by constructing on both sides of said street concrete curbs, gutters, and installing sidewalks wherever necessary, as more particularly shown by the plats, diagrams and plans of the work and locality to be improved now on file in the office of the City Clerk of the City of Las Vegas.

SECTION 3. That the street which the Board proposes to so have improved, is the following:

BRACKEN AVENUE from 10th Street to 11th Street.

SECTION 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-50, and it shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon Bracken Street from 10th Street to 11th Street, bounded by the following lots, blocks and subdivisions, to-wit:

Lots 6 thru 16, Block 28, and Lots 17 thru 27, Block 29, Huntridge Subdivision Tract 5, recorded by map thereof in Book 2 of Plats, Page 58 in the Office of the Clark County Recorder, Clark County, Nevada, also:

Lots 1 thru 5, Block 28, and Lots 18 thru 22, Block 29, Huntridge Subdivision Tract 4, recorded by map thereof in Book 2 of Plats, Page 55 in the Office of the Clark County Recorder, Clark County, Nevada.

SECTION 5. That the City Clerk shall keep the plats, diagrams, and plans of the work, and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

SECTION 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Wednesday, the 15th day of June, 1960, at the hour of 7:30 P.M. to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

SECTION 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams and plans with the City Clerk for examination of the proposed improvement or work, of the location of the improvement, of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvement. Said notice shall be given by publication once a week for two successive weeks in the Las Vegas Sun, a daily newspaper published in said City of Las Vegas, by posting said notices in at least three public places near the site of said proposed work, and by mailing said notice, postage prepaid, as first class mail, at least fifteen days prior to such hearing, to the last known address of each last known owner of land within the district whose property will be assessed for for the cost of the

improvements, such addresses and owners being those appearing on the local property assessment rolls for general (ad valorem) taxes of the County of Clark, wherein said property is located, Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

SECTION 8. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict with this ordinance are hereby repealed.

SECTION 9. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but it shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.


SECTION 10. That by reason of the fact that the streets of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve the said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 11. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption in the Las Vegas Sun, a daily newspaper published in said City and that ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 18th day of May, 1960.

  
ORAN K. GRAGSON, MAYOR

ATTEST:

  
EDWINA M. COLE, CITY CLERK

Those voting in favor of the foregoing ordinance:

Mayor Oran K. Gragson

Commissioner Harris Sharp

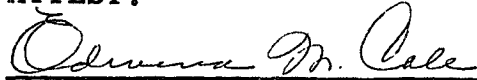
Commissioner E. W. Fountain

Commissioner Wm. H. Elwell

Those voting "Nay": None

Absent: Commissioner Whipple

ATTEST:

  
EDWINA M. COLE, CITY CLERK

APPROVED:

  
ORAN K. GRAGSON, MAYOR

**NOTICE**  
 NOTICE OF DETERMINATION AND INTENTION TO CONSTRUCT CURBING, GUTTERING AND INSTALLATION OF SIDEWALKS ON BRACKEN AVENUE FROM 10TH STREET TO 11TH STREET, TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-50, TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENT AND OF THE HEARING THEREON.

NOTICE IS HEREBY GIVEN that on May 18th, 1960, the Board of Commissioners and Mayor of the City of Las Vegas, Nevada, adopted and approved an ordinance declaring the Board's determination to make certain public improvements by curbing, guttering and installing sidewalks on Bracken Avenue from 10th Street to 11th Street, to create a special assessment district designated Street Improvement Assessment District No. 100-50, therefore, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefited by such improvements, and included within said district.

The street to be improved is BRACKEN AVENUE from 10th Street to 11th Street bounded by the following lots, blocks and subdivisions: Lots 6 thru 16, Block 28, and Lots 17 thru 27, Block 29, Huntledge Subdivision, Tract 3, recorded by map thereof in Book 27 of Plats, Page 68 in the Office of the Clark County Recorder, Clark County, Nevada, also; Lots 1 thru 5, Block 28, and Lots 18 thru 22, Block 29, Huntledge Subdivision, Tract 4, recorded by map thereof in Book 27 of Plats, Page 69 in the Office of the Clark County Recorder, Clark County, Nevada.

Said ordinance, adopted and approved May 18th, 1960, and the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, are on file for public inspection and examination in the office of the City Clerk of Las Vegas, Nevada, and all persons interested are hereby referred to the same for further information.

Said Board of Commissioners will meet at the City Hall at the corner of Stewart and Las Vegas Boulevard North in the City of Las Vegas, Nevada, on WEDNESDAY, JUNE 15TH, 1960, at 7:30 P.M. to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements or any matters relating thereto. Objections to said proposed improvements or any matters relating thereto may be filed in writing in the office of the City Clerk at any time prior to said meeting. Unless the owners of more than one-half of the frontage to be assessed shall file written objections, such improvement or work shall be ordered.

DATED this 18th day of May, 1960.  
 EDWINA M. COLE, City Clerk  
 May 25 and June 1, 1960.

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }  
 COUNTY OF CLARK } ss.

Anthony Cina

, being first duly sworn,

Foreman

deposes and says: That he is \_\_\_\_\_ of the LAS VEGAS MORNING SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of

Two Weeks

from May 25 to June 1

inclusive, being the issues of said newspaper for the following dates, to-wit:  
 May 25 and June 1, 1960

That said newspaper was regularly issued and circulated on each of the dates above named.

Signed \_\_\_\_\_

*Anthony Cina*

Subscribed and sworn to before me this 7th day of June, 1960

*Barbara J. Greener*

Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1964