

EMERGENCY ORDINANCE NO. 822

AN EMERGENCY ORDINANCE REPEALING EMERGENCY ORDINANCE NO. 817 AND DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN SAID CITY BY INSTALLING STREET LIGHTING ON FREMONT STREET FROM SIXTH STREET TO THE INTERSECTION OF EAST CHARLESTON BOULEVARD AND STREET WIDENING ON FREMONT STREET FROM SEVENTH STREET TO FOURTEENTH STREET; TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-28 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 Fremont Street hereinafter more particularly described by widening and installing street lighting along the same; and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-28 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 interest 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 23rd day of October, 1959, ordered the City Engineer to make estimates of the expenses 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 6th day of January, 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 widening Fremont Street from Seventh Street to Fourteenth Street and installing street lighting on Fremont Street from Sixth Street to the intersection of East Charleston Boulevard, to create a special assessment district therefor, 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 properties specially benefited by such improvements and included within said district.

SECTION 2. That the Board proposes to improve Fremont Street by widening

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said street from Seventh Street to Fourteenth Street, which includes the installation of "L" type Portland cement concrete curb and gutter, Portland cement concrete valley gutter where necessary, Portland cement concrete sidewalks where required, Portland cement concrete driveways where required, and asphaltic concrete pavement; removal of existing improvements as necessary to make above installations, and removal and relocation of any and all utilities that are deemed necessary to complete the same; and installing street lighting facilities from Sixth Street to the intersection of East Charleston Boulevard which includes concrete bases, steel davit standards, fluorescent luminaires, and underground conduits, multiple circuits, and control cabinets together with such appurtenances as may be required, 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:

- (a) Street lighting on FREMONT STREET from Sixth Street to the intersection of East Charleston Boulevard.
- (b) Increase the width of FREMONT STREET from Seventh Street to Fourteenth Street.

SECTION 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-28, and it shall include all the lots, premises and property fronting, adjoining and abutting upon such street, to the full depth of each lot, premises and properties, but not to exceed 130 feet in depth from the right-of-way lines of such street.

The boundaries of the lots, premises and property which shall be assessed are described as follows:

All the property fronting on Fremont Street within the following area:

Beginning at the most northerly corner of Lot 1, Block 6, Hawkins' Addition to the City of Las Vegas, as shown in Book 1 of Plats, Page 40 in the Office of the Clark County Recorder, thence South  $27^{\circ}45'$  West a distance of 130' to the most westerly corner of said Lot 1, thence South  $62^{\circ}15'$  East parallel to and 170' southwesterly measured at right angles, to the center line of Fremont Street (80' in width) to the intersection with the northwesterly line of Lot 1, Block 1 of Mayfair Tract No. 1 as shown on Book 2 of Plats, Page 30 in the Office of the Clark County Recorder, thence South  $28^{\circ}13'$  West along the northwesterly line of last said Lot 1, a distance of 5' more or less to a point 175' southwesterly, measured at right angles from the centerline of Fremont Street, thence South  $61^{\circ}47'$  East parallel to the southwesterly right-of-way line of Fremont Street (90' in width) and 130' southwesterly measured at right angles to a point of intersection with the north right-of-way line of Charleston Boulevard (100' in width) thence along the north right-of-way line of Charleston Boulevard and its easterly prolongation to a point on the southeasterly prolongation of the southwesterly right-of-way line of 25th Street (70' in width) thence along the last said prolongation and southwesterly right-of-way line of 25th Street to a point that is 175' northeasterly, measured at right angles, from the center line of Fremont Street (90' in width), thence parallel with the last said centerline to the intersection with the southeasterly right-of-way line of 15th Street, (80' in width) thence along last said southeasterly right-of-way line 5' more or less to a point that is 170' from the centerline of Fremont Street, measured at right angles, thence parallel to the centerline of Fremont Street to the most northerly corner of Lot 11, Block 7 aforementioned Hawkins' Addition, thence South  $27^{\circ}45'$  West along the northwesterly boundary of last said Lot 11, and its southwesterly prolongation a distance of 210' to the point of beginning.

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 2nd day of March, 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 Review Journal 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 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. Emergency Ordinance No. 817 and 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 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 Review Journal, a daily newspaper published in said City and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 3rd day of February, 1960.

s/ ORAN K. GRAGSON *Oran K. Gragson*  
ORAN K. GRAGSON, Mayor

ATTEST: *Edwina M. Cole*  
s/ EDWINA M. COLE  
EDWINA M. COLE, City Clerk

Those voting in favor of the foregoing ordinance:

Mayor:  
Commissioner:  
Commissioner:  
Commissioner:  
Commissioner:

Those voting "Nay":

Absent:

APPROVED:

*Oran K. Gragson*

s/ Oran K. Gragson  

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ORAN K. GRAGSON, Mayor

ATTEST:

*Edwina M. Cole*

s/ Edwina M. Cole  

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EDWINA M. COLE, City Clerk

EMERGENCY ORDINANCE NO. 822  
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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,) ss.  
COUNTY OF CLARK )

A. F. Schellack, being first duly sworn, deposes and says, That he is Foreman of the LAS VEGAS REVIEW-JOURNAL, 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 Twice (2) insertions from February 5, 1960 to February 12, 1960 inclusive, being the issues of said newspaper for the following dates, to-wit:

February 5, 12, 1960

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

SIGNED *A. F. Schellack*  
A. F. Schellack, Foreman

Subscribed and sworn to before me this 12th day of February 19 60

*W. E. Roberts*  
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA  
My Commission Expires April 14, 1962

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 Fremont Street hereinafter more particularly described by widening and installing street lighting along the same; and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-28 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 interest 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 23rd day of October, 1959, ordered the City Engineer to make estimates of the expenses 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 6th day of January, 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 widening Fremont Street from Seventh Street to Fourteenth Street and installing street lighting on Fremont Street from Sixth Street to the intersection of East Charleston Boulevard, to create a special assessment district therefor, 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 properties specially benefited by such improvements and included within said district.

SECTION 2. That the Board proposes to improve Fremont Street by widening said street from Seventh Street to Fourteenth Street, which includes the installation of "L" type Portland cement concrete curb and gutter, Portland cement concrete valley gutter where necessary, Portland cement concrete sidewalks where required, Portland cement concrete driveways where required, and asphaltic concrete pavement; removal of existing improvements as necessary to make above installations, and removal and relocation of any and all utilities that are deemed necessary to complete the same; and installing street lighting facilities from Sixth Street to the intersection of East Charleston Boulevard which includes concrete bases, steel davit standards, fluorescent luminaires, and underground conduits, multiple circuits, and control cabinets together with such appurtenances as may be required, 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:

(a) Street lighting on FREMONT STREET from Sixth Street to the intersection of East Charleston Boulevard.

(b) Increase the width of FREMONT STREET from Seventh Street to Fourteenth Street.

SECTION 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-28, and it shall include all the lots, premises and property fronting, adjoining and abutting upon such street, to the full depth of each lot, premises and properties, but not to exceed 130 feet from the right-of-way lines of such street.

The boundaries of the lots, premises and property which shall be assessed are described as follows:

All the property fronting on Fremont Street within the following area:

Beginning at the most northerly corner of Lot 1, Block 6, Hawkins' Addition to the City of Las Vegas, as shown in Book 1 of Plats, Page 40 in the Office of the Clark County Recorder, thence South 27°45' West a distance of 130' to the most westerly corner of said Lot 1, thence South 62°15' East parallel to and 170' southwesterly measured at right angles, to the center line of Fremont Street (80' in width) to the intersection with the northwesterly line of Lot 1, Block 1 of Mayfair Tract No. 1 as shown on Book 2 of Plats, Page 30 in the Office of the Clark County Recorder, thence South 28°13' West along the northwesterly line of said Lot 1, a distance of 5' more or less to a point 175' southwesterly, measured at right angles from the centerline of Fremont Street, thence South 61°47' East parallel to the southwesterly right-of-way line of Fremont Street (80' in width) and 130' southwesterly measured at right angles to a point of intersection with the north right-of-way line of Charleston Boulevard (100' in width) thence along the north right-of-way line of Charleston Boulevard and its easterly prolongation to a point on the southeasterly prolongation of the Southwesterly right-of-way line of 25th Street (70' in width) thence along the last said prolongation and southwesterly right-of-way line of 25th Street to a point that is 175' northeasterly, measured at right angles, from the center line of Fremont Street (90' in width), thence parallel with the last said centerline to the intersection with the southeasterly right-of-way line of 15th Street, (80' in width) thence along last said southeasterly right-of-way line 5' more or less to a point that is 170' from the centerline of Fremont Street, measured at right angles, thence parallel to the centerline of Fremont Street, to the most northerly corner of Lot 11, Block 7 aforementioned, Hawkins' Addition, thence South 27°45' West along the northwesterly boundary of last said Lot 11, and its southwesterly prolongation a distance of 210' to the point of beginning.

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 expenses 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 2nd day of March, 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 Review Journal 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 known owner of land within the district whose property will be assessed 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. Emergency Ordinance No. 317 and 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 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 Review Journal, a daily newspaper published in said City and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED, AND APPROVED this 3rd day of February, 1960.

s/ ORAN K. GRAGSON, Mayor

ATTEST:  
s/ EDWINA M. COLE, City Clerk  
Those voting in favor of the foregoing ordinance:

Mayor:  
Commissioner:  
Commissioner:  
Commissioner:  
Commissioner:  
Those voting "Nay":  
Absent:

APPROVED:  
s/ Oran K. Gragson  
ORAN K. GRAGSON, Mayor

ATTEST:  
s/ Edwina M. Cole  
EDWINA M. COLE, City Clerk

NOTICE  
NOTICE OF DETERMINATION AND INTENTION TO INSTALL A COMPLETE STREET LIGHTING SYSTEM ON FREMONT STREET FROM SIXTH STREET TO THE INTERSECTION OF EAST CHARLESTON BOULEVARD AND WIDEN FREMONT STREET FROM SEVENTH STREET TO FOURTEENTH STREET TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-28; AND TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENTS; AND OF THE HEARING THEREON.

NOTICE IS HEREBY GIVEN that on February 3, 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 installing on Fremont Street from Sixth Street to the intersection of East Charleston Boulevard a complete street lighting system composed of concrete bases, steel davit standards, fluorescent luminaires, and underground conduits, multiple circuits, and control cabinets together with such appurtenances as may be required, and widening of Fremont Street from Seventh Street to Fourteenth Street, which includes the installation of "L" type Portland cement concrete curb and gutter, Portland cement concrete valley gutter where necessary, Portland cement concrete sidewalks where required, Portland cement concrete driveways where required, and asphaltic concrete pavement; removal of existing improvements as necessary to make above installations, and removal and relocation of any and all utilities that are deemed necessary to complete the same; to create a special assessment district designated Street Improvement Assessment District No. 100-28 therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and assessable lots, premises and property specially benefitted by such improvements and included within said district.

The street so proposed to be improved is:

**FREMONT STREET from SIXTH STREET to the intersection of EAST CHARLESTON BOULEVARD, STREET LIGHTING.**

**FREMONT STREET from SEVENTH STREET to FOURTEENTH STREET, STREET WIDENING.**

The boundaries of the lots, premises and properties of said proposed assessment district are as follows:

All the property fronting on Fremont Street within the following area:

Beginning at the most northerly corner of Lot 1, Block 6, Hawkins Addition to the City of Las Vegas, as shown in Book 1 of Plats, Page 40 in the Office of the Clark County Recorder, thence South 27°45' West a distance of 130' to the most westerly corner of said Lot 1, thence South 62°15' East parallel to and 170' southwesterly measured at right angles; to the center line of Fremont Street (80' in width) to the intersection with the northwesterly line of Lot 1, Block 1 of Mayfair Tract No. 1 as shown on Book 2 of Plats, Page 30 in the Office of the Clark County Recorder, thence South 28°13' West along the northwesterly line of last said Lot 1, a distance of 5' more or less to a point 175' southwesterly, measured at right angles from the centerline of Fremont Street, thence South 61°47' East parallel to the southwesterly right-of-way line of Fremont Street (90' in width) and 130' southwesterly measured at right angles to a point of intersection with the north right-of-way line of Charleston Boulevard, (100' in width) thence along the north right-of-way line of Charleston Boulevard and its easterly prolongation to a point on the southeasterly prolongation of the southwesterly right-of-way line of 25th Street (70' in width), thence along the last said prolongation and southwesterly right-of-way line of 25th Street to a point that is 175' northeasterly, measured at right angles, from the centerline of Fremont Street (80' in width), thence parallel with the last said centerline to the intersection with the southeasterly right-of-way line of 15th Street, (80' in width) thence along last said southeasterly right-of-way line 5' more or less to a point that is 170' from the centerline of Fremont Street, measured at right angles, thence parallel to the centerline of Fremont Street to the most northerly corner of Lot 1, Block 7 aforementioned Hawkins' Addition, thence South 27°45' West along the northwesterly boundary of last said Lot 1, and its southwesterly prolongation a distance of 210' to the point of beginning.

Said ordinance adopted and approved February 3, 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 Fifth Streets in the City of Las Vegas, Nevada, on the 2nd day of March, 1960, at 7:30 o'clock P.M., P.S.T., 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 thereto, such work shall be ordered.

DATED this 4th day of February, 1960.

(Signed) Edwina M. Cole  
EDWINA M. COLE, City Clerk  
Feb. 5, 12