

ORDINANCE NO. 389

AN ORDINANCE EMPOWERING, AUTHORIZING AND DIRECTING THE EX-OFFICIO CITY ASSESSOR OF THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, TO LEVY A SPECIAL ASSESSMENT TO DEFRAY THE COST OF MAKING CERTAIN IMPROVEMENTS IN THE CITY OF LAS VEGAS BY INSTALLING A SANITARY SEWER IN THE SAID CITY, ACCORDING TO THE PLATS, DIAGRAMS, AND ESTIMATES OF COST THEREOF ON FILE IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LAS VEGAS, DESCRIBING DEFINITELY THE LOCATION OF SAID IMPROVEMENTS, STATING THE AMOUNT OF SAID ASSESSMENT AND DESCRIBING AND DESIGNATING THE LOCALITY CONSTITUTING THE DISTRICT TO BE ASSESSED ACCORDING TO BENEFITS AND OTHER MATTERS RELATING THERETO.

The Board of Commissioners of the City of Las Vegas, Nevada, do ordain as follows:

Section 1. For the purpose of defraying the cost of making certain improvements in the City of Las Vegas by installing a sanitary sewer on 16th Street from Marlin Avenue to Bonanza Road; on Bruce Street from Marlin Avenue to Bonanza Road; on Bonanza Road from 16th Street to Bruce Street; in alley between Linden Avenue and Walnut Avenue from Bruce Street to 19th Street; from alley between Linden Avenue and Walnut Avenue to alley between Walnut Avenue and Mesquite Avenue; in alley between Walnut Avenue and Mesquite Avenue from 19th Street to 21st Street, according to the plats, diagrams, and estimates of cost heretofore prepared and adopted by the Board of Commissioners of the City of Las Vegas, and on file in the office of the City Clerk of the City of Las Vegas, the Ex-Officio City Assessor of the City of Las Vegas is hereby empowered, authorized, and directed to make, forthwith, a special assessment in the total amount of Twenty-three Thousand Nine Hundred Twenty-nine Dollars and Twenty Cents (\$23,929.20), and to levy such assessment according to benefits against the owners and upon the taxable lots and premises embraced within the special assessment district created by Ordinance No. 383 of the City of Las Vegas.

Section 2. In no case shall the amount of any special assessment upon any such lot or premises exceed 50% of the value of such lot or premises as shown upon the latest tax list or assessment roll for State and County taxation, but such cost in excess of 50% shall be borne by the City of Las Vegas and paid out of the General Fund.

Section 3. The Ex-Officio City Assessor of the City of Las Vegas, Nevada, shall prepare an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot and parcel of land embraced within the aforementioned special assessment districts, such relative portion of the whole sum to be levied in said district as shall be proportionate to the estimate benefit resulting to such lot or parcel of land from the improvement.

Section 4. After the special assessment roll, as herein provided for, shall have been prepared and completed, the Ex-Officio City Assessor shall report the same to the Board of Commissioners of the City of Las Vegas, Nevada, and thereafter it shall be filed in the office of the City Clerk, and numbered, and the Board of Commissioners shall cause notice thereof to the persons whose names appear upon the assessment roll, and to all others interested therein, to be published for at least two weeks in some newspaper published in the City of Las Vegas, Nevada, of the time when the Board of Commissioners and the Ex-Officio City Assessor will meet to review the assessments, and any person, objecting to the assessments, may file his objections thereto with the City Clerk.

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CLERK'S
FILE

Section 5. At the time appointed for reviewing the assessments, the Board of Commissioners and the Ex-Officio City Assessor shall meet and give all persons interested an opportunity to be heard, and shall consider any and all objections that may be filed with the City Clerk, and then, or at some adjourned meeting, shall review the assessments and correct the same, and confirm it as corrected, or confirm it as reported, or annul it, and direct a new assessment to be made.

Section 6. When the assessments shall be confirmed as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to the County Assessor, acting Ex-Officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners with his certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-Officio City Assessor, shall thereupon, without extra compensation, record such assessment roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll. After the Assessment Roll has been confirmed and recorded, the several amounts levied thereon have been confirmed and recorded, the several amounts levied thereon shall become at once due and payable, and shall constitute and be a lien upon the respective lots and parcels of land, and improvements assessed, and shall be charged against the persons and properties until paid.

Section 7. All assessments, when due and payable, as in this ordinance provided, shall be paid to the City Treasurer and Tax Receiver of the City of Las Vegas, Nevada, and be by that officer paid into and credited to the special fund to be known as and called "Las Vegas 1949 Sanitary Sewer Assessment District #200-2 Fund".

Section 8. All costs and expenses incurred in making the improvements shall be charged to and paid out of said fund, provided, however, that all monies drawn on the General Fund of the City of Las Vegas to defray any of the costs and expenses of making the improvements, or, if it shall become necessary to draw upon the General Fund to defray any of the costs and expenses of the improvements, except as otherwise provided by the Charter of the City of Las Vegas, Nevada, the General Fund shall be reimbursed by transfer of funds from the "Las Vegas 1949 Sanitary Sewer Assessment District #200-0" as soon as conditions of the same will permit.

Section 9. This Ordinance shall be in full force and effect upon its publication as in the next section provided, and final passage.

Section 10. The City Clerk and the Clerk of the Board of Commissioners of the City of Las Vegas, Nevada, is hereby authorized and directed to cause this Ordinance No. 389 to be published once a week for two consecutive weeks, immediately following its first reading and adoption, in the Las Vegas Evening Review Journal, a daily newspaper published in the City of Las Vegas, Nevada.

APPROVED

(SEAL)

ATTEST


City Clerk



The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 16th day of July, 1949, and referred to the following committee composed of Commissioners Dunbar and Peccole for recommendation; thereafter the said committee reported favorably on said Ordinance on the 22nd day of September 1949, which was the regular meeting of said Board of Commissioners; that at said regular meeting held on the 22nd day of September, 1949, the proposed ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Dunbar, Moore, Peccole,
Whipple and His Honor

Voting "Nay": None

Absent: None

APPROVED

Edw. J. Quinn
Mayor

ATTEST

Spirey Lauringer
City Clerk

AFFADAVIT OF PUBLICATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

Carl Woodbury, being first duly sworn,

deposes and says: That he is auditor of the
LAS VEGAS EVENING REVIEW-JOURNAL, a daily newspaper, of gen-
eral 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 2 times

from Sept. 26, 1949 to Oct. 3, 1949

inclusive, being the issues of said newspaper for the following dates, to-wit:

Sept 26; Oct. 3, 1949

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

Signed

Carl Woodbury

Subscribed and sworn to before me this 30
day of

October 1949

[Signature]

Notary Public in and for Clark County, Nevada.

My Commission Expires

Jan. 12, 1951

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SECTION 1. For the purpose of defraying the cost of making certain improvements in the City of Las Vegas by installing a sanitary sewer on 16th Street from Marlin Avenue to Bonanza Road of Bruce Street from Marlin Avenue to Bonanza Road; on Bonanza Road from 16th Street to Bruce Street in alley between Linden Avenue and Walnut Avenue from Bruce Street to 19th Street; from alley between Linden Avenue and Walnut Avenue to alley between Walnut Avenue and Mesquite Avenue; in alley between Walnut Avenue and Mesquite Avenue from 19th Street to 21st Street, according to the plats, diagrams, and estimates of cost heretofore prepared and adopted by the Board of Commissioners of the City of Las Vegas, and on file in the office of the City Clerk of the City of Las Vegas, the Ex-Officio City Assessor of the City of Las Vegas is hereby empowered, authorized, and directed to make, forthwith, a special assessment in the total amount of Twenty-three Thousand Nine Hundred Twenty-nine Dollars and Twenty Cents (\$23,929.20), and to levy such assessment according to benefits against the owners and upon the taxable lots and premises embraced within the special assessment district created by Ordinance No. 333 of the City of Las Vegas.

SECTION 2 In no case shall the amount of any special assessment upon any such lot or premises exceed 50 per cent of the value of such lot or premises as shown upon the latest tax list or assessment roll for State and County taxation, but such cost in excess of 50 per cent shall be borne by the City of Las Vegas and paid out of the General Fund.

SECTION 3. The Ex-Officio City Assessor of the City of Las Vegas, Nevada, shall prepare an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot and parcel of land embraced within the aforementioned special assessment districts, such relative portion of the whole sum to be levied in said district as shall be proportionate to the estimate benefit resulting to such lot or parcel of land from the improvements.

SECTION 4. After the special assessment roll, as herein provided for, shall have been prepared and completed, the Ex-Officio City Assessor shall report the same to the Board of Commissioners of the City of Las Vegas, Nevada, and thereafter it shall be filed in the office of the City Clerk, and numbered, and the Board of Commissioners shall cause notice thereof to the persons whose names appear upon the assessment roll, and to all others interested therein, to be published for at least two weeks in some newspaper published in the City of Las Vegas, Nevada, of the time when the Board of Commissioners and the Ex-Officio City Assessor will meet to review the assessments, and any person objecting to the assessments, may file his objections thereto with the City Clerk.

SECTION 5. At the time appointed for reviewing the assessments, the Board of Commissioners and the Ex-Officio City Assessor shall meet and give all persons interested an opportunity to be heard, and shall consider any and all objections that may be filed with the City Clerk, and then, or at some adjourned meeting, shall review the assessments and correct the same, and confirm it as corrected, or confirm it as reported, or annul it, and direct a new assessment to be made.

SECTION 6. When the assessments shall be confirmed as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to the County Assessor, acting Ex-Officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners with his certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-Officio City Assessor, shall thereupon, without extra compensation, record such assessment roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll. After the Assessment Roll has been confirmed and recorded, the several amounts levied thereon have been confirmed and recorded, the several amounts levied thereon shall become at once due and payable, and shall constitute and be a lien upon the respective lots and parcels of land, and improvements assessed, and shall be charged against the persons and properties until paid.

Treasurer and Tax Receiver of the City of Las Vegas, Nevada, and be by that officer paid into and credited to the special fund to be known as and called "Las Vegas 1949 Sanitary Sewer Assessment District No. 200-0 Fund."

SECTION 8. All costs and expenses incurred in making the improvements shall be charged to and paid out of said fund, provided, however, that all monies drawn on the General Fund of the City of Las Vegas to defray any of the costs and expenses of making the improvements, or if it shall become necessary to draw upon the General Fund to defray any of the costs and expenses of the improvements, except as otherwise provided by the Charter of the City of Las Vegas, Nevada, the General Fund shall be reimbursed by transfer of funds from the "Las Vegas 1949 Sanitary Sewer Assessment District No. 200-0" as soon as conditions of the same will permit.

SECTION 9. This Ordinance shall be in full force and effect upon its publication as in the next section provided, and final passage.

SECTION 10. The City Clerk and the Clerk of the Board of Commissioners of the City of Las Vegas, Nevada, is hereby authorized and directed to cause this Ordinance No. 389 to be published once a week for two consecutive weeks, immediately following its first reading and adoption, in the Las Vegas Evening Review Journal, a daily newspaper published in the City of Las Vegas, Nevada.

APPROVED: E. W. CRAGIN
ATTEST: SHIRLEY BALLINGER
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of Commissioners on the 26th day of July, 1949, and referred to the following committee composed of Commissioners Bunker and Peccolo for recommendation; thereafter the said committee reported favorably on said Ordinance on the 22nd day of September, 1949; which was the regular meeting of said Board of Commissioners; that at said regular meeting held on the 22nd day of September, 1949, the proposed ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Bunker, Moore, Peccolo, Whipple and His Honor.

Voting "Nay": None.

Absent: None

APPROVED: E. W. CRAGIN,
(seal) Mayor.

ATTEST:
SHIRLEY BALLINGER,
City Clerk.