

EMERGENCY ORDINANCE NO. 1274

AN EMERGENCY ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 472; ORDERING THE INSTALLATION OF STREET LIGHTS ALONG BOTH SIDES OF A PORTION OF TWENTY-FIFTH STREET, IN ASSESSMENT UNIT NO. 1 OF SAID ASSESSMENT DISTRICT, AND THE INSTALLATION OF CURBS AND GUTTERS AND SIDEWALKS ALONG BOTH SIDES OF A PORTION OF TWENTY-FIFTH STREET IN ASSESSMENT UNIT NO. 2 OF SAID ASSESSMENT DISTRICT, ALL WITHIN THE CITY OF LAS VEGAS, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; PROVIDING FOR RELATED MATTERS; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of the City of Las Vegas, Nevada, deems it necessary to create Las Vegas, Nevada, Special Assessment District No. 472, consisting of two (2) separate and distinct assessment units, for the purpose of installing street lights along both sides of that portion of Twenty-Fifth Street within the City of Las Vegas described in the provisional order resolution passed and approved on the 21st day of September, 1966, as Assessment Unit No. 1, and installing curbs and gutters and sidewalks along both sides of that portion of Twenty-Fifth Street within said City described in said provisional order resolution as Assessment Unit No. 2, and to defray the entire cost and expense thereof by special assessments, according to benefits, against the taxable lots and premises in each assessment unit of said District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes, and the aforesaid provisional order resolution, said Board of Commissioners declared its determination to create the District for the purpose of making said improvements within each assessment unit thereof, stating therein the improvements, that the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to the benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made within each assessment unit of said District; and

WHEREAS, pursuant to said resolution, said Board of Commissioners directed the City Clerk of said City to give notice of the estimates of the expense of the improvements and plats and diagrams theretofore filed, and of the time and place of hearing thereon, and said notice was given in the manner specified by the laws of the State of Nevada and in accordance with the directions contained in said resolution; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, no written protests and one oral protest was received with respect to Assessment Unit No. 1, and no written protests and one oral protest was received with respect to Assessment Unit No. 2, and said Board, having duly considered each of said protests, determined it to be in the best interest of each individual unit of the district, the City and the inhabitants thereof to create the district as theretofore proposed; and

WHEREAS, the owners of less than one-half of the area to be assessed in each assessment unit filed written or oral objections; and

WHEREAS, said Board of Commissioners has done all things necessary and preliminary to the creation of said Las Vegas, Nevada, Special Assessment District No. 472, including, but not necessarily limited to, the filing with the City Clerk by the City Engineer of a revised and accurate estimate of cost, plans, assessment plat, specifications and map, and desires now to order such improvements and work by this emergency measure, the reasons for passage as an emergency measure being the grave threats to the public safety and morals posed by the conditions presently existing.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, DO ORDAIN AS FOLLOWS:

Section 1. That said Board of Commissioners has determined, and does hereby determine, that each and every protest and objection filed or otherwise made in connection with said Las Vegas, Nevada, Special Assessment District No. 472 (representing less than fifty per cent (50%) of the areas to be assessed in each or any individual assessment unit in said District) is without merit, and that the same be, and hereby is, overruled and finally passed upon by said Board.

Section 2. That there shall be, and hereby is, created an assessment district, consisting of two (2) separate and distinct assessment units, for the purpose of installing street lights along both sides of that portion of Twenty-Fifth Street within the City of Las Vegas described in the provisional order resolution, passed and approved on the 21st day of September, 1966, as Assessment Unit. No. 1 and installing curbs and gutters and sidewalks along both sides of that portion of Twenty-Fifth Street within said City described in said provisional order

resolution as Assessment Unit No. 2, said Assessment District to be called and designated Las Vegas, Nevada, Special Assessment District No. 472, to include and be the same as the areas designated in the aforesaid provisional order resolution, and said improvements be, and hereby are, ordered.

Section 3. That the character and location of the improvements and the boundaries of the District, and of each assessment unit thereof, shall be in all respects as set forth in the aforesaid provisional order resolution, (except to the extent inconsistent herewith), as more particularly shown in the plats, diagrams, plans and specifications as filed in the City Clerk's office prior to the adoption of said provisional order resolution, and as since remaining on file therein.

The boundaries of the District, which include all the lots and parcels to be assessed, shall be more particularly described as follows:

ASSESSMENT UNIT NO. 1:

All of those certain lots, parcels or tracts of land lying and being situate in the area encompassed within the following boundary description, all within the City of Las Vegas, County of Clark, State of Nevada, to-wit:

The East one hundred feet (100') of the North Half (N 1/2) of Section 35, the East one hundred feet (100') of Section 26, the East one hundred sixty five feet (165') of the North one hundred feet (100') of Section 26, the West one hundred forty feet (140') of the North one hundred feet (100') of Section 25, the West one hundred feet (100') of Section 25, and the West one hundred feet (100') of the North Half (N 1/2) of Section 36, Township 20 South, Range 61 East, M.D.B.&M.; excepting from assessment hereunder all lots, parcels or tracts of land abutting portions of Twenty-fifth Street heretofore improved by the installation of street lights.

ASSESSMENT UNIT NO. 2:

All of those certain lots, parcels or tracts of land lying and being situate in the area encompassed within the following boundary description, all within the City of Las Vegas, County of Clark, State of Nevada, to-wit:

The East one hundred feet (100') of the North Half (N 1/2) of Section 35, the East one hundred feet (100') of Section 26, the East one hundred sixty five feet (165') of the North one hundred feet (100') of Section 26, the West one hundred forty feet (140') of the North one hundred feet (100') of Section 25, the West one hundred feet (100') of Section 25, and the West one hundred feet (100') of the North Half (N 1/2) of Section 36, Township 20 South, Range 61 East, M.D.B.&M., excepting from assessment hereunder all lots, parcels or tracts of land abutting portions of Twenty-fifth Street heretofore improved by the installation of sidewalks and/or curbs and gutters.

Section 4. The amounts to be assessed shall be made upon all lots and parcels of property benefited, proportionately to the benefits received and shall be assessed against the benefited property abutting said improvements in each assessment unit on an area basis, i.e., on the basis that each lot or parcel of property to be assessed shall be assessed a portion of the aggregate dollar amount being levied against that particular entire assessment unit in the proportion that the area of said lot or parcel bears to the area of all assessable property in such assessment unit; provided that in both assessment units, the depth of a lot or parcel in excess of fifty feet (50') from the frontage facing the improvement shall not be considered in computing the area of such lot or parcel; provided that an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform; and provided that public property shall be excluded from said total area, as heretofore determined by said Board of Commissioners. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot or parcel of property shall be as stated in the aforesaid assessment plat.

Regardless of the basis used by apportioning assessments, in case of wedge or V or other irregularly shaped tracts, an amount apportioned thereto shall be in proportion to the special benefits to be derived.

Section 5. Except as shown on plans and specifications now on file in the Office of the City Clerk, the character of such improvements shall be more particularly as follows:

ASSESSMENT UNIT NO. 1:

The street lighting system shall consist of mercury vapor luminaires, steel lighting standards, including concrete bases, and underground circuits, together with the installation, removal and relocation of any and all appurtenances and any and all utilities that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and of the locality to be improved, now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. 2:

The improvements shall consist of concrete slab standard sidewalks seven feet (7') wide on a five inch (5") minimum Type II gravel base course and standard Portland Cement "L" type curbs and gutters on a nine inch (9") minimum Type I gravel base course, together with the installation, removal and relocation of any and all appurtenances and any and all utilities that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and of the locality to be improved, now on file in the Office of the City Clerk.

Section 6. That all actions (not inconsistent with the provisions of this ordinance) heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the construction and installation of the improvements within each assessment unit of said Assessment District No. 472, toward the creation of said District, and toward levying and effecting special assessments to defray the cost thereof, be, and the same hereby are, ratified, approved and confirmed.

Section 7. 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 8. 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, and each of the units comprising this proposed assessment district shall be treated separately and distinctly for purposes of notice, protest and other matters relating thereto and should any of the individual units be defeated by protest or become invalid for any other reason, said protest or invalidity by operation of law or otherwise shall not affect the remaining unit.

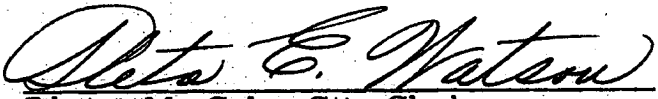
Section 9. That by reason of the fact that the existing improvements in the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to install the hereinabove described improvements, therefore it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 10. 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 and of general circulation in said City, and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 15th day of February, 1967.


~~REED WHIPPLE, MAYOR PRO TEM~~
REED WHIPPLE, MAYOR PRO TEM

ATTEST:


~~Aleta E. Watson, Asst. City Clerk~~
Aleta E. Watson, Asst. City Clerk

VOTING "AYE": Commissioners Stewart, Mirabelli, Fountain, Whipple and
Mayor Gragson

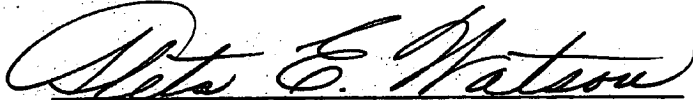
VOTING "NAY": None

ABSENT: None

APPROVED:


~~REED WHIPPLE, MAYOR PRO TEM~~
REED WHIPPLE, MAYOR PRO TEM

ATTEST:


~~Aleta E. Watson, Asst. City Clerk~~
Aleta E. Watson, Asst. City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Albert Pieretti, being first duly sworn,

deposes and says: That he is Foreman of the
LAS VEGAS 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

2 times in 1 week

from **Feb. 21, 1967** to **Feb. 28, 1967**

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

February 21, 28, 1967

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

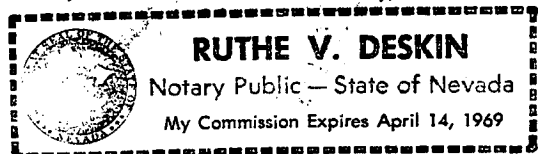
Signed

Albert Pieretti

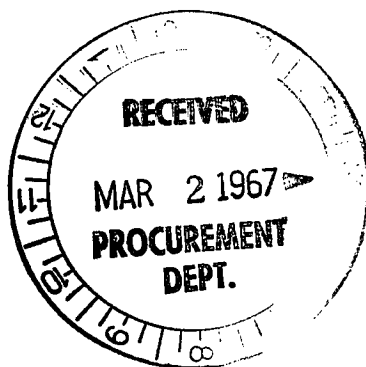
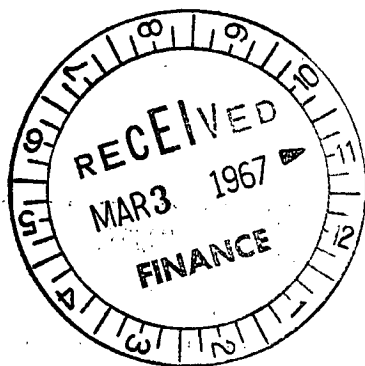
Subscribed and sworn to before me this **28th.**
day of **February, 1967**

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada



15054



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IN ASSESSMENT UNIT NO. 1 OF
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WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes, and the aforesaid provisional order resolution, said Board of Commissioners declared its determination to create the District for the purpose of making said improvements within each assessment unit thereof, stating therein the improvements, that the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to the benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made within each assessment unit of said District; and

WHEREAS, pursuant to said resolution, said Board of Commissioners directed the City Clerk of said City to give notice of the estimates of the expense of the improvements and plats and diagrams theretofore filed, and of the time and place of hearing thereon, and said notice was given in the manner specified by the laws of the State of Nevada and in accordance with the directions contained in said resolution; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, no written protests and one oral protest was received with respect to Assessment Unit No. 1, and no written protests and one oral protest was received with respect to Assessment Unit No. 2, and said Board, having duly considered each of said protests, determined it to be in the best interest of each individual unit of the district, the City and the inhabitants thereof to create the district as theretofore proposed; and

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Section 2. That there shall be, and hereby is, created an assessment district, consisting of two (2) separate and distinct assessment units, for the purpose of installing street lights along both sides of that portion of Twenty-Fifth Street within the City of Las Vegas described in the provisional order resolution, passed and approved on the 21st day of September, 1966, as Assessment Unit No. 1 and installing curbs and gutters and sidewalks along both sides of that portion of Twenty-Fifth Street within said City described in said provisional order resolution as Assessment Unit No. 2, said Assessment District to be called and designated Las Vegas, Nevada, Special Assessment District No. 472, to include and be the same as the areas designated in the aforesaid provisional order resolution, and said improvements to be, and hereby are, ordered.

Section 3. That the character and location of the improvements and the boundaries of the District, and of each assessment unit thereof, shall be in all respects as set forth in the aforesaid provisional order resolution, (except to the extent inconsistent herewith), as more particularly shown in the plats, diagrams, plans and specifications as filed in the City Clerk's office prior to the adoption of said provisional order resolution, and as since remaining on file therein.

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such assessment unit; provided that in both assessment units, the depth of a lot or parcel in excess of fifty feet (50') from the frontage facing the improvement shall not be considered in computing the area of such lot or parcel; provided that an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform; and provided that public property shall be excluded from said total area, as heretofore determined by said Board of Commissioners. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot or parcel of property shall be stated in the aforesaid assessment plat.

Regardless of the basis used by partitioning assessments, in case of wedge or V or other irregularly shaped tracts, an amount apportioned thereto shall be in proportion to the special benefits to be derived.

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ASSESSMENT UNIT NO. 2:

The improvements shall consist of concrete slab standard sidewalks seven feet (7') wide on a five inch (5") minimum Type 11 gravel base course and standard Portland Cement "L" type curbs and gutters on a nine inch (9") minimum Type 1 gravel base course, together with the installation, removal and relocation of any and all appurtenances and any and all utilities that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and of the locality to be improved, now on file in the Office of the City Clerk.

Section 6. That all actions (not inconsistent with the provisions of this ordinance) heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the construction and installation of the improvements within each assessment unit of said Assessment District No. 472, toward the creation of said District, and toward levying and effecting special assessments to defray the cost thereof, be, and the same hereby are, ratified, approved and confirmed.

Section 7. 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 8. 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, and each of the units comprising this proposed assessment district shall be treated separately and distinctly for purposes of notice, protest and other matters relating thereto and should any of the individual units be defeated by protest or become invalid for any other reason, said protest or invalidity by operation of law or otherwise shall not affect the remaining unit.

Section 9. That by reason of the fact that the existing improvements in 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 install the hereinabove described improvements, 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 10. 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 and of general circulation in said City, and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 15th day of February, 1967.

/s/ Reed Whipple

Reed Whipple, Mayor Pro Tem

ATTEST:

/s/ Aleeta E. Watson

Aleeta E. Watson, Asst. City Clerk

VOTING "AYE": Commissioners Stewart, Mirabelli, Fountain, Whipple and Mayor Gragson.

VOTING "NAY": None.

ABSENT: None.

APPROVED:

/s/ Reed Whipple

Reed Whipple, Mayor Pro Tem

ATTEST:

/s/ Aleeta E. Watson

Aleeta E. Watson, Asst. City Clerk

Pub. Feb. 21, 28, 1967