

EMERGENCY ORDINANCE NO. 1272

AN EMERGENCY ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 482, ORDERING THE GRADING, GRAVELLING, MACADAMIZING, PAVING, CURBING, GUTTERING, SIDEWALKING, DRAINING, AND OTHERWISE IMPROVING, INCLUDING INSTALLING STREET LIGHTS ALONG CERTAIN STREETS AND PORTIONS THEREOF, WITH INTERSECTIONS, 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. 482, for the purpose of grading, gravelling, macadamizing, paving, curbing, guttering, sidewalking, draining and otherwise improving, including installing street lights along, certain streets and portions thereof with intersections, all within the City of Las Vegas, described in the provisional order resolution, passed and approved on the 5th day of October, 1966, and to defray the entire cost and expense thereof by special assessments, according to benefits, against the taxable lots and premises in 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, 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 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 improvement 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 protests, either written or oral, were received with respect to said District and said Board having determined it to be in the best interest 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 said District 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. 482, 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 no protest or objections, either written or oral, were filed or otherwise made in connection with said Las Vegas, Nevada, Special Assessment District No. 482.

Section 2. That there shall be, and hereby is, created an assessment district, for the purpose of grading, gravelling, macadamizing, paving, curbing, guttering, sidewalking, draining and otherwise improving, including installing street lights along, those certain streets and portions thereof, with intersections, all within the City of Las Vegas, described in the provisional order resolution, passed and approved on the 5th day of October, 1966, said Assessment District to be called and designated Las Vegas, Nevada, Special Assessment District No. 482, 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, 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:

Those certain tracts or parcels of land lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 33, Township 20 South, Range 61 East, M.D.B.&M, and being more particularly described as follows:

COMMENCING at the West Quarter (W 1/4) corner of said Section 33; thence North 89°53'00" East a distance of 994.50 feet to the TRUE POINT OF BEGINNING; thence North 00°01'49" East a distance of 990.00 feet to a point; thence North 89°53'00" East a distance of 327.96 feet to a point; thence South 00°03'26" West a distance of 990.05 feet to a point on the South right of way line of Alta Drive; thence South 89°53'00" West a distance of 327.50 feet to the TRUE POINT OF BEGINNING.

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 property abutting said improvements in said Assessment District 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 the entire Assessment District in the proportion that the area of said lot or parcel bears to the area of all assessable property in said District; 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 cost of paving street intersections shall be included in the total costs being levied against said Assessment District and shall be assessed against each lot or parcel of property within said District on the aforesaid area basis. 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 on all streets, shall be more particularly as follows:

The improvement shall include street paving, curbs and gutters and sidewalks consisting of 2" asphaltic concrete pavement, tack coat, 6" granular or bituminous stabilized granular base and bituminous fog seal; Portland Cement "L" type curbs and gutters and standard sidewalks; and street lighting consisting of underground circuits, mercury vapor luminaires and steel standards; together with any necessary valley gutters and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed necessary to complete same, as more particularly shown by 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 said Assessment District No. 482, 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.

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 1st day of February, 1967.


ORAN K. GRAGSON, Mayor

ATTEST:


EDWINA M. COLE, City Clerk

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

VOTING "NAY"

None

ABSENT:

None

APPROVED:

2-1-67


ORAN K. GRAGSON, Mayor

ATTEST:


EDWINA M. COLE, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,)
COUNTY OF CLARK,)SS

LOUIE MURATORE, being first duly sworn,
deposes and says that he is foreman for the Las Vegas
Review-Journal, a daily newspaper 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 (2) insertions from
FEBRUARY 7, 1967 to FEBRUARY 14, 1967
inclusive, being the issue of said newspaper for the
following dates, to wit:

FEBRUARY 7, 14, 1967

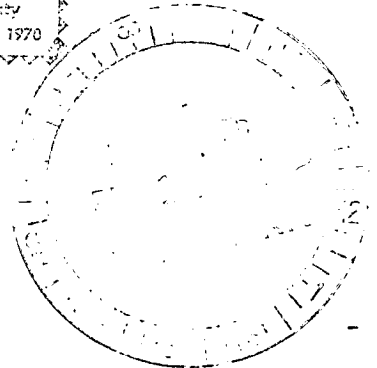
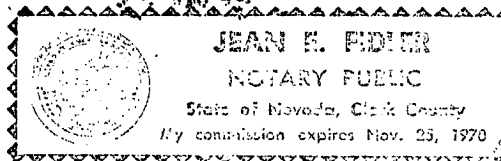
That said newspaper was regularly issued and circulated
on each of the dates above named.

SIGNED *L. Muratore*
LOUIE MURATORE

Subscribed and sworn to before me this 14th day
of FEBRUARY, 19 67.

Jean E. Fidler
NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA

My commission expires



**EMERGENCY ORDINANCE
NO. 1271**

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PASSED, ADOPTED AND APPROVED this 1st day of February, 1967

(s) ORAN K. GRAGSON
Mayor

ATTEST:
(s) EDWINA M. COLE
City Clerk
VOTING "AYE": Commissioners Whipple, Fountain, Mirabelli, Stewart and Mayor Gragson

VOTING "NAY": None
ABSENT: None

APPROVED:
(s) ORAN K. GRAGSON
Mayor

ATTEST:
(s) EDWINA M. COLE
City Clerk
February 7, 1967