

EMERGENCY ORDINANCE NO. 464

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 PAVING, CURBING AND GUTTERING AND CONSTRUCTING CONCRETE VALLEY GUTTERS ON CERTAIN STREETS AND PARTS OF STREETS THEREIN, TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-6 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; AND TO DEFRAY THE ENTIRE COST AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO FRONTAGE; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD; DIRECTING NOTICE THEREOF TO BE GIVEN; AND PROVIDING OTHER MATTERS RELATING THERETO.

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 certain streets and parts of streets hereinafter particularly described by the laying of pavement thereon and by constructing on both sides thereof concrete curbs ^{and gutters} and concrete valley gutters wherever necessary; and

WHEREAS, the Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-6 for the purpose of making said improvements, 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; 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 fifty percent 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, the 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 5th day of July, 1951, 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 18th day of July, 1951;

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 paving, curbing and guttering and constructing concrete valley gutters on certain streets and parts of streets therein, to create a special assessment district 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.

Section 2. That the Board proposes to pave said streets and parts of streets by grading and constructing ~~thereon an oil-bound gravel pavement~~ and by constructing on both sides of said streets and parts of street concrete curbs and gutters and concrete valley gutters wherever said improvements are missing, including alley approaches, 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 streets and parts of streets which the Board proposes to so have improved, wherever said improvements are missing are the following:

First Street from 20.50 feet North of the South property line of Garces Avenue to 15.00 feet South of the North property line of Boulder Avenue; Second, Third and Fourth Streets from 20.50 feet North of the South property line of Garces Avenue to 15.00 feet South of the North property line of Charleston Boulevard; Gass and Hoover Avenues from 8.00 feet East of the West property line of Fifth Street to the East property line of Main Street; Coolidge Avenue from 15.00 feet East of the West property line of Fourth Street to the East property line of Main Street; Boulder Avenue from 15.00 feet East of the West property line of Second Street to the East property line of Main Street.

Section 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-6, and it shall include all the lots, premises and property, to the full depth of such, fronting, adjoining and abutting upon said streets and parts of streets.

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 22nd day of August, 1951, at the hour of 7:30 o'clock, P. M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matter 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 improvements of 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 improvements. 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, and also by posting said notice in or near said post office of said City and by posting notices in three public places near the site of said proposed work.

~~Said notice shall be in substantially the following form:~~

NOTICE OF DETERMINATION AND INTENTION TO PAVE, CURB, AND GUTTER AND CONSTRUCT CONCRETE VALLEY GUTTERS ON CERTAIN STREETS AND PARTS THEREOF, TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-6, AND TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENTS, AND OF THE HEARING THEREON.

NOTICE IS HEREBY GIVEN that on July 18th, 1951, 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 grading and paving certain streets and parts of streets therein with an oil bound gravel pavement, and by constructing curbs and gutters and concrete valley gutters on both sides thereof, wherever said improvements are missing, including alley approaches, together with such appurtenances as may be required, to create a special assessment district designated Street Improvement Assessment District No. 100-6 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 property specially benefited by such improvements and included within said district.

The streets and parts of streets so proposed to be improved are:

First Street from 20.50 feet North of the South property line of Garces Avenue to 15.00 feet South of the North property line of Boulder Avenue; Second, Third and Fourth Streets from 20.50 feet North of the South property line of Garces Avenue to 15.00 feet South of the North property line of Charleston Boulevard; Cass and Hoover Avenues from 8.00 feet East of the West property line of Fifth Street to the East property line of Main Street; Coolidge Avenue from 15.00 feet East of the West property line of Fourth Street to the East property line of Main Street; Boulder Avenue from 15.00 feet East of the West property line of Second Street to the East property line of Main Street.

Street Improvement Assessment District No. 100-6 shall include all the lots, premises and property to the full depth of such fronting, adjoining and abutting upon said street and parts of streets.

Said ordinance adopted and approved July 18, 1951, 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 22nd

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TICE THEREOF TO BE GIVEN;
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TERS RELATING THERETO.

WHEREAS, the Board of Commis-
sioners 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 im-
prove certain streets and parts of
streets hereinafter particularly de-
scribed by the laying of pavement
thereon and by constructing on both
sides thereof concrete curbs and gut-
ters and concrete valley gutters
wherever necessary; and

WHEREAS, the Board deems it
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Street Improvement Assessment Dis-
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ises, and property specially benefited
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within said district; and

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

WHEREAS, in no case does the
estimated amount of any special as-
sessment upon any lot or premises
for said improvements exceed fifty
percent 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, the said Board consid-
ers it necessary, desirable, and for
the best interests of the City, to take
the steps provided by law for the or-
ganization of an assessment district
and the construction therein of said
improvements; and

WHEREAS, said Board, by a Res-
olution duly adopted and approved
on the 5th day of July, 1951, 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,
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the 18th day of July, 1951;

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

AFFADAVIT OF PUBLICATION

STATE OF NEVADA, } ss.
COUNTY OF CLARK }

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 insertions*

from *July 26, 1951* to *August 2, 1951*

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

July 26; August 2

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

Signed

Subscribed and sworn to before me this *3rd*
day of *August, 1951*

Paula Giesbert
Notary Public in and for Clark County, Nevada.

My Commission Expires

MY COMMISSION EXPIRES APRIL 14, 1954

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, to wit: paving, curbing and guttering and constructing concrete valley gutters on certain streets and parts of streets therein, to create a special assessment district 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.

Section 2. That the Board proposes to pave said streets and parts of streets by grading and constructing thereon an oil bound gravel pavement and by constructing on both sides of said streets and parts of street concrete curbs and gutters and concrete valley gutters wherever said improvements are missing, including alley approaches, 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.

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Section 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-6, and it shall include all the lots, premises and property, to the full depth of such, fronting, adjoining and abutting upon said streets and parts of streets.

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 22nd day of August, 1951, at the hour of 7:30 o'clock, P.M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matter 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 improvements 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 improvements. 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, and also by posting said notice in or near said post office of said City and by posting notices in three public places near the site of said proposed work.

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 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 other 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 said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public health, peace 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 hereof.

PASSED, ADOPTED AND APPROVED this 18th day of July, 1951.
(SEAL)

(Signed) REED WHIPPLE,
Mayor Pro Tem

Attest:
SHIRLEY BALLINGER,
City Clerk
(Signed) BETTY FUNSTON,
Deputy.

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