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BILL NO. 82-16  
ORDINANCE NO. 2275

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVE-  
MENT DISTRICT NO. 439; ORDERING THE IMPROVEMENTS OF CERTAIN STREETS  
AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL  
ASSESSMENTS THEREFORE; RATIFYING ACTION HERETOFORE TAKEN RELATIVE  
TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

Sponsored By: Ordinance required Intent of Bill: Step  
by step procedure. requirement.

WHEREAS the Board of Commissioners of the City of  
Las Vegas, Nevada, has heretofore taken action preliminary to the  
creation of Las Vegas, Nevada, Special Improvement District No. 439,  
for the purpose of improving certain streets and parts thereof,  
within that certain area of said City described in the Provisional  
Order Resolution passed and approved on the 2nd day of December,  
1981 and to defray the entire costs and expenses thereof by special  
assessments, according to benefits, against the taxable lots and  
premises 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 improvements, stating therein  
the improvements, that the entire expense thereof shall be paid  
by special assessments, and that the assessment is to be made  
according to 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 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

1 by the laws of the State of Nevada and in accordance with the  
2 directions contained in said resolution; and

3 WHEREAS, the manner of giving such notice by mail, pub-  
4 lication and posting was reasonable calculated to inform the  
5 parties of the proceedings concerning the District which might  
6 directly and adversely affect their legally protected interests; and

7 WHEREAS, at said hearing with respect to Assessment  
8 Unit No. I:

9 1. No verbal protests and 6 written protests were  
10 received with respect to 17% of the assessable area.  
11 2. The Board of City Commissioners having duly con-  
12 sidered each of said protests, determined it to be in  
13 the best interest of said District, the City and the  
14 inhabitants thereof to create the District as heretofore  
15 proposed.

16 3. The owners of less than one-half of the area to  
17 be assessed filed written or verbal objections; and

18 WHEREAS, said Board of Commissioners has done all things  
19 necessary and preliminary to the creation of said Las Vegas,  
20 Nevada, Special Improvement District No. 439, including, but not  
21 necessarily limited to, the filing with the City Clerk by the  
22 City Engineer of a revised and accurate estimate of the cost,  
23 plans, assessment plat, specifications and map, and desires now  
24 to order such improvements and work by this ordinance.

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

27 SECTION 1. That said Board of Commissioners has  
28 determined, and does hereby determine, that each and every protest  
29 and objection filed or otherwise made in connection with Assess-  
30 ment Unit No. I, of Las Vegas, Nevada, Special Improvement District  
31 No. 439 (representing less than fifty percent (50%) of the area to  
32 be assessed in said District) is without merit, and the same be,  
and hereby is, overruled and finally passed upon by said Board.

1           SECTION 2.       That there shall be, and hereby is  
2 created an improvement district for the purpose of improving  
3 certain streets and parts thereof within that certain area of  
4 said City described in the Provisional Order Resolution passed  
5 and approved on the 2nd day of December, 1981 to include and be  
6 the same as the areas designated in the aforesaid Provisional  
7 Order Resolution, and said improvement be, and hereby are ordered.

8           SECTION 3.       That the character and location of  
9 the improvements and the boundaries of the District shall be in  
10 all respects as set forth in the aforesaid Provisional Order  
11 Resolution (except to the extent inconsistent herewith) as more  
12 particularly shown in the plats, diagrams, plans and specifications  
13 as filed in the City Clerk's office prior to the adoption of said  
14 Provisional Order Resolution, and as since remaining on file  
15 therein.

16           The boundaries of the District, which include all the  
17 lots and parcels to be assessed, shall be more particularly de-  
18 scribed as follows:

19           All those parcels of land in the City of Las Vegas,  
20 County of Clark, State of Nevada, described as follows:

21           Parcel 1 -

22           Those parcels of land adjoining Hammer Lane (60 feet  
23 wide) on the North and South from the East line of Rainbow Boule-  
24 vard (100 feet wide) to the West line of Rebecca Street (60 feet  
25 wide)

26           Parcel 2 -

27           Those parcel of land adjoining Rebecca Street (60 feet  
28 wide) on the East and West from the North line of Hammer Lane  
29 (60 feet wide) to the South line of Ann Road. (100 feet wide).

30           Parcel 3 -

31           Those parcels of land adjoining Tina Lane (60 feet wide)  
32 on the North and South from the East line of Rebecca Street (60  
feet wide) to a point 335 feet, more or less, Easterly from the  
East line of said Rebecca Street.

          The proposed improvements will result in no substantial  
change in the existing street elevations or grades.

1 All persons interested are hereby advised that the plans,  
2 plats, typical sections, preliminary estimates of cost, the de-  
3 scription of the property to be assessed, the portion of the cost  
4 to be assessed thereagainst and the maximum amount of benefits  
5 estimated to be conferred on each piece or parcel of property are  
6 on file in the Office of the City Clerk and may be inspected by  
7 any property owner, or other interested persons, during regular  
8 office hours.

9 SECTION 4. The amounts to be assessed shall be made  
10 upon all lots andd parcels of property benefitted, proportionately  
11 to the benefits received and shall be assessed against the pro-  
12 perty abutting said improvements in Assessment Unit No. I, on  
13 an area basis, i.e., on the basis that each lot or parcel of pro-  
14 perty to be assessed in each assessment unit shall be assessed  
15 a portion of the aggregate dollar amount being levied against  
16 that particular entire assessment unit in the proportion that the  
17 area of said lot or parcel bears to the area of all assessable  
18 property in such assessment unit, provided that the depth of a  
19 lot or parcel in excess of 100 feet from the frontage facing the  
20 improvements shall not be considered in computing the area of  
21 such lot or parcel provided that in each assessment unit an  
22 equitable adjustment will be made for assessments levied against  
23 any irregular lots or parcels, so that the assessments according  
24 to benefits are equal and uniform. The portion of the costs to  
25 be assessed against, and the maximum amount of benefits estimated  
26 to be conferred upon each lot or parcel of property shall be as  
27 stated in the aforesaid assessment plat.

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

32 . . .

1           SECTION 5.       Except as shown on the plans and specifi-  
2 cations now on file in the Office of the City Clerk, the character  
3 of such improvements shall be more particularly as follows:

4           The improvements include the installation of pavement,  
5 24 feet in width, consisting of 2 inches of A.C. pavement with  
6 fog seal and prime coat over 4 inches of Type II aggregate base  
7 and 6 inches of Type I aggregate base with a 2 foot Type II gravel  
8 shoulder on each side of Hammer Lane from the easterly line of  
9 Rainbow Boulevard to Rebecca Street; on Rebecca Street from  
10 Hammer Lane to Ann Road; on Tina Lane from the easterly line of  
11 Rebecca Street easterly 335 feet (more or less) to the point of  
12 termination, to include the necessary installation, removal and  
13 relocation of any and all utilities and appurtenance that are  
14 deemed necessary to complete same, now on file in the Office of  
15 the City Clerk

16           SECTION 6.       That all actions (not inconsistent with  
17 the provisions of this ordinance) heretofore taken by the City of  
18 Las Vegas, and the officers of said City, directed toward the  
19 construction and installation of the improvements within said  
20 Improvement District No. 439, toward the creation of said District  
21 No. 439, and toward the levying and effecting of special assess-  
22 ments to defray the cost thereof, be, and the same hereby are,  
23 ratified, confirmed and approved.

24           SECTION 7.       That all by-laws, orders, resolutions  
25 and ordinances, or parts of by-laws, orders, resolutions and or-  
26 dinances, in conflict herewith are hereby repealed.

27           SECTION 8.       That if any one or more sections, sen-  
28 tences, clauses, or parts of this ordinance shall, for any reason,  
29 be questioned or be held invalid, such judgment shall not affect,  
30 impair, or invalidate the remaining provisions of this ordinance,  
31 but shall be confined in its operation to the specific sections,  
32 sentences, clauses, or parts of this ordinance in any one or more

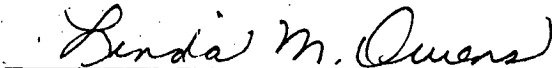
1 instances shall not affect or prejudice in any way the applica-  
2 bility and validity of this ordinance in any other instance.

3 SECTION 9. That the City Clerk and Clerk of the  
4 Board of Commissioners of the City of Las Vegas shall cause this  
5 ordinance to be published once a week for two successive weeks  
6 immediately following its final reading and adoption, in the  
7 Las Vegas Sun, a daily newspaper published in and of general cir-  
8 culation in said City, and this ordinance shall become effective  
9 immediately following the second publication.

10 PASSED, ADOPTED AND APPROVED this 21st day of April  
11 \_\_\_\_\_, 1982.

12   
13 WILLIAM H. BRIARE, MAYOR

14 ATTEST:

15   
16 CAROL ANN HAWLEY, CITY CLERK

17 BY: LINDA M. OWENS, ACTING CITY CLERK  
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1 The above and foregoing ordinance was first proposed and read by  
2 title to the Board of Commissioners on the 7th day of April  
3                     , 1982, and referred to the following committee composed  
4 of Commissioners                     Lurie                     and                     Christensen                      
5 for recommendation; thereafter the said committee reported  
6 favorably on said ordinance on the 21st day of April  
7 1982, which was a                     regular                     meeting of said Board;  
8 that at said                     regular                     meeting, the proposed ordinance  
9 was read by title to the Board of Commissioners as first  
10 introduced and adopted by the following vote:

11  
12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie and Mayor Briare

13 VOTING "NAY" Commissioners: None

14 ABSENT: Commissioner Woofter

15 APPROVED:

16  
17 William H. Briare  
18 By WILLIAM H. BRIARE, Mayor

19 ATTEST:

20  
21 Linda M. Owens  
22 Carol Ann Hawley, City Clerk

23 By: Linda M. Owens, Acting City Clerk  
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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager 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 one insertions from period of April 14, 1982 to April 14, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

April 14, 1982

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

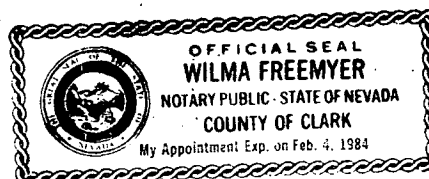
SIGNED

George J. Vasconi  
GEORGE J. VASCONI

Subscribed and sworn to before me  
this 15th day of April, 1982

Wilma Freemyer  
NOTARY PUBLIC, IN AND FOR CLARK  
COUNTY, NEVADA

BILL NO. 82-16  
AN ORDINANCE CREATING LAS  
VEGAS, NEVADA, NEVADA, SPE-  
CIAL IMPROVEMENT DISTRICT  
NO. 139; ORDERING THE IM-  
PROVEMENTS OF CERTAIN  
STREETS AND PARTS THERE-  
OF; PROVIDING FOR THE LEVY  
AND COLLECTION OF SPECIAL  
ASSESSMENTS THEREFOR;  
RATIFYING ACTION HERETO-  
FORE TAKEN RELATIVE TO  
SAID DISTRICT; AND PROVID-  
ING FOR RELATED MATTERS.  
Sponsored by:  
Ordinance required by step proce-  
dure.  
Intent of Bill: Step requirement  
At a Commission Meeting on April  
7, 1982  
BILL NO. 82-16 was read by title  
and referred to Recommending  
Committee:  
Commissioners Lurie and  
Christensen  
COPIES OF THE COMPLETE  
ARE AVAILABLE FOR PUBLIC  
INFORMATION IN THE OFFICE  
OF THE CITY CLERK, 10TH  
FLOOR, CITY HALL, 400 EAST  
STEWART AVENUE, LAS VEGAS,  
NEVADA.  
Pub. Apr. 14, 1982



TO THE HONORABLE JUDGE OF THE DISTRICT COURT OF THE COUNTY OF CLARK, NEVADA, AT LAS VEGAS, NEVADA:

I, the undersigned, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County of Clark, Nevada.

WILMA FREEMER, Notary Public

My commission expires on the 1st day of January, 1983.

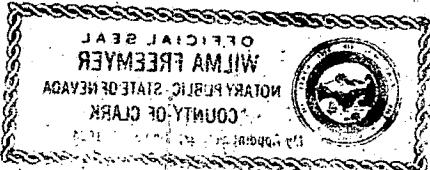
NOTARY PUBLIC

CLERK OF DISTRICT COURT

RECEIVED

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CITY CLERK



# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS  
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager 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 one insertions from period of April 24, 1982 to April 24, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

April 24, 1982

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

SIGNED

*George J. Vasconi*  
GEORGE J. VASCONI

BILL NO. 82-16  
ORDINANCE NO. 2275  
AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 439; ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFORE; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING RELATED MATTERS.  
Sponsored by:  
Ordinance required by step procedure.  
Intent of Bill: Step requirement  
The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 7th day of April, 1982, and referred to the following committee composed of Commissioners Lurie and Christensen for recommendation; thereafter the said committee reported favorably on said ordinance on the 21st day of April, 1982, which was a regular meeting of said Board, that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:  
VOTING "AYE" Commissioners: Christensen, Levy, Lurie and Mayor Blaire  
VOTING "NAY" Commissioners: None  
ABSENT: Commissioner Wooffer  
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.  
Pub. Apr. 24, 1982

Subscribed and sworn to before me this 27 day of April, 19 82

*Glenda Harris*

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLEND A HARRIS  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Feb. 7, 1986