

ORDINANCE NO. 1861

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 419; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

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. 419; 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 18th day of August, 1976, and to defray the entire costs and expenses 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 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 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, at said hearing with respect to Assessment Units No. III, IV, V and VI and VII:

1. No protests, either verbal or written, were received with respect to Assessment Units III, V, VI and VII.
2. Four written protests were received comprising over 50% of the Assessable Area with respect to Unit IV; subsequently Assessment Unit IV was dropped at the Public Hearing on September 15, 1976.

3. The Board of Commissioners determined it to be in the best interests of said District, the City and the inhabitants thereof to create the District as heretofore proposed excluding Assessment Unit IV.

4. The owners of less than one-half of the area to be assessed filed written or verbal objection except for Assessment Unit IV; and

WHEREAS, said Board of Commissioners has done all things necessary and preliminary to the creation of said Las Vegas, Nevada, Special Improvement District No. 419, including, but not necessarily limited to, the filing with the City Clerk by the City Engineer of a revised and accurate estimate of the cost, plans, assessment plat, specifications and map, and desires now to order such improvements and work by this ordinance.

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

SECTION 1. That there shall be, and hereby is, created an improvement district 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 18th day of August, 1976, 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 2. 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:

ASSESSMENT UNIT NO. 3

Those parcels of land adjoining Cashman Drive (50 feet wide) on the East, described as follows:

BEGINNING at a point which lies 25 feet Southerly, more or less, of the South line of Charleston Boulevard (100 feet wide) thence Southerly 267 feet, more or less, to the POINT OF ENDING.

All those parcels of land adjoining Cashman Drive (50 feet wide) on the East, from the North line of Oakey Boulevard (60 feet wide) to the South line of Bryant Avenue (51 feet wide).

ASSESSMENT UNIT NO. 5

Those parcels of land adjoining Sunrise Avenue (60 feet wide) described as follows:

On the North BEGINNING at a point which lies 579 feet Westerly, more or less, from the West line of Mojave Road; thence Westerly 262 feet, more or less, to the POINT OF ENDING.

On the South BEGINNING on the West line of Mojave Road thence Westerly 943 feet, more or less to the POINT OF ENDING.

ASSESSMENT UNIT NO. 6

All those parcels of land (Lots 1 through 14, inclusive) adjoining Lacy Lane, (60 feet wide), on the East, situate in Block 1, Mountain View Tract 1 as per map thereof on file in Book 3 of Plats, Page 23 in the Office of the County Recorder of Clark County, Nevada.

All those parcels of land adjoining Lacy Lane on the West from the South line of Alta Drive (80 feet wide) Southerly 552 feet more or less.

ASSESSMENT UNIT NO. 7

All those parcels of land (Lots 1 through 13, inclusive and Lot 18) adjoining that certain East-West 20 foot alley situate in Block 7, Boulder Addition to the City of Las Vegas as shown by map thereof on file in Book 1 of Plats at Page 52 in the Office of the County Recorder of Clark County, Nevada. Block 7 being bounded as follows: by Charleston Boulevard on the North, Casino Center Boulevard on the East, California Street on the South and Main Street on the West.

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

All persons interested are hereby advised that the plans, plats, typical sections, preliminary estimates of cost, the description of the property to be assessed, the portion of the cost to be assessed there against and the maximum amount of benefits estimated to be conferred on each piece or parcel of property are on file in the Office of the City Clerk and may be inspected by any property owner, or other interested persons, during regular office hours.

SECTION 3. The amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to the benefits received and shall be assessed against the property abutting said improvements in said assessment unit on an area basis, i.e., on the basis that each lot or parcel of property to be assessed in each assessment unit 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 the assessable property in such assessment unit, provided that the depth of a lot or parcel in excess of 100 feet from the frontage facing the improvements shall not be considered in computing the area of such lot or parcel provided that in each assessment unit 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. 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 in apportioning assessments, in the 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 4. Except as shown on the 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. 3

The improvements shall include the installation of street paving approximately 18 feet wide, consisting of 2 inches of AC pavement and fog seal over 4 inches Type II gravel and standard 24 inch "L" type Curb and Gutters, with residential driveway openings, along the East side of Cashman Drive from Oakley Boulevard to Bryant Avenue and from a point approximately 20 feet South of the South Right of Way line of Charleston Boulevard southerly 278 feet South of the South Right of Way line of Charleston Boulevard southerly 278 feet, more or less, to meet existing improvements, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams, and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. 5

The improvements shall include the installation of street pavement consisting of three inches of AC pavement and fog seal over 4 inches Type II gravel and 12 inches of Type I gravel, and standard 24 inch "L" type Curb and Gutter on the South side of Sunrise Avenue from a point approximately 103 feet East of the centerline of 29th Street to Mojave Road and on the North side of Sunrise Avenue from a point approximately 203 feet east of the centerline of 29th Street to a point 465 feet easterly of the centerline of 29th Street, to include

the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. 6

The improvements shall include the installation of street paving consisting of two inches of AC pavement and fog seal over four inches TYPE II gravel and four inches Type I gravel, and standard 24 inch "L" Type Curb and Gutter on the East side of Lacy Lane from Alta Drive to Palomino Lane and on the West side of Lacy Lane from Alta Drive to a point approximately 590 feet South of the centerline of Alta Drive, with residential driveway openings, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams, and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. 7

The improvements shall include the installation of alley paving, consisting of two inches of AC pavement with fog seal and prime coat over two inches Type II gravel and six inches Type I gravel and standard alley gutters in the East-West portion and extending 50 feet South in the North-South portion of the alley in Block 7, Boulder Addition, bounded by Main Street, Charleston Boulevard, Casino Center Boulevard and California Avenue, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

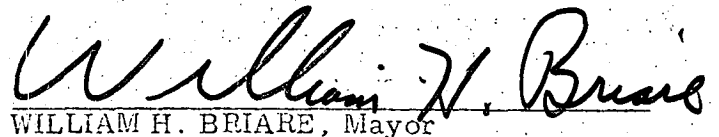
SECTION 5. That all actions (not inconsistent with the provisions of this ordinance) heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the construction and installation of the improvements within said Improvement District No. 419, toward the creation of said District No. 419, and toward the levying and effecting of special assessments to defray the cost thereof, be, and the same hereby are, ratified, confirmed and approved.

SECTION 6. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict herewith are hereby repealed.

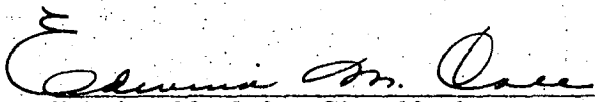
SECTION 8. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instance.

SECTION 8. 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 three 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 5th day of January, 1977. 1976.


WILLIAM H. BRIARE, Mayor

ATTEST:

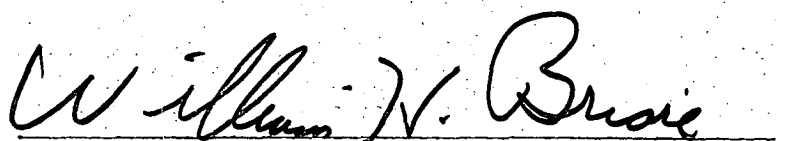

Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 1st day of December, 1976, and referred to the following committee composed of Commissioners Woofter and Leavitt for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of January, 1977, 1976, 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 Commissioners Leavitt, Lurie and Mayor Briare

VOTING "NAY": None ABSENT: Commissioner Woofter (excused)

ABSTAINING: Commissioner Christensen
APPROVED:


WILLIAM H. BRIARE, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

1 17 12 02 PM '77

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

ss.

ROBERT E. HUNTER, being first duly sworn,

deposes and says: That he is COMPOSING ROOM 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 1 time

from JANUARY 11, 1977 to

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

JANUARY 11, 1977

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

Signed

Subscribed and sworn to before me this 11th
day of January, 1977

Notary Public in and for Clark County, Nevada

RUTH V. DESKIN

My Commission Expires

Notary Public—State of Nevada
COUNTY OF CLARK

My Commission Expires April 14, 1977



BILL NO. 7078
ORDINANCE NO. 1861
AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 419, ORDERING THE IMPROVEMENT 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.
The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 11th day of December, 1976, and referred to the following committee composed of Commissioners Woolter and Leavitt for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of January, 1977, 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 Leavitt, Burre and Mayor Briare ABSTAINED Commissioner Christensen ABSENT Commissioner Woolter (excused).
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: January 11, 1977

RECEIVED
DEC 14 10 13 AM '76
CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

ROBERT E. HUNTER

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM 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 1 time

from DECEMBER 9, 1976 to

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

DECEMBER 9, 1976

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

Signed

Subscribed and sworn to before me this 9th
day of December, 1976

Ruth V. Deskin

Notary Public in and for Clark County, Nevada

My Commission Expires



RUTH V. DESKIN

Notary Public—State of Nevada
COUNTY OF CLARK
My Commission Expires

BILL NO. 76-78
ORDINANCE NO.
AN ORDINANCE CREATING LAS
VEGAS, NEVADA SPECIAL IM-
PROVEMENT DISTRICT NO. 419,
ORDERING THE IMPROVEMENT OF
CERTAIN STREETS AND PARTS
THEREOF, PROVIDING FOR THE
LEVY AND COLLECTION OF SPE-
CIAL ASSESSMENTS THEREFOR,
RATIFYING ACTION HERETOFORE
TAKEN RELATIVE TO SAID DIS-
TRICT AND PROVIDING FOR RE-
LATED MATTERS.
The above and foregoing ordinance
was first proposed and read by title
to the Board of Commissioners on
the 1st day of December, 1976, and
referred to the following committee
composed of Commissioners
Wootter & Leovitt for recommenda-
tion.
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE OF-
FICE OF THE CITY CLERK, 10TH
FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.
PUB: December 9, 1976