

FIRST AMENDMENT

1 Bill No. 85-58

2 Ordinance No. 3209

3 AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6,  
4 CHAPTER 73, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF  
5 LAS VEGAS, NEVADA, 1983 EDITION, TO INCLUDE CONCERTS FOR WHICH  
6 NO ADMISSSION IS CHARGED IN THE DEFINITION OF ROCK CONCERTS;  
7 AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PERMIT THE  
8 DIRECTOR OF BUSINESS ACTIVITY TO ISSUE PERMITS FOR INDOOR ROCK  
9 CONCERTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO;  
10 AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT  
11 HEREWITH.

8 Sponsored by:  
9 Councilman Ron Lurie

Summary: Includes concerts which  
no admission is charged in the  
definition of rock concerts and  
authorizes the Director of Business  
Activity to issue permits for indoor  
rock concerts.

12 SECTION 1: Title 6, Chapter 73, Section 20, of the  
13 Las Vegas Municipal Code, 1983 Edition, is hereby amended to  
14 read to follows:

15 6.73.020: As used in this Chapter, unless the context other-  
16 wise requires, "rock concert" means a public rendi-  
17 tion of music which is characterized by a [persistant]  
18 persistent, heavily accented beat, which is produced  
19 by professional musicians utilizing electronically  
20 amplified instruments and to which members of the  
21 public are invited [for the payment of any considera-  
22 tion.]. This definition does not include jazz concerts,  
23 symphonies, theatrical presentations, ballets or operas.

24 SECTION 2: Title 6, Chapter 73, Section 50, of the  
25 Municipal Code of the City of Las Vegas, 1983 Edition, is hereby  
26 amended to read as follows:

27 6.73.050: The requirement for a license or permit as herein  
28 provided may be waived by the [Board] City Council for  
29 a recognized charitable, educational or governmental  
30 organization when it appears to the satisfaction of  
31 the [Board] Council that the anticipated crowd is  
32 relatively small in number, that the event will be

1 properly supervised and the facilities are suitable.

2 SECTION 3: Title 6, Chapter 73, Section 80, of the  
3 Municipal Code of the City of Las Vegas, 1983 Edition, is  
4 hereby repealed in its entirety.

5 SECTION 4: Title 6, Chapter 73, of the Municipal  
6 Code of the City of Las Vegas, 1983 Edition, is hereby amended  
7 by adding thereto a new section, designated as Section 80, reading  
8 as follows:

9 6.73.080: (A) Upon receipt of the application, the Director may  
10 have the same considered by various departments or  
11 agencies such as the Las Vegas Metropolitan Police  
12 Department, the Clark County Health District, the  
13 Building and Safety Department and the Community  
14 Planning and Development Department for their  
15 consideration and recommendations.

16 (B) Upon completion of the review of applications  
17 for indoor concerts, the Director may approve,  
18 deny or take such other action with respect  
19 to an application as he considers appropriate.  
20 The Director may deny a permit for good cause,  
21 which includes, but is not limited to, the grounds  
22 set forth in Subsection (D) of this section.

23 (C) Upon completion of the review of all other appli-  
24 cations, the Director shall submit the same to  
25 the City Council for its approval, denial or other  
26 action which it considers appropriate.

27 (D) The Council, may deny, revoke or suspend a permit  
28 for good cause, which includes, but is not limited  
29 to the following grounds:

30 (1) The application is incomplete or contains  
31 false, misleading or fraudulent statements  
32 with respect to any information required;

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(2) The proposed rock concert would interfere with the health, safety or general welfare of the public or constitute a breach of peace;

(3) The proposed rock concert fails to satisfy any qualification or requirement imposed by this Code, or other local, State or Federal law or regulation pertaining to such activities;

(4) Disciplinary action has been brought against the licensee or a person associated with the licensee who is required to be found suitable;

(5) The applicant fails to comply with any conditions of the license or permit.

SECTION 5: Title 6, Chapter 73, Section 90, of the Las Vegas Municipal Code, 1983 Edition, is hereby amended to read as follows:

6.73.090: Every licensee shall employ at his own expense police protection. The number and type of officers shall be determined and specified by the [Board] City Council to provide for the preservation of order and protection of property in and around the place of the rock concert. Funds to employ this specified number of law enforcement officers at the current hourly salary rate for Police Officers, shall be deposited with the Department at least ten days prior to the specified date the activity is to occur. A minimum of one law enforcement officer for every two hundred fifty persons expected to be in attendance shall be required. Where off-duty peace officers are specified to meet the requirements of this Chapter,

1 the peace officers shall be under the complete  
2 direction and control of the Sheriff of the Las Vegas  
3 Metropolitan Police Department.

4 SECTION 6: Title 6, Chapter 73, Section 180, of the  
5 Municipal Code of the City of Las Vegas, 1983 Edition, is  
6 hereby amended to read as follows:

7 6.73.180: (A) Each applicant for a license must file and each  
8 licensee must maintain a surety bond with the  
9 Department in such amounts as determined by  
10 the [Board] City Council, considering the  
11 reputation of the applicant or licensee, the  
12 facilities where the concert is to be held and  
13 the estimated number of persons expected to attend.  
14 Such bond must be conditioned to be paid to the  
15 City or to any person who suffers a loss, injury,  
16 or damage of any nature whatsoever by reason of  
17 any violation of the provisions of this Code by  
18 the licensee, his agents or employees; or by a  
19 failure to conform to each and all of the condi-  
20 tions or restrictions upon the principal's license  
21 or permit.

22 (B) The [Board] Council may also require that the  
23 licensee maintain a surety bond or a deposit to  
24 guarantee full refunds of ticket sales in the  
25 event the rock concert is not conducted at the  
26 time and place and with the performers as  
27 advertised or indicated by the tickets.

28 (C) The licensee must maintain adequate liability  
29 insurance in the amounts of five hundred thousand  
30 dollars to one million dollars to insure the  
31 the licensee and the City for any loss, injury or  
32 damage to any person arising out of the operation

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or conduct of the rock concert.

SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 8: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED THIS 2nd day of January, 1986.

APPROVED:

By William H. Briare  
WILLIAM H. BRIARE, MAYOR

*[Handwritten initials]*  
1-3-86

ATTEST:

Carol Ann Hawley  
Carol Ann Hawley, City Clerk

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 4th day of December, 1985, and referred to the following committee composed of Councilmen Lurie and Levy for recommendation; thereafter the said committee reported favorably on said ordinance on the 2nd day of January, 1986, which was a regular meeting of said City Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: Bunker, Levy, Lurie, Nolen and Mayor Briare  
VOTING "NAY" Councilmen: NONE  
ABSENT: NONE

APPROVED:

By William H. Briare  
WILLIAM H. BRIARE, MAYOR

ATTEST:

Carol Ann Hawley  
Carol Ann Hawley, City Clerk

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Bill No. 85-58

Ordinance No. \_\_\_\_\_

AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 73, SECTION 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, TO EXCLUDE COUNTRY/WESTERN MUSIC FROM THE DEFINITION OF ROCK CONCERTS; AMENDING TITLE 6, CHAPTER 73, SECTION 80 OF SAID CODE TO PERMIT THE DIRECTOR OF BUSINESS ACTIVITY TO ISSUE PERMITS FOR CERTAIN INDOOR ROCK CONCERTS; PROVIDING FOR OTHER MATTERS RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Sponsored by:  
Councilman Ron Lurie

Summary: Excludes country/western western music from the definition of rock concerts; permits Director of Business Activity to issue permits for certain indoor rock concerts.

SECTION 1: Title 6, Chapter 73, Section 20 of the Las Vegas Municipal Code, 1983 Edition, is hereby amended to read to follows:

6.73.020: As used in this Chapter, unless the context otherwise requires, "rock concert" means a public rendition of music which is characterized by a [persistant] persistent, heavily accented beat, which is produced by professional musicians utilizing electronically amplified instruments and to which members of the public are invited for the payment of any consideration. This definition does not include presentations of country/western music, jazz concerts, symphonies, theatrical presentations, ballets or operas.

SECTION 2: Title 6, Chapter 73, Section 50 of the Municipal Code of the City of Las Vegas, 1983 Edition, is hereby amended to read as follows:

6.73.050: The requirement for a license or permit as herein provided may be waived by the [Board] City Council for a recognized charitable, educational or governmental organization when it appears to the satisfaction of the [Board] Council that the anticipated crowd is relatively small in number, that the event will be

1 properly supervised and the facilities are suitable.

2 SECTION 3: Title 6, Chapter 73, Section 80 of the  
3 Municipal Code of the City of Las Vegas, 1983 Edition, is  
4 hereby repealed in its entirety.

5 SECTION 4: Title 6, Chapter 73, of the Municipal  
6 Code of the City of Las Vegas, 1983 Edition, is hereby amended  
7 by adding thereto a new section, designated as Section 80 and  
8 reading as follows:

9 6.73.080: (A) Upon receipt of the application, the Director  
10 may have the same considered by various depart-  
11 ments or agencies such as the Las Vegas Metro-  
12 politan Police Department, the Clark County  
13 Health District, the Building and Safety Depart-  
14 ment and the Community Planning and Development  
15 Department for their consideration and recommenda-  
16 tions.

17 (B) Upon completion of the review of applications  
18 for indoor concerts which no more than 2,500  
19 persons will attend, the Director may approve,  
20 deny or take such other action with respect  
21 to an application as he considers appropriate.  
22 The Director may deny a permit for good cause,  
23 which includes, but is not limited to, the grounds  
24 set forth in Subsection (D) of this section.

25 (C) Upon completion of the review of all other appli-  
26 cations, the Director shall submit the same to  
27 the City Council for its approval, denial or other  
28 action which it considers appropriate.

29 (D) The Council, may deny, revoke or suspend a permit  
30 for good cause, which includes, but is not limited  
31 to the following grounds:

32 (1) The application is incomplete or contains

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false, misleading or fraudulent statements with respect to any information required;

(2) The proposed rock concert would interfere with the health, safety or general welfare of the public or constitute a breach of peace;

(3) The proposed rock concert fails to satisfy any qualification or requirement imposed by this Code, or other local, State or Federal law or regulation pertaining to such activities;

(4) Disciplinary action has been brought against the licensee or a person associated with the licensee who is required to be found suitable;

(5) The applicant fails to comply with any conditions of the license or permit.

SECTION 5: Title 6, Chapter 73, Section 90 of the Las Vegas Municipal Code, 1983 Edition, is hereby amended to read as follows:

6.73.090: Every licensee shall employ at his own expense police protection. The number and type of officers shall be determined and specified by the [Board] City Council to provide for the preservation of order and protection of property in and around the place of the rock concert. Funds to employ this specified number of law enforcement officers at the current hourly salary rate for Police Officers, shall be deposited with the Department at least ten days prior to the specified date the activity is to occur. A minimum of one law enforcement officer for every two hundred fifty persons expected to be in attendance

1 shall be required. Where off-duty peace officers are  
2 specified to meet the requirements of this Chapter,  
3 the peace officers shall be under the complete  
4 direction and control of the Sheriff of the Las Vegas  
5 Metropolitan Police Department.

6 SECTION 6: Title 6, Chapter 73, Section 180 of the  
7 Municipal Code of the City of Las Vegas, 1983 Edition, is  
8 hereby amended to read as follows:

9 6.73.180: (A) Each applicant for a license must file and each  
10 licensee must maintain a surety bond with the  
11 Department in such amounts as determined by  
12 the [Board] City Council, considering the  
13 reputation of the applicant or licensee, the  
14 facilities where the concert is to be held and  
15 the estimated number of persons expected to attend.  
16 Such bond must be conditioned to be paid to the  
17 City or to any person who suffers a loss, injury,  
18 or damage of any nature whatsoever by reason of  
19 any violation of the provisions of this Code by  
20 the licensee, his agents or employees; or by a  
21 failure to conform to each and all of the condi-  
22 tions or restrictions upon the principal's license  
23 or permit.

24 (B) The [Board] Council may also require that the  
25 licensee maintain a surety bond or a deposit to  
26 guarantee full refunds of ticket sales in the  
27 event the rock concert is not conducted at the  
28 time and place and with the performers as  
29 advertised or indicated by the tickets.

30 (C) The licensee must maintain adequate liability  
31 insurance in the amounts of five hundred thousand  
32 dollars to one million dollars to insure the

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the licensee and the City for any loss, injury or damage to any person arising out of the operation or conduct of the rock concert.

SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas, Nevada, hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 8: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 1985.

APPROVED:

By \_\_\_\_\_  
WILLIAM H. BRIARE, MAYOR

ATTEST:

\_\_\_\_\_  
Carol Ann Hawley, City Clerk

1 The above and foregoing ordinance was first proposed and read by  
2 title to the City Council on the \_\_\_\_ day of \_\_\_\_\_,  
3 1985, and referred to the following committee composed of  
4 Councilmen \_\_\_\_\_ and \_\_\_\_\_  
5 for recommendation; thereafter the said committee reported  
6 favorably on said ordinance on the \_\_\_\_ day of \_\_\_\_\_,  
7 1985, which was a \_\_\_\_\_ meeting of said Council;  
8 that at said \_\_\_\_\_ meeting, the proposed ordinance  
9 was read by title to the City Council as first introduced and  
10 adopted by the following vote:

11  
12 VOTING "AYE" Councilmen: \_\_\_\_\_

13 VOTING "NAY" Councilmen: \_\_\_\_\_

14 ABSENT: \_\_\_\_\_

15 APPROVED:

16  
17 By \_\_\_\_\_  
18 WILLIAM H. BRIARE, Mayor

19 ATTEST:  
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21 \_\_\_\_\_  
22 CAROL ANN HAWLEY, 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 January 5, 1986 to January 5, 1986 inclusive, being the issue of said newspaper for the following dates, to wit:

January 5, 1986

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

FIRST AMENDMENT  
Bill No. 85-58  
Ordinance No. 3209  
AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 73, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO INCLUDE CONCERTS FOR WHICH NO ADMISSION IS CHARGED IN THE DEFINITION OF ROCK CONCERTS; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PERMIT THE DIRECTOR OF BUSINESS ACTIVITY TO ISSUE PERMITS FOR INDOOR ROCK CONCERTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
Sponsored by:  
Councilman Ron Lurie  
Summary:  
Includes concerts which no admission is charged in the definition of rock concerts and authorizes the Director of Business Activity to issue permits for indoor rock concerts.  
The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 4th day of December, 1985, and referred to the following committee composed of Councilmen Lurie and Levy; for recommendation, thereafter the said committee reported favorably on said amended ordinance on the 2nd day of January, 1986, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:  
VOTING "AYE"  
Councilmen: Bunker, Levy, Lurie, Nalen and Mayor Briare  
VOTING "NAY"  
Councilmen: None  
ABSENT: NONE  
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 5, 1986

SIGNED George J. Vasconi  
GEORGE J. VASCONI

Subscribed and sworn to before me this 6th day of Jan, 1986

Marjorie E. Ouellette  
NOTARY-PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



MARJORIE E. OUELLETTE  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Dec. 2, 1989

CITY CLERK  
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# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,  
COUNTY OF CLARK

{ ss.

DEC 27 12 09 PM '85

Carol Black

CITY CLERK being first duly sworn,

deposes and says: That he is Legal Clerk 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 19, 1985 to December 19, 1985

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

December 19, 1985.

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

Signed Carol Black

Subscribed and sworn to before me this 19th day of December, 1985

Ruthe V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada  
RUTHE V. DESKIN  
Notary Public - State of Nevada  
CLARK COUNTY  
My Appointment Expires Apr. 14, 1989



BILL NO. 85-58  
AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 73, SECTION 20 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, 1983 EDITION, TO EXCLUDE COUNTRY/WESTERN MUSIC FROM THE DEFINITION OF ROCK CONCERTS; AMENDING TITLE 6, CHAPTER 73, SECTION 80 OF SAID CODE TO PERMIT THE DIRECTOR OF BUSINESS ACTIVITY TO ISSUE PERMITS FOR CERTAIN INDOOR ROCK CONCERTS; PROVIDING FOR OTHER MATTERS RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
Sponsored by:  
Councilman Ron Lurie  
Summary: Excludes country/western western music from the definition of rock concerts; permits Director of Business Activity to issue permits for certain indoor rock concerts.  
At a City Council meeting  
December 4, 1985  
BILL NO. 85-58 WAS READ BY TITLE, AND REFERRED TO RECOMMENDING COMMITTEE:  
COUNCILMEN Lurie and Levy  
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: December 19, 1985  
Las Vegas SUN

# 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 January 5, 1986 to January 5, 1986 inclusive, being the issue of said newspaper for the following dates, to wit:

January 5, 1986

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

FIRST AMENDMENT  
Bill No. 85-58  
Ordinance No. 3209  
AN ORDINANCE RELATING TO BUSINESS LICENSING; AMENDING TITLE 6, CHAPTER 73, SECTION 20, OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION, TO INCLUDE CONCERTS FOR WHICH NO ADMISSION IS CHARGED, IN THE DEFINITION OF ROCK CONCERTS; AMENDING SECTION 80 OF SAID TITLE AND CHAPTER TO PERMIT THE DIRECTOR OF BUSINESS ACTIVITY TO ISSUE PERMITS FOR INDOOR ROCK CONCERTS; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.  
Sponsored by:  
Councilman Ron Lurie  
Summary:  
Includes concerts which no admission is charged in the definition of rock concerts and authorizes the Director of Business Activity to issue permits for indoor rock concerts. The above and foregoing amended ordinance was first proposed and read by title to the City Council on the 4th day of December, 1985, and referred to the following committee composed of Councilmen Lurie and Levy, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 2nd day of January, 1986, which was a regular meeting of said City Council; that at said regular meeting the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:  
VOTING "AYE"  
Councilmen: Bunker, Levy, Lurie, Nalen and Mayor Briare  
VOTING "NAY"  
Councilmen: None  
ABSENT: NONE  
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 5, 1986

SIGNED

GEORGE J. VASCONI

Subscribed and sworn to before me this 6th day of Jan., 1986

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA

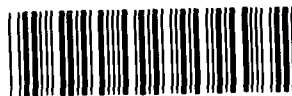


MARJORIE E. OUELLETTE

Notary Public - State of Nevada

CLARK COUNTY

My Appointment Expires Dec. 2, 1989



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