

EMERGENCY ORDINANCE NO. 465

AN EMERGENCY ORDINANCE CREATING STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-6; PROVIDING FOR THE IMPROVEMENT OF DESIGNATED STREETS AND PARTS OF STREETS THEREIN; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE STATED ENTIRE COST THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND THE REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING FOR FILING OF SAID ROLL WITH CITY CLERK; PROVIDING A TIME AND PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PROVIDING FOR THE CORRECTION, AND/OR CONFIRMATION AND APPROVAL OF SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE INDORSEMENT ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR; PROVIDING THAT SAID ASSESSMENTS SHALL CONSTITUTE A LIEN; PRESCRIBING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON; PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD IMPROVING SAID STREETS AND PARTS OF STREETS IN SAID DISTRICT, TOWARDS ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY

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 an oil bound gravel pavement thereon and by constructing on both sides thereof concrete curbs and gutters and concrete valley gutters wherever necessary; and

WHEREAS, said 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 benefits 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, said Board by Emergency Ordinance No. 464, passed, adopted and approved the 18th day of July, 1951, declared its determination to make certain public improvements as herein provided, to create Street Improvement Assessment District No. 100-6 for the purpose of making said improvements, to defray the entire cost and expense thereof by special assessments made according to frontage, and fixed a time in which protests against the proposed improvements or the creation of such District might be heard and considered by said Board, and directed notice thereof to be given; and

WHEREAS, said Board determined that said notice was given in the manner prescribed by Section 7 of said Emergency Ordinance No. 464 and by Section 57, Chapter II, Charter of the City of Las Vegas, as amended; and

WHEREAS, the owners of more than one-half the frontage to be assessed have not filed written objections concerning the making of said improvements, the creation of said District, or the defraying of the entire cost and expense by special assessments; and

WHEREAS, no objections, suggestions, comments nor questions were made or raised at said protest hearing; and

WHEREAS, said Board has done all things necessary and preliminary to the creation of said Street Improvement Assessment District No. 100-6, and now desires to create said District;

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

Section 1. There shall be and there hereby is created a special assessment district in the City of Las Vegas, Nevada, to be

called and designated Street Improvement Assessment District No. 100-6, which shall include all the lots, premises and property within said improvement district to their full depth, fronting, adjoining, and abutting upon the following streets and parts of streets within the City of Las Vegas:

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 2. That the streets and parts of streets hereinafter described shall be paved by grading and constructing thereon an oil bound gravel pavement and shall be curbed and guttered by constructing on both sides of said streets and parts of streets, wherever said improvements are missing, including concrete valley gutters and 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 entire cost and expense of making said improvements, including all incidental expenses which may be legally included in the sums assessed, including, without limiting the generality of the foregoing, the cost of surveys, plans, assessments, the costs of construction, and the fees and compensation properly charged in the work of making special assessments, shall be defrayed by special assessments made according to the frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said District. The entire cost and expense of making said improvements are deemed to be \$ 125,498.75 and the total of the special assessments so levied shall be in that amount.

Section 4. That in no case shall the amount of any special assessment upon any such lot or premises exceed 50% of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation, but such cost in excess of 50%, if any there should be, shall be borne by the City of Las Vegas and paid out of the General Fund.

Section 5. That the County Assessor of the County of Clark and State of Nevada, the acting Ex-officio City Assessor of the City of Las Vegas, Nevada, shall prepare, and is hereby empowered, authorized and directed to make forthwith, an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot and parcel of land embraced within the aforementioned special assessment district, such relative portion of the whole sum to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed; unless, on account of the shape or size of any lot or lots, an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the assessor.

Section 6. That when said Ex-officio City Assessor shall have completed the assessment, he shall report the same to the Board of Commissioners of the City of Las Vegas. Such report shall be signed by him and made in the form of a certificate endorsed on the assessment roll, substantially in the manner prescribed by the Charter of said City.

Section 7. That after said special assessment roll shall have been prepared and reported to said Board, it shall be filed in the office of the City Clerk, and numbered.

Section 8. That before said assessment roll is adopted and confirmed by said Board, any person objecting to the assessment may file his objection thereto with the City Clerk on or before Wednesday, the 19th day of September, 1951, at 7:30 o'clock, P.M., at the City Hall in said City, and said time and

place are hereby fixed as the time and place when and where said Board and said County Assessor and Ex-officio City Assessor will meet to hear and consider objections to said special assessment roll and to review said assessment.

Section 9. That after filing said special assessment roll with the City Clerk, she shall publish notice of the time said Board and said Ex-officio City Assessor will meet to review the assessments once a week for two successive weeks in the Las Vegas Evening Review Journal _____, a daily newspaper published in said City of Las Vegas, in the manner prescribed by the Charter of the City of Las Vegas, as amended.

Section 10. That at said time appointed for reviewing the assessments as aforesaid, the Board of Commissioners and the Ex-officio City Assessor shall meet and then, or at some adjourned meeting, review the assessments and hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide the same; and said Board may correct the same as to any assessment or description of the premises appearing therein, and may confirm and approve it as reported or as corrected, or said Board may refer the assessment back to said Ex-officio City Assessor for revision, or annul it and direct a new assessment, in which case the assessment shall be made anew.

Section 11. That when said special assessments shall be confirmed, the City Clerk shall make an indorsement upon the roll showing the date of confirmation, which shall be in substantially in the manner prescribed by the Charter of said City.

Section 12. That when the assessments shall be confirmed and approved as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to said County Assessor, acting Ex-officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with her certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-officio

City Assessor, shall thereupon, without extra compensation, record such Assessment Roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll.

Section 13. That all special assessments, assessed as aforesaid, shall from the date of confirmation and approval thereof constitute a lien upon the respective lots or parcels of land assessed. The special assessments thereafter shall be and remain a lien on the respective lots and parcels of land assessed until paid.

Section 14. That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, Nevada, within one week after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of one week shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of said Ex-officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of October, 1952, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of October, 1951, at the same rate of interest as that provided for in the

special assessment bond to be hereafter authorized, sold, issued and delivered, but not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-officio City Treasurer, the first annual payment of interest being due and payable on the said 1st day of October, 1952, and the remainder of said annual installments of interest being due and payable on the 1st day of October in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of ten per centum per annum, until the day of sale, but at any time prior to the day of the sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-officio Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected, except as herein specifically provided.

Section 15. That the special assessments, both principal and interest, when collected, shall be placed in a special fund to be known as "Street Improvement Assessment District No. 100-6 Bond

Interest and Redemption Fund," and as such shall at all times constitute a sinking fund for and deemed specially appropriated to the payment of the special assessment improvement bonds and interest thereon, to be hereafter authorized, sold, issued and delivered for the purpose of paying in part the cost or expense of said improvements; and said fund shall be applied to payment for the improvements for which said assessments were made, and shall not be used for any other purpose until said bonds and the interest thereon is fully paid.

Section 16. That after said assessment roll has been confirmed and approved, said Ex-officio City Treasurer immediately shall notify each person known to said Ex-officio City Assessor, whose name appears on said assessment roll, by United States of America mail, that an assessment has been levied against said person and the designated property in said Street Improvement Assessment District No. 100-6, and shall state therein when and where said assessment is due and payable.

Section 17. That all action (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 paving, curbing, guttering and otherwise improving certain streets and parts of streets in said Street Improvement Assessment District No. 100-6, toward the creation of said District, and toward levying and effecting special assessments to defray the entire cost thereof, be, and the same is, hereby ratified, approved and confirmed.

Section 18. 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 19. 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 20. 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 peace, health and safety.

Section 21. 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.

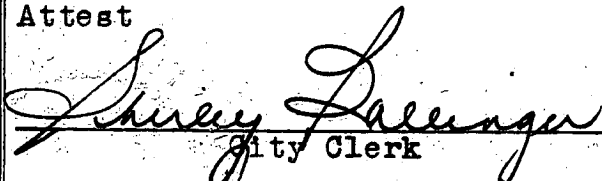
PASSED, ADOPTED AND APPROVED this 22nd day of August, 1951.



Mayor Pro Tem

(SEAL)

Attest



City Clerk

Commissioner Jarrett then seconded the motion to adopt the foregoing ordinance. The question being upon the adoption of said ordinance, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Jarrett,
Commissioner Peccole,
Commissioner _____, and
Mayor Pro Tem Whipple.

Those voting "Nay": None.

Absent: Mayor Baker

Thereupon, the presiding officer declared said motion carried and the ordinance duly passed and adopted.

It was then moved by Commissioner Peccole, and seconded by Commissioner Jarrett, that all rules of this Board which might prevent, unless suspended, the final passage and adoption of this ordinance at this meeting be, and the same are hereby, suspended for the purpose of permitting the final passage and adoption of said emergency ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Jarrett,
Commissioner Peccole,
Commissioner _____, and
Mayor Pro Tem Whipple.

Those voting "Nay": None.

Absent: Mayor Baker

The presiding officer declared said motion carried and the rules suspended.

Commissioner Peccole then moved that said ordinance heretofore introduced and read in full at this meeting be now placed upon its passage. Commissioner Jarrett seconded

the motion, and the question being upon the placing of said ordinance upon its passage, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Jarrett,
Commissioner Peccole,
Commissioner _____, and
Mayor Pro Tem Whipple.

Those voting "Nay": None.

Absent: Mayor Baker

The presiding officer declared the motion carried and the ordinance placed upon its final passage.

Commissioner Peccole then moved that said ordinance be passed and adopted as read and as an emergency ordinance. Commissioner Jarrett seconded the motion. The question being upon the passage and adoption of said ordinance, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Jarrett,
Commissioner Peccole,
Commissioner W, and
Mayor Pro Tem Whipple.


Those voting "Nay": None.

Absent: Mayor Baker

The presiding officer thereupon declared that all commissioners having voted in favor thereof, said motion was carried and said ordinance was duly passed and adopted as an emergency ordinance.

On motion duly adopted, it was ordered that said emergency ordinance be numbered 465, and after approval by the Mayor shall be published as in said ordinance designated, and shall be recorded according to law.

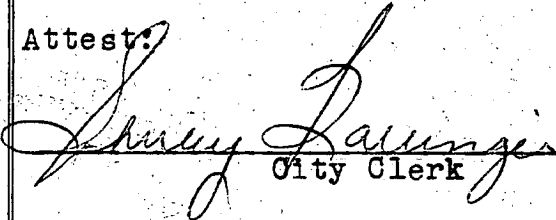
There being no further business to come before the Board of Commissioners, the meeting was, on motion duly made, seconded and carried, adjourned.



Mayor Pro Tem

(SEAL)

Attest:



City Clerk

Emergency Ordinance No. 465 copied into City of Las Vegas Commissioner's Minute Book No. 7.

100-6
Ord. 465

STATE OF NEVADA)
COUNTY OF CLARK) SS.
CITY OF LAS VEGAS)

I, Shirley Ballinger, the duly elected, qualified and acting City Clerk in and for the City of Las Vegas, County of Clark and State of Nevada, do hereby certify that the foregoing pages numbered 1 to 14, both inclusive, are a true, perfect and correct copy of the record of the proceedings taken by the Board of Commissioners of said City, insofar as they relate to Street Improvement Assessment District No. 100-6, at a special meeting held on Wednesday, the 22nd day of August, 1951, and now on file and of record in my office; that the proceedings therein set forth were duly had and taken by the Board of Commissioners at said meeting, were approved by the Mayor of said City and attested by me as City Clerk; that the persons therein named as present at said meeting were present as shown by said minutes; and that all members of the Board of Commissioners were duly notified of said meeting.

WITNESS my hand and the seal of said City this _____ day of _____, 1951.

Shirley Ballinger
City Clerk

(SEAL)

STATE OF NEVADA)
COUNTY OF CLARK) SS.
CITY OF LAS VEGAS)

A special meeting of the Board of Commissioners of the City of Las Vegas, Clark County, Nevada, was held on the 22nd day of August, 1951, at the hour of 7:50 o'clock, P.M., at the City Hall, being the regular meeting place of said Board, at which meeting there were present and answering the roll call, the following:

Mayor: C. D. BAKER,
Commissioner: Rex A. Jarrett,
" William Peccole,
" Reed Whipple,
" _____,
Absent: Commissioner Bunker,

constituting all of the members of said Board. There were also present the following:

City Manager C. W. Shelley,
City Attorney Howard W. Cannon,
City Clerk Shirley Ballinger, and
Acting City Engineer H. E. Piner.

Thereupon, the following proceedings, among others, were duly had and taken.

The Mayor announced that this was the time and place designated for the Board of Commissioners of the City of Las Vegas, Nevada, to meet and hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto, in the proposed street improvement Assessment District No. 100-6 in said City, as provided in Emergency Ordinance No. 464, passed, adopted and approved the 18th day of July, 1951, and the notice prescribed therein. The Mayor then asked if any written objections, suggestions or comments concerning said District had been filed in the office of the City Clerk. The City

CITY
CLERK'S
FILE

Clerk answered that no objections, suggestions or comments concerning said District had been filed in her office prior to said meeting and she filed a certificate with the Board of Commissioners to that effect.

The Mayor then publicly asked if anyone desired to make any objection, suggestion or comment, or raise any question, concerning said District. No such objection, suggestion, comment or question was made or raised.

The Mayor thereupon publicly announced that no objection, suggestion, comment or question had been made or raised, written or otherwise, by any party in interest, or otherwise, to the proposed improvements, or any matters relating thereto, in the proposed Street Improvement District No. 100-6 in the City of Las Vegas, Nevada.

Thereupon, the City Attorney was directed to prepare an ordinance creating said District and to take such steps as were necessary to effectuate the provisions of said Emergency Ordinance No. 464, passed, adopted and approved the 18th day of July, 1951. The City Attorney then indicated such an ordinance had been prepared, and gave such to the members of the Board.

898 — Commissioner Beck thereupon introduced and moved the adoption of the following emergency ordinance, which was thereupon read in full, and at length, and is as follows:

AFFADAVIT OF PUBLICATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

CARL WOODBURY....., being first duly sworn,

deposes and says: That he ^{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 issues*

from *Sept 4, 1951*, to *Sept 11, 1951*,

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

Sept 4, 11

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

Signed *Carl Woodbury*

Subscribed and sworn to before me this *12*
day of *Sept, 1951*

Neda Guibant
.....
Notary Public in and for Clark County, Nevada.

My Commission Expires

MY COMMISSION EXPIRES APRIL 14, 1954

EMERGENCY ORDINANCE NO. 463
AN EMERGENCY ORDINANCE CREATING STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-6; PROVIDING FOR THE IMPROVEMENT OF DESIGNATED STREETS AND PARTS OF STREETS THEREIN; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE STATED ENTIRE COST THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND THE REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING FOR FILING OF SAID ROLL WITH CITY CLERK; PROVIDING A TIME AND PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PROVIDING FOR THE CORRECTION, AND/OR CONFIRMATION AND APPROVAL OF SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE ENDORSEMENT ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR; PROVIDING THAT SAID ASSESSMENTS SHALL CONSTITUTE A LIEN; PRESCRIBING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON; PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD IMPROVING SAID STREETS AND PARTS OF STREETS IN SAID DISTRICT, TOWARDS ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

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 an oil bound gravel pavement thereon and by constructing on both sides thereof concrete curbs and gutters and concrete valley gutters wherever necessary; and

WHEREAS, said 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 benefits 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

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WHEREAS, said Board determined that said notice was given in the manner prescribed by Section 7 of said Emergency Ordinance No. 464 and by Section 57, Chapter II, Charter of the City of Las Vegas, as amended; and

WHEREAS, the owners of more than one-half the frontage to be assessed have not filed written objections concerning the making of said improvements, the creation of said District, or the defraying of the entire cost and expense by special assessments; and

WHEREAS, no objections, suggestions, comments nor questions were made or raised at said protest hearing; and

WHEREAS, said Board has done all things necessary and preliminary to the creation of said Street Improvement Assessment District No. 100-6, and now desires to create said District;

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

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the office of the City Clerk of the City of Las Vegas.

Section 3. That the entire cost and expense of making said improvements, including all incidental expenses which may be legally included in the sums assessed, including, without limiting the generality of the foregoing, the cost of surveys, plans, assessments, the costs of construction, and the fees and compensation properly charged in the work of making special assessments, shall be defrayed by special assessments made according to the frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said District. The entire cost and expense of making said improvements are deemed to be \$125,498.75 and the total of the special assessments so levied shall be in that amount.

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Section 5. That the County Assessor of the County of Clark and State of Nevada, the acting Ex-officio City Assessor of the City of Las Vegas, Nevada, shall prepare, and is hereby empowered, authorized and directed to make forthwith, an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot and parcel of land embraced within the aforementioned special assessment district, such relative portion of the whole sum to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed; unless, on account of the shape or size of any lot or lots, and assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the assessor.

Section 6. That when said Ex-officio City Assessor shall have completed the assessment, he shall report the same to the Board of Commissioners of the City of Las Vegas. Such report shall be signed by him and made in the form of a certificate endorsed on the assessment roll, substantially in the manner prescribed by the Charter of said City.

Section 7. That after said special assessment roll shall have been prepared and reported to said Board, it shall be filed in the office of the City Clerk, and numbered.

Section 8. That before said assessment roll is adopted and confirmed by said Board, any person objecting to the assessment may file his objection thereto with the City Clerk on or before Wednesday, the 19th day of September, 1951, at 7:30 o'clock, P. M. at the City Hall in said City, and said time and place are hereby fixed as the time and place when and where said Board and said County Assessor and Ex-officio City Assessor will meet to hear and consider objections to said special assessment roll and to review said assessment.

Section 9. That after filing said special assessment roll with the City Clerk, she shall publish notice of the time said Board and said Ex-officio City Assessor will meet to review the assessments once a week for two successive weeks in the Las Vegas Review-Journal, a daily newspaper published in said City of Las Vegas, in the manner prescribed by the Charter of the City of Las Vegas, as amended.

Section 10. That at said time appointed for reviewing the assessments as aforesaid, the Board of Commissioners and the Ex-officio City Assessor shall meet and then, or at some adjourned meeting, review the assessments and hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide the same; and said Board may correct the same as to any assessment or description of the premises appearing therein, and may confirm and approve it as reported or as corrected, or said Board may refer the assessment back to said Ex-officio City Assessor for revision, or annul it and direct a new assessment, in which case the assessment shall be made anew.

Section 11. That when said special assessments shall be confirmed, the City Clerk shall make an indorsement upon the roll showing the date of confirmation, which shall be in substantially in the manner prescribed by the Charter of said City.

Section 12. That when the assessments shall be confirmed and approved as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to said County Assessor, acting Ex-officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with her certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-officio City Assessor, shall thereupon, without extra compensation, record such Assessment Roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll.

Section 13. That all special assessments, assessed as aforesaid, shall from the date of confirmation and approval thereof constitute a lien upon the respective lots or parcels of land assessed. The special assessments thereafter shall be and remain a lien on the respective lots and parcels of land assessed until paid.

Section 14. That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, Nevada, within one week after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of one week shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of said Ex-officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of October, 1952, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of October, 1951, at the same rate of interest as that provided for in the special assessment bond to be hereafter authorized, sold, issued and delivered, but not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-officio City Treasurer, the first annual payment of interest being due and payable on the said 1st day of October, 1952, and the remainder of said annual installments

of interest being due and payable on the 1st day of October in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of ten per centum per annum, until the day of sale, but at any time prior to the day of the sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-officio As-

essor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected, except as herein specifically provided.

Section 15. That the special assessments, both principal and interest, when collected, shall be placed in a special fund to be known as "Street Improvement Assessment District No. 100-6 Bond Interest and Redemption Fund," and as such shall at all times constitute a sinking fund for and deemed specially appropriated to the payment of the special assessment improvement bonds and interest thereon, to be hereafter authorized, sold, issued and delivered for the purpose of paying in part the cost or expense of said improvements; and said fund shall be applied to payment for the improvements for which said assessments were made, and shall not be used for any other purpose until said bonds and the interest thereon is fully paid.

Section 16. That after said assessment roll has been confirmed and approved, said Ex-officio City Treasurer immediately shall notify each person known to said Ex-officio City Assessor, whose name appears on said Assessment roll, by United States of America mail, that an assessment has been levied against said person and the designated property in said Street Improvement Assessment District No. 100-6, and shall state therein when and where said assessment is due and payable.

Section 17. That all action (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 paving, curbing, guttering and otherwise improving certain streets and parts of streets in said Street Improvement Assessment District No. 100-6, toward the creation of said District, and toward levying and effecting special-assessments to defray the entire cost thereof, be, and the same is, hereby ratified, approved and confirmed.

Section 18. 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 19. 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 20. 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 peace, health and safety.

Section 21. 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 22nd day of August, 1951.

s/ REED WHIPPLE
Mayor Pro Tem

(SEAL)

Attest

s/ Shirley Ballinger

City Clerk

Commissioners voting in favor of the adoption of the foregoing Ordinance:

Those voting aye: Mayor Pro Tem Whipple, Commissioner Bunker, Commissioner Jarrett, Commissioner Pecole.

Those voting nay: None

Absent: Mayor Baker.

s/ REED WHIPPLE
Mayor Pro Tem

(SEAL)

ATTEST:

s/ Shirley Ballinger

City Clerk

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