

ORDINANCE NO. 340

AN ORDINANCE EMPOWERING, AUTHORIZING AND DIRECTING THE EX-OFFICIO CITY ASSESSOR OF THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, TO LEVY A SPECIAL ASSESSMENT TO DEFRAY THE COST OF MAKING CERTAIN IMPROVEMENTS IN THE CITY OF LAS VEGAS BY GRADING FOR AND SURFACING CERTAIN STREETS AND PORTIONS OF STREETS IN THE CITY OF LAS VEGAS ACCORDING TO THE PLATS, DIAGRAMS AND ESTIMATES OF COST THEREOF ON FILE IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LAS VEGAS, DESCRIBING DEFINITELY THE LOCATION OF SAID IMPROVEMENTS, STATING THE AMOUNT OF SAID ASSESSMENT AND DESCRIBING AND DESIGNATING THE LOCALITY CONSTITUTING THE DISTRICTS TO BE ASSESSED ACCORDING TO BENEFITS, AND OTHER MATTERS RELATING THERETO.

The BOARD OF COMMISSIONERS of the City of Las Vegas DO ORDAIN as follows:

Section 1. For the purpose of defraying the cost of making certain improvements in the City of Las Vegas, by grading for and surfacing with two-inch (2") asphaltic surfacing material, upon Biltmore Drive, Melrose Drive, Washington Avenue, First Street, and all other public streets and rights of way embraced within that subdivision in the City of Las Vegas known as Biltmore Addition Annex No. 1, and Fourth Street, Bell Drive, Tiffany Lane, Bonanza Road, and all other public streets and rights of way embraced within that subdivision in the City of Las Vegas known as Biltmore Addition Annex No. 2, according to the plats, diagrams and estimates of cost heretofore prepared and adopted by the Board of Commissioners of the City of Las Vegas and on file in the office of the City Clerk of the City of Las Vegas, the ex-officio City Assessor of the City of Las Vegas is hereby empowered, authorized and directed as follows:

1. To make, forthwith, a special assessment in the total amount of Seven Thousand Six Hundred Three Dollars and Forty Five Cents (\$7,603.45), and to levy said assessment according to benefits against the owners of and upon the taxable lots and premises embraced within the special assessment district created by Ordinance No. 321 of the City of Las Vegas and composed of all the taxable lots and premises included within and constituting the subdivision known as Biltmore Addition Annex No. 1 to the City of Las Vegas, Nevada, as shown on a plat thereof on file in the office of the Recorder of Clark County, Nevada, in Book 2 of Plats on Page 40.
2. To make, forthwith, a special assessment in the total amount of Ten Thousand Twenty Three Dollars and Eighty One Cents (\$10,023.81), and to levy said assessment according to benefits against the owners of and upon the taxable lots and premises embraced within the special assessment district created by Ordinance No. 321 of the City of Las Vegas and composed of all the taxable lots and premises included within and constituting the subdivision known as Biltmore Addition Annex No. 2 to the City of Las Vegas, Nevada, as shown on a plat thereof on file in the office of the Recorder of Clark County, Nevada, in Book 2 of Plats on Page 46.

Section 2. In no case shall the amount of any special assessment upon any such lot or premises exceed 20% 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 20% shall be borne by the City of Las Vegas and paid out of the General Fund.

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Section 3. The ex-officio City Assessor shall prepare an assessment roll in the manner provided by the Charter of the City of Las Vegas, and shall assess each lot and parcel of land embraced within the aforementioned special assessment districts such relative portion of the whole sum to be levied in each of said districts as shall be proportionate to the estimated benefit resulting to such lot or parcel of land from the improvement.

Section 4. After the special assessment roll, as herein provided for, shall have been prepared and completed, the Ex-Officio City Assessor shall report the same to the Board of Commissioners of the City of Las Vegas, and thereafter it shall be filed in the office of the City Clerk and numbered, and the Board of Commissioners shall cause notice thereof to the persons whose names appear upon the assessment roll, and to all others interested therein, to be published for at least two weeks in some newspaper published in the City of Las Vegas, of the time when the Board of Commissioners and the Ex-Officio City Assessor will meet to review the assessments, and any person objecting to the assessments may file his objection thereto with the City Clerk.

Section 5. At the time appointed for reviewing the assessments, the Board of Commissioners and the Ex-Officio City Assessor shall meet and give all persons interested an opportunity to be heard, and shall consider any and all objections that may be filed with the City Clerk, and then, or at some adjourned meeting, shall review the assessments and correct the same and confirm it as corrected, or confirm it as reported, or annul it and direct a new assessment to be made.

Section 6. When the assessments shall be confirmed as herein provided it shall be final and conclusive. The City Clerk shall thereupon deliver to the County Assessor, acting Ex-Officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with his 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. After the assessment roll has been confirmed and recorded, the several amounts levied thereon shall become at once due and payable and shall constitute and be a lien upon the respective lots and parcels of land and improvements assessed and shall be charged against the persons and properties until paid.

Section 7. All assessments when due and payable, as in this ordinance provided, shall be paid to the County Treasurer and ex-officio Tax Receiver, County of Clark, State of Nevada, and Ex-Officio Treasurer and Tax Receiver of the City of Las Vegas, and be by that officer paid into and credited to the special fund to be known as and called "Las Vegas 1946 Biltmore Addition Annex No. 1 and Biltmore Addition Annex No. 2 Street Fund."

Section 8. All costs and expenses incurred in making the improvements shall be charged to and paid out of said fund, provided, however, that all monies drawn on the General Fund of the City of Las Vegas to defray any of the costs and expenses of making the improvements or, if it shall become necessary to draw upon the General Fund to defray any of the costs and expenses of the improvements, except as otherwise provided by the Charter of the City of

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Las Vegas, the General Fund shall be reimbursed by transfer of funds from the "Las Vegas 1946 Biltmore Addition Annex No. 1 and Biltmore Addition Annex No. 2 Street Fund" as soon as conditions of the same will permit, and provided further that where there shall be lands belonging to the City or public grounds not taxable, abutting on such improvements, or such improvements shall be made upon interior spaces opposite alleys, and squares and spaces formed by the intersection of streets, such part of the expense of the improvements as estimated by the assessor to be justly apportionable to such public ground, the City property, and to any interior spaces opposite alleys, and squares and spaces formed by the intersection of streets shall be paid from the General Fund and borne by the City of Las Vegas, and the balance of such expense shall be assessed upon the taxable lots included in such special assessment districts in proportion to the estimated benefits resulting thereto from the improvement.

Section 9. This Ordinance shall be in full force and effect upon its publication as in the next section provided, and final passage.

Section 10. The City Clerk and the Clerk of the Board of Commissioners of the City of Las Vegas is hereby authorized and directed to cause this Ordinance No. 340 to be published once a week for two consecutive weeks, immediately following its first reading and adoption, in the Las Vegas Evening Review Journal, a daily newspaper published in the City of Las Vegas.

[Signature]
Mayor

ATTEST:

Helen Scott Reed
City Clerk

The above and foregoing Ordinance was first proposed and read by title to the Board of City Commissioners on the 7th day of October, 1947, and referred to the following committee composed of Commissioners Whipple & Clark for recommendation; thereafter the said committee reported favorably on the said Ordinance on the 22nd day of October, 1947, which was the next regular meeting of said Board of City Commissioners; that at said regular meeting held on the 22nd day of October, 1947, the proposed Ordinance was read in full to the Board of City Commissioners as first introduced and adopted by the following vote:

Voting "Aye": Commissioners Baskin, Moore, Whipple & His Honor Mayor Cragg

Voting "Nay": None

Absent: Comm. Clark

APPROVED:
[Signature]
Mayor

ATTEST:

Helen Scott Reed
City Clerk

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The above and foregoing Ordinance was thereafter read aloud to the said Board of City Commissioners for a second time at a regular meeting of the said Board held on the 7th day of November, 1947, and passed by the following vote:

Voting "Aye": Commissioners Baskin, Clark, Moore, & Huppel & His House

Voting "Nay": None

Absent: None

APPROVED:
[Signature]
Mayor

ATTEST:
[Signature]
City Clerk

AFFADAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Dick Lohme, being first duly sworn,

deposes and says: That he is foreman 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 two weeks
~~Oct 27, 1947~~
from Oct 27, 1947 to Oct 31, 1947

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

Oct 24-31

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

Signed

Dick Lohme

Subscribed and sworn to before me this 31st
day of October 1947

[Signature]
Notary Public in and for Clark County, Nevada.

My Commission Expires

Jan 12, 1951

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E. W. CRAGIN,
Mayor.

ATTEST:
HELEN SCOTT REED,
(SEAL) City Clerk.

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Voting "Aye": Commissioners Baskin, Moore, Whipple and His Honor Mayor Cragin.

Voting "Nay": None.
Absent: Commissioner Clark.

APPROVED:
E. W. CRAGIN,
Mayor.

ATTEST:
HELEN SCOTT REED,
(SEAL) City Clerk.

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