

BILL NO. ~~95-35~~

ORDINANCE NO. 3905

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1448; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

Sponsored by: Ordinance required by
step procedure.

Summary: Creates
District.

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and the "City", respectively, herein), in the County of Clark, and State of Nevada, has heretofore taken action that is preliminary to the creation of the proposed "City of Las Vegas, Nevada, Special Improvement District No. 1448" (the "District" herein), consisting of six (6) separate and distinct assessment units, for the purposes of providing, in ASSESSMENT UNIT NO. I to ASSESSMENT UNIT NO. IV, inclusive, for the grading, gravelling, macadamizing, paving, including street intersections, and draining of, and the construction of curbs and gutters along, and, in ASSESSMENT UNIT NO. V and ASSESSMENT UNIT NO. VI, for the grading, gravelling, macadamizing, paving and draining of, and the construction and installation of curbs and gutters, sidewalks, streetlights and residential driveway approaches along, those certain streets, and portions thereof, that are identified with particularity in the notice of hearing (the "Notice of Hearing" herein) that is provided for in Section 4 of the Provisional Order Resolution that was duly passed, adopted and approved on the 7th day of December, 1994 (the "Improvement" herein), and of defraying the entire cost and expense thereof by special assessments against the assessable lots and parcels of property within each assessment unit

of the District according to the benefits that will be derived from such improvements by the respective lots and parcels that are proposed to be so assessed; and

WHEREAS, pursuant to Chapter 271 of the Nevada Revised Statutes ("Chapter 271" herein), the City Council, in the Provisional Order Resolution, declared its determination to create the District for the purpose of constructing and installing such improvements within the respective assessment units thereof, described the improvements that are proposed to be constructed and installed in the respective units, stated that the entire cost and expense thereof shall be paid by special assessments and that such assessments are to be levied according to the benefits that will be derived by the respective assessable lots and parcels or property from such improvements, designated, by apt description, the District, including the lots and parcels that are proposed to be so assessed, described with particularity the location at which the improvement that is proposed to be constructed and installed within each assessment unit of the District is to be so constructed and installed and directed the City Clerk of the City (the "City Clerk" herein) to give notice that certain documents with respect to the District had been filed in her office and of the time, date and place of a public hearing as to the propriety and advisability of constructing and installing such improvements, and the City Clerk gave the notice of such filing and such public hearing in the manner and for the period that is specified in Chapter 271 and in accordance with the directions that are contained in the Provisional Order Resolution; and

WHEREAS, the public hearing concerning the propriety and advisability of constructing and installing such improvements was held on the 4th day of January, 1995,

pursuant to the duly mailed, posted and published Notice of Hearing, with one written protest and objection, representing that certain lot or parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-23-201-004 ("Parcel 138-23-201-004" herein), and one oral protest and objection (which also represented Parcel 138-23-201-004), constituting 930 front feet, or 47.0%, of the 1,979 front feet that will abut, and will be benefited by, the street paving component, or 47.6%, of the 1,954 front feet that will abut, and will be benefited by, the curbs and gutters component, of the portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. IV, having been presented in opposition to the inclusion of said Assessment Unit in the District and to the construction and installation therein of such portion; and one written protest and objection, representing that certain lot or parcel of property that is so identified as Parcel 138-02-301-001 ("Parcel 138-02-301-001" herein), and one oral protest and objection (which also represented Parcel 138-02-301-001), constituting 119 front feet, or 100.0%, of the 119 front feet that will abut, and will be benefited by, the sidewalks component, 168 front feet, or 50.0%, of the 336 front feet that will abut, and will be benefited by, the streetlights component and 49 front feet, or 100.0%, of the 49 front feet that will abut, and will be benefited by, the residential driveway approaches component, of the portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. V, having been presented in opposition to the inclusion of such components in said Assessment Unit and to the construction and installation therein of such components of such portion; and

WHEREAS, the City Council, by that certain Resolution concerning the District that was duly passed, adopted and approved on the 7th day of June, 1995 (the "Resolution" herein), has found, determined and declared that:

(a) The written and oral protest and objection that was presented on behalf of Parcel 138-02-301-001 had merit, as it related to the residential driveway approaches component of the portion of the Improvement that were proposed to be constructed and installed in ASSESSMENT UNIT NO. V adjacent to said Parcel and the City Council therefore allowed the same only to the extent that it ordered (i) the residential driveway approaches that had been proposed to be constructed and installed adjacent to said Parcel to be deleted from ASSESSMENT UNIT NO. V and (ii) the preliminary assessment roll for the District to be revised in order to eliminate from the cost and expenses that are proposed to be assessed in connection with said Assessment Unit the cost and expenses that otherwise would have been incurred in connection with the construction and installation of such residential driveway approaches.

(b) The written and oral protest and objection that was presented on behalf of Parcel 138-23-201-004, representing a lot or parcel of property that constitutes less than the majority of the front footage that will abut, and will be benefited by, the portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. IV and, except to the extent that the written and oral protest and objection that was presented on behalf of Parcel 138-02-301-001 was theretofore, in Section 1 of the Resolution, allowed, the written protest and objection that was presented on behalf of Parcel 138-02-301-001, representing a lot or parcel of

property that constitutes less than the majority of the front footage that will abut, and will be benefited by, the streetlights component of the portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. V, were without merit, and the City Council therefore overruled and finally passed upon each of such protests and objections.

(c) Notwithstanding the fact that protests and objections that represented a lot or parcel of property that constitutes 100% of the front footage that will abut, and will be benefited by, the sidewalks component of the portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. V were presented at such public hearing, the construction and installation of all of the portions of the Improvement, including without limitation the portions thereof that are proposed to be constructed and installed in each of said Assessment Units, except as is otherwise expressly provided in Section 1 of the Resolution with respect to the construction and installation of the residential driveway approaches in ASSESSMENT UNIT NO. V, should not be stayed, defeated or prevented thereby, and the City Council therefore, pursuant to NRS 271.306(2)(b), overruled and finally passed upon each of such protests and objections, and has further found, determined and declared that the public convenience and necessity require the creation of the District and that the creation of the District is economically sound and feasible; and

WHEREAS, the City Council and the officers of the City have done all of the things that are necessary and preliminary to the creation of the proposed "City of Las Vegas, Nevada, Special Improvement District No. 1448", including without limitation the

filing with the City Clerk by the City Engineer of the City of a revised and accurate estimate of the cost and plans, assessment plats, specifications and maps that relate to the District, and the City Council desires, by this Ordinance, now to order the construction and installation of such improvements and the performance of the work within each assessment unit of the District;

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

SECTION 1. That there shall be, and there hereby is, created a special improvement district, consisting of six (6) separate and distinct assessment units, for the purposes of providing, in ASSESSMENT UNIT NO. I to ASSESSMENT UNIT NO. IV, inclusive, for the grading, gravelling, macadamizing, paving, including street intersections, and draining of, and the construction of curbs and gutters along, and, in ASSESSMENT UNIT NO. V and ASSESSMENT UNIT NO. VI, for the grading, gravelling, macadamizing, paving and draining of, and the construction and installation of curbs and gutters, sidewalks, streetlights and residential driveway approaches along, those certain streets, and portions thereof, that are identified with particularity in the Notice of Hearing, and of defraying the entire cost and expense thereof by special assessments against the assessable lots and parcels of property within each assessment unit of the District according to the benefits that will be derived from such improvements by the respective lots and parcels that are to be so assessed, such assessment units to include, and be the same as, the areas that are designated in the Provisional Order Resolution, and such improvements shall be, and they hereby are ordered to be, constructed and installed.

SECTION 2. That, since the construction and installation of the portions of the Improvement that are proposed to be constructed and installed in some or all of the assessment units requires the acquisition or use, or both, of rights-of-way across the several lots and parcels of property that are proposed to be assessed in the District, (i) the costs and expenses that are incurred by the City in the acquisition of such rights-of-way are incidental costs that pertain to the Improvement, the inclusion of which in the cost of the Project is hereby designated as being necessary and desirable, (ii) any lot or parcel of property that is proposed to be assessed in the District and with respect to which the portion of such rights-of-way that is required thereacross has been dedicated to, or is otherwise available for use by, the City without any compensation to the owner thereof, such owner, or its successor or successors in interest, heretofore, in the preliminary assessment roll, has been and, in the final assessment roll, shall be granted a credit against the assessment that otherwise would have been levied upon such lot or parcel in an amount that is equal to the value of the portion of such rights-of-way that has been so dedicated to, or is otherwise available for use by, the City and (iii) the full cost of acquiring the remaining portions of the required rights-of-way have heretofore, in the preliminary assessment roll, been and shall, in the final assessment roll, be apportioned and assessed equitably among and against all of the lots and parcels or property with respect to which their respective portions of such rights-of-way have not been dedicated or are not otherwise available for use by the City without any compensation to the owners thereof.

SECTION 3. That the character and location of the improvements and the boundaries of the District, and of each assessment unit thereof, shall be, in all respects, as

the same are set forth in the Provisional Order Resolution (except to the extent that any thereof may be inconsistent herewith), all as is more particularly shown on the plats, diagrams, plans and specifications that relate to the District, as they were filed in the Office of the City Clerk prior to the adoption of the Provisional Order Resolution.

The boundaries of the District, which include all of the lots and parcels of property that are to be assessed, are more particularly described as follows:

ASSESSMENT UNIT NO. I (Jones Boulevard)

Each lot or parcel of real property that lies and is situate within the City of Las Vegas, County of Clark, State of Nevada, and is a portion of Section 2, Township 20 South, Range 60 East, M.D.M., that abuts any portion of Jones Boulevard (100 feet wide) in which adequate street improvements do not presently exist, along the west side thereof from the north right-of-way line of Craig Road (120 feet wide) northerly to a point that is approximately 1,283 feet north of the right-of-way line of said Craig Road.

ASSESSMENT UNIT NO. II (Rock Springs Drive)

Each lot or parcel of real property that lies and is situate within the City of Las Vegas, County of Clark, State of Nevada, and is a portion of Section 27, Township 20 South, Range 60 East, M.D.M., that abuts any portion of Rock Springs Drive (60 feet wide) in which adequate street improvements do not presently exist, along the east side thereof from the centerline of Vegas Drive (80 feet wide) southerly to a point that is approximately 662 feet south of the centerline of said Vegas Drive.

ASSESSMENT UNIT NO. III (Tenaya Way)

Each lot or parcel of real property that lies and is situate within the City of Las Vegas, County of Clark, State of Nevada, and is a portion of Section 22, Township 20 South, Range 60 East, M.D.M., that abuts any portion of Tenaya Way (80 feet wide) in which adequate street improvements do not presently exist, along the west side thereof from a point that is approximately 621 feet south of the south right-of-way line of Lake Mead Boulevard (100 feet wide) northerly to the south right-of-way line of said Lake Mead Boulevard and along the east side thereof from the north right-of-way line of said Lake Mead Boulevard northerly to a point that is approximately 621 feet north of the north right-of-way line of said Lake Mead Boulevard.

ASSESSMENT UNIT NO. IV (Torrey Pines Drive - at Lake Mead Boulevard)

Each lot or parcel of real property that lies and is situate within the City of Las Vegas, County of Clark, State of Nevada, and is a portion of Section 23, Township 20 South, Range 60 East, M.D.M., that abuts any portion of Torrey Pines Drive (80 feet wide) in which adequate street improvements do not presently exist, along the east side thereof from a point that is approximately 548 feet south of the south right-of-way line of Lake Mead Boulevard (100 feet wide) northerly to the south right-of-way line of said Lake Mead Boulevard and along either side thereof from the north right-of-way line of said Lake Mead Boulevard northerly to a point that is approximately 1673 feet north of the north right-of-way line of said Lake Mead Boulevard.

ASSESSMENT UNIT NO. V (Torrey Pines Drive - North of Alexander Road)

Each lot or parcel of real property that lies and is situate within the City of Las Vegas, County of Clark, State of Nevada, and is a portion of Section 2, Township 20 South, Range 60 East, M.D.M., that abuts any portion of Torrey Pines Drive (80 feet wide) in which adequate street improvements do not presently exist, along either side thereof from the north right-of-way line of Alexander Road (80 feet wide) northerly to the south right-of-way line of Craig Road (140 feet wide).

ASSESSMENT UNIT NO. VI (Torrey Pines Drive - South of Alexander Road)

Each lot or parcel of real property that lies and is situate within the City of Las Vegas, County of Clark, State of Nevada, and is a portion of Section 11, Township 20 South, Range 60 East, M.D.M., that abuts any portion of Torrey Pines Drive (80 feet wide) in which adequate street improvements do not presently exist, along the west side thereof from the south right-of-way line of Alexander Road (80 feet wide) southerly to the north right-of-way line of Gowen Road (80 feet wide).

SECTION 4. That the City Council shall provide that such assessments may be payable without interest or demand during a specified period or, at the election of the owner of the lot or parcel of property upon which such assessment is levied, in twenty (20) substantially equal semiannual installments of principal. The amounts that are to be assessed shall be assessed against all of the assessable lots and parcels of property that are benefited by such improvements, proportionately to the benefits that each such lot or parcel receives, and shall be assessed against the assessable lots and parcels of property that abut, and are benefited by, the street paving and the curbs and gutters that are

constructed and installed in ASSESSMENT UNIT NO. I to ASSESSMENT UNIT NO. IV, inclusive, and the street paving, curbs and gutters, sidewalks, streetlights and residential driveway approaches, in ASSESSMENT UNIT NO. V and ASSESSMENT UNIT NO. VI, on a front foot basis, i.e., on the basis that each lot or parcel of property that is to be assessed in the particular assessment unit for any of such portions of the Improvement shall be assessed a portion of the aggregate dollar amount that is being levied against that entire assessment unit for such portion in the proportion that the frontage of such lot or parcel that abuts, and is benefited by, the portion of the Improvement that is proposed to be constructed and installed in such assessment unit bears to the total of the frontage of all of the assessable properties that abut, and are benefited by, such portion in such assessment unit (with appropriate reductions, in ASSESSMENT UNIT NO. V and ASSESSMENT UNIT NO. VI, both in the number of the front feet of the sidewalks that abut any such lot or parcel and in the aggregate number of the front feet of the sidewalks that abut all of the assessable properties in the particular assessment unit, that correspond to the length of any driveway approach that serves such lot or parcel and to the aggregate length of all of the driveway approaches that serve all of the assessable properties in such assessment unit, respectively). The portion of the costs that is to be assessed against, and the estimated amount of the maximum benefits that are anticipated will be derived from such improvements by, each lot or parcel of property in each of the individual assessment units shall be as is stated in the aforesaid assessment plat. If any lot or parcel of property that is proposed to be so assessed in the respective assessment units is divided, after the date of the hearing as to the propriety and advisability

of making the improvements that are constructed and installed by way of the District but prior to the date on which the assessments therefor are levied by ordinance, pursuant to NRS 271.390, into sublots or subparcels, the assessment against such lot or parcel shall be apportioned among such sublots or subparcels on an area basis, i.e., on the basis that each such subplot or subparcel shall be assessed a portion of the aggregate dollar amount that is being levied against that entire lot or parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of that entire lot or parcel.

The cost of paving street intersections shall be included in the total costs and expenses that are proposed to be levied in each assessment unit for street paving and shall be assessed against the respective lots and parcels therein on the aforesaid front foot basis, and the cost of acquiring the necessary rights-of-way that are required in order to construct and install the Improvement (which cost, except as is provided in the last proviso of this sentence, shall be assumed to equal the product of multiplying the lowest per square foot price that the City is required to expend in the acquisition of any portion of such rights-of-way (the "Base Price" herein) by the area of all of such rights-of-way) shall be assessed against each lot or parcel of property that is to be assessed in the assessment unit also on the aforesaid front foot basis; provided, however, that the owner of any such lot or parcel that is proposed to be assessed in the assessment unit and with respect to which the portion of such rights-of-way has been dedicated to, or is otherwise available for use by, the City without any compensation to such owner shall be granted a credit, pursuant to NRS 271.350, against the amount of the assessment that would otherwise have been levied upon such lot or parcel in an amount that is equal to the

product of multiplying the Base Price by the area of the portion of such lot or parcel that has been so dedicated to, or otherwise made available for use by, the City, and provided, further, that the amount that the City is required to expend in the acquisition of any portion of such rights-of-way (excluding any compensation for special damages that may accrue to the remainder of the particular parcel from which such portion is acquired by reason of its severance from such portion) that is in excess of the amount that the City would have been required to expend in the acquisition of such portion had the acquisition price thereof been based upon the Base Price shall be assessed against the remaining portion of the lot or parcel in respect of which the acquisition of the portion of such rights-of-way resulted in such excess expenditure. For the purposes of the foregoing, zero compensation and nominal compensation shall be excluded in determining the "lowest per square foot price".

Regardless of the basis that is used in apportioning the assessments, in the case of a wedge, "V" or other irregularly shaped lot or parcel of property, the amount that is apportioned thereto shall be in proportion to the special benefits that will be derived thereby.

SECTION 5. That, except as is shown on the plans and specifications that relate to the District and are now on file in the Office of the City Clerk, the character of such improvements is more particularly described as follows:

ASSESSMENT UNIT NO. I (Jones Boulevard)

The portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. I shall consist, for the street paving, of 4 inches of plantmix

bituminous surface over 13 inches of Type II aggregate base and, for the curbs and gutters, of standard Portland cement Class B concrete "L" type over 6 inches of Type II aggregate base; together with the acquisition, by purchase, the exercise of the City's power of eminent domain or otherwise, of all of the necessary rights-of-way that may be required in order to construct and install such improvements and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. II (Rock Springs Drive)

The portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. II shall consist, for the street paving, of 3 inches of plantmix bituminous surface over 6 inches of Type II aggregate base and, for the curbs and gutters, of standard Portland cement Class B concrete "L" type over 6 inches of Type II aggregate base; together with the acquisition, by purchase, the exercise of the City's power of eminent domain or otherwise, of all of the necessary rights-of-way that may be required in order to construct and install such improvements and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. III (Tenaya Way)

The portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. III shall consist, for the street paving, of 4 inches of plantmix bituminous surface over 6 inches of Type II aggregate base and, for the curbs and gutters, of standard Portland cement Class B concrete "L" type over 6 inches of Type II aggregate base; together with the acquisition, by purchase, the exercise of the City's power of eminent domain or otherwise, of all of the necessary rights-of-way that may be required in order to construct and install such improvements and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Torrey Pines Drive - at Lake Mead Boulevard)

The portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. IV shall consist, for the street paving, of 4 inches of plantmix bituminous surface over 13 inches of Type II aggregate base and, for the curbs and gutters, of standard Portland cement Class B concrete "L" type over 6 inches of Type II aggregate base; together with the acquisition, by purchase, the exercise of the City's power of eminent domain or otherwise, of all of the necessary rights-of-way that may be required in order to construct and install such improvements and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats,

diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. V (Torrey Pines Drive - North of Alexander Road)

The portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. V shall consist, for the street paving, of 4 inches of plantmix bituminous surface over 13 inches of Type II aggregate base; for the curbs and gutters, of standard Portland cement Class B concrete "L" type over 6 inches of Type II aggregate base; for the sidewalks, of 4 inches of standard Portland cement Class B concrete slabs over 5 inches of Type II aggregate base; for the street lighting system, of 200 watt high pressure sodium vapor luminaires, steel lighting standards on concrete bases and underground circuits; and, for the residential driveway approaches, of 6 inches of standard Portland cement Class B concrete over 6 inches of Type II aggregate base; together with the acquisition, by purchase, the exercise of the City's power of eminent domain or otherwise, of all of the necessary rights-of-way that may be required in order to construct and install such improvements and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VI (Torrey Pines Drive - South of Alexander Road)

The portion of the Improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. VI shall consist, for the street paving, of 4 inches of plantmix bituminous surface over 13 inches of Type II aggregate base; for the curbs and gutters, of

standard Portland cement Class B concrete "L" type over 6 inches of Type II aggregate base; for the sidewalks, of 4 inches of standard Portland cement Class B concrete slabs over 5 inches of Type II aggregate base; for the street lighting system, of 200 watt high pressure sodium vapor luminaires, steel lighting standards on concrete bases and underground circuits; and, for the residential driveway approaches, of 6 inches of standard Portland cement Class B concrete over 6 inches of Type II aggregate base; together with the acquisition, by purchase, the exercise of the City's power of eminent domain or otherwise, of all of the necessary rights-of-way that may be required in order to construct and install such improvements and the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

SECTION 6. That the City Clerk be, and she hereby is, authorized, empowered and directed to file in the Office of the County Recorder of Clark County, Nevada, a certified copy of a list of the lots and parcels of property that are to be assessed in the District and the estimated amount of the maximum benefits that are to be assessed against each lot or parcel in the assessment area, as the same is shown on the assessment plat, as such estimated amount may have been revised and approved by the City Council.

SECTION 7. That all of the actions (not inconsistent with the provisions of this Ordinance) that have heretofore been taken by the City, and the officers thereof, and were directed toward the construction and installation of the improvements within each of the assessment units of the District, toward the creation of the District and

toward the levying and effecting of the special assessments to defray the cost thereof be, and the same hereby are, approved, ratified and confirmed.

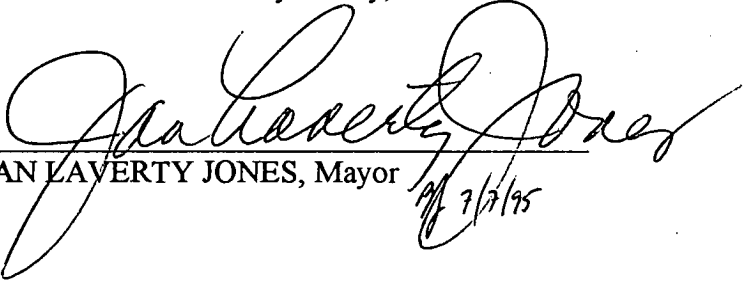
SECTION 8. That all bylaws, orders, resolutions or ordinances, or parts of bylaws, orders, resolutions or ordinances, that are in conflict with this Ordinance are hereby repealed.

SECTION 9. That, if any one or more of the sections, sentences, clauses or parts of this Ordinance shall, for any reason, be judicially questioned or be held to be invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance but shall be confined in its operation to each specific section, sentence, clause or part of this Ordinance that is so held to be unconstitutional or invalid, that the inapplicability or 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 or validity of this Ordinance in any other instance and that each of the assessment units that comprise the District shall be treated separately and distinctly for the purposes of notice, protest and other matters that relate thereto, and, should any of the individual assessment units be defeated by protests or become invalid for any reason, such protests or invalidity, by the operation of law or otherwise, shall not affect the remaining assessment unit or units.

SECTION 10. That the City Clerk, ex officio the Clerk of the City Council, be, and she hereby is, authorized, empowered and directed to cause this Ordinance to be published once, immediately following its final reading and adoption, in the Las Vegas Review-Journal, a daily newspaper that is published and of general

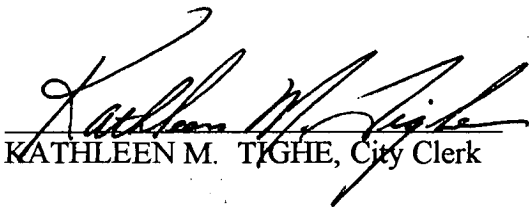
circulation within the City, and this Ordinance shall become effective on the day that immediately follows the day on which such publication is made.

PASSED, ADOPTED AND APPROVED this 5th day of July, 1995.



JAN LAVERTY JONES, Mayor
7/7/95

ATTEST:



KATHLEEN M. TIGHE, City Clerk

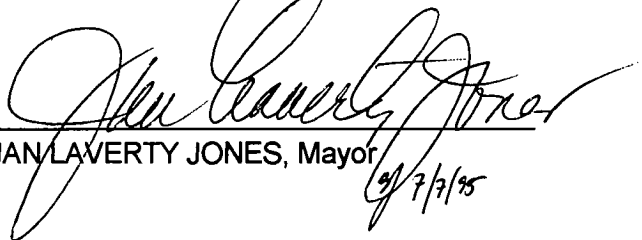
The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of June, 1995, and referred to the following committee composed of Mayor Jones and Councilman Adamsen for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of July, 1995, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": Councilmen Adamsen, Callister, McDonald, Reese and Mayor Jones


VOTING "NAY": NONE

ABSENT: NONE

APPROVED:

By: 
JAN LAVERTY JONES, Mayor
7/7/95

ATTEST:


KATHLEEN M. TIGHE, City Clerk

RECEIVED
CITY CLERK

JUL 17 10 54 AM '95

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 95-36
ORDINANCE NO. 3905

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1448; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

SPONSORED BY: Ordinance required by step procedure.
SUMMARY: Creates District.
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VOTING "AYE" Councilmen Adamsen, Callister, McDonald, Reese and Mayor Jones
VOTING "NAY" NONE
ABSENT NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: July 8, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

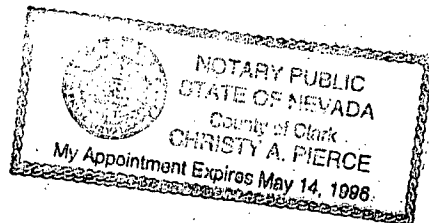
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JULY 8, 1995 to JULY 8, 1995, on the following days:

JULY 8, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 10 day of July, 19 95

Christy A. Pierce
Notary Public



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CITY CLERK

JUN 27 12 **AFFIDAVIT OF PUBLICATION**

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BILL NO. 95-36

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1448; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

SPONSORED BY: Ordinance required by step procedure.
SUMMARY: Creates District. At a City Council meeting JUNE 7, 1995

BILL NO. 95-36 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Mayor Jones and Councilman Adamsen

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: June 22, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JUNE 22, 1995 to JUNE 22, 1995, on the following days:

JUNE 22, 1995

Signed Barbara Carr

Subscribed and sworn to before me this 23 day of June, 1995

Peggy H. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

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BILL NO. 95-36
ORDINANCE NO. 3905

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1448; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

SPONSORED BY: Ordinance required by step procedure.
SUMMARY: Creates District. The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of June, 1995, and referred to the following committee composed of Mayor Jones and Councilman Adamsen, for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of July, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:
VOTING "AYE" Councilmen Adamsen, Callister, McDonald, Reese and Mayor Jones
VOTING "NAY" NONE
ABSENT NONE
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA, PUB: July 8, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

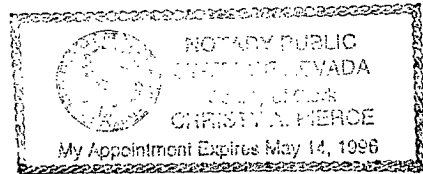
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JULY 3, 1995 to JULY 8, 1995, on the following days:

JULY 8, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 10 day of July, 19 95

Christy A. Pina
Notary Public



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BILL NO. 95-36

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1448; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

SPONSORED BY: Ordinance required by step procedure. SUMMARY: Creates District. At a City Council meeting - JUNE 7, 1995

BILL NO. 95-36 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE Mayor Jones and Councilman Adamsen. COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA. PUB: June 22, 1995 Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JUNE 22, 1995 to JUNE 22, 1995, on the following days:

JUNE 22, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 23 day of June, 1995

Peggy M. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



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