

1 BILL NO. 81-80

2 ORDINANCE NO. 2214

3
4 AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PRO-
5 VIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA,
6 SPECIAL IMPROVEMENT DISTRICT NO. 435; PROVIDING FOR THE PAYMENT
7 OF THE COST AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE
8 COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE
9 LOTS AND PARCELS OF PROPERTY BENEFITTED BY SAID IMPROVEMENTS;
10 DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID
11 ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING
12 RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE BOARD
13 OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD
14 THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRE-
15 SCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RE-
16 LATING THERETO.

17
18 Sponsored By: Ordinance required Intent of Bill: Step
19 by step procedure. requirement.

20 WHEREAS, the City of Las Vegas, in the County of Clark,
21 State of Nevada, has taken requisite legal action preliminary to
22 and in the creation of Special Improvement District No. 435, con-
23 sisting of:

24 The improvements include the installation of alley
25 paving consisting of two inches of AC pavement with fog seal and
26 prime coat over two inches of Type II Aggregate Base and six
27 inches of Type I Aggregate Base and standard alley gutters and
28 valley gutters in the alley in Block 5 of Clarks Las Vegas Town-
29 site, bounded by Bridger Avenue, Lewis Avenue, Main Street and
30 First Street, to include the necessary installation, removal
31 and relocation of any and all utilities and appurtenances that
32 are deemed necessary to complete same, as more particularly shown
on the plats, diagrams and plans of the work and the locality
to be improved, now on file in the Office of the City Clerk.

WHEREAS, pursuant to said proceedings and pursuant to
notice duly and validly given, said Board of Commissioners, on
the 13th day of January, 1981 received bids for the doing of the
work therefor and said City formally entered into the following

1 contract for the doing of such work and the furnishing of all
2 necessary materials, to-wit:

3 WEAVER CONSTRUCTION COMPANY

4 and

5 WHEREAS, said Board of Commissioners has determined,
6 and does hereby determine, that the total cost of such improve-
7 ments, including advertising, appraising, engineering, legal,
8 printing, interest on interim warrants and all other proper in-
9 cidental costs in said unit of said Assessment District is as
10 follows, to-wit:

11 \$20,591.61

12 and

13 WHEREAS, said Board of Commissioners has determined,
14 and does hereby determine, that the following amount shall be
15 assessed against and be paid by the property specially benefitted
16 by the improvements in said unit of said Assessment District,
17 to-wit:

18 \$20,591.61

19 and

20 WHEREAS, said Board of Commissioners has determined,
21 and does hereby determine, that there shall be assessed to said
22 lot or parcel of property specially benefitted its proportionate
23 share of the costs and expenses being levied against the particular
24 Assessment Unit in which such lot or parcel is situate, on the
25 basis set forth in the Provisional Order Resolution passed and
26 approved on the 17th day of September, 1980 and Ordinance No. 2134
27 the ordinance creating the District, duly passed, adopted and
28 approved on the 19th day of November, 1980; and

29 WHEREAS, said assessments in no event exceed the esti-
30 mated benefits to the property assessed not that portion of the
31 total costs of improvements payable in assessments as heretofore
32 determined; and

1 WHEREAS, after the determination of the costs of such
2 work to be paid by the property specially benefitted, the City
3 Engineer, pursuant to directions contained in the Resolution of
4 said Board of Commissioners duly passed, adopted and approved
5 on the 19th day of August, 1981, prepared an assessment roll
6 which contained, among other things, the name of each last known
7 owner of each lot or parcel of property to be assessed, a descri-
8 ption of each lot or parcel to be assessed, and the amount of
9 the proposed assessment thereon, apportioned on an area basis as
10 more particularly set forth in Section 4 of said Ordinance
11 No. 2134; and

12 WHEREAS, said Board of Commissioners thereupon fixed
13 a time and place, to-wit, the 21st day of October, 1981, at 2:00
14 P.M. in the City Hall, 400 East Stewart Avenue, Las Vegas, Nevada,
15 when all complaints, protests and objections by owners of such
16 property, by any party interested in the regularity of the pro-
17 ceedings in making such assessments, and all parties aggrieved by
18 such assessments, to said assessment roll, including, without
19 limiting the generality of the foregoing, the regularity of the
20 proceedings in making any assessment thereon, and the correctness
21 of such assessment or the amount levied on any particular lot or
22 parcel of property to be assessed, would be heard and considered
23 by said Board of Commissioners; and

24 WHEREAS, said Board of Commissioners caused said assess-
25 ment roll to be filed in the office of the Clerk of said City on
26 the 1st day of September, 1981; and said Clerk, by publication
27 in a newspaper and by mail, gave the requisite notice of the time
28 and place of such hearing, of the filing of said assessment roll
29 in her office, of the date of filing the same, and of the right
30 of any such person so to object specifically in writing, and the
31 waiver of any objection in the absence of such objection; and

32

1 WHEREAS, at the time and place so designated for the
2 hearing of such objections, said Board of Commissioners met to
3 hear and consider all objections so filed by any interested party,
4 and thereafter, by Resolution duly passed, adopted and approved
5 on the 21st day of October, 1981, confirmed said assessment roll
6 to be filed in the office of, and endorsed by, the City Clerk of
7 said City; and

8 WHEREAS, no protests and no objections, either
9 written or oral, were received at such hearing; and

10 WHEREAS, it is incumbent upon said Board of Commissioners
11 to provide herein when said assessments shall become due and de-
12 linquent, the rate of interest payable thereon, and the penalties
13 payable after delinquency.

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

16 SECTION 1. That all actions heretofore taken (not in-
17 consistent with the provisions of this ordinance) by the City of
18 Las Vegas and the officers and employees thereof directed toward
19 the creation of Las Vegas, Nevada, Special Improvement District
20 No. 435 and the installation therein of certain improvements,
21 to-wit:

22 The improvements include the installation of alley
23 paving consisting of two inches of AC pavement with fog seal and
24 prime coat over two inches of Type II Aggregate Base and six
25 inches of Type I Aggregate Base and standard alley gutters and
26 valley gutters in the alley in Block 5 of Clarks Las Vegas Town-
27 site, bounded by Bridger Avenue, Lewis Avenue, Main Street and
28 First Street , to include the necessary installation, removal
29 and relocation of any and all utilities and appurtenances that
30 are deemed necessary to complete same, as more particularly shown
31 on the plats, diagrams and plans of the work and the locality
32 to be improved, now on file in the Office of the City Clerk.

1 and toward performing all prerequisites to levying special
2 assessments and to fixing the assessment lien against the various
3 lots and parcels of property specially benefitted by the improve-
4 ments in each unit of said District, be, and the same hereby are,
5 approved, ratified and confirmed.

6 SECTION 2. That for the purposes of paying the costs
7 and expenses of said improvements, there be, and there hereby are,
8 levied and assessed against the lots and parcels of property in
9 each assessment unit of said District, being all those lots and
10 parcels specially benefitted, by said improvements in such assess-
11 ment unit, in the City of Las Vegas, County of Clark, Nevada, and
12 described in the assessment roll for said District as filed in the
13 office of the City Clerk on the 1st day of September, 1981, and as
14 confirmed by resolution duly adopted by said Board of Commissioners
15 on the 21st day of October, 1981 the amounts and assessments shown
16 in said roll.

17 SECTION 3. That said assessments shall be due and payable
18 at the office of the County Treasurer of Clark County, Nevada within
19 thirty (30) days after this ordinance becomes effective without in-
20 terest and without demand; provided, that all or any part of such
21 assessments may, at the election of the owner, be paid in install-
22 ments, with interest, as hereinafter provided. Failure to pay the
23 whole assessment within thirty (30) days after this ordinance be-
24 comes effective shall be conclusively considered and held an election
25 on the part of all persons interested, whether under disability
26 or otherwise, to pay in installments, the amount of the assess-
27 ments then unpaid. In case of such election to pay in install-
28 ments, the unpaid assessments shall be payable in ten (10) sub-
29 stantially equal annual installments of principal until paid in
30 full, with interest in all cases on the unpaid and deferred in-
31 stallments of principal from the effective date of this ordinance
32 after passage and approval at a rate of Nine per centum (% 9)

1 per annum. Failure to pay any installment, whether of principal
2 or interest, when due shall ipso facto cause the whole amount of
3 the unpaid principal to become due and payable immediately, at
4 the option of the City, the exercise of said option to be indi-
5 cated by the commencement of foreclosure proceedings by the City
6 of Las Vegas, and the whole amount of the unpaid principal and
7 accrued interest shall, after such delinquency, whether said
8 option is or is not exercised, bear penalty at the rate of one
9 per centum (1%) per month, until the day of sale or until paid,
10 but at any time prior to the date of sale, the owner may pay the
11 amount of all delinquent installments originally becoming due on
12 or before the date of said payment, with interest thereon, and
13 all penalties accrued, and shall thereupon be restored to the
14 right thereafter to pay in installment in the same manner as if
15 default had not been suffered. The owner of any property not in
16 default as to any installment or payment may, at any time, pay
17 the whole or any annual installment of the unpaid principal with
18 with interest accruing thereon to the next interest payment date.

19 SECTION 4. That the amounts assessed as aforesaid shall
20 be a lien upon said lots and parcels of property from the effective
21 date of this ordinance co-equal with the lien of other taxes and
22 prior and superior to all other liens, claims, encumbrances and
23 titles. The sale of any such lot or parcel of property for
24 general or other taxes shall not relieve such lot or parcel of
25 property from such assessment or the lien therefor. Such amounts
26 shall continue to be a lien upon the lots and parcels of property
27 assessed until paid in full (including all principal) and the
28 interest thereon, and any penalties and collection cost.

29 SECTION 5. That in case any such lot or parcel of pro-
30 perty so assessed is delinquent in the payment of such assess-
31 ment or any installment of principal or interest, the assessment
32 roll and the certified copy of this ordinance shall be prima facie

1 evidence of the regularity of the proceedings in making the
2 assessment and of the right to recover judgment therefor.

3 SECTION 6. That the City Clerk shall publish, as soon
4 as reasonable possible, a notice in a newspaper which is an
5 official newspaper, published daily for said City, once a week
6 for two consecutive weeks, stating that said assessments having
7 been levied and are due and payable. The Board of Commissioners
8 hereby determines that the manner of giving notice herein pro-
9 vided for by publication is reasonable calculated to inform the
10 interested parties of the proceedings concerning said District,
11 which may directly and adversely affect their legally protected
12 interests.

13 SECTION 7. That the City Clerk is hereby directed to
14 deliver to the County Assessor of Clark County, Nevada, the
15 Ex-Officio City Assessor for the City of Las Vegas, a copy of
16 the final assessment roll, as confirmed by resolution duly
17 passed, adopted and approved on the 21st day of October, 1981
18 containing a description of the lots and parcels of property
19 being assessed, with the amount of the assessment levied upon
20 each, and the name of the owner or occupant thereof against
21 whom the assessment was made; and said City Clerk is additionally
22 directed to require the City Treasurer to collect the several
23 sums so assessed, as a tax upon the several lots and parcels
24 to which they were assessed.

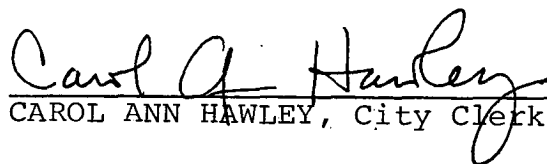
25 SECTION 8. That the notice provided for in Section
26 6 of this ordinance shall be in substantially the following form:

27 . . .
28 . . .
29 . . .
30 . . .
31 . . .
32 . . .

1 each year, commencing on the first day of January 1, 1983. Fail-
2 ure to pay any installment, whether of principal or interest,
3 when due, shall cause the whole of the unpaid principal to become
4 due and payable immediately, at the City's option, and the whole
5 amount of the unpaid principal and accrued interest shall, after
6 such delinquency, whether said option is or is not exercised,
7 bear penalty at the rate of one per centum (1%) per month, until
8 the day of sale or until paid, but at any time prior to the date
9 of the sale, the owner may pay the amount of all delinquent in-
10 stallments originally becoming due on or before the date of said
11 payment, with interest thereon, and all penalties accrued, and
12 shall thereupon be restored to the right thereafter to pay in
13 installments in the same manner as if default had not been
14 suffered. The owner of any property not in default as to any
15 installment or payment may, at any time, pay the whole or any
16 annual installment of the unpaid principal, with interest accruing
17 thereon to the next interest payment date.

18 The amounts assessed as aforesaid constitute a lien
19 upon said lots and parcels of property from the 18th day of
20 November, 1981, the effective date of said ordinance, which lien
21 shall be co-equal with the lien of other taxes and prior and su-
22 perior to all other liens, claims and titles. The sale of any
23 such lot or parcel of property for general or other taxes shall
24 not relieve such lot or parcel of property from such assessment
25 or the lien therefor.

26 DATED this 4th day of November, 1981.

27
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29 
30 CAROL ANN HAWLEY, City Clerk
31
32

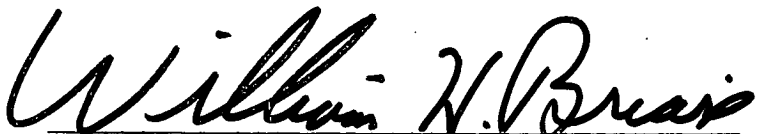
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SECTION 9. That the officers of the City of Las Vegas be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

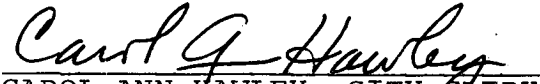
SECTION 10. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provisions shall not affect any of the remaining provisions of this ordinance.

SECTION 11. That all ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. The repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED, ADOPTED AND APPROVED this 4th day of November, 1981.


WILLIAM H. BRIARE, MAYOR

ATTEST:


CAROL ANN HAWLEY, CITY CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

REX TAYLOR

_____ , being first duly sworn,

deposes and says: That he is COMPOSING ROOM FOREMAN of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time

from Oct. 28 to Oct. 28

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

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

Signed _____

Subscribed and sworn to before me this 28th
day of Oct., 1981

Notary Public in and for Clark County, Nevada
ROTHE V. DESKIN

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

BILL NO. 81-80
AN ORDINANCE CONFIRMING THE
PROCEEDINGS HERETOFORE
TAKEN IN PROVIDING FOR CER-
TAIN STREET IMPROVEMENTS
WITHIN LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DIS-
TRICT NO. 435; PROVIDING FOR
THE PAYMENT OF THE COST AND
EXPENSES OF SAID IM-
PROVEMENTS; ASSESSING THE
COST AND EXPENSES OF SAID
IMPROVEMENTS AGAINST THE
ASSESSABLE LOTS AND PAR-
CELS OF PROPERTY BENEFITTED
BY SAID IMPROVEMENTS; DE-
SCRIBING THE MANNER FOR THE
COLLECTION AND PAYMENT OF
SAID ASSESSMENTS; PROVIDING
PENALTY FOR DELINQUENT PAY-
MENTS; APPROVING, RATIFYING
AND CONFIRMING ALL ACTIONS
PREVIOUSLY TAKEN BY THE
BOARD OF COMMISSIONERS AND
THE OFFICERS OF SAID CITY DI-
RECTED TOWARD THE INSTALLA-
TION OF SAID IMPROVEMENTS IN
SAID DISTRICT AND PRESCRIBING
DETAILS IN CONNECTION
THEREWITH, AND OTHER MAT-
TERS RELATING THERETO.

Sponsored By:
Ordinance required
by step procedure
Intent of Bill:
Step requirement

At a Commission Meeting on
October 21, 1981
BILL NO. 81-80 WAS READ BY TI-
TLE AND REFERRED TO
RECOMMENDING COMMITTEE:
COMMISSIONERS Levy
and Lurie
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE FOR
PUBLIC INFORMATION IN THE OF-
FICE OF THE CITY CLERK, 10TH
FLOOR, CITY HALL, 400 EAST
STEWART AVENUE, LAS VEGAS,
NEVADA.
Pub: October 28, 1981
Las Vegas SUN

My Commission Expires



RECEIVED

OCT 29 4 08 PM '81

CITY CLERK

08232

1 Legal Notices

BILL NO. 81-80
ORDINANCE NO 2214

AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 435; PROVIDING FOR THE PAYMENT OF THE COST AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITTED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND CONFIRMING ALL ACTIONS PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRESCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO.

Sponsored By: Ordinance required by step procedure.

Intent of Bill: Step requirement. The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 21st day of October, 1981, and referred to the following committee composed of Commissioners Levy and Lurie for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of November, 1981, which was a regular meeting of said Board; that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:
VOTING "AYE" Commissioners: Christensen, Levy, Lurie
Woofter and Mayor Briare
VOTING "NAY" Commissioners: None

ABSENT: None
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

Pub November 7, 1981
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

REX TAYLOR

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM FOREMAN of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from Nov. 7

to Nov. 7

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

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

Signed Rex Taylor

Subscribed and sworn to before me this 7th
day of NOV., 1981

My Commission Expires



Notary Public in and for Clark County, Nevada

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

RECEIVED

NOV 12 10 32 AM '81

CITY CLERK

08234