

Bill No. 90-79
Ordinance No. 3551

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 462; 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, Nevada, has heretofore taken action preliminary to the creation of Las Vegas, Nevada, Special Improvement District No. 462 for the purpose of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Verde Way and portions thereof as is more particularly described in the Notice of Hearing that is provided for in Section 4 of that certain Resolution that was duly passed, adopted and approved on the 7th day of November, 1990 (the "Provisional Order Resolution" herein), as ASSESSMENT UNIT NO. I and the installation of driveway approaches along Verde Way and portions thereof as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II and of defraying the entire cost and expense thereof by special assessments, according to the benefits derived, against the assessable lots and parcels of property within each assessment unit of said District; and

WHEREAS, pursuant to Chapter 271 of the Nevada Revised Statutes and the Provisional Order Resolution, said City Council declared its determination to create said District for the purpose of making such improvements within each assessment unit thereof, describing in the Provisional Order Resolution the improvements, stating therein that the entire expense thereof shall be paid by special assessments and that the assessments are to be made according to the benefits, designating therein, by apt description, the boundaries of said District, including the lands to be so assessed, and definitely locating therein the improvements to be made within each assessment unit of said District; and

WHEREAS, a public hearing concerning the propriety and advisability of making such improvements was held on the 5th day of December, 1990, pursuant to duly mailed, posted and published notice, with protests having been presented to the creation of said District that represented the majority of the frontage that is to be assessed for the cost of the street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. I thereof; and

WHEREAS, the notice of such public hearing advised the owner or owners of each lot or parcel of property to be assessed for the cost of such street paving, any other person who may be interested in any thereof and any tenant of any mobile home park that is located on any such lot or parcel that, since not more than 1,320 feet, including intersections, remain unimproved with street paving in Verde Way between the street paving improvements that have already been made to two streets that intersect the said Verde Way, to wit, Jones Boulevard and Leon Avenue, said City Council may, pursuant to NRS 271.305(7)(b)(2), order the construction and installation of the street paving in ASSESSMENT UNIT NO. I, in which event the construction and installation of such street paving shall not be stayed, defeated or prevented by written complaints, protests or objection thereto; and

WHEREAS, said City Council, by that certain Resolution that was duly passed, adopted and approved on the 19th day of December, 1990, has found, determined and declared that, notwithstanding the fact that protests that represent the majority of the frontage to be assessed for the cost of the improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. I of said District have been presented, the construction and installation of such improvement should not be stayed, defeated or prevented, and it therefore, pursuant to NRS 271.305(7)(b)(2), overruled each of such protests, and has further found, determined and declared that the public convenience and necessity require the creation of said District and that the creation of said District is economically sound and feasible; and

WHEREAS, said City Council and the officers of said City

have done all things necessary and preliminary to the creation of said Las Vegas, Nevada, Special Improvement District No. 462, including without limitation the filing with said City Clerk by the City Engineer of said City of a revised and accurate estimate of cost, plans, assessment plat, specifications and map, and said City Council desires now to order such improvements and work within each assessment unit of said District by this Ordinance.

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

SECTION 1. That there shall be, and hereby is, created a special improvement district, consisting of two (2) separate and distinct assessment units, for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Verde Way and portions thereof as is more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution as ASSESSMENT UNIT NO. I and the installation of driveway approaches along Verde Way and portions thereof as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II and of defraying the entire cost and expense thereof by special assessments, according to the benefits derived, against the assessable lots and parcels of property within each assessment unit of said District, such assessment units to include and be the same as the areas designated in the Provisional Order Resolution, and said improvements be, and they hereby are, ordered.

SECTION 2. That the character and location of the improvements and the boundaries of said District, and of each assessment unit thereof, shall be in all respects as set forth in the Provisional Order Resolution (except to the extent inconsistent herewith), as the same are more particularly shown in the plats, diagrams, plans and specifications as filed in the office of said City Clerk prior to the adoption of the Provisional Order Resolution.

The boundaries of said District, which include all the lots and parcels to be assessed, are more particularly described

as follows:

ASSESSMENT UNIT NO. I (Street Paving)

Each lot or parcel or real property lying and being situate in the City of Las Vegas, in the County of Clark, State of Nevada, and being a portion of Section 36, Township 19 South, Range 60 East, M.D.M., which abuts Verde Way (60 feet wide), or portions thereof, along both sides thereof from a point that is approximately 11 feet east of the centerline of Jones Boulevard (60 feet wide north of Verde Way and 100 feet wide south of Verde Way) easterly to a point that is approximately 14 feet west of the centerline of Leon Avenue (60 feet wide).

ASSESSMENT UNIT NO. II (Driveway Approaches)

Each lot or parcel or real property lying and being situate in the City of Las Vegas, in the County of Clark, State of Nevada, and being a portion of Section 36, Township 19 South, Range 60 East, M.D.M., which abuts Verde Way (60 feet wide), or portions thereof, along both sides thereof from a point that is approximately 11 feet east of the centerline of Jones Boulevard (60 feet wide north of Verde Way and 100 feet wide south of Verde Way) easterly to a point that is approximately 14 feet west of the centerline of Leon Avenue (60 feet wide).

SECTION 3. That said City Council shall provide that such assessments may be payable without interest or demand during a specified period, at the election of the property owner, or in twenty substantially equal semiannual installments of principal. The amounts to be assessed shall be made upon all lots and parcels of property benefited, proportionately to be benefits received, and shall be assessed against the benefited property abutting said improvement in ASSESSMENT UNIT NO. I on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of

said lot or parcel which abuts the improvement bears to the frontage of all assessable property abutting the improvement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, but prior to the date on which the assessments 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 subplot or subparcel shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel bears to the aggregate area of the entire lot or parcel; and against the benefited property abutting said improvement in ASSESSMENT UNIT NO. II on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the square footage of the driveway approach or approaches installed to serve said lot or parcel bears to the square footage of all of the driveway approaches installed to serve all assessable property in the assessment unit. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot or parcel of property in each of the individual assessment units shall be as stated in the aforesaid assessment plat.

Regardless of the basis that is used in apportioning the assessments, in the case of wedge, "V" or other irregularly shaped lots or parcels, the amounts apportioned thereto shall be in proportion to the special benefits to be derived thereby.

SECTION 4. That, except as is shown on the plans and specifications now on file in the office of said City Clerk, the character of such improvements are more particularly as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The street paving shall consist of 2 inches of asphaltic concrete pavement (including fog seal and prime coat) over 4

inches of Type II aggregate base and 6 inches (minimum) of Type I aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed necessary to complete same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. II (Driveway Approaches)

The driveway approaches shall consist of 2 inches of asphaltic concrete pavement (including fog seal and prime coat) over 4 inches of Type II aggregate base and 6 inches (minimum) of Type I aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed necessary to complete same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

SECTION 5. That said 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 to be assessed in said District and the amount of the maximum benefits estimated to be assessed against each lot or parcel in the assessment area, as the same is shown on the assessment plat as revised and approved by said City Council.


SECTION 6. That all actions (not inconsistent with the provisions of this Ordinance) that were heretofore taken by said City, and the officers thereof, directed toward the construction and installation of the improvements within each of the assessment units of said Special Improvement District No. 462, toward the creation of said District and toward the levying and effecting of special assessments to defray the cost thereof be, and the same hereby are, ratified, approved and confirmed.

SECTION 7. That all bylaws, orders, resolutions or ordinances or parts of bylaws, orders, resolutions or ordinances, in conflict with this Ordinance are hereby repealed.

SECTION 8. That, if any one or more sections, sentences, clauses or parts of this Ordinance shall, for any reason, be 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 the specific sections, sentences, clauses or parts of this Ordinance so held to be unconstitutional or invalid, and the applicability 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 or validity of this Ordinance in any other instance, and each of the units which comprise said District shall be treated separately and distinctly for the purpose of notice, protest and other matters relating thereto, and, should any of the individual assessment units be defeated by protest or become invalid for any reason, said protest or invalidity, by operation of law or otherwise, shall not affect the remaining unit or units.

SECTION 9. That said City Clerk and Clerk of said City Council be, and she hereby is, further 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 published and of general circulation in said City, and this Ordinance shall become effective on the day immediately following such publication.

PASSED, ADOPTED AND APPROVED THIS 16th day of January, 1991.



RON LURIE, Mayor OK 1-17-91 RAW

ATTEST:



KATHLEEN M. TIGHE, City Clerk

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JAN 25 10 58 AM '91

AFFIDAVIT OF PUBLICATION

CITY CLERK

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BILL NO. 90-79
Ordinance No. 3551

AN ORDINANCE CREATING LAS VEGAS, SPECIAL IMPROVEMENT DISTRICT NO. 462; 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 19th day of December, 1990, and referred to the following committee composed of Councilmen Adamsen and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 16th day of January, 1991, 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, Higginson, Miller, Nolen and Mayor Lurie

VOTING "NAY" Councilmen: NONE

ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: January 19, 1991
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTY A. FERGUSON, being first duly sworn, deposes and says:

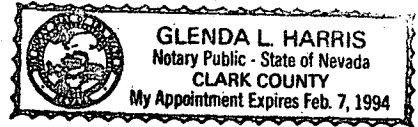
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada; and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 19, 1991 to JANUARY 19, 1991, on the following days:

JANUARY 19, 1991

Signed: Christy A. Ferguson

Subscribed and sworn to before me this 21 day of January, 1991

Glenda L. Harris
Notary Public



RECEIVED

JAN 10 10 38 AM '91

AFFIDAVIT OF PUBLICATION

CITY CLERK

PASTE CLIPPING HERE

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTY A. FERGUSON, 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 JANUARY 4, 1991 to JANUARY 4, 1991, on the following days:

JANUARY 4, 1991

BILL NO. 90-79
AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 462; 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 DECEMBER 19, 1990. BILL NO. 90-79 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Adamsen and Miller. COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 4, 1991
Las Vegas Review-Journal

Signed:

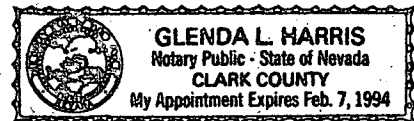
Christy A. Ferguson

Subscribed and sworn to before me this

4 day of January, 1991

Glenda L. Harris

Notary Public



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JAN 10 10 18 AM '91

AFFIDAVIT OF PUBLICATION

CITY CLERK

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BILL NO. 90-79

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 402 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 DECEMBER 19, 1990

BILL NO. 90-79 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Adamsen and Miller

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

PUB: January 4, 1991
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTY A. FERGUSON 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 JANUARY 4, 1991 to JANUARY 4, 1991, on the following days:

JANUARY 4, 1991

Signed: Christy A. Ferguson

Subscribed and sworn to before me this 4 day of January, 1991

Glenda L. Harris
Notary Public

 **GLENDAL HARRIS**
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Feb. 7, 1994



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AFFIDAVIT OF PUBLICATION

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BILL NO. 90-79
Ordinance No. 3551

AN ORDINANCE CREATING LAS VEGAS SPECIAL IMPROVEMENT DISTRICT NO. 402; 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 19th day of December, 1990, and referred to the following committee composed of Councilmen Adamsen and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 16th day of January, 1991, 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, Higginson, Miller, Nolan and Mayor Lurie.

VOTING "NAY" Councilmen: NONE

ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: January 19, 1991
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CHRISTY A. FERGUSON, being first duly sworn, deposes and says:

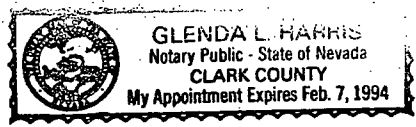
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 19, 1991 to JANUARY 19, 1991, on the following days:

JANUARY 19, 1991

Signed: Christy A. Ferguson

Subscribed and sworn to before me this 21 day of January, 1991

Glenda L. Harris
Notary Public



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