

ORDINANCE NO. 1523

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 499, ORDERING THE INSTALLATION OF STREET LIGHTS, ALONG CERTAIN STREETS AND PORTIONS THEREOF, WITHIN THE CITY OF LAS VEGAS, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Board of Commissioners of the City of Las Vegas, Nevada, has heretofore taken action preliminary to the creation of Las Vegas, Nevada, Special Assessment District No. 499, for the purpose of installing street lights, within that certain area of said City described in the provisional order resolution passed and approved on the 7th day of April, 1971, and to defray the entire costs and expenses thereof by special assessments, according to the benefits, against the taxable lots and premises in each assessment unit of said District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes, and the aforesaid provisional order resolution, said Board of Commissioners declared its determination to create the District for the purpose of making said improvements within each assessment unit thereof, stating therein the improvements, that the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to the benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made within each assessment unit of said District; and

WHEREAS, pursuant to said resolution, said Board of Commissioners directed the City Clerk of said City to give notice of the estimates of the expense of the improvements and plats and diagrams theretofore filed, and of the time and place of hearing thereon, and said notice was given in the manner specified by the laws of the State of Nevada and in accordance with the directions contained in said resolution; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, at said hearing four (4) written protests and no verbal protests were received with respect to the District; and said Board, having duly considered each of said protests, determined it to be in the best interest of said District, the City and the inhabitants thereof to create the District as heretofore proposed; and

WHEREAS, the owners of less than one-half of the area to be assessed filed written or verbal objections; and

WHEREAS, said Board of Commissioners has done all things necessary and preliminary to the creation of said Las Vegas, Nevada, Special Assessment District No. 499, including, but not necessarily limited to, the filing with the City Clerk by the City Engineer of a revised and accurate estimate of cost, plans, assessment plat, specifications and

map, and desires now to order such improvements and work by this ordinance.

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

Section 1. That said Board of Commissioners has determined, and does hereby determine, that each and every protest and objection filed or otherwise made in connection with Las Vegas, Nevada, Special Assessment District No. 499 (representing less than fifty per cent (50%) of the area to be assessed in said District is without merit, and that the same be, and hereby is, overruled and finally passed upon by said Board.

Section 2. That there shall be, and hereby is, created an assessment district for the purpose of installing street lights within that certain area of said City described in the provisional order resolution passed and approved on the 7th day of April, 197 , to include and be the same as the areas designated in the aforesaid provisional order resolution, and said improvements be, and hereby are, ordered.

Section 3. That the character and location of the improvements and the boundaries of the District shall be in all respects as set forth in the aforesaid provisional order resolution (except to the extent inconsistent herewith) as more particularly shown in the plats, diagrams, plans and specifications as filed in the City Clerk's office prior to the adoption of said provisional order resolution, and as since remaining on file therein.

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

Those portions of the South Half (S 1/2) of Section 22 and of the North Half (N 1/2) of Section 27, all in Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being more particularly described as follows:

Those certain tracts or parcels of land adjoining Owens Avenue and Harrison Avenue on the North and South, from the centerline of "H" Street, Easterly to the centerline of "B" Street; except therefrom that parcel conveyed to Gulf Oil Corporation of California by deed recorded October 3, 1962, as Document No. 314897, Official Records of Clark County, Nevada.

Section 4. The amounts to be assessed shall be made upon all lots and parcels of property benefited, proportionately to the benefits received and shall be assessed against the property abutting said improvements on an area basis, i. e., on the basis that each lot or parcel of property to be assessed in each such assessment unit shall be assessed a portion of the aggregate dollar amount being levied against that particular entire assessment in the proportion that the area of said lot or parcel bears to the area of all the assessable property in such assessment unit, provided that the depth of a lot or parcel in excess of 100 feet from the frontage facing the improvements shall not be considered in computing

the area of such lot or parcel provided that an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform. 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 shall be as stated in the aforesaid assessment plat.

Regardless of the basis used by apportioning assessments, in case of wedge or V or other irregularly shaped tracts, an amount apportioned thereto shall be in proportion to the special benefits to be derived.

Section 5. Except as shown on the plans and specifications now on file in the Office of the City Clerk, the character of such improvements shall be more particularly as follows:

The improvement shall include the installation of street lighting along both sides of Owens Avenue and Harrison Avenue from "H" Street easterly to "B" Street, except where adequate street lighting has previously been installed as designated on the plans presently on file in the Office of the City Clerk.

The street lighting system shall consist of Mercury Vapor Luminaires, Steel Lighting Standards with Concrete Basis, together with the installation, removal and relocation of any and all appurtenances and any and all utilities that are deemed necessary to complete same, as more particularly shown by the plans, plats, and diagrams of the work and of the locality to be improved, now on file in the Office of the City Clerk.

Section 6. That all actions (not inconsistent with the provisions of this ordinance) heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the construction and installation of the improvements within said Assessment District No. 499, toward the creation of said District, and toward levying and effecting special assessments to defray the cost thereof, be, and the same hereby are, ratified, approved and confirmed.

Section 7. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict with this ordinance, are hereby repealed.

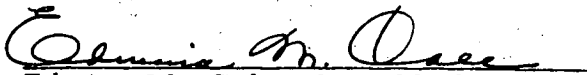
Section 8. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.

Section 9. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review Journal, a daily newspaper published in and of general circulation in said City, and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 7th day of July, 1971.

  
ORAN K. GRAGSON, Mayor

ATTEST:

  
Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 16th day of June, 1971, and referred to the following committee composed of Commissioners Thornley and Coblentz for recommendation; thereafter, the said committee reported favorably on said ordinance on the 7th day of July, 1971, 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 Franklin, Morelli, Coblentz, Thornley and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:

  
ORAN K. GRAGSON, Mayor

ATTEST:

  
Edwina M. Cole, City Clerk

# AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,  
COUNTY OF CLARK

{ ss.

Robert E. Hunter

RECEIVED  
JUL 21 1975 11H 7M  
COUNTY CLERK

, being first duly sworn,

Composing Room Foreman

deposes and says: That he is \_\_\_\_\_ 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 8 Days

from July 10, 1971 to July 17, 1971

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

July 10, 17, 1971

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

Signed

*Robert E. Hunter*

Subscribed and sworn to before me this 20<sup>th</sup>  
day of July, 1971

*Ruth V. Deskin*

My Commission Expires

Notary Public in and for Clark County Nevada  
**RUTH V. DESKIN**  
Notary Public—State of Nevada  
COUNTY OF CLARK  
My Commission Expires April 14, 1973

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WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings; concerning the District which might directly and adversely affect their legally protected interests; and

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PASSED, ADOPTED AND APPROVED this 7th day of July, 1971.

-s- Oran K. Gragson  
Mayor

ATTEST:

-s- Edwina M. Cole  
City Clerk

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VOTING "AYE": Commissioners Franklin, Morell, Coblenz, Thornley and Mayor Gragson  
VOTING "NAY": None  
ABSENT: None

APPROVED:

-s- Oran K. Gragson

ATTEST:

-s- Edwina M. Cole,  
City Clerk

(PUB. July 10, 17, 1971)