

Bill No. 97-73

Ordinance No. 5018

AN ORDINANCE RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING AND REDECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith. (A-14-97)

Sponsored by:
Councilman Arnie Adamsen

Summary: Annexes and reaffirms the annexation of approximately 456 acres of property described generally as located north of Cheyenne Avenue, adjacent to and east of Fort Apache Road, and west of Durango Drive.

WHEREAS, in 1994 the City Council annexed into the City of Las Vegas, by the adoption of Ordinance No. 3775, certain described territory located north of Cheyenne Avenue, between Fort Apache Road and Durango Drive; and

WHEREAS, in subsequent years the City Council annexed into the City, by the adoption of Ordinance Nos. 3822, 3839, 3858, 3868, 3877, 3886, 4035, 4067 and 4084, respectively, a number of other parcels, the annexation of which, in each case, was dependent and accomplished in reliance upon the adoption of Ordinance No. 3775; and

WHEREAS, the validity of the annexation accomplished by Ordinance No. 3775 has been challenged in court by the owner of a parcel located within the annexation territory, and an interlocutory ruling in that case has placed the validity of the annexation of that territory in doubt, at least as it affects that property owner; and

WHEREAS, although the City Council believes that all the territory annexed by the above referenced ordinances is, or should be treated as, a part of the City, the City Council deems it appropriate, and in the interest of the City and its residents, to confirm the Council's previous intent and legislative action by annexing and reaffirming the annexation of said territory in accordance with

CERTIFIED AS A TRUE COPY

Beverly L. Bridges
CITY CLERK, CITY OF LAS VEGAS
NEVADA *Acting Chief Deputy*
(14 pages - 10/13/97)

1 the general annexation procedures set forth in NRS 268.570 et seq.; and

2 WHEREAS, the territory is eligible for annexation because it meets the general
3 contiguity standards described in NRS 268.580(2); and

4 WHEREAS, the territory is eligible for annexation under NRS 268.580(3) because it
5 is developed for urban purposes. Under NRS 268.580(3), an area is developed for urban purposes if
6 it meets any one of the following standards:

7 (a) The territory has a total resident population density of two or more persons per
8 acre of land included within its boundaries;

9 (b) The territory has a total resident population density of one or more persons per
10 acre of land included within its boundaries, and is subdivided or parceled, through separate
11 ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and
12 parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels
13 are 1 acre or less in size; or

14 (c) The territory is so developed that at least 60 percent of the total number of lots
15 and parcels in the territory to be annexed, at the time of the annexation, are used for any combination
16 of residential, commercial, industrial, institutional or governmental purposes, and is subdivided or is
17 parceled, through separate ownerships, into lots or parcels such that at least 60 percent of the total
18 acreage, not including the acreage used at the time of annexation for commercial, industrial,
19 institutional or governmental purposes, consists of lots and parcels 5 acres or less in size; and

20 WHEREAS, the territory in question meets each of the NRS 268.580(3) criteria as
21 follows:

22 (a) The territory (456.102 acres $\pm$) includes approximately 1800 residences (1500
23 single-family homes, 203 townhouses and 97 condominiums). This amounts to an approximate 3.94
24 residences per acre. Using the established city/county average of 2.55 people per residence, the
25 population density is approximately 10 persons per acre.

26 (b) Along with the annexation territory's population density of approximately 10
27 persons per acre, all but approximately 15 acres of the annexation territory is subdivided into parcels
28 of 5 acres or less in size, so that over 96 percent of the total acreage is so subdivided, with over 99

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1 percent of the total number of lots and parcels being 1 acre or less in size.

2 (c) More than 300 acres within the territory are in actual use for residential,
3 commercial, industrial, institutional or governmental purposes (representing over 65 percent of the
4 total acreage), and at least 95 percent of the total acreage, not including the approximate 111 acres
5 used for commercial, industrial, institutional or governmental purposes, consists of lots and parcels
6 5 acres or less in size; and

7 WHEREAS, in addition, the territory is eligible for annexation under NRS 268.580(6)
8 because petitions have been filed on behalf of more than 75 percent of the parcels within the
9 annexation area. (Petitions representing 100 percent of the territory have actually been filed with the
10 City in connection with the original annexation proceedings, but, as previously noted, it has been
11 judicially determined that one property owner is not bound by any petition affecting her property); and

12 WHEREAS, in accordance with NRS 268.584, the City Council, on July 28, 1997,
13 adopted a resolution of intent to annex, along with the form of a notice of public hearing to be
14 provided to property owners within the annexation area, and set a public hearing for September 8,
15 1997; and

16 WHEREAS, in accordance with NRS 268.578 and 268.588, the City Council, on
17 August 11, 1997, approved an annexation report and made it available for inspection and copying
18 thereafter; and

19 WHEREAS, in accordance with NRS 268.586, the City Clerk, on or about August 15,
20 1997, mailed by certified mail, return receipt requested, a copy of the notice of public hearing to all
21 owners of property within the annexation area, as determined with reference to the records of the Clark
22 County Assessor; and

23 WHEREAS, the annexation territory includes approximately 2,325 separate parcels;
24 and

25 WHEREAS, the City Clerk sent, by certified mail, return receipt requested, a minimum
26 of 1,462 notices, which number represents the number of separate property owners within the
27 annexation territory; and

28 WHEREAS, in accordance with NRS 268.586, the City Clerk had the notice of public

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1 hearing published in the Las Vegas Review-Journal, a newspaper of general circulation within the
2 territory to be annexed, on three separate occasions, namely August 19, 1997; August 26, 1997; and
3 September 2, 1997; and

4 WHEREAS, said publication complies with the requirement of NRS 268.586 that the
5 first publication be at least 20 days before the public hearing and that there be a minimum of 6 days
6 between the first and last publication; and

7 WHEREAS, in accordance with NRS 268.590, the City Council held a public hearing
8 on September 8, 1997, on the 2:00 P.M. afternoon agenda, at which time the annexation report was
9 explained to the City Council and, thereafter, persons who wished to be heard concerning the matter
10 were given that opportunity; and

11 WHEREAS, during the public hearing, three property owners within the annexation
12 territory, and an attorney representing a fourth property owner, appeared and spoke in protest of the
13 proposal; and

14 WHEREAS, within the 15-day period following the public hearing, 5 written
15 protests were filed with the City Clerk, resulting in a combined total of 9 protests; and

16 WHEREAS, the total number of protests represents approximately 0.62 percent of
17 the property owners within the annexation territory, and the number of parcels represented in protest
18 is approximately 0.39 percent of the total number of parcels within the territory; and

19 WHEREAS, NRS 268.592 authorizes the City Council to annex the property if a
20 majority of the property owners do not protest, either in person at the public hearing or in writing
21 within 15 days thereafter; and

22 WHEREAS, in accordance with NRS 268.574(3), a "majority of the property owners"
23 means the record owners of real property:

24 (a) Whose combined value is greater than 50 percent of the total value of real
25 property in the territory, as determined by assessment for taxation; and

26 (b) Whose combined area is greater than 50 percent of the total area of the territory,
27 excluding lands held by public bodies; and

28 WHEREAS, the protests represent a combined area of less than 1 acre (0.95 acres)

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1 and a combined value (for assessment purposes) of approximately \$1,147,000.00; and

2 WHEREAS, as calculated in accordance with NRS 268.574(3), the protests represent
3 much less than 50 percent of the total value of real property in the territory, and much less than 50
4 percent (namely, 0.27 percent) of the total area, excluding lands held by public bodies; and

5 WHEREAS, in the light of the protest percentages, measured in terms of numbers,
6 value and acreage, the City Council is well within its discretion to annex/reannex the territory in
7 question; and

8 WHEREAS, in addition, based upon the factors to be recited hereafter, it is in the
9 general public interest, and in the interest of the City and those whom it serves, to annex, reannex and
10 reaffirm the annexation of the territory; and

11 WHEREAS, the City has already provided services to the annexation territory in the
12 form of street construction and/or maintenance for the major roadways providing access to and from
13 the territory, namely, Durango Drive, Alexander Road, Fort Apache Road, Gowan Road, Campbell
14 Road, El Capitan Way, Cheyenne Avenue, Buckskin Avenue and Gilmore Avenue, as well as all
15 public streets interior to the residentially developed areas; and

16 WHEREAS, in addition, the City has already demonstrated its ability to provide other
17 urban and municipal services to the territory beyond those capable of being provided by the County,
18 as is described below; and

19 WHEREAS, the City has provided sewer service to the entire annexation territory,
20 whereas the County is unable to provide such services, and the nearest County sewer line is located
21 approximately 7.5 miles from the center point of the annexation territory (approximately 6.5 miles
22 from the nearest point of the annexation territory); and

23 WHEREAS, the City has provided fire protection to the annexation territory from City
24 fire stations located approximately 1.8 miles and 3.0 miles, respectively, from the center point of the
25 annexation territory, whereas the nearest County fire station is approximately 10 miles from the
26 annexation territory; and

27 WHEREAS, the City has provided park facilities for the annexation territory at a park
28 located approximately 1.5 miles from the annexation territory, whereas the nearest County park is

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1 approximately 7 miles from the annexation territory.

2 NOW, THEREFORE, BASED UPON THE FOREGOING:

3 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
4 AS FOLLOWS:

5 SECTION 1: Subject to and in accordance with the provisions of Section 10 of this
6 Ordinance, the corporate limits of the City of Las Vegas, Nevada, are hereby extended to include,
7 annex to, and make a part of the City of Las Vegas, Nevada, the following described real property,
8 to-wit:

9 Those portions of Section 8, Township 20 South, Range 60 East, M.D.M., in the County of
10 Clark, State of Nevada, described as follows:

11 PARCEL 1

12 The East Half (E ½) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of
said Section 8.

13 EXCEPT THEREFROM the Northwest Quarter (NW ¼) of the Northeast Quarter
14 (NE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said
Section 8.

15 PARCEL 2

16 The South Half (S ½) of the Northwest Quarter (NW ¼) of said Section 8.

17 EXCEPT THEREFROM the West Half (W ½) of the Northwest Quarter (NW ¼) of
18 the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

19 ALSO EXCEPT THEREFROM the Northeast Quarter (NE ¼) of the Northwest
Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼)
20 of said Section 8.

21 PARCEL 3

22 The North Half (N ½) of the Southwest Quarter (SW ¼) of said Section 8.

23 PARCEL 4

24 The West Half (W ½) of the Northeast Quarter (NE ¼) of said Section 8:

25 EXCEPT THEREFROM the Northeast Quarter (NE ¼) of the Northeast Quarter (NE
¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section
26 8.

27 ALSO EXCEPT THEREFROM the North Half (N ½) of the Northwest Quarter (NW
¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section
28 8.

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1 PARCEL 5

2 The West Half (W $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the
3 Northeast Quarter (NE $\frac{1}{4}$) of said Section 8.

4 EXCEPT THEREFROM the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter
(NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said
5 Section 8.

6 PARCEL 6

7 The Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE
8 $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 8.

9 PARCEL 7

10 The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 8.

11 PARCEL 8

12 The West Half (W $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section
13 8.

14 SECTION 2: Subject to and in accordance with the provisions of Section 10 of this
15 Ordinance, the corporate limits of the City of Las Vegas, Nevada, are hereby extended to include,
16 annex to, and make a part of the City of Las Vegas, Nevada, the following described real property,
17 to-wit:

18 PARCEL 1

19 The Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW
20 $\frac{1}{4}$) of Section 5, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State
21 of Nevada.

22 PARCEL 2

23 Those portions of the Northeast Quarter (NE $\frac{1}{4}$) of Section 8, Township 20 South, Range 60
24 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

25 SUBPARCEL A

26 The Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast
27 Quarter (NE $\frac{1}{4}$) of said Section 8.

28 SUBPARCEL B

The East Half (E $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE
 $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 8.

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1 SUBPARCEL C

2 The Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast
3 Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 8.

4 SUBPARCEL D

5 The North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE
6 $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 8.

7 PARCEL 3

8 Those portions of the Northwest Quarter (NW $\frac{1}{4}$) of Section 8, Township 20 South, Range 60
9 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

10 SUBPARCEL A

11 The South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter
12 (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 8.

13 SUBPARCEL B

14 The Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest
15 Quarter (NW $\frac{1}{4}$) of said Section 8.

16 SUBPARCEL C

17 The North Half (N $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter
18 (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 8.

19 SUBPARCEL D

20 The Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest
21 Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 8.

22 PARCEL 4

23 The South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the
24 Northeast Quarter (NE $\frac{1}{4}$) of Section 8, Township 20 South, Range 60 East, M.D.M., in the
25 County of Clark, State of Nevada.

26 PARCEL 5

27 The East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the
28 Southwest Quarter (SW $\frac{1}{4}$) of Section 5, Township 20 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada.

PARCEL 6

Those portions of the South Half (S $\frac{1}{2}$) of Section 5, Township 20 South, Range 60 East,
M.D.M., in the County of Clark, State of Nevada, described as follows:

SUBPARCEL A

The Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast
Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 5.

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1 SUBPARCEL B

2 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest
3 Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section 5.

4 PARCEL 7

5 Those portions of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section
6 7, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,
7 described as follows:

8 SUBPARCEL A

9 The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northeast
10 Quarter (NE ¼) of said Section 7.

11 SUBPARCEL B

12 The West Half (W ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE
13 ¼) of the Northeast Quarter (NE ¼) of said Section 7.

14 PARCEL 8

15 Those portions of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section
16 5, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,
17 described as follows:

18 SUBPARCEL A

19 The Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of the Southeast
20 Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

21 SUBPARCEL B

22 The Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of the Southeast
23 Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

24 PARCEL 9

25 The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE
26 ¼) of the Northwest Quarter (NW ¼) of Section 8, Township 20 South, Range 60 East,
27 M.D.M., in the County of Clark, State of Nevada.

28 SECTION 3: The City Council has determined and does hereby determine, that said
described territory meets the requirements provided by law for annexation to the City of Las Vegas
for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the
annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the area are

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1 contiguous to the City of Las Vegas:

2 C. The territory proposed to be annexed is not included within the boundaries of
3 another incorporated city or within the boundaries of any unincorporated town as those boundaries
4 existed as of July 1, 1983;

5 D. The area is eligible for annexation because all of the territory proposed to be
6 annexed is developed for urban purposes, as defined by statute, as follows:

7 (a) The area has a total resident population density of two or more persons
8 per acre of land included within its boundaries.

9 (b) The area has a total resident population density of one or more persons
10 per acre of land included within its boundaries, and is subdivided or parceled, through separate
11 ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and
12 parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels
13 are 1 acre or less in size.

14 (c) The area is so developed that at least 60 percent of the total number of
15 lots and parcels in the territory to be annexed, at the time of the annexation, are used for any
16 combination of residential, commercial, industrial, institutional or governmental purposes, and is
17 subdivided or is parceled, through separate ownerships, into lots or parcels such that at least 60
18 percent of the total acreage, not including the acreage used at the time of annexation for commercial,
19 industrial, institutional or governmental purposes, consists of lots and parcels 5 acres or less in size.

20 E. The area is also eligible for annexation because petitions have been signed by
21 or on behalf of at least 75 percent of the owners of record of individual lots or parcels of land within
22 the annexation area.

23 SECTION 4: The City of Las Vegas will provide police protection through the Las
24 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
25 immediately upon annexation. Garbage collection by the company franchised by the City will also
26 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
27 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
28 of the landowners. Other services, such as participation in the City's recreational programs, special

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1 education classes and programs, public works planning, building inspections, and other City services
2 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
3 by private utility companies and other services to the area will not be affected by annexation. Street
4 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
5 will be installed in the presently developed areas upon the request of the property owners and at their
6 expense by means of special assessment districts. Such improvements will be extended into the
7 undeveloped areas as development takes place and the need therefor arises, and will be located
8 according to the needs of the area at that time. Such installations will also be made at the expense of
9 the property owners, either by means of special assessment districts or as prerequisites to the approval
10 of subdivision plats, building permits or other land use or development applications.

11 SECTION 5: The annexation of said described territory shall become effective in
12 accordance with the provisions of Section 10 of this Ordinance, and as of the effectiveness thereof the
13 City of Las Vegas will have the funds appropriated in sufficient amount to finance the extension into
14 said described territory of police protection, fire protection, street maintenance, street sweeping, and
15 street lighting maintenance.

16 SECTION 6: Said described territory, together with the inhabitants and property
17 thereof, shall, in accordance with the provisions of Section 10 of this Ordinance, be subject to all
18 debts, laws, ordinances and regulations in force in the City of Las Vegas and shall be entitled to the
19 same privileges and benefits as other parts of said City, and shall be subject to municipal taxes levied
20 by the City of Las Vegas, Nevada.

21 SECTION 7: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
22 to cause to be prepared an accurate map or plat of said described territory and to record the same,
23 together with a certified copy of this Ordinance in the office of the County Recorder of Clark County,
24 Nevada, which recording shall be done prior to the 17th day of October, 1997.

25 SECTION 8: Parcels within the said described territory, which heretofore have been
26 zoned in accordance with various City of Las Vegas zoning classifications, shall continue to carry
27 their respective City classifications.

28 SECTION 9: The annexation report approved by the City Council on August 11, 1997,

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1 is amended in the following respects:

2 (A) To reflect the changes presented to the Council by staff during the explanation
3 of the report at the public hearing on September 8, 1997; and

4 (B) To reflect that the annexation territory is eligible for annexation under NRS
5 268.580(3), as well as NRS 268.580(6).

6 SECTION 10: Upon recordation of this Ordinance and the corresponding map or plat
7 in accordance with Section 7 of this Ordinance, the annexation of territory as described in this
8 Ordinance shall be effective as follows:

9 (A) Annexation of the territory described in Section 1 of this Ordinance shall be
10 effective as of the recordation of Ordinance No. 3775, except with regard to any parcel whose owner
11 has obtained, or is a specific beneficiary of, a judicial declaration or determination that said parcel was
12 not properly annexed by the adoption of Ordinance No. 3775 and is not otherwise deemed to be, or
13 to be treated as, a part of the City;

14 (B) Annexation of the territory described in Paragraph 2 shall be effective as of the
15 respective effective dates of Ordinance Nos. 3822, 3839, 3858, 3868, 3877, 3886, 4035, 4067 and
16 4084, except with regard to any parcel whose owner has obtained, or is a specific beneficiary of, a
17 judicial declaration or determination that said parcel was not properly annexed to the City and is not
18 otherwise deemed to be, or to be treated as, a part of the City; and

19 (C) Annexation of any parcel whose owner has obtained, or is a specific beneficiary
20 of, a judicial declaration or determination that said parcel was not properly annexed to the City and
21 is not otherwise deemed to be, or to be treated as, a part of the City shall be effective as of the 17th
22 day of October, 1997.

23 SECTION 11: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
25 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

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1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this 13th day of October, 1997.

7 APPROVED:

8 By

9 JAN LAVERTY JONES, Mayor

10 ATTEST:

11 BARBARA JO RONEMUS, City Clerk

12 APPROVED AS TO FORM:

13 10-13-97
14 10-13-97
15 Date

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The above and foregoing ordinance was first proposed and read by title to the City Council on the 22nd day of September, 1997, and referred to the following committee composed of Councilmen Brown and Reese for recommendation: thereafter the said committee reported favorably on said ordinance on the 13th day of October, 1997, 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 amended and adopted by the following vote:

VOTING "AYE": Councilmen Adamsen, McDonald, Reese and Brown

VOTING "NAY": NONE

ABSENT: Mayor Jones

APPROVED:

By *Jan Laverty Jones*
JAN LAVERTY JONES, Mayor

ATTEST:

Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk



Return To:
Community Planning / City of Las Vegas
400 E. Stewart
Las Vegas, NV 89101

AHN: Bob Genzer

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CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:
COMMUNITY PLANNING LAS VEGAS CIT
10-14-97 15:49 DB1 14
OFFICIAL RECORDS
BOOK: 971014 INST: 01368
FEE: 20.00 RPTT: .00

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FIRST AMENDMENT

Bill No. 97-73

Ordinance No. 5018

AN ORDINANCE RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING AND REDECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith. (A-14-97)

Sponsored by:
Councilman Arnie Adamsen

Summary: Annexes and reaffirms the annexation of approximately 456 acres of property described generally as located north of Cheyenne Avenue, adjacent to and east of Fort Apache Road, and west of Durango Drive.

WHEREAS, in 1994 the City Council annexed into the City of Las Vegas, by the adoption of Ordinance No. 3775, certain described territory located north of Cheyenne Avenue, between Fort Apache Road and Durango Drive; and

WHEREAS, in subsequent years the City Council annexed into the City, by the adoption of Ordinance Nos. 3822, 3839, 3858, 3868, 3877, 3886, 4035, 4067 and 4084, respectively, a number of other parcels, the annexation of which, in each case, was dependent and accomplished in reliance upon the adoption of Ordinance No. 3775; and

WHEREAS, the validity of the annexation accomplished by Ordinance No. 3775 has been challenged in court by the owner of a parcel located within the annexation territory, and an interlocutory ruling in that case has placed the validity of the annexation of that territory in doubt, at least as it affects that property owner; and

WHEREAS, although the City Council believes that all the territory annexed by the above referenced ordinances is, or should be treated as, a part of the City, the City Council deems it appropriate, and in the interest of the City and its residents, to confirm the Council's previous intent and legislative action by annexing and reaffirming the annexation of said territory in accordance with

1 the general annexation procedures set forth in NRS 268.570 et seq.; and

2 WHEREAS, the territory is eligible for annexation because it meets the general
3 contiguity standards described in NRS 268.580(2); and

4 WHEREAS, the territory is eligible for annexation under NRS 268.580(3) because it
5 is developed for urban purposes. Under NRS 268.580(3), an area is developed for urban purposes if
6 it meets any one of the following standards:

7 (a) The territory has a total resident population density of two or more persons per
8 acre of land included within its boundaries;

9 (b) The territory has a total resident population density of one or more persons per
10 acre of land included within its boundaries, and is subdivided or parceled, through separate
11 ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and
12 parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels
13 are 1 acre or less in size; or

14 (c) The territory is so developed that at least 60 percent of the total number of lots
15 and parcels in the territory to be annexed, at the time of the annexation, are used for any combination
16 of residential, commercial, industrial, institutional or governmental purposes, and is subdivided or is
17 parceled, through separate ownerships, into lots or parcels such that at least 60 percent of the total
18 acreage, not including the acreage used at the time of annexation for commercial, industrial,
19 institutional or governmental purposes, consists of lots and parcels 5 acres or less in size; and

20 WHEREAS, the territory in question meets each of the NRS 268.580(3) criteria as
21 follows:

22 (a) The territory (456.102 acres $\pm$) includes approximately 1800 residences (1500
23 single-family homes, 203 townhouses and 97 condominiums). This amounts to an approximate 3.94
24 residences per acre. Using the established city/county average of 2.55 people per residence, the
25 population density is approximately 10 persons per acre.

26 (b) Along with the annexation territory's population density of approximately 10
27 persons per acre, all but approximately 15 acres of the annexation territory is subdivided into parcels
28 of 5 acres or less in size, so that over 96 percent of the total acreage is so subdivided, with over 99

1 percent of the total number of lots and parcels being 1 acre or less in size.

2 (c) More than 300 acres within the territory are in actual use for residential,
3 commercial, industrial, institutional or governmental purposes (representing over 65 percent of the
4 total acreage), and at least 95 percent of the total acreage, not including the approximate 111 acres
5 used for commercial, industrial, institutional or governmental purposes, consists of lots and parcels
6 5 acres or less in size; and

7 WHEREAS, in addition, the territory is eligible for annexation under NRS 268.580(6)
8 because petitions have been filed on behalf of more than 75 percent of the parcels within the
9 annexation area. (Petitions representing 100 percent of the territory have actually been filed with the
10 City in connection with the original annexation proceedings, but, as previously noted, it has been
11 judicially determined that one property owner is not bound by any petition affecting her property); and

12 WHEREAS, in accordance with NRS 268.584, the City Council, on July 28, 1997,
13 adopted a resolution of intent to annex, along with the form of a notice of public hearing to be
14 provided to property owners within the annexation area, and set a public hearing for September 8,
15 1997; and

16 WHEREAS, in accordance with NRS 268.578 and 268.588, the City Council, on
17 August 11, 1997, approved an annexation report and made it available for inspection and copying
18 thereafter; and

19 WHEREAS, in accordance with NRS 268.586, the City Clerk, on or about August 15,
20 1997, mailed by certified mail, return receipt requested, a copy of the notice of public hearing to all
21 owners of property within the annexation area, as determined with reference to the records of the Clark
22 County Assessor; and

23 WHEREAS, the annexation territory includes approximately 2,325 separate parcels;
24 and

25 WHEREAS, the City Clerk sent, by certified mail, return receipt requested, a minimum
26 of 1,462 notices, which number represents the number of separate property owners within the
27 annexation territory; and

28 WHEREAS, in accordance with NRS 268.586, the City Clerk had the notice of public

1 hearing published in the Las Vegas Review-Journal, a newspaper of general circulation within the
2 territory to be annexed, on three separate occasions, namely August 19, 1997; August 26, 1997; and
3 September 2, 1997; and

4 WHEREAS, said publication complies with the requirement of NRS 268.586 that the
5 first publication be at least 20 days before the public hearing and that there be a minimum of 6 days
6 between the first and last publication; and

7 WHEREAS, in accordance with NRS 268.590, the City Council held a public hearing
8 on September 8, 1997, on the 2:00 P.M. afternoon agenda, at which time the annexation report was
9 explained to the City Council and, thereafter, persons who wished to be heard concerning the matter
10 were given that opportunity; and

11 WHEREAS, during the public hearing, three property owners within the annexation
12 territory, and an attorney representing a fourth property owner, appeared and spoke in protest of the
13 proposal; and

14 WHEREAS, within the 15-day period following the public hearing, 5 written
15 protests were filed with the City Clerk, resulting in a combined total of 9 protests; and

16 WHEREAS, the total number of protests represents approximately 0.62 percent of
17 the property owners within the annexation territory, and the number of parcels represented in protest
18 is approximately 0.39 percent of the total number of parcels within the territory; and

19 WHEREAS, NRS 268.592 authorizes the City Council to annex the property if a
20 majority of the property owners do not protest, either in person at the public hearing or in writing
21 within 15 days thereafter; and

22 WHEREAS, in accordance with NRS 268.574(3), a "majority of the property owners"
23 means the record owners of real property:

24 (a) Whose combined value is greater than 50 percent of the total value of real
25 property in the territory, as determined by assessment for taxation; and

26 (b) Whose combined area is greater than 50 percent of the total area of the territory,
27 excluding lands held by public bodies; and

28 WHEREAS, the protests represent a combined area of less than 1 acre (0.95 acres)

1. and a combined value (for assessment purposes) of approximately \$1,147,000.00; and

2. WHEREAS, as calculated in accordance with NRS 268.574(3), the protests represent
3 much less than 50 percent of the total value of real property in the territory, and much less than 50
4 percent (namely, 0.27 percent) of the total area, excluding lands held by public bodies; and

5. WHEREAS, in the light of the protest percentages, measured in terms of numbers,
6 value and acreage, the City Council is well within its discretion to annex/reannex the territory in
7 question; and

8. WHEREAS, in addition, based upon the factors to be recited hereafter, it is in the
9 general public interest, and in the interest of the City and those whom it serves, to annex, reannex and
10 reaffirm the annexation of the territory; and

11. WHEREAS, the City has already provided services to the annexation territory in the
12 form of street construction and/or maintenance for the major roadways providing access to and from
13 the territory, namely, Durango Drive, Alexander Road, Fort Apache Road, Gowan Road, Campbell
14 Road, El Capitan Way, Cheyenne Avenue, Buckskin Avenue and Gilmore Avenue, as well as all
15 public streets interior to the residentially developed areas; and

16. WHEREAS, in addition, the City has already demonstrated its ability to provide other
17 urban and municipal services to the territory beyond those capable of being provided by the County,
18 as is described below; and

19. WHEREAS, the City has provided sewer service to the entire annexation territory,
20 whereas the County is unable to provide such services, and the nearest County sewer line is located
21 approximately 7.5 miles from the center point of the annexation territory (approximately 6.5 miles
22 from the nearest point of the annexation territory); and

23. WHEREAS, the City has provided fire protection to the annexation territory from City
24 fire stations located approximately 1.8 miles and 3.0 miles, respectively, from the center point of the
25 annexation territory, whereas the nearest County fire station is approximately 10 miles from the
26 annexation territory; and

27. WHEREAS, the City has provided park facilities for the annexation territory at a park
28 located approximately 1.5 miles from the annexation territory, whereas the nearest County park is

1 approximately 7 miles from the annexation territory.

2 NOW, THEREFORE, BASED UPON THE FOREGOING:

3 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
4 AS FOLLOWS:

5 SECTION 1: Subject to and in accordance with the provisions of Section 10 of this
6 Ordinance, the corporate limits of the City of Las Vegas, Nevada, are hereby extended to include,
7 annex to, and make a part of the City of Las Vegas, Nevada, the following described real property,
8 to-wit:

9 Those portions of Section 8, Township 20 South, Range 60 East, M.D.M., in the County of
10 Clark, State of Nevada, described as follows:

11 PARCEL 1

12 The East Half (E ½) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of
said Section 8.

13 EXCEPT THEREFROM the Northwest Quarter (NW ¼) of the Northeast Quarter
14 (NE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said
Section 8.

15 PARCEL 2

16 The South Half (S ½) of the Northwest Quarter (NW ¼) of said Section 8.

17 EXCEPT THEREFROM the West Half (W ½) of the Northwest Quarter (NW ¼) of
18 the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

19 ALSO EXCEPT THEREFROM the Northeast Quarter (NE ¼) of the Northwest
Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼)
20 of said Section 8.

21 PARCEL 3

22 The North Half (N ½) of the Southwest Quarter (SW ¼) of said Section 8.

23 PARCEL 4

24 The West Half (W ½) of the Northeast Quarter (NE ¼) of said Section 8.

25 EXCEPT THEREFROM the Northeast Quarter (NE ¼) of the Northeast Quarter (NE
¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section
26 8.

27 ALSO EXCEPT THEREFROM the North Half (N ½) of the Northwest Quarter (NW
¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section
28 8.

1 PARCEL 5

2 The West Half (W ½) of the West Half (W ½) of the Northeast Quarter (NE ¼) of the
3 Northeast Quarter (NE ¼) of said Section 8.

4 EXCEPT THEREFROM the Northwest Quarter (NW ¼) of the Northwest Quarter
5 (NW ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of said
6 Section 8.

7 PARCEL 6

8 The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE
9 ¼) of the Northeast Quarter (NE ¼) of said Section 8.

10 PARCEL 7

11 The Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 8.

12 PARCEL 8

13 The West Half (W ½) of the West Half (W ½) of the Southeast Quarter (SE ¼) of said Section
14 8.

15 SECTION 2: Subject to and in accordance with the provisions of Section 10 of this
16 Ordinance, the corporate limits of the City of Las Vegas, Nevada, are hereby extended to include,
17 annex to, and make a part of the City of Las Vegas, Nevada, the following described real property,
18 to-wit:

19 PARCEL 1

20 The Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW
21 ¼) of Section 5, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State
22 of Nevada.

23 PARCEL 2

24 Those portions of the Northeast Quarter (NE ¼) of Section 8, Township 20 South, Range 60
25 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

26 SUBPARCEL A

27 The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northeast
28 Quarter (NE ¼) of said Section 8.

29 SUBPARCEL B

30 The East Half (E ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE
31 ¼) of the Northeast Quarter (NE ¼) of said Section 8.

32 ...

33 ...

1 SUBPARCEL C

2 The Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northeast
3 Quarter (NE ¼) of the Northeast Quarter (NE ¼) of said Section 8.

4 SUBPARCEL D

5 The North Half (N ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE
¼) of the Northeast Quarter (NE ¼) of said Section 8.

6 PARCEL 3

7 Those portions of the Northwest Quarter (NW ¼) of Section 8, Township 20 South, Range 60
8 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

9 SUBPARCEL A

10 The South Half (S ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter
(NW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

11 SUBPARCEL B

12 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Northwest
13 Quarter (NW ¼) of said Section 8.

14 SUBPARCEL C

15 The North Half (N ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter
(SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

16 SUBPARCEL D

17 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest
18 Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

19 PARCEL 4

20 The South Half (S ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the
21 Northeast Quarter (NE ¼) of Section 8, Township 20 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada.

22 PARCEL 5

23 The East Half (E ½) of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the
24 Southwest Quarter (SW ¼) of Section 5, Township 20 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada.

25 PARCEL 6

26 Those portions of the South Half (S ½) of Section 5, Township 20 South, Range 60 East,
M.D.M., in the County of Clark, State of Nevada, described as follows:

27 SUBPARCEL A

28 The Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Southeast
Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

1 SUBPARCEL B

2 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest
3 Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section 5.

4 PARCEL 7

5 Those portions of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section
6 7, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada ,
described as follows:

7 SUBPARCEL A

8 The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northeast
Quarter (NE ¼) of said Section 7.

9 SUBPARCEL B

10 The West Half (W ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE
11 ¼) of the Northeast Quarter (NE ¼) of said Section 7.

12 PARCEL 8

13 Those portions of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section
14 5, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,
described as follows:

15 SUBPARCEL A

16 The Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of the Southeast
Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

17 SUBPARCEL B

18 The Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of the Southeast
19 Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

20 PARCEL 9

21 The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE
22 ¼) of the Northwest Quarter (NW ¼) of Section 8, Township 20 South, Range 60 East,
M.D.M., in the County of Clark, State of Nevada.

23 SECTION 3: The City Council has determined and does hereby determine, that said
24 described territory meets the requirements provided by law for annexation to the City of Las Vegas
25 for the following reasons:

26 A. The area to be annexed was contiguous to the City's boundaries at the time the
27 annexation proceedings were instituted;

28 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are

1 contiguous to the City of Las Vegas;

2 C. The territory proposed to be annexed is not included within the boundaries of
3 another incorporated city or within the boundaries of any unincorporated town as those boundaries
4 existed as of July 1, 1983;

5 D. The area is eligible for annexation because all of the territory proposed to be
6 annexed is developed for urban purposes, as defined by statute, as follows:

7 (a) The area has a total resident population density of two or more persons
8 per acre of land included within its boundaries.

9 (b) The area has a total resident population density of one or more persons
10 per acre of land included within its boundaries, and is subdivided or parceled, through separate
11 ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and
12 parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels
13 are 1 acre or less in size.

14 (c) The area is so developed that at least 60 percent of the total number of
15 lots and parcels in the territory to be annexed, at the time of the annexation, are used for any
16 combination of residential, commercial, industrial, institutional or governmental purposes, and is
17 subdivided or is parceled, through separate ownerships, into lots or parcels such that at least 60
18 percent of the total acreage, not including the acreage used at the time of annexation for commercial,
19 industrial, institutional or governmental purposes, consists of lots and parcels 5 acres or less in size.

20 E. The area is also eligible for annexation because petitions have been signed by
21 or on behalf of at least 75 percent of the owners of record of individual lots or parcels of land within
22 the annexation area.

23 SECTION 4: The City of Las Vegas will provide police protection through the Las
24 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
25 immediately upon annexation. Garbage collection by the company franchised by the City will also
26 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
27 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
28 of the landowners. Other services, such as participation in the City's recreational programs, special

1 education classes and programs, public works planning, building inspections, and other City services
2 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
3 by private utility companies and other services to the area will not be affected by annexation. Street
4 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
5 will be installed in the presently developed areas upon the request of the property owners and at their
6 expense by means of special assessment districts. Such improvements will be extended into the
7 undeveloped areas as development takes place and the need therefor arises, and will be located
8 according to the needs of the area at that time. Such installations will also be made at the expense of
9 the property owners, either by means of special assessment districts or as prerequisites to the approval
10 of subdivision plats, building permits or other land use or development applications.

11 SECTION 5: The annexation of said described territory shall become effective in
12 accordance with the provisions of Section 10 of this Ordinance, and as of the effectiveness thereof the
13 City of Las Vegas will have the funds appropriated in sufficient amount to finance the extension into
14 said described territory of police protection, fire protection, street maintenance, street sweeping, and
15 street lighting maintenance.

16 SECTION 6: Said described territory, together with the inhabitants and property
17 thereof, shall, in accordance with the provisions of Section 10 of this Ordinance, be subject to all
18 debts, laws, ordinances and regulations in force in the City of Las Vegas and shall be entitled to the
19 same privileges and benefits as other parts of said City, and shall be subject to municipal taxes levied
20 by the City of Las Vegas, Nevada.

21 SECTION 7: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
22 to cause to be prepared an accurate map or plat of said described territory and to record the same,
23 together with a certified copy of this Ordinance in the office of the County Recorder of Clark County,
24 Nevada, which recording shall be done prior to the 17th day of October, 1997.

25 SECTION 8: Parcels within the said described territory, which heretofore have been
26 zoned in accordance with various City of Las Vegas zoning classifications, shall continue to carry
27 their respective City classifications.

28 SECTION 9: The annexation report approved by the City Council on August 11, 1997,

1 is amended in the following respects:

2 (A) To reflect the changes presented to the Council by staff during the explanation
3 of the report at the public hearing on September 8, 1997; and

4 (B) To reflect that the annexation territory is eligible for annexation under NRS
5 268.580(3), as well as NRS 268.580(6).

6 SECTION 10: Upon recordation of this Ordinance and the corresponding map or plat
7 in accordance with Section 7 of this Ordinance, the annexation of territory as described in this
8 Ordinance shall be effective as follows:

9 (A) Annexation of the territory described in Section 1 of this Ordinance shall be
10 effective as of the recordation of Ordinance No. 3775, except with regard to any parcel whose owner
11 has obtained, or is a specific beneficiary of, a judicial declaration or determination that said parcel was
12 not properly annexed by the adoption of Ordinance No. 3775 and is not otherwise deemed to be, or
13 to be treated as, a part of the City;

14 (B) Annexation of the territory described in Paragraph 2 shall be effective as of the
15 respective effective dates of Ordinance Nos. 3822, 3839, 3858, 3868, 3877, 3886, 4035, 4067 and
16 4084, except with regard to any parcel whose owner has obtained, or is a specific beneficiary of, a
17 judicial declaration or determination that said parcel was not properly annexed to the City and is not
18 otherwise deemed to be, or to be treated as, a part of the City; and

19 (C) Annexation of any parcel whose owner has obtained, or is a specific beneficiary
20 of, a judicial declaration or determination that said parcel was not properly annexed to the City and
21 is not otherwise deemed to be, or to be treated as, a part of the City shall be effective as of the 17th
22 day of October, 1997.

23 SECTION 11: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
25 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

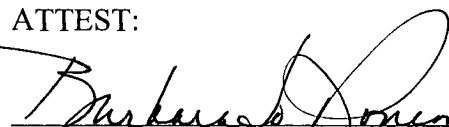
3 SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this 13th day of October, 1997.

7 APPROVED:

8 By 
9 JAN LAVERTY JONES, Mayor

10 ATTEST:

11 
12 BARBARA JO RONEMUS, City Clerk

13 APPROVED AS TO FORM:

14 Valsted 10-13-97
15 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 22nd day of September, 1997, and referred to the following committee composed of
3 Councilmen Brown and Reese for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the 13th day of
5 October, 1997, which was a regular meeting of said Council; that at said
6 regular meeting, the proposed ordinance was read by title to the City Council
7 as amended and adopted by the following vote:

8 VOTING "AYE": Councilmen Adamsen, McDonald, Reese and Brown

9 VOTING "NAY": NONE

10 ABSENT: Mayor Jones

11 APPROVED:

12
13 By 
14 JAN LAVERTY JONES, Mayor

14 ATTEST:

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16 BARBARA JO RONEMUS, City Clerk
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Ordinance No. _____

AN ORDINANCE RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING AND REDECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith. (A-14-97)

Sponsored by:
Councilman Arnie Adamsen

Summary: Annexes and reaffirms the annexation of approximately 457 acres of property described generally as located north of Cheyenne Avenue, adjacent to and east of Fort Apache Road, and west of Durango Drive.

WHEREAS, in 1994 the City Council annexed into the City of Las Vegas, by the adoption of Ordinance No. 3775, certain described territory located north of Cheyenne Avenue, between Fort Apache Road and Durango Drive; and

WHEREAS, in subsequent years the City Council annexed into the City, by the adoption of Ordinance Nos. 3822, 3839, 3858, 3868, 3877, 3886, 4035, 4067 and 4084, respectively, a number of other parcels, the annexation of which, in each case, was dependent and accomplished in reliance upon the adoption of Ordinance No. 3775; and

WHEREAS, the validity of the annexation accomplished by Ordinance No. 3775 has been challenged in court by the owner of a parcel located within the annexation territory, and an interlocutory ruling in that case has placed the validity of the annexation of that territory in doubt, at least as it affects that property owner; and

WHEREAS, although the City Council believes that all the territory annexed by the above referenced ordinances is, or should be treated as, a part of the City, the City Council deems it appropriate, and in the interest of the City and its residents, to confirm the Council's previous intent and legislative action by annexing and reaffirming the annexation of said territory in accordance with the general annexation procedures set forth in NRS 268.570 et seq.; and

1 WHEREAS, the territory is eligible for annexation because it meets the general
2 contiguity standards described in NRS 268.580(2); and

3 WHEREAS, the territory is eligible for annexation under NRS 268.580(3) because it
4 is developed for urban purposes. Under NRS 268.580(3), an area is developed for urban purposes if
5 it meets any one of the following standards:

6 (a) The territory has a total resident population density of two or more persons per
7 acre of land included within its boundaries;

8 (b) The territory has a total resident population density of one or more persons per
9 acre of land included within its boundaries, and is subdivided or parceled, through separate
10 ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and
11 parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels
12 are 1 acre or less in size; or

13 (c) The territory is so developed that at least 60 percent of the total number of lots
14 and parcels in the territory to be annexed, at the time of the annexation, are used for any combination
15 of residential, commercial, industrial, institutional or governmental purposes, and is subdivided or is
16 parceled, through separate ownerships, into lots or parcels such that at least 60 percent of the total
17 acreage, not including the acreage used at the time of annexation for commercial, industrial,
18 institutional or governmental purposes, consists of lots and parcels 5 acres or less in size; and

19 WHEREAS, the territory in question meets each of the NRS 268.580(3) criteria as
20 follows:

21 (a) The territory (456.102 acres $\pm$) includes approximately 1800 residences (1500
22 single-family homes, 203 townhouses and 97 condominiums). This amounts to an approximate 3.94
23 residences per acre. Using the established city/county average of 2.55 people per residence, the
24 population density is approximately 10 persons per acre.

25 (b) Along with the annexation territory's population density of approximately 10
26 persons per acre, all but approximately 15 acres of the annexation territory is subdivided into parcels
27 of 5 acres or less in size, so that over 96 percent of the total acreage is so subdivided, with over 99
28 percent of the total number of lots and parcels being 1 acre or less in size.

1 (c) More than 300 acres within the territory are in actual use for residential,
2 commercial, industrial, institutional or governmental purposes (representing over 65 percent of the
3 total acreage), and at least 95 percent of the total acreage, not including the approximate 111 acres
4 used for commercial, industrial, institutional or governmental purposes, consists of lots and parcels
5 5 acres or less in size; and

6 WHEREAS, in addition, the territory is eligible for annexation under NRS 268.580(6)
7 because petitions have been filed on behalf of more than 75 percent of the parcels within the
8 annexation area. (Petitions representing 100 percent of the territory have actually been filed with the
9 City in connection with the original annexation proceedings, but, as previously noted, it has been
10 judicially determined that one property owner is not bound by any petition affecting her property); and

11 WHEREAS, in accordance with NRS 268.584, the City Council, on July 28, 1997,
12 adopted a resolution of intent to annex, along with the form of a notice of public hearing to be
13 provided to property owners within the annexation area, and set a public hearing for September 8,
14 1997; and

15 WHEREAS, in accordance with NRS 268.578 and 268.588, the City Council, on
16 August 11, 1997, approved an annexation report and made it available for inspection and copying
17 thereafter; and

18 WHEREAS, in accordance with NRS 268.586, the City Clerk, on or about August 15,
19 1997, mailed by certified mail, return receipt requested, a copy of the notice of public hearing to all
20 owners of property within the annexation area, as determined with reference to the records of the Clark
21 County Assessor; and

22 WHEREAS, the annexation territory includes approximately 2,325 separate parcels;
23 and

24 WHEREAS, the City Clerk mailed approximately 1,462 notices, which number
25 represents the number of separate property owners within the annexation territory; and

26 WHEREAS, in accordance with NRS 268.586, the City Clerk had the notice of public
27 hearing published in the Las Vegas Review-Journal, a newspaper of general circulation within the
28 territory to be annexed, on three separate occasions, namely August 19, 1997; August 26, 1997; and

1 September 2, 1997; and

2 WHEREAS, said publication complies with the requirement of NRS 268.586 that the
3 first publication be at least 20 days before the public hearing and that there be a minimum of 6 days
4 between the first and last publication; and

5 WHEREAS, in accordance with NRS 268.590, the City Council held a public hearing
6 on September 8, 1997, on the 2:00 P.M. afternoon agenda, at which time the annexation report was
7 explained to the City Council and, thereafter, persons who wished to be heard concerning the matter
8 were given that opportunity; and

9 WHEREAS, during the public hearing, three property owners within the annexation
10 territory, and an attorney representing a fourth property owner, appeared and spoke in protest of the
11 proposal; and

12 WHEREAS, within the 15-day period following the public hearing, ____ written
13 protests were filed with the City Clerk, representing a total of ____ protests; and

14 WHEREAS, the total number of protests represents approximately ____ percent of the
15 property owners within the annexation territory; and

16 WHEREAS, NRS 268.592 authorizes the City Council to annex the property if a
17 majority of the property owners do not protest, either in person at the public hearing or in writing
18 within 15 days thereafter; and

19 WHEREAS, in accordance with NRS 268.574(3), a "majority of the property owners"
20 means the record owners of real property:

21 (a) Whose combined value is greater than 50 percent of the total value of real
22 property in the territory, as determined by assessment for taxation; and

23 (b) Whose combined area is greater than 50 percent of the total area of the territory,
24 excluding lands held by public bodies; and

25 WHEREAS, the protests represent a combined area of not more than ____ acres, and
26 a combined value of no more than _____; and

27 WHEREAS, as calculated in accordance with NRS 268.574(3), the protests represent
28 significantly less than 50 percent of the total value of real property in the territory, and significantly

1 less than 50 percent of the total area of the territory, excluding lands held by public bodies; and

2 WHEREAS, in the light of the protest percentages, measured in terms of numbers,
3 value and acreage, the City Council is well within its discretion to annex/reannex the territory in
4 question; and

5 WHEREAS, in addition, based upon the factors to be recited hereafter, it is in the
6 general public interest, and in the interest of the City and those whom it serves, to annex, reannex and
7 reaffirm the annexation of the territory; and

8 WHEREAS, the City has already provided services to the annexation territory in the
9 form of street construction and/or maintenance for the major roadways providing access to and from
10 the territory, namely, Durango Drive, Alexander Road, Fort Apache Road, Gowan Road, Campbell
11 Road, El Capitan Way, Cheyenne Avenue, Buckskin Avenue and Gilmore Avenue, as well as all
12 public streets interior to the residentially developed areas; and

13 WHEREAS, in addition, the City has already demonstrated its ability to provide other
14 urban and municipal services to the territory beyond those capable of being provided by the County,
15 as is described below; and

16 WHEREAS, the City has provided sewer service to the entire annexation territory,
17 whereas the County is unable to provide such services, and the nearest County sewer line is located
18 approximately 7.5 miles from the center point of the annexation territory (approximately 6.5 miles
19 from the nearest point of the annexation territory); and

20 WHEREAS, the City has provided fire protection to the annexation territory from City
21 fire stations located approximately 1.8 miles and 3.0 miles, respectively, from the center point of the
22 annexation territory, whereas the nearest County fire station is approximately 10 miles from the
23 annexation territory; and

24 WHEREAS, the City has provided park facilities for the annexation territory at a park
25 located approximately 1.5 miles from the annexation territory, whereas the nearest County park is
26 approximately 7 miles from the annexation territory.

27 ...

28 ...

1 NOW, THEREFORE, BASED UPON THE FOREGOING:
2 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
3 AS FOLLOWS:

4 SECTION 1: Subject to and in accordance with the provisions of Section 10 of this
5 Ordinance, the corporate limits of the City of Las Vegas, Nevada, are hereby extended to include,
6 annex to, and make a part of the City of Las Vegas, Nevada, the following described real property,
7 to-wit:

8 Those portions of Section 8, Township 20 South, Range 60 East, M.D.M., in the County of
9 Clark, State of Nevada, described as follows:

10 PARCEL 1

11 The East Half (E ½) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of
12 said Section 8.

13 EXCEPT THEREFROM the Northwest Quarter (NW ¼) of the Northeast Quarter
14 (NE ¼) of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said
15 Section 8.

16 PARCEL 2

17 The South Half (S ½) of the Northwest Quarter (NW ¼) of said Section 8.

18 EXCEPT THEREFROM the West Half (W ½) of the Northwest Quarter (NW ¼) of
19 the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

20 ALSO EXCEPT THEREFROM the Northeast Quarter (NE ¼) of the Northwest
21 Quarter (NW ¼) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼)
22 of said Section 8.

23 PARCEL 3

24 The North Half (N ½) of the Southwest Quarter (SW ¼) of said Section 8.

25 PARCEL 4

26 The West Half (W ½) of the Northeast Quarter (NE ¼) of said Section 8.

27 EXCEPT THEREFROM the Northeast Quarter (NE ¼) of the Northeast Quarter (NE
28 ¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section
8.

ALSO EXCEPT THEREFROM the North Half (N ½) of the Northwest Quarter (NW
¼) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of said Section
8.

...

...

1 PARCEL 5

2 The West Half (W ½) of the West Half (W ½) of the Northeast Quarter (NE ¼) of the
3 Northeast Quarter (NE ¼) of said Section 8.

4 EXCEPT THEREFROM the Northwest Quarter (NW ¼) of the Northwest Quarter
5 (NW ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of said
6 Section 8.

7 PARCEL 6

8 The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE
9 ¼) of the Northeast Quarter (NE ¼) of said Section 8.

10 PARCEL 7

11 The Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 8.

12 PARCEL 8

13 The West Half (W ½) of the West Half (W ½) of the Southeast Quarter (SE ¼) of said Section
14 8.

15 SECTION 2: Subject to and in accordance with the provisions of Section 10 of this
16 Ordinance, the corporate limits of the City of Las Vegas, Nevada, are hereby extended to include,
17 annex to, and make a part of the City of Las Vegas, Nevada, the following described real property,
18 to-wit:

19 PARCEL 1

20 The Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW
21 ¼) of Section 5, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State
22 of Nevada.

23 PARCEL 2

24 Those portions of the Northeast Quarter (NE ¼) of Section 8, Township 20 South, Range 60
25 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

26 SUBPARCEL A

27 The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northeast
28 Quarter (NE ¼) of said Section 8.

29 SUBPARCEL B

30 The East Half (E ½) of the Northwest Quarter (NW ¼) of the Northeast Quarter (NE
31 ¼) of the Northeast Quarter (NE ¼) of said Section 8.

32 ...

33 ...

1 SUBPARCEL C

2 The Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of the Northeast
3 Quarter (NE ¼) of the Northeast Quarter (NE ¼) of said Section 8.

4 SUBPARCEL D

5 The North Half (N ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE
6 ¼) of the Northeast Quarter (NE ¼) of said Section 8.

7 PARCEL 3

8 Those portions of the Northwest Quarter (NW ¼) of Section 8, Township 20 South, Range 60
9 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

10 SUBPARCEL A

11 The South Half (S ½) of the Northwest Quarter (NW ¼) of the Northwest Quarter
12 (NW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

13 SUBPARCEL B

14 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Northwest
15 Quarter (NW ¼) of said Section 8.

16 SUBPARCEL C

17 The North Half (N ½) of the Northwest Quarter (NW ¼) of the Southwest Quarter
18 (SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

19 SUBPARCEL D

20 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest
21 Quarter (SW ¼) of the Northwest Quarter (NW ¼) of said Section 8.

22 PARCEL 4

23 The South Half (S ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the
24 Northeast Quarter (NE ¼) of Section 8, Township 20 South, Range 60 East, M.D.M., in the
25 County of Clark, State of Nevada.

26 PARCEL 5

27 The East Half (E ½) of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) of the
28 Southwest Quarter (SW ¼) of Section 5, Township 20 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada.

PARCEL 6

Those portions of the South Half (S ½) of Section 5, Township 20 South, Range 60 East,
M.D.M., in the County of Clark, State of Nevada, described as follows:

SUBPARCEL A

The Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of the Southeast
Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

1 SUBPARCEL B

2 The Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of the Southwest
3 Quarter (SW ¼) of the Southeast Quarter (SE ¼) of said Section 5.

4 PARCEL 7

5 Those portions of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section
6 7, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada ,
described as follows:

7 SUBPARCEL A

8 The Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of the Northeast
Quarter (NE ¼) of said Section 7.

9 SUBPARCEL B

10 The West Half (W ½) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE
11 ¼) of the Northeast Quarter (NE ¼) of said Section 7.

12 PARCEL 8

13 Those portions of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section
14 5, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada,
described as follows:

15 SUBPARCEL A

16 The Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of the Southeast
Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

17 SUBPARCEL B

18 The Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of the Southeast
19 Quarter (SE ¼) of the Southwest Quarter (SW ¼) of said Section 5.

20 PARCEL 9

21 The Northwest Quarter (NW ¼) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE
22 ¼) of the Northwest Quarter (NW ¼) of Section 8, Township 20 South, Range 60 East,
M.D.M., in the County of Clark, State of Nevada.

23 SECTION 3: The City Council has determined and does hereby determine, that said
24 described territory meets the requirements provided by law for annexation to the City of Las Vegas
25 for the following reasons:

26 A. The area to be annexed was contiguous to the City's boundaries at the time the
27 annexation proceedings were instituted;

28 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are

1 contiguous to the City of Las Vegas;

2 C. The territory proposed to be annexed is not included within the boundaries of
3 another incorporated city or within the boundaries of any unincorporated town as those boundaries
4 existed as of July 1, 1983;

5 D. The area is eligible for annexation because all of the territory proposed to be
6 annexed is developed for urban purposes, as defined by statute, as follows:

7 (a) The area has a total resident population density of two or more persons
8 per acre of land included within its boundaries.

9 (b) The area has a total resident population density of one or more persons
10 per acre of land included within its boundaries, and is subdivided or parceled, through separate
11 ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and
12 parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels
13 are 1 acre or less in size.

14 (c) The area is so developed that at least 60 percent of the total number of
15 lots and parcels in the territory to be annexed, at the time of the annexation, are used for any
16 combination of residential, commercial, industrial, institutional or governmental purposes, and is
17 subdivided or is parceled, through separate ownerships, into lots or parcels such that at least 60
18 percent of the total acreage, not including the acreage used at the time of annexation for commercial,
19 industrial, institutional or governmental purposes, consists of lots and parcels 5 acres or less in size.

20 E. The area is also eligible for annexation because petitions have been signed by
21 or on behalf of at least 75 percent of the owners of record of individual lots or parcels of land within
22 the annexation area.

23 SECTION 4: The City of Las Vegas will provide police protection through the Las
24 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
25 immediately upon annexation. Garbage collection by the company franchised by the City will also
26 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
27 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
28 of the landowners. Other services, such as participation in the City's recreational programs, special

1 education classes and programs, public works planning, building inspections, and other City services
2 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
3 by private utility companies and other services to the area will not be affected by annexation. Street
4 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
5 will be installed in the presently developed areas upon the request of the property owners and at their
6 expense by means of special assessment districts. Such improvements will be extended into the
7 undeveloped areas as development takes place and the need therefor arises, and will be located
8 according to the needs of the area at that time. Such installations will also be made at the expense of
9 the property owners, either by means of special assessment districts or as prerequisites to the approval
10 of subdivision plats, building permits or other land use or development applications.

11 SECTION 5: The annexation of said described territory shall become effective in
12 accordance with the provisions of Section 10 of this Ordinance, and as of the effectiveness thereof the
13 City of Las Vegas will have the funds appropriated in sufficient amount to finance the extension into
14 said described territory of police protection, fire protection, street maintenance, street sweeping, and
15 street lighting maintenance.

16 SECTION 6: Said described territory, together with the inhabitants and property
17 thereof, shall, in accordance with the provisions of Section 10 of this Ordinance, be subject to all
18 debts, laws, ordinances and regulations in force in the City of Las Vegas and shall be entitled to the
19 same privileges and benefits as other parts of said City, and shall be subject to municipal taxes levied
20 by the City of Las Vegas, Nevada.

21 SECTION 7: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
22 to cause to be prepared an accurate map or plat of said described territory and to record the same,
23 together with a certified copy of this Ordinance in the office of the County Recorder of Clark County,
24 Nevada, which recording shall be done prior to the 24th day of October, 1997.

25 SECTION 8: Parcels within the said described territory, which heretofore have been
26 zoned in accordance with various City of Las Vegas zoning classifications, shall continue to carry
27 their respective City classifications.

28 SECTION 9: The annexation report approved by the City Council on August 11, 1997,

1 is amended in the following respects:

2 (A) To reflect the changes presented to the Council by staff during the explanation
3 of the report at the public hearing on September 8, 1997; and

4 (B) To reflect that the annexation territory is eligible for annexation under NRS
5 268.580(3), as well as NRS 268.580(6).

6 SECTION 10: Upon recordation of this Ordinance and the corresponding map or plat
7 in accordance with Section 7 of this Ordinance, the annexation of territory as described in this
8 Ordinance shall be effective as follows:

9 (A) Annexation of the territory described in Section 1 of this Ordinance shall be
10 effective as of the recordation of Ordinance No. 3775, except with regard to any parcel whose owner
11 has obtained, or is a specific beneficiary of, a judicial declaration or determination that said parcel was
12 not properly annexed by the adoption of Ordinance No. 3775 and is not otherwise deemed to be, or
13 to be treated as, a part of the City;

14 (B) Annexation of the territory described in Paragraph 2 shall be effective as of the
15 respective effective dates of Ordinance Nos. 3822, 3839, 3858, 3868, 3877, 3886, 4035, 4067 and
16 4084, except with regard to any parcel whose owner has obtained, or is a specific beneficiary of, a
17 judicial declaration or determination that said parcel was not properly annexed to the City and is not
18 otherwise deemed to be, or to be treated as, a part of the City; and

19 (C) Annexation of any parcel whose owner has obtained, or is a specific beneficiary
20 of, a judicial declaration or determination that said parcel was not properly annexed to the City and
21 is not otherwise deemed to be, or to be treated as, a part of the City shall be effective as of the 24th
22 day of October, 1997.

23 SECTION 11: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
25 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
27 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
28 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this ____ day of _____, 1997.

7 APPROVED:

8
9 By _____
JAN LAVERTY JONES, Mayor

10 ATTEST:

11
12 _____
BARBARA JO RONEMUS, City Clerk

13 APPROVED AS TO FORM:

14  9-15-97
15 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 1997, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 1997, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13 By _____
JAN LAVERTY JONES, Mayor

14 ATTEST:

15

16 BARBARA JO RONEMUS, City Clerk

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AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO 97 73

AN ORDINANCE RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, DECLARING AND REDECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY, ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA, CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREFWITH (A-14-97)

SPONSORED BY: Councilman
Arnie Adamson

SUMMARY: Annexes and reaffirms this annexation of approximately 457 acres of property described generally as located north of Cheyenne Avenue, adjacent to and east of Fort Apache Road, and west of Durango Drive

At a City Council meeting
SEPTEMBER 22, 1997
BILL NO. 97-73 WAS READ BY
TITLE AND REFERRED TO RECOMMENDING COMMITTEE
Councilmen Brown and Reese
COPIES OF THE COMPLETE BILL
ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE
OF THE CITY CLERK, 1ST FLOOR,
400 EAST STEWART AVENUE, LAS
VEGAS, NEVADA
PUB: October 2, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

MAUREEN MELCHIORI, 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 OCTOBER 2, 1997
to OCTOBER 2, 1997, on the following
days:

OCTOBER 2, 1997

Signed: Maureen Melchiori

Subscribed and sworn to before me this
3 day of Oct, 1997

Peggy D. Barron
Notary Public



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

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

FIRST AMENDMENT
BILL NO 97-73
ORDINANCE NO 5018

AN ORDINANCE RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY, DECLARING AND REDECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA, CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY, PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH (A-14-97)

SPONSORED BY: Councilman Arnie Adamsen

SUMMARY: Annexes and reaffirms the annexation of approximately 456 acres of property described generally as located north of Cheyenne Avenue adjacent to and east of Fort Apache Road, and west of Durango Drive

The above and foregoing ordinance was first proposed and read by title to the City Council on the 22nd day of September, 1997, and referred to the following committee composed of Councilmen Brown and Reese for recommendation; thereafter the said committee reported favorably on said ordinance on the 13th day of October, 1997 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 amended and adopted by the following vote: VOTING "AYE": Councilmen Adamsen, McDonald, Reese, and Brown VOTING "NAY": NONE ABSENT Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA

PUB October 15, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

MAUREEN MELCHIORI, 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 OCTOBER 15, 1997 to OCTOBER 15, 1997, on the following days:

OCTOBER 15, 1997

Signed:

Maureen Melchiori

Subscribed and sworn to before me this

15 day of Oct, 19 97

Peggy D. Barron

Notary Public



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

RECORDED
CITY CLERK

OCT 20 10 39 AM '97

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

FIRST AMENDMENT
BILL NO. 97-73
ORDINANCE NO. 5018

AN ORDINANCE RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING AND RED-CLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (A-14 97)

SPONSORED BY: Councilman
Arnie Adamsen
SUMMARY: Annexes and reaffirms the annexation of approximately 456 acres of property described generally as located north of Cheyenne Avenue, adjacent to and east of Fort Apache Road, and west of Durango Drive.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 22nd day of September, 1997, and referred to the following committee composed of Councilmen Brown and Reese for recommendation; thereafter the said committee reported favorably on said ordinance on the 13th day of October, 1997 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 amended and adopted by the following vote:

VOTING "AYE" Councilmen Adamsen, McDonald, Reese, and Brown
VOTING "NAY" NONE
ABSENT Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 300 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB: October 15, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

MAUREEN MELCHIORI, 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 OCTOBER 15, 1997 to OCTOBER 15, 1997, on the following days:

OCTOBER 15, 1997

Signed:

Maureen Melchiori

Subscribed and sworn to before me this

15 day of OCT, 19 97

Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada

Clark County
My appt. exp. Feb. 17, 1998



AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 97-73
AN ORDINANCE, RELATING TO THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING AND REDECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; CONFIRMING THE ZONING CLASSIFICATION(S) APPLICABLE TO SAID TERRITORY; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (A-14-97)

SPONSORED BY: Councilman Arnie Adamsen
SUMMARY: Annexes and reaffirms the annexation of approximately 457 acres of property described generally as located north of Cheyenne Avenue, adjacent to and east of Fort Apache Road, and west of Durango Drive.
At a City Council meeting SEPTEMBER 22, 1997
BILL NO. 97-73 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE: Councilmen Brown and Reese
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA
PUB: October 2, 1997
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

MAUREEN MELCHIORI, 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 OCTOBER 2, 1997 to OCTOBER 2, 1997, on the following days:

OCTOBER 2, 1997

Signed: Maureen Melchiori

Subscribed and sworn to before me this 3 day of Oct, 19 97

Peggy D. Barron
Notary Public



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



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Rev. 5/94

RJ-132A