

1 BILL NO. 82-65

2 ORDINANCE NO. 3017

3
4 AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PRO-
5 VIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA,
6 SPECIAL IMPROVEMENT DISTRICT NO. 439; PROVIDING FOR THE PAYMENT
7 OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE
8 COSTS AND EXPENSE OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS
9 AND PARCELS OF PROPERTY BENEFITTED BY SAID IMPROVEMENTS; DESCRIBING
10 THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PRO-
11 VIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND
12 CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS
13 AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE INSTALLATION OF
14 SAID IMPROVEMENTS IN SAID DISTRICT AND PRESCRIBING DETAILS IN CON-
15 NECTION THEREWITH, AND OTHER MATTERS RELATING THERETO.

11 Sponsored By: ordinance required Intent of Bill: step
12 by step procedure. requirement.

13 WHEREAS, the City of Las Vegas, in the County of Clark,
14 State of Nevada, has taken requisite legal action preliminary to
15 and in the creation of Special Improvement District No. 439, con-
16 sisting of:

17 The improvements include the installation of pavement,
18 24 feet in width, consisting of 2 inches of A.C. pavement with
19 fog seal and prime coat over 4 inches of Type II aggregate base
20 and 6 inches of Type I aggregate base with a 2 foot Type II gravel
21 shoulder on each side of Hammer Lane from the easterly line of
22 Rainbow Boulevard to Rebecca Street; on Rebecca Street from
23 Hammer Lane to Ann Road; on Tina Lane from the easterly line of
24 Rebecca Street easterly 335 feet (more or less) to the point of
25 termination, to include the necessary installation, removal and
26 relocation of any and all utilities and appurtenance that are
27 deemed necessary to complete same, now on file in the Office of
28 the City Clerk.

29 WHEREAS, pursuant to said proceedings and pursuant to
30 notice duly and validly given, said Board of Commissioners, on the
31 2nd day of March, 1982, received bids for the doing of the work
32 therefor and said City formally entered into the following

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

3 WOMAK CONSTRUCTION COMPANY, INC., in the amount
4 of \$58,103.86.

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

11 \$66,819.44

12 WHEREAS, the amount of \$66,819.44 has been determined
13 to be the fair share of the portion of Assessment Unit No. I that
14 should be paid by the City of Las Vegas.

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

19 \$66,819.44

20 WHEREAS, said Board of Commissioners has determined, and
21 does hereby determine, that there shall be assessed to said lot
22 or parcel of property specially benefitted its proportionate share
23 of the costs and expenses being levied against the particular
24 Assessment Unit in which such lot or parcel is situate, on the
25 basis set forth in the Provisional Order Resolution passed and
26 approved on the 2nd day of December, 1981, and Ordinance No. 2275
27 the ordinance creating the District, duly passed, adopted and
28 approved on the 21st day of April, 1982; and

29 WHEREAS, said assessments in no event exceed the esti-
30 mated benefits to the property assessed nor that portion of the
31 total costs of improvements payable in assessments as heretofore
32 determined; and

1 WHEREAS, after the determination of the costs of such
2 work to be paid by the property specially benefitted, the City
3 Engineer, pursuant to directions contained in the Resolution of
4 said Board of Commissioners duly passed, adopted and approved on
5 18th day of August, 1982, prepared and assessment roll which con-
6 tained among other things, the name of each last known owner of
7 each lot or parcel of property to be assessed, a description of
8 each lot or parcel to be assessed, and the amount of the proposed
9 assessments thereon, apportioned on an area basis as more particu-
10 larly set forth in Section 4 of said Ordinance No. 2275 and

11 WHEREAS, said Board of Commissioners thereupon fixed
12 a time and place, to-wit, the 6th day of October, 1982, at 2:00 P.M.
13 in the City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, when
14 all complaints, protests and objections by owners of such property,
15 by any party interested in the regularity of the proceedings in
16 making such assessments, and all parties aggrieved by such assess-
17 ments, to said assessment roll, including, without limiting the
18 generality of the foregoing, the regularity of the proceedings in
19 making any assessments thereon, and the correctness of such assess-
20 ment or the amount levied on any particular lot or parcel of pro-
21 perty to be assessed, would be heard and considered by said
22 Board of Commissioners; and

23 WHEREAS, said Board of Commissioners caused said assess-
24 ment roll to be filed in the office of the Clerk of said City
25 on the 23rd day of August, 1982; and said Clerk, by publication
26 in a newspaper and by mail, gave the requisite notice of the time
27 and place of such hearing, of the filing of said assessment roll
28 in her office, of the date of filing the same, and of the right
29 of any such person so to object specifically in writing, and the
30 waiver of any objection in the absence of such objection; and

31 WHEREAS, at the time and place so designated for the
32 hearing of such objections, said Board of Commissioners met to

1 hear and consider all objections so filed by any interested party,
2 and thereafter, by Resolution duly passed, adopted and approved
3 on the 20th day of October, 1982, confirmed said assessment roll to be
4 filed in the office of, and endorsed by, the City Clerk of said
5 City; and

6 WHEREAS, no protest and no objections, either written
7 or oral, were received at such hearing; and

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

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

14 SECTION 1. That all actions heretofore taken (not
15 inconsistent with the provisions of this ordinance) by the City
16 of Las Vegas and the officers and employees thereof directed to-
17 ward the creation of Las Vegas, Nevada, Special Improvement Dis-
18 trict No. 439 and the installation therein of certain improvements
19 to-wit:

20 The improvements include the installation of pavement,
21 24 feet in width, consisting of 2 inches of A.C. pavement with
22 fog seal and prime coat over 4 inches of Type II aggregate base
23 and 6 inches of Type I aggregate base with a 2 foot Type II gravel
24 shoulder on each side of Hammer Lane from the easterly line of
25 Rainbow Boulevard to Rebecca Street; on Rebecca Street from
26 Hammer Lane to Ann Road; on Tina Lane from the easterly line of
27 Rebecca Street easterly 335 feet (more or less) to the point of
28 termination, to include the necessary installation, removal and
29 relocation of any and all utilities and appurtenance that are
30 deemed necessary to complete same, now on file in the Office of
31 the City Clerk.

32 . . .

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

6 SECTION 2. That for the purpose of paying the costs
7 and expenses of said improvements, there be, and there hereby are,
8 levied and assessed against the lots and parcels of property in
9 said assessment unit of said District, being all those lots and
10 parcels specially benefitted by said improvements in such assess-
11 unit, in the City of Las Vegas, Clark County, Nevada, and described
12 in the assessment roll for said District as filed in the office of
13 the City Clerk on the 23rd day of August, 1982, and as confirmed
14 by resolution duly adopted by said Board of Commissioners on the
15 20th day of Ocotober, 1982 the amounts and assessments shown on said
16 roll.

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

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

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

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

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

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

13 SECTION 7. That the City Clerk is hereby directed
14 to deliver to the County Assessor of Clark County, Nevada, the
15 Ex-Officio City Assessor for the City of Las Vegas, a copy of the
16 final assessment roll, as confirmed by resolution duly passed,
17 adopted and approved on the 20th day of October, 1982, containing a
18 description of the lots and parcels of property being assessed,
19 with the amount of the assessment levied upon each, and the name
20 of the owner or occupant thereof against whom the assessment was
21 made; and said City Clerk is additionally directed to require the
22 County Treasurer to collect the several sums so assessed, as a tax
23 upon the several lots and parcels to which they were assessed.

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

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

1 NOTICE OF PROPERTY OWNERS
2 OF ASSESSMENTS FOR IMPROVEMENTS IN
3 LAS VEGAS, NEVADA,
4 SPECIAL IMPROVEMENT DISTRICT NO. 439

5 NOTICE IS HEREBY GIVEN to property owners and other in-
6 terested persons that, by Ordinance No. 3017 duly passed,
7 adopted, signed and approved on the 17th day of November,
8 1982, there were levied and assessed against the lots and parcels,
9 of property specially benefitted by the local improvements in
10 what is commonly designated as "Las Vegas, Nevada Special Improve-
11 ment District No. 439," said lots and parcels being more specifi-
12 cally described in the assessment roll designated in said ordinance,
13 the total cost and expenses of said improvements.

14 Said assessments shall be due and payable at the Office
15 of the Clark County Treasurer, Las Vegas, Nevada, on or before
16 the 31st day of December, 1982, being thirty days after the effect-
17 ive date of said ordinance, i.e., the date of its second and final
18 publication, without interest and without demand; provided, that
19 all such assessments may, at the election of the owner, be paid
20 in installments, with interest as herein provided. Failure to pay
21 the whole assessment within said thirty day period shall be con-
22 clusively considered and held an election on the part of all
23 persons interested, whether under disability or otherwise, to pay
24 the unpaid assessment in installments. In case of such election
25 to pay in installments, the unpaid assessments shall be payable in
26 ten (10) substantially equal annual installments of principal until
27 paid in full, with interest in all cases on the unpaid and deferred
28 installments of principal from the 17th day of November, 1982, i.e.,
29 the date of the second and final publication of said ordinance,
30 at a rate or rates not exceeding nine per centum (9%) per annum,
31 both principal and interest being payable annually at the Office
32 of the County Treasurer of Clark County, Nevada, on the first day
 of each year, commencing on the first day of January, 1984.

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

17 The amounts assessed as aforesaid constitute a lien
18 upon said lots and parcels of property from the 17th day of
19 November, 1982, the effective date of said ordinance, which lien
20 shall be coequal with the lien of other taxes and prior and
21 superior to all other liens, claims and titles. The sale of any
22 such lot or parcel of property for general or other taxes shall
23 not relieve such lot or parcel of property from such assessment
24 or the lien therefor.

25 DATED this 17th day of November, 1982.

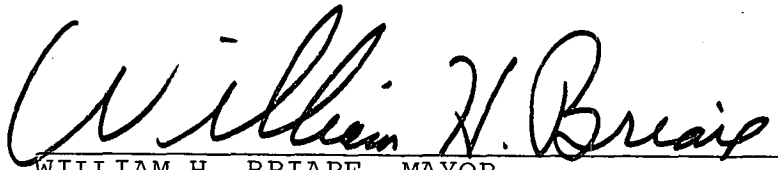
26
27 *Carol A. Hawley*
28 CAROL ANN HAWLEY, CITY CLERK
29
30
31
32

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

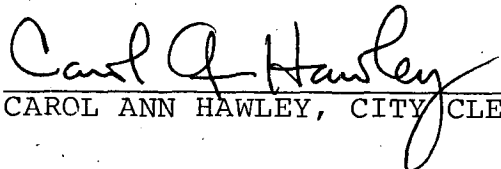
5 SECTION 10. That if any section, paragraph, clause
6 or provision of this ordinance shall for any reason be held to be
7 invalid or unenforceable, the invalidity or unenforceability of
8 such section, paragraph, clause or provision shall not affect any
9 of the remaining provisions of this ordinance.

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

15 PASSED, ADOPTED AND APPROVED this 17th day of November,
16 1982.

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19 
20 WILLIAM H. BRIARE, MAYOR

21 ATTEST:

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23 
24 CAROL ANN HAWLEY, CITY CLERK
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1 The above and foregoing ordinance was first proposed and read by
2 title to the Board of Commissioners on the 3rd day of November
3 , 1982, and referred to the following committee composed
4 of Commissioners Christensen and Levy
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 17th day of November ,
7 1982, which was a regular meeting of said Board;
8 that at said regular meeting, the proposed ordinance
9 was read by title to the Board of Commissioners as first
10 introduced and adopted by the following vote:

11
12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Pearson & Mayor Briare

13 VOTING "NAY" Commissioners: None

14 ABSENT: None

15
16 APPROVED:

17 William H. Briare
18 By William H. Briare
19 WILLIAM H. BRIARE, Mayor

20 ATTEST:

21 Carol Ann Hawley
22 Carol Ann Hawley, City Clerk
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AFFIDAVIT OF PUBLICATION

BILL NO. 82-65
ORDINANCE NO.
AN ORDINANCE CONFIRMING THE
PROCEEDINGS HERETOFORE TAKEN
IN PROVIDING FOR CERTAIN STREET
IMPROVEMENTS WITHIN LAS VEGAS,
NEVADA, SPECIAL IMPROVEMENT
DISTRICT NO. 439; PROVIDING FOR
THE PAYMENT OF THE COST AND EX-
PENSES OF SAID IMPROVEMENTS;
ASSESSING THE COSTS AND EXPENSE
OF SAID IMPROVEMENTS AGAINST
THE ASSESSABLE LOTS AND PAR-
CELS OF PROPERTY BENEFITTED BY
SAID IMPROVEMENTS; DESCRIBING
THE MANNER FOR THE COLLECTION
AND PAYMENT OF SAID ASSES-
MENTS; PROVIDING PENALTY FOR
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ING, RATIFYING AND CONFIRMING
ALL ACTION PREVIOUSLY TAKEN BY
THE BOARD OF COMMISSIONERS
AND THE OFFICERS OF SAID CITY DI-
RECTED TOWARD THE INSTALLATION
OF SAID IMPROVEMENTS IN SAID DIS-
TRICT AND PRESCRIBING DETAILS IN
CONNECTION THEREWITH, AND
OTHER MATTERS RELATING
THERE TO.
Sponsored By: ordinance required by
step procedure.
Intent of Bill: step requirement.
At a Commission Meeting on November
3, 1982
BILL NO. 82-65 WAS READ BY TITLE
AND REFERRED TO RECOMMENDING
COMMITTEE:
COMMISSIONERS Christensen and
Levy
COPIES OF THE COMPLETE ORDI-
NANCE ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE OF THE
CITY CLERK, 10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE, LAS
VEGAS, NEVADA.
Pub: November 10, 1982
Las Vegas SUN

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Lorraine Johnson, being first duly sworn,

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

from November 10, 1982 to November 10, 1982

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

November 10, 1982

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

Signed

Lorraine Johnson

Subscribed and sworn to before me this 10th
day of November, 1982

Ruth E. P. Johnson

My Commission Expires



Notary Public in and for Clark County, Nevada

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

RECEIVED

Nov 15 4 09 PM '82

CITY CLERK

07439

BILL NO. 82-85

ORDINANCE NO. 3017

AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 439; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSE OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITTED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRESCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO.

Sponsored By: Ordinance required by step procedure.

Intent of Bill: Step requirement.

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 3rd day of November, 1982, and referred to the following committee composed of Commissioners Christensen and Levy for recommendation; thereafter the said committee reported favorably on said ordinance on the 17th day of November, 1982, which was a regular meeting of said Board; that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote.

VOTING "AYE": Commissioners Levy, Lurie, Pearson and Mayor Briare.

VOTING "NAY": Commissioners: None

ABSENT: Christensen

CAROL ANN HAWLEY
City Clerk

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

Pub: November 20, 1982
Las Vegas: SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Lorraine Johnson

, being first duly sworn,

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

from November 20, 1982 to November 20, 1982

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

November 20, 1982

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

Signed

Lorraine Johnson

Subscribed and sworn to before me this 20th
day of

November, 1982

Ruth E. Deskin

Notary Public in and for Clark County, Nevada

ROUTE V. DESKIN

Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

My Commission Expires



RECEIVED

NOV 24 10 32 AM '82

PROCUREMENT
DIVISION

RECEIVED

NOV 24 3 25 PM '82

CITY CLERK