

1 BILL NO. 82-78

2 ORDINANCE 3023

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. 436; PROVIDING FOR THE PAYMENT
7 OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE
8 COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE
9 LOTS AND PARCELS OF PROPERTY BENEFITTED BY SAID IMPROVEMENTS;
10 DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID
11 ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING,
12 RATIFYING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD
13 OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD
14 THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRE-
15 SCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RE-
16 LATING THERETO.

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

13
14 WHEREAS, the City of Las Vegas, in the County of Clark,
15 State of Nevada, has taken requisite legal action preliminary to
16 and in the creation of Special Improvement District No. 436, con-
17 sisting of:

18 UNIT NO. I

19 The improvements include the installation of concrete
20 curbs and gutters with commercial or residential driveway
21 opening as required, on the west side of Jones Boulevard from
22 O'Bannon Drive to Charleston Boulevard and on the east side of
23 Jones Boulevard from Del Rey Avenue to Charleston Boulevard, in
24 conjunction with the installation of driving lanes, median islands
25 or left turn lanes and drainage facilities to be paid for with
26 funds other than the levy of assessments, to include the neces-
27 sary installation, removal and relocation of any and all utilities
28 and appurtenances that are deemed necessary to complete same, as
29 more particularly shown on the plats, diagrams, plans of the work
30 and locality to be improved, now on file in the Office of the
31 City Clerk.

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1 Avenue to Charleston Boulevard, in conjunction with the instal-
2 lation of driving lanes, median islands or left turn lanes and
3 drainage facilities to be paid for with funds other than the levy
4 of assessments, to include the necessary installation, removal
5 and relocation of any and all utilities and appurtenances that
6 are deemed necessary to complete same, as more particularly shown
7 on the plats, diagrams and plans of the work and locality to be
8 improved, now on file in the Office of the City Clerk.

9 WHEREAS, pursuant to said proceedings and pursuant to
10 notice duly given, said Board of Commissioners, on the 18th day
11 of January, 1982, received bids for the doing of the work therefor
12 and said City formally entered into the following contract for
13 the doing of such work and the furnishing of all necessary mater-
14 ials, to-wit:

15 WELLS CARGO, INC., in the amount of \$110,045.90.

16 WHEREAS, said Board of Commissioners has determined,
17 and does hereby determine, that the total cost of such improve-
18 ments, including advertising, appraising, engineering, legal,
19 printing, interest on interim warrants and all other proper in-
20 cidental costs in each unit of said Assessment District is as
21 follows, to-wit:

22 \$126,552.79

23 WHEREAS, the amount of \$-0- has been determined to be
24 the fair share of the portion of Assessment Units I, II, IV and V
25 that should be paid by the City of Las Vegas.

26 WHEREAS, said Board of Commissioners has determined,
27 and does hereby determine, that the following amounts shall be
28 assessed against and be paid by the property specially benefitted
29 by the improvements in each unit of said Assessment District, to-
30 wit:

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1	UNIT NO. I	\$22,246.75
2	UNIT NO. II	58,426.10
3	UNIT NO. IV	4,688.32
4	UNIT NO. V	41,191.62

5 WHEREAS, said Board of Commissioners has determined,
6 and does hereby determine, that there shall be assessed to each
7 lot or parcel of property specially benefitted its proportionate
8 share of the costs and expenses being levied against the par-
9 ticular Assessment Unit in which such lot or parcel is situate,
10 on the basis set forth in the Provisional Order Resolution passed
11 and approved on the 17th day of September, 1980 and Ordinance
12 No. 2246 the ordinance creating the District, duly passed,
13 adopted and approved on the 20th day of January, 1982; and

14 WHEREAS, said assessments in no event exceed the esti-
15 mated benefits to the property assessed nor that portion of the
16 total costs of improvements payable in assessments as heretofore
17 determined; and

18 WHEREAS, after determination of the costs of such work
19 to be paid by the property specially benefitted, the City Engineer,
20 pursuant to directions contained in the Resolution of said Board
21 of Commissioners duly passed, adopted and approved on the 20th day
22 of October, 1982, prepared an assessment roll which contained,
23 among other things, the name of each last known owner of each lot
24 or parcel of property to be assessed, a description of each lot
25 or parcel to be assessed, and the amount of the proposed assessment
26 thereon, apportioned on a front foot basis as more particularly
27 set forth in Section 4 of said Ordinance No. 2246; and

28 WHEREAS, said Board of Commissioners thereupon fixed a
29 time and place, to-wit, the 1st day of December, 1982 at 2:00
30 P.M. in the City Hall, 400 East Stewart Avenue, Las Vegas,
31 Nevada, when all complaints, protests and objections by owners of
32 such property, by any party interested in the regularity of the

1 proceedings in making such assessments, and all parties aggrieved
2 by such assessments, to said assessment roll, including, without
3 limiting the generality of the foregoing, the regularity of the
4 proceedings in making any assessment thereon, and the correctness
5 of such assessment or the amount levied on any particular lot or
6 parcel of property to be assessed, would be heard and considered
7 by said Board of Commissioners; and

8 WHEREAS, said Board of Commissioners caused said assess-
9 ment roll to be filed in the Office of the Clerk of said City on
10 the 25th day of October, 1982; and said Clerk, by publication in a
11 newspaper and by mail, gave the requisite notice of the time and
12 place of such hearing, of the filing of said assessment roll in
13 her office, of the date of filing the same, and of the right of
14 any such person so to object specifically in writing, and the
15 waiver of any objection in the absence of such objection; and

16 WHEREAS, at the time and place so designated for the
17 hearing of such objections, said Board of Commissioners met to
18 hear and consider all objections so filed by any interested
19 party, and thereafter, by Resolution duly passed adopted and
20 approved on the 15th day of December, 1982, confirmed said assess-
21 ment roll, and ordered said assessment roll to be filed in the
22 office of, and endorsed by, the City Clerk of said City; and

23 WHEREAS, one oral protest was received at such hearing;
24 and

25 WHEREAS, it is incumbent upon said Board of Commission-
26 ers to provide herein when said assessments shall become due and
27 delinquent, the rate of interest payable thereon, and the penalt-
28 ies payable after delinquency.

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

31 SECTION 1. That all actions heretofore taken (not
32 inconsistent with the provisions of this ordinance) by the City

1 of Las Vegas and the officers and employees thereof directed
2 toward the creation of Las Vegas, Nevada, Special Improvement No.
3 436 and the installation therein of certain improvements, to-wit:

4 UNIT NO. I

5 The improvements include the installation of concrete
6 curbs and gutters with commercial or residential driveway opening
7 as required, on the west side of Jones Boulevard from O'Bannon
8 Drive to Charleston Boulevard and on the east side of Jones
9 Boulevard from Del Rey Avenue to Charleston Boulevard, in conjunc-
10 tion with the installation of driving lanes, median islands or
11 left turn lanes and drainage facilities to be paid for with funds
12 other than the levy of assessments, to include the necessary
13 installation, removal and relocation of any and all utilities and
14 appurtenances that are deemed necessary to complete same, as more
15 particularly shown on the plats, diagrams, plans of the work and
16 locality to be improved, now on file in the Office of the City
17 Clerk.

18 UNIT NO. II

19 The improvements include the installation of a parking lane
20 on the west side of Jones Boulevard from O'Bannon Drive to Charles-
21 ton Boulevard and on the east side of Jones Boulevard from Del
22 Rey Avenue to Charleston Boulevard in conjunction with the installa-
23 tion of driving lanes, median islands or left turn lanes and
24 drainage facilities to be paid for with funds other than the levy
25 of assessments, to include the necessary installation, removal
26 and relocation of any and all utilities and appurtenances that
27 are deemed necessary to complete same, as more particularly shown
28 on the plats, diagrams, and plans of the work and locality to be
29 improved, now on file in the Office of the City Clerk.

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1 are, approved, ratified and confirmed.

2 SECTION 2. That for the purpose of paying the costs
3 and expenses of said improvements, there be, and there hereby
4 are, levied and assessed against the lots and parcels of property
5 in each assessment unit of said District, being all those lots
6 and parcels specially benefitted by said improvements in such
7 assessment unit, in the City of Las Vegas, Clark County, Nevada,
8 and described in the assessment roll for said District as filed
9 in the Office of the City Clerk on the 25th day of October, 1982,
10 and confirmed by resolution duly adopted by said Board of Commis-
11 sioners on the 15th day of December, 1982, the amounts and assess-
12 ments shown in said roll.

13 SECTION 3. That said assessments shall be due and
14 payable at the office of the County Treasurer within thirty (30)
15 days after this ordinance becomes effective without interest and
16 without demand; provided, that all or any part of such assessment
17 may, at the election of the owner, be paid in installments, with
18 interest, as hereinafter provided. Failure to pay the whole
19 assessment within thirty (30) days after this ordinance becomes
20 effective shall be conclusively considered and held an election
21 on the part of all persons interested, whether under disability
22 or otherwise, to pay in installments, the amount of the assess-
23 ment then unpaid. In case of election to pay in installments, the
24 unpaid assessments shall be payable in ten (10) substantially
25 equal annual installments of principal until paid in full, with
26 interest in all cases on the unpaid and deferred installments of
27 principal from the effective date of this ordinance after passage
28 and approval, at a rate of nine per centum (9%) per annum.
29 Failure to pay any installment, whether of principal or interest,
30 when due, shall ipso facto cause the whole amount of the unpaid
31 principal to become due and payable immediately, at the option of
32 the City, the exercise of said option to be indicated by the

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

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

25 SECTION 5. That in case any such lot or parcel of
26 property so assessed is delinquent in the payment of such assess-
27 ment or any installment of principal or interest, the assessment
28 roll and the certified copy of this ordinance shall be prima
29 facie evidence of the regularity of the proceedings in making the
30 assessment and of the right to recover judgment therefor.

31 SECTION 6. That the City Clerk shall publish, as
32 soon as reasonably possible, a notice in a newspaper which is an

1 official newspaper, published daily for said City, once a week
2 for two consecutive weeks, stating that said assessments having
3 been levied and are due and payable. The Board of Commissioners
4 hereby determines that the manner of giving notice herein provided
5 for by publication is reasonably calculated to inform the in-
6 terested parties of the proceedings concerning said District,
7 which may directly and adversely affect their legally protected
8 interests.

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

21 SECTION 8. That the notice provided for in Section
22 6 of this ordinance shall be in substantially the following Form:

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1 NOTICE TO PROPERTY OWNERS
2 OF ASSESSMENTS FOR IMPROVEMENTS IN
3 LAS VEGAS, NEVADA,
4 SPECIAL IMPROVEMENT DISTRICT NO. 436

5 NOTICE IS HEREBY GIVEN to property owners and other in-
6 terested persons that, by Ordinance No. 3023 duly passed,
7 adopted, signed and approved on the 5th day of January
8 1983, 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. 436," said lots and parcels being more specifi-
12 cally described in the assessment roll designated in said ordi-
13 nance, the total cost and expenses of said improvements.

14 Said assessments shall be due and payable at the Office
15 of the County Treasurer, Las Vegas, Nevada, on or before the 28th
16 day of February, 1983, being thirty days after the effective date
17 of said ordinance, i.e, the date of its second and final publica-
18 tion, without interest and without demand; provided, that all
19 such assessments may, at the election of the owner, be paid in
20 installments, with interest as herein provided. Failure to pay
21 the whole assessment within said thirty day period shall be
22 conclusively 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
26 in ten substantially equal annual installments of principal until
27 paid in full, with interest in all cases on the unpaid and defer-
28 red installments of principal from the 5th day of January, 1983,
29 i.e., the date of the second and final publication of said
30 ordinance, at a rate or rates not exceeding nine per centum (9%)
31 per annum, both principal and interest being payable annually at
32 the Office of the County Treasurer of Clark County Nevada, on the

1 first day of each year, commencing on the first day of March, 1984.
2 Failure to pay any installment, whether of principal or interest,
3 when due, shall cause the whole of the unpaid principal to become
4 due and payable immediately, at the City's option, and the whole
5 amount of the unpaid principal and accrued interest shall, after
6 such delinquency, whether said option is or is not exercised,
7 bear penalty at the rate of one per centum (1%) per month, until
8 the day of sale or until paid, but at any time prior to the date
9 of sale, the owner may pay the amount of all delinquent install-
10 ments originally becoming due on or before the date of said
11 payment, with interest thereon, and all penalties accrued, and
12 shall thereupon be restored to the right thereafter to pay in
13 installments in the same manner as if default had not been suffer-
14 ed. The owner of any property not in default as to any install-
15 ment or payment may, at any time, pay the whole or any annual
16 installment of the unpaid principal, with interest accruing
17 thereon to the next interest payment date.

18 The amounts assessed as aforesaid constitute a lien
19 upon said lots and parcels of property from the 5th day of January,
20 1983, the effective date of said ordinance, which lien shall be
21 coequal with the lien of other taxes and prior and superior to
22 all other liens, claims and titles. The sale of any such lot or
23 parcel of property for general or other taxes shall not relieve
24 such lot or parcel of property from such assessments or the lien
25 therefor.

26 DATED this 15th day of December, 1982.

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29 CAROL ANN HAWLEY, CITY CLERK
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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.

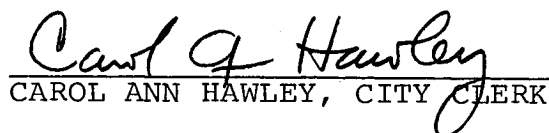
5 SECTION 10. That if any section, paragraph, clause
6 or provision of this ordinance shall for any reason be held to be
7 invalid or unenforceable, the invalidity or unenforceability of
8 such section, paragraph, clause or provision shall not affect any
9 of the remaining provisions of this ordinance.

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 5th day of January,
16 1983.

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19 WILLIAM H. BRIARE, MAYOR

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21 ATTEST:

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24 CAROL ANN HAWLEY, CITY CLERK

1 The above and foregoing ordinance was first proposed and read by
2 title to the Board of Commissioners on the 15th day of December
3 , 1982, and referred to the following committee composed
4 of Commissioners Lurie and Christensen
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 5th day of January
7 1983, which was a regular meeting of said Board; that
8 at said regular meeting, the proposed ordinance was
9 read by title to the Board of Commissioners as first introduced
10 and adopted by the following vote:

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

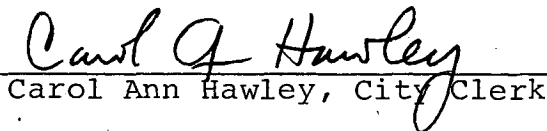
13 VOTING "NAY" Commissioners: NONE

14 ABSENT: NONE

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16 APPROVED:

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18 WILLIAM H. BRIARE, Mayor

19 ATTEST:

20
21 
22 Carol Ann Hawley, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of December 22, 1982 to December 22, 1982 inclusive, being the issue of said newspaper for the following dates, to wit:

December 22, 1982

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

SIGNED

GEORGE J. VASCONI

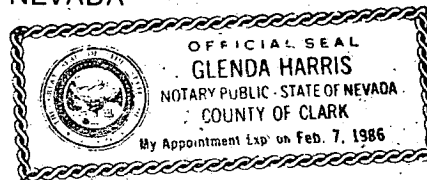
Legal Notice

BILL NO. 82-78
AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 436; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITED 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
At a Commission Meeting on December 15, 1982
BILL NO. 82-78 was read by title and referred to Recommending Committee:
Commissioners Lurie and Christensen
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. Dec. 22, 1982

Subscribed and sworn to before me
this 22 day of Dec, 19 82

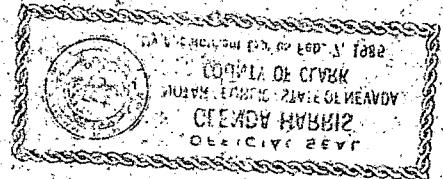
NOTARY PUBLIC, IN AND FOR CLARK
COUNTY, NEVADA



RECEIVED

DEC 27 10 45 AM '82

FINANCE DEPT



RECEIVED

DEC 28 11 54 AM '82

CITY CLERK

07544

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of January 8, 1983 to January 8, 1983 inclusive, being the issue of said newspaper for the following dates, to wit:

January 8, 1983

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

BILL NO. 82-78
ORDINANCE 3023
AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 436; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITED 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 15th day of December, 1982, and referred to the following committee composed of Commissioners Lurie and Christensen for recommendation; thereafter the said committee reported favorably on said ordinance on the 5th day of January, 1983, which was a regular meeting of said Board; that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:
VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Pearson and Mayor Briare
VOTING "NAY" Commissioners: None

ABSENT None
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
Pub. Jan. 8, 1983

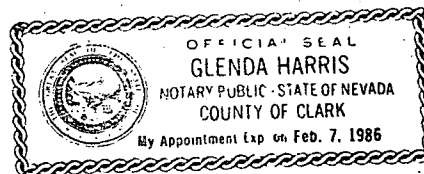
SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 11 day of Jan, 1983

Glenda Harris

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



07543

RECEIVED

JAN 13 10 14 AM '82

CITY CLERK

