

EMERGENCY ORDINANCE NO. 436

1 AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD
2 OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN
3 PUBLIC IMPROVEMENTS IN THE CITY OF LAS VEGAS BY INSTALLING A SANI-
4 TARY SEWER ALONG CERTAIN STREETS, EASEMENTS, ALLEYS AND PORTIONS
5 THEREOF; TO CREATE SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT
6 NO. 200-1 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS, AND TO DE-
7 FRAY THE ENTIRE COSTS AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS
8 MADE ACCORDING TO FRONTAGE, FIXING A TIME IN WHICH PROTESTS
9 AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT
10 MAY BE HEARD AND CONSIDERED BY SAID BOARD, DIRECTING NOTICE THERE-
11 OF TO BE GIVEN AND PROVIDING OTHER MATTERS RELATING THERETO.

12 WHEREAS, certain areas in the City of Las Vegas, Nevada,
13 are without adequate sewer improvements, and

14 WHEREAS, certain proceedings were heretofore taken by
15 the Board of Commissioners of the City of Las Vegas to make the
16 said improvements and to levy an assessment to defray the cost of
17 making the same, and

18 WHEREAS, the bonds for said improvement are not saleable
19 due to the lack of a favorable opinion by bonding attorneys, and

20 WHEREAS, the Board of Commissioners of the City of Las
21 Vegas has determined that it is for the best interests of the
22 City that the proceedings heretofore taken be abandoned and that
23 the steps for the creation of the assessment district and the con-
24 struction therein of improvements be started anew, and

25 WHEREAS, the said Board of Commissioners deems it expedi-
26 ent and desirable to create Sanitary Sewer Assessment District
27 No. 200-1 for the purpose of installing along certain streets,
28 easements, alleys and portions thereof, hereinafter particularly
29 described, a sanitary sewer composed of vitrified clay pipe, and
30 to defray the entire cost and expense thereof by special assess-
31 ments made according to frontage against the owners and assessable
32 lots, premises and property specially benefited by such improve-
ments and included within said district, and

WHEREAS, there is not included within said district any
lands belonging to the City or public grounds not taxable, and in
no case does the estimated amount of any special assessment upon
any lot or premise for said improvements exceed 50% of the value
of such lot or premise as shown upon the latest tax list or as-
sessment roll for State and County tax, and

WHEREAS, in the judgment of the Board of Commissioners
of said City of Las Vegas, it is fair and equitable that no por-
tion of said cost and expense be borne by the City from its gen-
eral funds; and

WHEREAS, at a regular meeting of the Board of Commis-
sioners of the City of Las Vegas, held on the 11th day of October,
1950, upon motion of Commissioner Moore and duly seconded
by Commissioner Whipple and unanimously carried, a resolu-
tion was adopted and approved directing the City Engineer to make
estimates of the expense thereof and plats, diagrams and plans of
work and of the locality to be improved, and to file such esti-
mates, plats, diagrams and plans with the City Clerk for public
examination, and

WHEREAS, on the 18th day of October, 1950, said es-
timates, plats, diagrams and plans were so filed.

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

Section 1. That the Board of Commissioners of the City of Las Vegas, Nevada, does hereby declare its determination to make certain public improvements by installing a sanitary sewer along certain streets, easements, alleys and portions thereof, to create a special assessment district therefor, and to defray the entire cost and expense by special assessments made according to frontage against the owners and upon the assessable lots and premises specially benefited by such improvements and included within said district.

Section 2. That the Board proposes to make said improvements by installing a sanitary sewer in and along certain streets, easements, alleys and portions thereof, said sewer to be composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, as is more particularly shown by the plats, diagrams and plans of the work and locality to be improved, now on file in the office of the City Clerk of the City of Las Vegas.

Section 3. That the streets, easements, alleys and portions thereof, in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

In alley between Walnut Avenue and Mesquite Avenue from a point 70 feet east of the east property line of Bruce Avenue to 19th Street; in alley between Mesquite Avenue and Cedar Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Poplar Avenue and Elm Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Elm Avenue and Marlin Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Stewart Avenue and Marlin Avenue from Bruce Avenue to existing line 80.5 feet west of center line of 23rd Street; On Ash Avenue from a point 87 feet east of the center line from 21st Street to 23rd Street; on Marlin Avenue from Bruce Street 195 feet west; in alley between 14th Street and 15th Street from Ogden Avenue 207 feet north; in easement between 14th Street and 15th Street from a point 125 feet south of the center line of Marlin Avenue to a point 125 feet north of the center line of Stewart Avenue, then easterly to 15th Street; in alley between 12th Street and 13th Streets from Stewart Street 145 feet north.

Section 4. That the special assessment district which it is proposed to create shall be designated Sanitary Sewer Improvement Assessment District No. 200-1, and it shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon said streets, easements, alleys and portions thereof.

Section 5. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

Section 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Wednesday the 15th day of November, 1950, at the hour of 2:30 o'clock, P. M., to hear and consider any suggestions and objections that may be

made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

Section 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams, and plans with the City Clerk for examination, of the proposed improvement or work, of the location of the improvement, of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Said notice shall be given by publication for at least two weeks in the Las Vegas Review Journal, a daily newspaper published in said City of Las Vegas every day each week except Saturday, by fourteen insertions therein, and at least fifteen days prior to said meeting by posting said notices in at least three public places in each ward and also by posting said notice in or near said post office of said City and by posting notices in three public places near the site of said proposed work. Said notice shall be in substantially the following form:

1 NOTICE OF DETERMINATION AND INTENTION TO INSTALL A SANI-
2 TARY SEWER SYSTEM ALONG CERTAIN STREETS, EASEMENTS, ALLEYS AND
3 PORTIONS THEREOF; TO CREATE SANITARY SEWER ASSESSMENT DISTRICT NO.
4 200-1, AND TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENTS, AND
5 OF THE HEARING THEREFOR.

6 NOTICE IS HEREBY GIVEN that on October 25, 1950,
7 the Board of Commissioners and Mayor of the City of Las Vegas,
8 Nevada, adopted and approved an ordinance declaring the Board's
9 determination to make certain public improvements by installing
10 a sewer system along certain streets, easements, alleys and por-
11 tions thereof, composed of eight inch vitrified clay pipe, to-
12 gether with such appurtenances as may be required, to create a
13 special assessment district designated Sanitary Sewer Improvement
14 Assessment District No. 200-1 therefor, and to defray the entire
15 cost and expense thereof by special assessments made according to
16 frontage against the owners and the assessable lots, premises and
17 property specially benefited by such improvements and included
18 within said district.

19 The streets, easements, alleys and portions thereof
20 along which an eight inch vitrified clay pipe installation is so
21 proposed, are:

22 In alley between Walnut Avenue and Mesquite Avenue
23 from a point 70 feet east of the east property line
24 of Bruce Avenue to 19th Street; in alley between
25 Mesquite Avenue and Cedar Avenue from a point 70 feet
26 east of the east property line of Bruce Avenue to 21st
27 Street; in alley between Poplar Avenue and Elm Avenue
28 from a point 70 feet east of the east property line of
29 Bruce Avenue to 21st Street; in alley between Elm Avenue
30 and Marlin Avenue from a point 70 feet east of the east
31 property line of Bruce Avenue to 21st Street; in alley
32 between Stewart Avenue and Marlin Avenue from Bruce
Avenue to existing line 80.5 feet west of center line
of 23rd Street; on Ash Avenue from a point 87 feet east
of the center line from 21st Street to 23rd Street; on
Marlin Avenue from Bruce Street 195 feet west; in alley
between 14th Street and 15th Street from Ogden Avenue
207 feet north; in easement between 14th Street and 15th
Street from a point 125 feet south of the center line of
Marlin Avenue to a point 125 feet north of the center
line of Stewart Avenue, then easterly to 15th Street;
in alley between 12th Street and 13th Street from
Stewart Street 145 feet north.

33 ~~Sanitary~~ Improvement Assessment District No. 200-1 shall
34 include all the lots, premises and property to the full depth of
35 such, fronting, adjoining and abutting upon said streets, ease-
36 ments, alleys and portions thereof.

37 Said ordinance adopted and approved October 25, 1950,
38 and the plats, diagrams and plans of the work and locality to be
39 improved, together with the estimates of the expense thereof, are
40 on file for public inspection and examination in the office of
41 the City Clerk of Las Vegas, Nevada, and all persons interested
42 are hereby referred to the same for further information.

43 Said Board of Commissioners will meet at the City Hall
44 at the corner of Stewart and Fifth Streets in the City of Las Vegas,
45 Nevada, on the 15th day of November, 1950, at 2:30 o'clock,
46 P. M., to hear and consider any suggestions and objections that
47 may be made by parties in interest to the proposed improvements,

1 or any matters relating thereto. Objections to said proposed im-
2 provements, or any matters relating thereto, may be filed in writ-
3 ing in the office of the City Clerk at any time prior to said
4 meeting. Unless the owners of more than one-half of the frontage
5 to be assessed shall file written objections thereto, such improve-
6 ment or work shall be ordered.

7 DATED this 25th day of October, 1950.

8 Shirley Boelling City Clerk

9 By Betty Lunston
10 City Clerk Chief Deputy

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

3 Section 8. That if any one or more sections, sentences,
4 clauses or parts of this ordinance shall, for any reason, be
5 questioned or be held invalid, such judgment shall not affect,
6 impair or invalidate the remaining provisions of this ordinance,
7 but shall be confined in its operation to the specific sections,
8 sentences, clauses or parts of this ordinance so held unconstitu-
tional and invalid, and the inapplicability and invalidity of any
section, sentence, clause or part of this ordinance, in any one
or more instances shall not affect or prejudice in any way the
applicability and validity of this ordinance in any other instance.

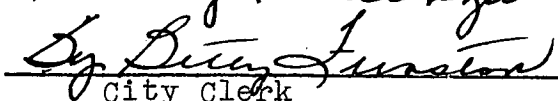
9 Section 9. That by reason of the fact that the sewer
10 system of the City of Las Vegas is inadequate to meet the present
11 and future needs of the City and its inhabitants and that it is
12 necessary immediately to raise funds to extend said sewer system,
therefore, it is hereby declared that an emergency exists, and
that this ordinance is necessary for the immediate preservation of
the public peace, health and safety.

13 Section 10. That the City Clerk and Clerk of the Board
14 of Commissioners of the City of Las Vegas, shall cause this ordi-
15 nance to be published once a week for two successive weeks immedi-
16 ately following its final reading and adoption, in the Las Vegas
Review Journal, a daily newspaper published in said City, and this
ordinance shall become effective immediately following the second
publication thereof.

17 PASSED, ADOPTED AND APPROVED this 25th day of October,
18 1950.

19 
20 Mayor

21 ATTEST:

22 
23 
24 City Clerk

Commissioner Moore then duly seconded the motion to adopt the foregoing ordinance. The question being upon the adoption of said ordinance, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Moore,
Commissioner Peccole,
Commissioner Whipple,
Mayor Cragin,
Absent: none.

Those voting "Nay": none.

Thereupon, the presiding officer declared said motion carried and the ordinance duly passed and adopted.

It was then moved by Commissioner Bunker and seconded by Commissioner Moore that all rules of this Board which might prevent, unless suspended, the final passage and adoption of this ordinance at this meeting be and the same are hereby suspended for the purpose of permitting the final passage and adoption of said emergency ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Moore,
Commissioner Peccole,
Commissioner Whipple, and
Mayor Cragin,
Absent: none.

Those voting "Nay": none.

The presiding officer declared said motion carried and the rules suspended.

Commissioner Bunker then moved that said ordinance heretofore introduced and read in full at this meeting be now placed upon its passage. Commissioner Moore seconded the motion, and the question being upon the placing of said ordinance upon its passage, the roll was called with the following result:

Those voting "Aye": -

Commissioner Bunker,
Commissioner Moore,
Commissioner Piccole,
Commissioner Whipple, and
Mayor Cragin.
Absent: none

Those voting "Nay": none

The presiding officer declared the motion carried and the ordinance placed upon its final passage.

Commissioner Bunker then moved that said ordinance be passed and adopted as read and as an emergency ordinance. Commissioner Moore seconded the motion. The question being upon the passage and adoption of said ordinance, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker,
Commissioner Moore,
Commissioner Piccole,
Commissioner Whipple, and
Mayor Cragin.
Absent: none

Those voting "Nay": none

The presiding officer thereupon declared that four Commissioners having voted in favor thereof, said motion was carried and said ordinance was duly passed and adopted as an emergency ordinance.

On motion duly adopted, it was ordered that said emergency ordinance be numbered 436, and after approval by the Mayor shall be published as in said ordinance designated, and shall be recorded according to law.

There being no further business to come before the Board of Commissioners, the meeting was, on motion duly made, seconded and carried, adjourned.

Mayor

ATTEST:

ATTEST:
Shirley Dalling
By Betty Zundel
 City Clerk

Emergency Ordinance No. 436 copied into City of
Las Vegas Commissioners' Minute Book.

200-1

1 STATE OF NEVADA)
2 COUNTY OF CLARK) SS.
3 CITY OF LAS VEGAS)
4

5 I, Shirley Ballinger, the duly elected, qualified
6 and acting City Clerk in and for the City of Las Vegas, County
7 of Clark and State of Nevada, do hereby certify that the fore-
8 going pages numbered 1 to 10, both inclusive, are a true, per-
9 fect and correct copy of the record of the proceedings taken
10 by the Board of Commissioners of said City at a regular meet-
11 ing held on Wednesday, the 25th day of October, 1950, and now
12 on file and of record in my office; that the proceedings therein
13 set forth were duly had and taken by the Board of Commissioners
14 at said meeting, were approved by the Mayor of said City and
15 attested by me as City Clerk; that the persons named therein
16 as present at said meeting were present as shown by said minutes;
17 and that all members of the Board of Commissioners were duly
18 notified of said meeting.

19 WITNESS my hand and the seal of said City this 25th
20 day of October, 1950.

21 SHIRLEY BALLINGER, City Clerk

22
23 By Deeey Dunston
Chief Deputy City Clerk

24 (SEAL)
25
26
27
28
29
30
31
32

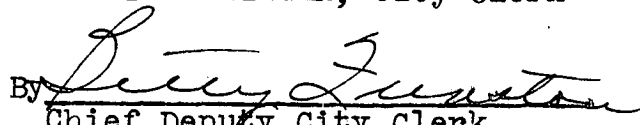
STATE OF NEVADA)
COUNTY OF CLARK) SS.
CITY OF LAS VEGAS)

Shirley Ballinger, being first duly sworn, upon oath deposes and says that she is, and was at all times herein mentioned, the duly elected, qualified and acting City Clerk in and for the City of Las Vegas, County of Clark and State of Nevada, and that acting as said City Clerk she posted, at least fifteen days prior to the hearing on the assessment district hereinafter designated, to-wit, on the 25th day of October, 1950, the "Notice of Determination and Intention to Install A Sanitary Sewer Along Certain Streets, Easements, Alleys and Portions Thereof, To Create Sanitary Sewer Improvement Assessment District No. 200-1, and To Defray the Entire Cost by Special Assessments, and of the Hearing Thereon," a copy of which is attached as Exhibit "A", in the post office of said City and in at least three public places in each ward, and in three public places near the site of the proposed work, to-wit:

1. At the alley on 19th Street between Mesquite and Cedar Avenue.
2. At the alley on 19th Street between Cedar and Poplar Ave.
3. At the alley on 19th St. between Poplar and Elm Ave.
4. At the alley on 19th St. between Elm and Marlin Ave.
5. At the alley on Stewart Ave. between 12th and 13th Sts.
6. Northwest corner of Stewart Ave. and 15th Streets.
7. Southeast corner Ogden Avenue and 14th Street.
8. Northeast corner 21st Street and Ash Avenue.
9. One notice each at the Clark County Courthouse, United States Post Office and the City Hall.

Further affiant saith not.

SHIRLEY BALLINGER, City Clerk

By 
Chief Deputy City Clerk

Subscribed and sworn to before me this
_____ day of October, 1950.

NOTARY PUBLIC

(NOTARIAL SEAL)

-12-

My commission expires: June 11, 1954.

200-1

1 STATE OF NEVADA)
2 COUNTY OF CLARK) SS.
3 CITY OF LAS VEGAS)
4

5 Shirley Ballinger, being first duly sworn, upon oath
6 deposes and says that she is, and was at all times herein men-
7 tioned, the duly elected, qualified and acting City Clerk in and
8 for the City of Las Vegas, County of Clark and State of Nevada,
9 and that no objections in writing to the creation of Sanitary
10 Sewer Improvement Assessment District No. 200-1, to the making
11 of certain sewer improvements therein, to the defraying of the
12 entire cost and expense therefor by assessments, or to any
13 matter relating thereto, was received by her or in her office
14 by 3:30 o'clock P.M., on Wednesday, November 15th, 1950, the
15 date and time set by the Board of Commissioners to hear and
16 consider any suggestions and objections thereto.

17 Further affiant saith not.

18 SHIRLEY BALLINGER, City Clerk
19
20 By Deputy Funston
Chief Deputy City Clerk

21 Subscribed and sworn to before me this ____ day of
22 November, 1950.

23 _____
24 NOTARY PUBLIC

25 My commission expires: June 11, 1954.
26 (NOTARIAL SEAL)

CITY
CLERK'S
FILE

27
28
29
30
31
32

200-1
STATE OF NEVADA)
COUNTY OF CLARK) SS
CITY OF LAS VEGAS)

A regular meeting of the Board of Commissioners of the City of Las Vegas, Clark County, Nevada, was held on Wednesday the 25th day of October, 1950, at the hour of 3:30 o'clock, P. M., at the City Hall, being the regular meeting place of said Board, at which meeting there were present and answering the roll call, the following:

Mayor E. W. Cragin,
Commissioner Wendell Bunker,
" R. Z. Moore,
" Wm. Puccole,
" Reed Whipple,
Absent: none

constituting all of the members of said Board. There was also present the following:

City Manager C. W. Shelley,
City Attorney Howard Cannon,
City Clerk Chief Deputy Betty Dunston and
City Engineer W. C. Anderson.

Thereupon, the following proceedings, among others, were duly had and taken.

Commissioner Bunker introduced and moved the adoption of the following emergency ordinance, which was thereupon read in full, and at length, and is as follows:

AFFADAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

CARL WOODBURY

....., being first duly sworn,

AUDITOR

deposes and says: That he is.....of the
LAS VEGAS EVENING REVIEW-JOURNAL, a daily newspaper, of gen-
eral 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 *14 insertions*

from *Oct. 29, 1950* to *Nov. 13, 1950*

inclusive, being the issues of said newspaper for the following dates, to-wit:
Oct. 29, 30, 31; Nov. 1, 2, 3, 5, 6, 7, 8, 9, 10, 12, 13

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

Signed

Subscribed and sworn to before me this *13th*
day of *Nov. 1950*

Neola Gierhart
.....
Notary Public in and for Clark County, Nevada.

My Commission Expires

APR 14 1954

**NOTICE OF DETERMINATION
AND INTENTION TO INSTALL A
SANITARY SEWER SYSTEM
ALONG CERTAIN STREETS, EASE-
MENTS, ALLEYS AND PORTIONS
THEREOF; TO CREATE SANITARY
SEWER ASSESSMENT DISTRICT
NO. 200-1, AND TO DEFRAY THE
ENTIRE COST BY SPECIAL AS-
SESSMENTS, AND OF THE HEAR-
ING THEREFOR.**

NOTICE IS HEREBY GIVEN that on October 25, 1950, the Board of Commissioners and Mayor of the City of Las Vegas, Nevada, adopted and approved an ordinance declaring the Board's determination to make certain public improvements by installing a sewer system along certain streets, easements, alleys and portions thereof, composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, to create a special assessment district designated Sanitary Sewer Improvement Assessment District No. 200-1 therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said district.

The streets, easements, alleys and portions thereof along which an eight inch vitrified clay pipe installation is so proposed, are:

In alley between Walnut Avenue and Mesquite Avenue from a point 70 feet east of the east property line of Bruce Avenue to 19th Street; in alley between Mesquite Avenue and Cedar Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Poplar Avenue and Elm Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Elm Avenue and Marlin Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Stewart Avenue and Marlin Avenue from Bruce Avenue to existing line 80.5 feet west of center line of 23rd Street; on Ash Avenue from a point 87 feet east of the center line from 21st Street to 23rd Street; on Marlin Avenue from Bruce Street 195 feet west; in alley between 14th Street and 15th Street from Ogden Avenue 207 feet north; in easement between 14th Street and 15th Street from a point 125 feet south of the center line of Marlin Avenue to a point 125 feet north of the center line of Stewart Avenue, then easterly to 15th Street; in alley between 12th Street and 13th Street from Stewart Street 145 feet north.

Sanitary Sewer Assessment District No. 200-1 shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon said streets, easements, alleys and portions thereof.

Said ordinance, adopted and approved October 25, 1950, and the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, are on file for public inspection and examination in the office of the City Clerk of Las Vegas, Nevada, and all persons interested are hereby referred to the same for further information.

Said Board of Commissioners will meet at the City Hall at the corner of Stewart and Fifth Streets in the City of Las Vegas, Nevada, on the 15th day of November, 1950, at 3:30 o'clock, P.M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto. Objections to said proposed improvements or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting. Unless the owners of more than one-half of the frontage to be assessed shall file written objections thereto, such improvement or work shall be ordered.

DATED this 25th day of October, 1950.

SHIRLEY BALLINGER, City Clerk
By Betty Funston
Chief Deputy City Clerk
-13 incl.

EMERGENCY ORDINANCE
NO. 436

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF LAS VEGAS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS, EASEMENTS, ALLEYS AND PORTIONS THEREOF; TO CREATE SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-1 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS, AND TO DEFRAY THE ENTIRE COSTS AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO FRONTAGE, FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD, DIRECTING NOTICE THEREOF TO BE GIVEN AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, certain areas in the City of Las Vegas, Nevada, are without adequate sewer improvements, and

WHEREAS, certain proceedings were heretofore taken by the Board of Commissioners of the City of Las Vegas to make the said improvements and to levy an assessment to defray the cost of making the same, and

WHEREAS, the bonds for said improvement are not saleable due to the lack of a favorable opinion by bonding attorneys, and

WHEREAS, the Board of Commissioners of the City of Las Vegas has determined that it is for the best interests of the City that the proceedings heretofore taken be abandoned and that the steps for the creation of the assessment district, and the construction therein of improvements be started anew, and

WHEREAS, the said Board of Commissioners deems it expedient and desirable to create Sanitary Sewer Assessment District No. 200-1 for the purpose of installing along certain streets, easements, alleys and portions thereof, hereinafter particularly described, a sanitary sewer composed of vitrified clay pipe, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and assessable lots, premises and property specially benefited by such improvements and included within said district, and

WHEREAS, there is not included within said district any lands belonging to the City or public grounds not taxable, and in no case does the estimated amount of any special assessment upon any lot or premise for said improvements exceed 50 per cent of the value of such lot or premise as shown upon the latest tax list or assessment roll for State and County tax, and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas, it is fair and equitable that no portion of said cost and expense be borne by the City from its general funds; and

WHEREAS, at a regular meeting of the Board of Commissioners of the City of Las Vegas, held on the 11th day of October, 1950, upon motion of Commissioner Moore and duly seconded by Commissioner Whipple and unanimously carried, a resolution was adopted and approved directing the City Engineer to make estimates of the expense thereof and plats, diagrams and plans of work and of the locality to be improved, and to file such estimates, plats, diagrams and plans with the City Clerk for public examination, and

AFFADAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } SS.

CARL WOODBURY being first duly sworn,

deposes and says: That he is AUDITOR of the LAS VEGAS EVENING REVIEW-JOURNAL, 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 Two insertions
from Oct 29, 1950 to Nov 5, 1950

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

Oct 29, Nov 5
That said newspaper was regularly issued and circulated on each of the dates above named

Signed Carl Woodbury

Subscribed and sworn to before me this
day of Dec, 1950

Neola Gierhart
Notary Public in and for Clark County, Nevada.

My Commission Expires

APR 14 1954

WHEREAS, on the 18th day of October, 1950, said estimates, plats, diagrams and plans were so filed. NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. That the Board of Commissioners of the City of Las Vegas, Nevada, does hereby declare its determination to make certain public improvements by installing a sanitary sewer along certain streets, easements, alleys and portions thereof, to create a special assessment district therefor, and to defray the entire cost and expense by special assessments made according to frontage against the owners and upon the assessable lots and premises specially benefited by such improvements and included within said district.

Section 2. That the Board proposes to make said improvements by installing a sanitary sewer in and along certain streets, easements, alleys and portions thereof, said sewer to be composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, as more particularly shown by the plats, diagrams and plans of the work and locality to be improved, now on file in the office of the City Clerk of the City of Las Vegas.

Section 3. That the streets, easements, alleys and portions thereof, in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

In alley between Walnut Avenue and Mesquite Avenue from a point 70 feet east of the east property line of Bruce Avenue to 19th Street; in alley between Mesquite Avenue and Cedar Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Poplar Avenue and Elm Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Elm Avenue and Marlin Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Stewart Avenue and Marlin Avenue from Bruce Avenue to existing line 80.5 feet west of center line of 23rd Street; on Ash Avenue from a point 87 feet east of the center line from 21st Street to 23rd Street; on Marlin Avenue from Bruce Street 195 feet west; in alley between 14th Street and 15th Street from Ogden Avenue 207 feet north; in easement be-

tween 14th Street and 15th Street from a point 125 feet south of the center line of Marlin Avenue to a point 125 feet north of the center line of Stewart Avenue, then easterly to 15th Street; in alley between 12th Street and 13th Streets from Stewart Street 145 feet north.

Section 4. That the special assessment district which it is proposed to create shall be designated Sanitary Sewer Improvement Assessment District No. 200-1, and it shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon said streets, easement, alleys and portions thereof.

Section 5. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

Section 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Wednesday the 15th day of November, 1950, at the hour of 3:30 o'clock, P.M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements or any matters of the City of Las Vegas, shall causeing in the office of the City Clerk at any time prior to said meeting.

Section 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams, and plans with the City Clerk for examination, of the proposed improvement or work, of the location of the improvement, of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvement. Said notice shall be given by publication for at least two weeks in the Las Vegas Review Journal, a daily newspaper published in said City of Las Vegas every day each week except Saturday by fourteen insertions therein, and at least fifteen days prior to said meeting by posting said notices in at least three public places in each ward and also by posting said notice in or near said post office of said City and by posting notices in three public places near the site of said proposed work. Said notice shall be in substantially the following form:

NOTICE OF DETERMINATION AND INTENTION TO INSTALL A SANITARY SEWER SYSTEM ALONG CERTAIN STREETS, EASEMENTS, ALLEYS AND PORTIONS THEREOF; TO CREATE SANITARY SEWER ASSESSMENT DISTRICT NO. 200-1, AND TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENTS, AND OF THE HEARING THEREFOR.

NOTICE IS HEREBY GIVEN that on October 25th, 1950, the Board of Commissioners and Mayor of the City of Las Vegas, Nevada, adopted and approved an ordinance declaring the Board's determination to make certain public improvements by installing a sewer system along certain streets, easements, alleys and portions thereof, composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, to create a special assessment district designated Sanitary Sewer Improvement Assessment District No. 200-1 therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said district.

The streets, easements, alleys and portions thereof along which an eight inch vitrified clay pipe installation is so proposed, are:

In alley between Walnut Avenue and Mesquite Avenue from a point 70 feet east of the east property line of Bruce Avenue to 19th Street; in alley between Mesquite Avenue and Cedar Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Poplar Avenue and Elm Avenue from a point 70 feet east of the east property line of Bruce Avenue to 21st Street; in alley between Stewart Avenue and Marlin Avenue from a point 70 feet east of the east property line of Bruce Avenue to existing line 80.5 feet west of center line of 23rd Street; on Ash Avenue from a point 87 feet east of the center line from 21st Street to 23rd Street; on Marlin Avenue from Bruce Street 195 feet west; in alley between 14th Street and 15th Street from Ogden Avenue 207 feet north; in easement between 14th Street and 15th Street from a point 125 feet south of the center line of Marlin Avenue to a point 125 feet north of the center line of Stewart Avenue, then easterly to 15th Street; in alley between 12th Street and 13th Street from Stewart Street 145 feet north.

Sanitary Sewer Assessment District No. 200-1 shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon said streets, easements, alleys and portions thereof.

Said ordinance adopted and approved October 25th, 1950, and the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, are on file for public inspection and examination in the office of the City Clerk of Las Vegas, Nevada, and all persons interested are hereby referred to the same for further information.

Said Board of Commissioners will meet at the City Hall at the corner of Stewart and Fifth Streets in the City of Las Vegas, Nevada, on the 15th day of November, 1950, at 3:30 o'clock, P.M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting. Unless the owners of more than one-half of the frontage to be assessed shall file written objections thereto, such improvement or work shall be ordered.

DATED this 25th day of October, 1950.

SHIRLEY BALLINGER,
City Clerk.
By BETTY FUNSTON,
Chief Deputy City Clerk.

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

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

Section 9. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 10. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Review Journal, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 25th day of October, 1950.

(Seal) E.W. Cragin,
Mayor.

ATTEST:

SHERLEY BALLINGER, City Clerk.
By BETTY FUNSTON, City Clerk
Chief Deputy.
Commissioners in favor of the fore-

Said ordinance were as follows:
Those voting "aye" Commissioners
Bunker, Moore, Peccole, Whipple and
His Honor; those voting "no" none.
(Seal) E. W. CRAGIN,
Mayor.

ATTEST:

SHERLEY BALLINGER, City Clerk,
By BETTY FUNSTON, Chief Deputy
City Clerk.

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