

1 BILL NO. 83-22

2 ORDINANCE NO. 3051

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. 442; 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. 442, con-
17 sisting of:

18 The improvements include the installation of street
19 lighting, consisting of 100 watt high pressure sodium luminaires
20 on steel poles with concrete bases and underground wiring on Park
21 Paseo, Eighth Place and Ninth Street from Franklin Avenue to Park
22 Paseo, to include the necessary installation, removal and reloca-
23 tion of any and all utilities and appurtenances necessary to com-
24 plete same, as more particularly shown on the plats, diagrams and
25 plans of the work and the locality, as filed in the Office of the
26 City Clerk.

27 WHEREAS, pursuant to said proceedings and pursuant to
28 notice duly given, said Board of Commissioners, on the 28th day
29 of September, 1982, received bids for the doing of the work
30 therefor and said City formally entered into the following contract
31 for the doing of such work and the furnishing of all necessary
32 materials, to-wit:

1 DESERT CONSTRUCTION in the amount of \$39,236.25.

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

8 \$39,236.25.

9 WHEREAS, the amount of \$3,236.25 has been determined to
10 be the fair share of the portion of Assessment Unit I that should
11 be paid by the City of Las Vegas.

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

17 UNIT NO. I \$36,000.00

18 WHEREAS, said Board of Commissioners has determined,
19 and does hereby determine, that there shall be assessed to each
20 lot or parcel of property specially benefitted its proportionate
21 share of the costs and expenses being levied against the par-
22 ticular Assessment Unit in which such lot or parcel is situate,
23 on the basis set forth in the Provisional Order Resolution passed
24 and approved on the 7th day of July, 1982, and Ordinance No. 3012
25 the ordinance creating the District, duly passed, adopted and
26 approved on the 15th day of September, 1982; and

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

31 WHEREAS, after determination of the costs of such work
32 to be paid by the property specially benefitted, the City Engineer,

1 pursuant to directions contained in the Resolution of said Board
2 of Commissioners duly passed, adopted and approved on the 16th
3 day of March, 1983, prepared an assessment roll which contained,
4 among other things, the name of each last known owner of each
5 lot or parcel of property to be assessed, a description of
6 each lot or parcel to be assessed, and the amount of the proposed
7 assessment thereon, apportioned on an area basis as more
8 particularly set forth in Section 4 of said Ordinance No. 3012;
9 and

10 WHEREAS, said Board of Commissioners thereupon fixed a
11 time and place, to-wit, the 4th day of May, 1983, at 2:00 P.M.
12 in the City Hall, 400 East Stewart Avenue, Las Vegas, Nevada,
13 when all complaints, protests and objections by owners of such
14 property, by any party interested in the regularity of the pro-
15 ceedings in making such assessments, and all parties aggrieved
16 by such assessments, to said assessment roll, including, without
17 limiting the generality of the foregoing, the regularity of the
18 proceedings in making any assessment thereon, and the correctness
19 of such assessment or the amount levied on any particular lot or
20 parcel of property to be assessed, would be heard and considered
21 by said Board of Commissioners; and

22 WHEREAS, said Board of Commissioners caused said assess-
23 ment roll to be filed in the office of the Clerk of said City on
24 the 17th day of March, 1983; and said Clerk, by publication in a
25 newspaper and by mail, gave the requisite notice of the time
26 and place of such hearing, of the filing of said assessment
27 roll in her office, of the date of filing the same, and of the
28 right of any such person so to object specifically in writing,
29 and the waiver of any objection in the absence of such objection;
30 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
2 party, and thereafter, by Resolution duly passed adopted and
3 approved on the 18th day of May, 1983, confirmed said assessment
4 roll, and ordered said assessment roll to be filed in the office
5 of, and endorsed by, the City Clerk of said City; and

6 WHEREAS, no protests either written or oral, were
7 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
10 delinquent, the rate of interest payable thereon, and the
11 penalties payable after delinquency.

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

14 SECTION 1. That all actions heretofore taken
15 (not inconsistent with the provisions of this ordinance) by
16 the City of Las Vegas and the officers and employees thereof
17 directed toward the creation of Las Vegas, Nevada, Special
18 Improvement No. 442 and the installation therein of certain
19 improvements, to-wit:

20 The improvements include the installation of street
21 lighting, consisting of 100 watt high pressure sodium luminaires
22 on steel poles with concrete bases and underground wiring on Park
23 Paseo, Eighth Place and Ninth Street from Franklin Avenue to Park
24 Paseo, to include the necessary installation, removal and reloca-
25 tion of any and all utilities and appurtenances necessary to com-
26 plete same, as more particularly shown on the plats, diagrams
27 and plans of the work and the locality, as filed in the Office
28 of the City Clerk.

29 and toward performing all prerequisites to levying
30 special assessments and to fixing the assessment lien against
31 the various lots and parcels of property specially benefitted
32 by the improvements in said District, be, and the same hereby

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 said unit of said District, being all those lots and parcels
6 specially benefitted by said improvements in such assessment
7 unit, in the City of Las Vegas, Clark County, Nevada, and described
8 in the assessment roll for said District as filed in the Office
9 of the City Clerk on the 17th day of March, 1983, and confirmed
10 by resolution duly adopted by said Board of Commissioners on the
11 18th day of May, 1983, the amounts and assessments shown in said
12 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 delinquent
7 installments originally becoming due on or before the date of
8 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 suffered.
11 The owner of any property not in default as to any installment or
12 payment may, at any time, pay the whole or any annual installment
13 of the unpaid principal with interest accruing thereon to the
14 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 for
2 two consecutive weeks, stating that said assessments have been
3 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 18th day of May, 1983, containing
14 a description of the lots and parcels of property being assessed,
15 with the amount of the assessment levied upon each, and the name
16 of the owner or occupant thereof against whom the assessment was
17 made; and said City Clerk is additionally directed to require the
18 County Treasurer to collect the several sums so assessed, as a tax
19 upon the several lots and parcels to which they were assessed.

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

22 . . .
23 . . .
24 . . .
25 . . .
26 . . .
27 . . .
28 . . .
29 . . .
30 . . .
31 . . .
32 . . .

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32

5
6
7
8
9
10
11
12
13

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

1 Nevada, on the first day of each year, commencing on the first day
2 of August, 1984. Failure to pay any installment, whether of
3 principal or interest, when due, shall cause the whole of the un-
4 paid principal to become due and payable immediately, at the
5 City's option, and the whole amount of the unpaid principal
6 and accrued interest shall, after such delinquency, whether said
7 option is or is not exercised, bear penalty at the rate of one per
8 centum (1%) per month, until the day of sale or until paid, but at
9 any time prior to the date of sale, the owner may pay the amount of
10 all delinquent installments originally becoming due on or before
11 the date of said payment, with interest thereon, and all penalties
12 accrued, and shall thereupon be restored to the right thereafter to
13 pay in installments in the same manner as if default had not been
14 suffered. The owner of any property not in default as to any
15 installment or payment may, at any time, pay the whole or any
16 annual 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 1st day of
20 June, 1983, the effective date of said ordinance, which lien shall
21 be 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 1st day of June, 1983.

27
28 
29 CAROL ANN HAWLEY, CITY CLERK
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 SN 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 1st day of June, 1983.

16
17
18 
19 WILLIAM H. BRIARE, MAYOR

20
21 ATTEST:

22
23 
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 18th day of May
3 , 1983, and referred to the following committee composed
4 of Commissioners Christensen and Lurie
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 1st day of June
7 1983, 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: Levy, Lurie, Pearson & Mayor Briare

13 VOTING "NAY" Commissioners: NONE

14 ABSENT: Christensen

15
16
17 APPROVED:

18 
19 By WILLIAM H. BRIARE, Mayor

20
21 ATTEST:

22 
23 Carol Ann Hawley, City Clerk
24
25
26
27
28
29
30
31
32

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 two insertions from period of June 4, 1983 to June 11, 1983 inclusive, being the issue of said newspaper for the following dates, to wit:

June 4, 11, 1983

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

BILL NO. 81-22
ORDINANCE NO. 3051
AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 442; 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 18th day of May, 1983, and referred to the following committee composed of Commissioners Christensen and Lurie for recommendation; thereafter the said committee reported favorably on said Ordinance on the 1st day of June, 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: Levv, Lurie, Pearson & Mayor Briare
VOTING "NAY" Commissioners: None
ABSENT: 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.
IPub. June 4, 11, 1983

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 13 day of June, 19 83

Glenda L. Harris
NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLENDAL. HARRIS
Notary Public - State of Nevada
CLARK COUNTY
My Appointment Expires Feb. 7, 1986

SECRET

are to receive substantial and genuine information, and to answer the call

[illegible][illegible]

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 May 25, 1983 to May 25, 1983 inclusive, being the issue of said newspaper for the following dates, to wit:

May 25, 1983

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

BILL NO. 83-22
AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 442; 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 May 18, 1983

BILL NO. 83-22 was read by title and referred to Recommending Committee:

Commissioners Christensen and Lurie

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

Pub. May 25, 1983

SIGNED

George J. Vasconi

GEORGE J. VASCONI

Subscribed and sworn to before me this 25 day of May, 1983

Glenda L. Harris

NOTARY PUBLIC, IN AND FOR CLARK COUNTY, NEVADA



GLENDAL. HARRIS
Notary Public - State of Nevada
CLARK COUNTY

My Appointment Expires Feb. 7, 1986

