

1 BILL NO. 83-30

2 ORDINANCE NO. 3056

3
4 AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT
5 DISTRICT NO. 444; ORDERING THE IMPROVEMENTS OF CERTAIN STREETS
6 AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF
SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN
RELATIVE TO SAID DISTRICT: AND PROVIDING FOR RELATED MATTERS.

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8 Sponsored By: Ordinance required
by step procedure.

Intent of Bill:
Step Requirement.

9
10 WHEREAS the Board of Commissioners of the City of Las
11 Vegas, Nevada, has heretofore taken action preliminary to the
12 creation of Las Vegas, Nevada, Special Improvement District No.
13 444, for the purpose of improving certain streets and parts
14 thereof, within that certain area of said City described in the
15 Provisional Order Resolution passed and approved on the 20th
16 day of April, 1983, and to defray the entire costs and expenses
17 thereof by special assessments, according to benefits, against
18 the taxable lots and premises of said District; and

19 WHEREAS, pursuant to Chapter 271 of Nevada Revised
20 Statutes, and the aforesaid Provisional Order Resolution, said
21 Board of Commissioners declared its determination to create the
22 District for the purpose of making improvements, stating therein
23 the improvements, that the entire expense thereof shall be paid
24 by special assessments, and that the assessment is to be made
25 according to benefits, by apt description designating the District,
26 including the lands to be so assessed and definitely locating the
27 improvements to be made within said District; and

28 WHEREAS pursuant to said Resolution, said Board of
29 Commissioners directed the City Clerk of said City to give notice
30 of the estimates of the expense of the improvements and plats and
31 diagrams theretofore filed, and of the time and place of hearing
32 thereon, and said notice was given in the manner specified by

1 the laws of the State of Nevada and in accordance with the direct-
2 ions contained in said resolution; and

3 WHEREAS, the manner of giving such notice by mail, pub-
4 lication and posting was reasonably calculated to inform the
5 parties of the proceedings concerning the District which might
6 directly and adversely affect their legally protected interests;
7 and

8 WHEREAS, at said hearing with respect to Assessment
9 Unit No. I, II, III, IV and V:

10 1. No protest, either verbal or written, were received
11 with respect to Assessable Area.

12 2. The Board of City Commissioners determined it to
13 be in the best interest of said District, the City and
14 the inhabitants thereof to create the District as here-
15 tofore proposed.

16 3. The owners of less than one-half of the area
17 to be assessed filed written or verbal objections; and

18 WHEREAS, said Board of Commissioners has done all things
19 necessary and preliminary to the creation of said Las Vegas,
20 Nevada, Special Improvement District No. 444, including, but not
21 necessarily limited to, the filing with the City Clerk by the
22 City Engineer of a revised and accurate estimate of the cost,
23 plans, assessment plat, specifications and map, and desires now
24 to order such improvements and work by this ordinance.

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

27 SECTION 1. That there shall be, and hereby is
28 created an improvement district for the purpose of improving
29 certain streets and parts thereof within that certain area of
30 said City described in the Provisional Order Resolution passed
31 and approved on the 20th day of April, 1983, to include and be
32 the same as the areas designated in the aforesaid Provisional

1 Order Resolution, and said improvements be, and hereby are
2 ordered.

3 SECTION 2. That the character and location of the
4 improvements and the boundaries of the District shall be in all
5 respects as set forth in the aforesaid Provisional Order
6 Resolution (except to the extent inconsistent herewith) as more
7 particularly shown in the plats, diagrams, plans and specifications
8 as filed in the City Clerk's office prior to the adoption of said
9 Provisional Order Resolution, and as since remaining on file
10 therein.

11 The areas to be assessed within the assessment units
12 which the Board proposes to so have improved are as follows:

13 Those parcels of land in the City of Las Vegas,
14 County of Clark, State of Nevada, described as
follows:

15 Those parcels of land adjoining Pecos Drive from
16 Charleston Boulevard to Owens Avenue, to include
17 those County Tax parcels as listed or as may be
subsequently divided or changed by the Office of
the County Assessor as follows:

18 Unit I (Parking Lane)

19 020-670-015
20 060-200-001
060-290-001

21 Unit II (Curb & Gutter)

22 020-770-002
23 020-670-015
060-200-001
24 060-290-001

25 Unit III (Sidewalks)

26 020-770-007
27 020-770-002
020-670-015
060-200-001
28 060-290-001

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1 Unit IV (Street Lighting)

2 020-770-007

3 020-770-002

4 020-670-015

5 060-200-001

6 060-290-001

7 Unit V (Sewer Lateral)

8 060-200-001

9 The proposed improvements will result in no substantial
10 change in the existing street elevations or grades.

11 All persons interested are hereby advised that the
12 plans, plats, typical sections, preliminary estimates of cost,
13 the description of the property to be assessed, the portion of
14 the cost to be assessed thereagainst and the maximum amount of
15 benefits estimated to be conferred on each piece or parcel of
16 property are on file in the Office of the City Clerk and may be
17 inspected by any property owner, or other interested persons,
18 during regular office hours.

19 SECTION 3. The amounts to be assessed shall be made
20 upon all lots and parcels of property benefitted, proportionately
21 to the benefits received and shall be assessed against the pro-
22 perty abutting said improvements in Assessment Unit No. I, II, III,
23 IV and V on an area basis, i.e., on the basis that each lot or
24 parcel of property to be assessed in each assessment unit shall be
25 assessed a portion of the aggregate dollar amount being levied
26 against that particular entire assessment unit in the proportion
27 that the area of said lot or parcel bears to the area of all
28 assessable property in such assessment unit, provided that the
29 depth of a lot or parcel in excess of 100 feet from the frontage
30 facing the improvements shall not be considered in computing the
31 area of such lot or parcel provided that in each assessment unit an
32 equitable adjustment will be made for assessments levied against
any irregular lots or parcels, so that the assessments according
to benefits are equal and uniform. The portion of the costs to

1 be assessed against, and the maximum amount of benefits estimated
2 to be conferred upon each lot or parcel of property shall be as
3 stated in the aforesaid assessment plat.

4 Regardless of the basis used in apportioning assessments,
5 in case of wedge or "V" or other irregularly shaped tracts, an
6 amount apportioned thereto shall be in proportion to the special
7 benefits to be derived.

8 SECTION 4. Except as shown on the plans and specifi-
9 cations now on file in the Office of the City Clerk, the character
10 of such improvements shall be more particularly as follows:

11 Unit I

12 The improvements include the installation of a nine
13 foot wide parking lane on both sides of Pecos Drive from Charleston
14 Boulevard to Owens Avenue in conjunction with the installation of
15 four driving lanes, median islands or left turn lanes, drainage
16 facilities, traffic signals, a bridge crossing at Washington
17 Avenue, and other work to be paid for with funds other than the
18 levy of assessments, to include the necessary installation,
19 removal and relocation of any and all utilities and appurtenances
20 that are necessary to complete same as more particularly shown
21 on the plats, diagrams and plans of the work and the locality as
22 filed in the Office of the City Clerk.

23 Unit II

24 The improvements include the installation of standard
25 "L" type curbs and gutters, along both sides of Pecos Drive from
26 Charleston Boulevard to Owens Avenue, except where adequate
27 improvements have been installed, in conjunction with the install-
28 ation of four driving lanes, median islands or left turn lanes,
29 drainage facilities, traffic signals, a bridge crossing at Wash-
30 ington Avenue, and other work to be paid for with funds other than
31 the levy of assessments, to include the necessary installation,
32 removal and relocation of any and all utilities and appurtenances

1 that are necessary to complete same as more particularly shown on
2 the plats, diagrams and plans of the work and the locality as
3 filed in the Office of the City Clerk.

4 Unit III

5 The improvements include the installation of standard
6 concrete sidewalks, six feet in width, along both sides of Pecos
7 Drive from Charleston Boulevard to Owens Avenue, except where
8 adequate improvements have previously been installed, in conjunc-
9 tion with the installation of four driving lanes, median islands
10 or left turn lanes, drainage facilities, traffic signals, a bridge
11 crossing at Washington Avenue, and other work to be paid for with
12 funds 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 necessary to complete same as more particu-
15 larly shown on the plats, diagrams and plans of the work and the
16 locality as filed in the Office of the City Clerk.

17 Unit IV

18 The improvements include the installation of street
19 lighting, consisting of high pressure sodium luminaires and steel
20 lighting standards on concrete foundations with underground
21 wiring, along both sides of Pecos Drive from Charleston Boulevard
22 to Owens Avenue, except where adequate improvements have previous-
23 ly been installed, in conjunction with the installation of four
24 driving lanes, median islands or left turn lanes, drainage facili-
25 ties, traffic signals, a bridge crossing at Washington Avenue, and
26 other work to be paid for with funds other than the levy of assess-
27 ments, to include the necessary installation, removal and reloca-
28 tion of any and all utilities and appurtenances that are necessary
29 to complete same as more particularly shown on the plats, diagrams
30 and plans of the work and the locality as filed in the Office of
31 the City Clerk.

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Unit V

The improvements include the installation of sewer laterals from existing sewer mains to the front property line adjacent to vacant properties, along both sides of Pecos Drive from Charleston Boulevard to Owens Avenue, except where it is more assessable to another main other than the Pecos Drive main, in conjunction with the installation of four driving lanes, median islands or left turn lanes, drainage facilities, traffic signals, a bridge crossing at Washington Avenue, and other work to be paid for with funds other than the levy of assessments, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are necessary to complete same as more particularly shown on the plats, diagrams and plans of the work and the locality as filed in the Office of the City Clerk.

SECTION 5. That all actions (not inconsistent with the provisions of this ordinance) heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the construction and installation of the improvements within said Improvement District No. 444, toward the creation of said District No. 444, and toward the levying and effecting of special assessments to defray the cost thereof, be and the same hereby are, ratified, confirmed and approved.

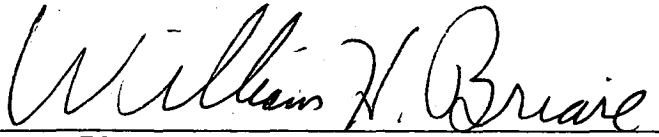
SECTION 6. That all bylaws, orders, resolutions and ordinances, or parts of bylaws, orders, resolutions and ordinances, in conflict herewith are hereby repealed.

SECTION 7. 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 in any one or more instances shall not affect or prejudice in any way applicability

1 and validity of this ordinance in any other instance.

2 SECTION 8. That the City Clerk and Clerk of the
3 Board of Commissioners of the City of Las Vegas shall cause this
4 ordinance to be published once a week for two successive weeks
5 immediately following its final reading and adoption, in the
6 Las Vegas Review Journal, a daily newspaper published in and
7 of general circulation in said City, and this ordinance shall
8 become effective immediately following the second publication.

9 PASSED, ADOPTED AND APPROVED this 15th day of June,
10 1983.

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13 WILLIAM H. BRIARE, MAYOR

14 ATTEST:

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16 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 1st day of June
3 , 1983, and referred to the following committee composed
4 of Commissioners Lurie and Levy
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 15th day of June ,
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:

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12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Nolen 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
19 By WILLIAM H. BRIARE, Mayor

20 ATTEST:

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22 Carol Ann Hawley
23 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 June 8, 1983 to June 8, 1983 inclusive, being the issue of said newspaper for the following dates, to wit:

June 8, 1983

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

BILL NO. 83-30
AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 444; ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.
Sponsored by
Ordinance required by step procedure.
Intent of Bill:
Step Requirement
At a Commission Meeting on June 1, 1983
BILL NO. 83-30 was read by title and referred to Recommending Committee:
Commissioners Lurie and Levy
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. June 8, 1983

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me
this 8 day of June, 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



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 18, 1983 to June 25, 1983 inclusive, being the issue of said newspaper for the following dates, to wit:

June 18, 25, 1983

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

BILL NO. 83-30
ORDINANCE NO. 3056
AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 44; ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETO.

FORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

Sponsored by
Ordinance required by step procedure.

Intent of Bill:

Step Requirement

The above and foregoing amended ordinance was first proposed and read by title to the Board of Commissioners on the 1st day of June, 1983, and referred to the following committee composed of Commissioners Lurie and Levy, for recommendation; thereafter the said committee reported favorably on said amended ordinance on the 15th 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 amended and adopted by the following vote:

VOTING "AYE" Commissioners: Christensen, Levv, Lurie, Nolen and Mayor Briare

VOTING "NAY" Commissioners:

None

ABSENT: None

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. June 18, 25, 1983

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 28 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