

1 **Bill No. 94-94**

2 Ordinance No 3861

3 AN ORDINANCE RELATING TO GRAFFITI; AMENDING TITLE 10, CHAPTER 48 OF THE
4 MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING,
5 ADDING AND AMENDING SECTIONS OF CHAPTER 48 OF SAID TITLE RELATING TO
6 GRAFFITI; ADDING NEW DEFINITIONS; PROHIBITING MINORS FROM POSSESSING
7 GRAFFITI IMPLEMENTS; PROHIBITING THE TRANSFER OF GRAFFITI IMPLEMENTS
8 TO MINORS; PROVIDING CIVIL LIABILITY FOR A MINOR'S RESPONSIBLE ADULT;
9 PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING
10 ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

11 Sponsored by: Mayor Jan Laverty Jones
12 Summary: Amends Chapter 48 of Title 10 of the
13 Las Vegas Municipal Code to delete,
14 amend, and add sections relating to
15 graffiti.

16 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS
17 FOLLOWS:

18 SECTION 1: Title 10, Chapter 48, Section 60 of the Municipal Code of the City
19 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

20 **10.48.060 Graffiti--Definitions.** Except as is otherwise required by the
21 context, as used in Section 10.48.050 through 10.48.110 the following words and terms shall have
22 the meanings ascribed to them as follows:

23 [(A) "Application of graffiti" means the act of defacing, damaging or destroying
24 any real or personal property of another through the use of an aerosol container of spray paint or
25 a broad tipped indelible marker.

26 (B) (A) "Broad tipped indelible marker" means any felt tipped marker or
similar implement which contains a fluid which is not soluble in water and has a flat or angled
writing surface of a width of one-half inch or greater.

(B) "Graffiti" means any unauthorized inscription, insignia, symbol, word,
figure, character or design that is marked, drawn, sprayed or painted on a building, fence, wall,
rock, bridge, gate, tree or landscaping, or other structure.

(C) "Graffiti Implement" means any broad tipped indelible marker or aerosol

1 paint container.

2 (D) "Minor" means a person under 18 years of age.

3 (E) "Responsible adult" means a parent or legal guardian of a minor.

4 SECTION 2: Title 10, Chapter 48, Section 70 of the Municipal Code of the City
5 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

6 **10.48.070 Graffiti--Prohibited.** In shall be unlawful for any persons to [write,
7 paint or draw upon] apply Graffiti to any [wall, rock, bridge, building, fence, gate, other
8 structure, tree or other real or personal property] building, fence, wall, rock, bridge, gate, tree
9 or landscaping, or other structure, either publicly or privately owned, [any drawing, inscription,
10 figure or mark of the type which is commonly known and referred to as "graffiti"] without the
11 permission of the owner or operator of such property.

12 SECTION 3: Title 10, Chapter 48, Sections 80, 90 of the Municipal Code of the
13 City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

14 SECTION 4: Title 10, Chapter 48, Section 80 of the Municipal Code of the City
15 of Las Vegas, Nevada, 1983 Edition, is hereby added as follows:

16 **10.48.080 Graffiti Implements--Restriction on Sale.** No person who owns,
17 conducts, operates or manages a retail commercial establishment which offers for sale or sells
18 Graffiti Implements, shall cause such Graffiti Implements to be stored, except in an area which
19 may be viewable by, but which is not accessible to, members of the public without employee
20 assistance.

21 SECTION 5: Title 10, Chapter 48, Section 90 of the Municipal Code of the City
22 of Las Vegas, Nevada, 1983 Edition, is hereby added as follows:

23 **10.48.090 Graffiti Implements--Prohibition Against Furnishing to Minors.**
24 No person, other than a responsible adult, shall sell, exchange, give, loan, or in any way furnish
25 a Graffiti Implement to any minor without the consent of the minor's Responsible Adult.
26

1 SECTION 6: Title 10, Chapter 48, Section 95 of the Municipal Code of the City
2 of Las Vegas, Nevada, 1983 Edition, is hereby added as follows:

3 **10.48.095 Graffiti Implements--Prohibition Against Possession by Minors.**

4 No minor shall have in his possession a Graffiti Implement without the permission or consent of
5 the Minor's responsible Adult.

6 SECTION 7: Title 10, Chapter 48, Section 100 of the Municipal Code of the City
7 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

8 **10.48.100 Graffiti--Violation [of Section 10.48.070]--Penalty.** Any person
9 who is convicted of violating [Section 10.48.070] the provisions of this Chapter shall be punished
10 by a fine of not less than five hundred dollars nor more than one thousand dollars or by
11 imprisonment for a term of not less than six months, or by any combination of such fine and
12 imprisonment. In addition to such punishment, the court may, in imposing sentence, order the
13 defendant to restore the property so defaced, damaged or destroyed.

14 SECTION 8: Title 10, Chapter 48, Section 110 of the Municipal Code of the City
15 of Las Vegas, Nevada, 1983 Edition, is hereby amended as follows:

16 **10.48.110 Graffiti--Reward for information leading to arrest of perpetrator.**

17 (A) The City will pay to any person who provides information which leads to
18 the arrest and conviction of any person who applies [any drawing, inscription,
19 figure or mark of the type which is commonly known and referred to as "graffiti"
20 to any wall, rock, bridge, building, fence, gate, other structure, tree or other real
21 or personal property] Graffiti to any building, fence, wall, rock, bridge, gate, tree
22 or landscaping, or other structure, a reward in the amount of two hundred fifty
23 dollars.

24 (B) The reward shall be paid to the person who provides such information
25 immediately upon the conviction of the person so arrested.
26

1 SECTION 9: Title 10, Chapter 48, Section 115 of the Municipal Code of the City
2 of Las Vegas, Nevada, 1983 Edition, is hereby added as follows:

3 **10.48.115 Graffiti--Responsible Adult Civil Liability**

4 (A) Any act of a Minor which results in the unlawful placement of Graffiti on
5 a building, fence, wall, rock, bridge, gate, tree or landscaping, or other structure,
6 shall be imputed to that Minor's Responsible Adult for civil liability purposes
7 including, but not limited to, civil damages and attorneys' fees incurred in
8 connection with the civil prosecution of any such claim for damages. The
9 Responsible Adult shall be jointly and severally liable with the Minor for all civil
10 damages and attorneys' fees. Such obligations shall be enforceable as a civil debt.

11 (B) This section in no way limits or narrows the liability of a Responsible Adult
12 for acts of a Minor pursuant to any other provision of law.

13 SECTION 10: If any section, subsection, subdivision, paragraph, sentence,
14 clause or phrase in this ordinance or any part thereof, is for any reason held to be
15 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision
16 shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part
17 thereof. The City Council of the City of Las Vegas hereby declares that it would have passed
18 each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective
19 of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses
20 or phrases be declared unconstitutional, invalid or ineffective.

21 SECTION 11: All ordinances or parts of ordinances, sections, subsections,
22 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las

23 . . .

24 . . .

25 . . .

1 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

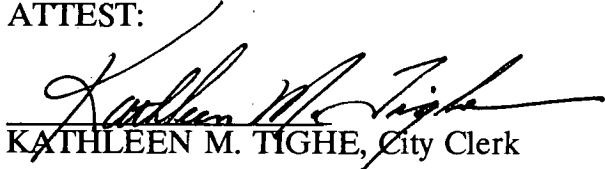
2 PASSED, ADOPTED and APPROVED this 4th day of January, 1995.

3 APPROVED:

4 By

JAN LAVERTY JONES, Mayor

5 ATTEST:

6 
7 KATHLEEN M. TIGHE, City Clerk

8 The above and foregoing ordinance was first proposed and read by title to the City Council
9 on the 7th day of December, 1994, and referred to the following committee composed of
10 Full Council for recommendation; thereafter the said committee reported favorably on said
11 ordinance on the 4th day of January, 1995, which was a regular meeting of said Council;
12 that at said regular meeting, the proposed ordinance was read by title to the City Council
13 as first introduced and adopted by the following vote:

14 VOTING "AYE": Councilmen Adamsen, Higginson, Hawkins Jr. and Brass

15 VOTING "NAY": NONE

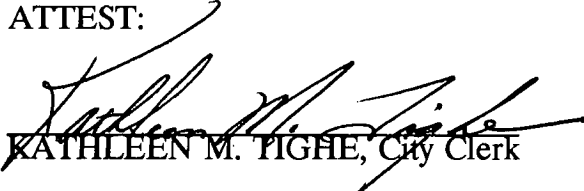
16 ABSENT: Mayor Jones

17
18 APPROVED:

19
20 By

JAN LAVERTY JONES, Mayor

21 ATTEST:

22 
23 KATHLEEN M. TIGHE, City Clerk

AFFIDAVIT OF PUBLICATION

JAN 25 9 50 AM '95

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BILL NO. 94-94
ORDINANCE NO. 3861

AN ORDINANCE RELATING TO GRAFFITI; AMENDING TITLE 10, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING ADDING AND AMENDING SECTIONS OF CHAPTER 48 OF SAID TITLE RELATING TO GRAFFITI; ADDING NEW DEFINITIONS; PROHIBITING MINORS FROM POSSESSING GRAFFITI IMPLEMENTS; PROHIBITING THE TRANSFER OF GRAFFITI IMPLEMENTS TO MINORS; PROVIDING CIVIL LIABILITY FOR A MINOR'S RESPONSIBLE ADULT; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Jan Laverly Jones
SUMMARY: Amends Chapter 48 of Title 10 of the Las Vegas Municipal Code to delete and amend, and add sections relating to graffiti.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1994, and referred to the following committee composed of Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:
VOTING "AYE" Councilmen Adamson, Higginson, Howkins Jr., and Brass
VOTING "NAY" NONE
EXCUSED Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK; 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 10, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 10, 1995 to JANUARY 10, 1995, on the following days:

JANUARY 10, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this

10 day of Jan, 19 95

Peggy D. Barron

Notary Public



PEGGY D. BARRON
Notary Public - Nevada

Clark County
My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

JAN 25 9 49 AM '95

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BILL NO. 94-94
ORDINANCE NO. 3861

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AN ORDINANCE RELATING TO GRAFFITI; AMENDING TITLE 10, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING, ADDING AND AMENDING SECTIONS OF CHAPTER 48 OF SAID TITLE RELATING TO GRAFFITI; ADDING NEW DEFINITIONS; PROHIBITING MINORS FROM POSSESSING GRAFFITI IMPLEMENTS; PROHIBITING THE TRANSFER OF GRAFFITI IMPLEMENTS TO MINORS; PROVIDING CIVIL LIABILITY FOR A MINOR'S RESPONSIBLE ADULT; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:
Mayor Jan Laverly Jones
SUMMARY: Amends Chapter 24 of Title 10 of the Las Vegas Municipal Code to delete and amend, and add sections relating to graffiti.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1994, and referred to the following committee composed of Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen Adamsen, Higginson, Hawkins Jr., and Brass
VOTING "NAY" NONE
EXCUSED Mayor Jones
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: January 7, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

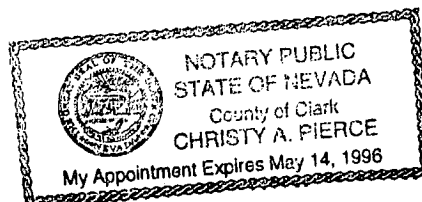
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 7, 1995 to JANUARY 7, 1995, on the following days:

JANUARY 7, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 9 day of January, 19 95

Christy A. Pierce
Notary Public



AFFIDAVIT OF PUBLICATION

DEC 29 4 44 PM '94

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BILL NO. 94-94

AN ORDINANCE RELATING TO GRAFFITI; AMENDING TITLE 10, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING ADDING AND AMENDING SECTIONS OF CHAPTER 48 OF SAID TITLE RELATING TO GRAFFITI; ADDING NEW DEFINITIONS; PROHIBITING MINORS FROM POSSESSING GRAFFITI IMPLEMENTS; PROHIBITING THE TRANSFER OF GRAFFITI IMPLEMENTS TO MINORS; PROVIDING CIVIL LIABILITY FOR A MINOR'S RESPONSIBLE ADULT; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Mayor Jan Laverly Jones
SUMMARY: Amends Chapter 24 of Title 10 of the Las Vegas Municipal Code to delete and amend, and add sections relating to graffiti.

At a City Council meeting
DECEMBER 7, 1994
BILL NO. 94-94 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Full Council
COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: December 22, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of DECEMBER 22, 1994 to DECEMBER 22, 1994, on the following days:

DECEMBER 22, 1994

Signed: Barbara Carr

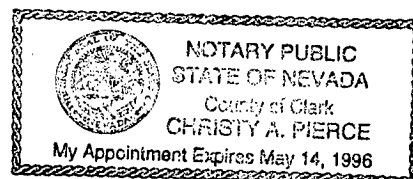
Subscribed and sworn to before me this

22

day of December

, 19 94

Christy A. Pierce
Notary Public



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SPONSORED BY:

Mayor Jan Laverly Jones
SUMMARY: Amends Chapter 24 of Title 10 of the Las Vegas Municipal Code to delete and amend, and add sections relating to graffiti.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1994, and referred to the following committee composed of Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1995, which was a regular meeting of said City Council; and that said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen Adamson, Higginson, Howkins Jr., and Brass

VOTING "NAY" NONE

EXCUSED Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA. PUB: January 7, 1995
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

BARBARA CARR, being first duly sworn, deposes and says:

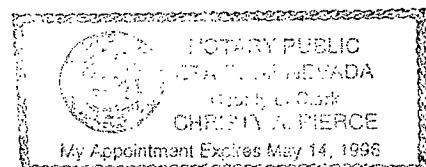
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 7, 1995 to JANUARY 7, 1995, on the following days:

JANUARY 7, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 9 day of January, 19 95

Christy A. Pierce
Notary Public



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BILL NO. 94-94
ORDINANCE NO. 3861

AN ORDINANCE RELATING TO GRAFFITI; AMENDING TITLE 10, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING ADDING AND AMENDING SECTIONS OF CHAPTER 48 OF SAID TITLE RELATING TO GRAFFITI; ADDING NEW DEFINITIONS; PROHIBITING MINORS FROM POSSESSING GRAFFITI IMPLEMENTS; PROHIBITING THE TRANSFER OF GRAFFITI IMPLEMENTS TO MINORS; PROVIDING CIVIL LIABILITY FOR A MINOR'S RESPONSIBLE ADULT; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Mayor Jon Lloverly Jones

SUMMARY: Amends Chapter 48 of Title 10 of the Las Vegas Municipal Code to delete and amend, and add sections relating to graffiti.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of December, 1994, and referred to the following committee composed of Full Council for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of January, 1995, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen Adamson, Higginson, Hawkins Jr., and Brass

VOTING "NAY" NONE

EXCUSED Mayor Jones

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: January 10, 1995

Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JANUARY 10, 1995 to JANUARY 10, 1995, on the following days:

JANUARY 10, 1995

Signed: Barbara Carr

Subscribed and sworn to before me this 10 day of Jan, 19 95

Peggy D. Barron

Notary Public

PEGGY D. BARRON
Notary Public - Nevada
Clark County
My com. exp. Feb. 17, 1993



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BILL NO. 94-94

AN ORDINANCE RELATING TO GRAFFITI; AMENDING TITLE 10, CHAPTER 48 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983 EDITION; DELETING, ADDING AND AMENDING SECTIONS OF CHAPTER 48 OF SAID TITLE RELATING TO GRAFFITI; ADDING NEW DEFINITIONS; PROHIBITING MINORS FROM POSSESSING GRAFFITI IMPLEMENTS; PROHIBITING THE TRANSFER OF GRAFFITI IMPLEMENTS TO MINORS; PROVIDING CIVIL LIABILITY FOR A MINOR'S RESPONSIBILITY FOR A MINOR'S RESPONSIBLE ADULT; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

SPONSORED BY:

Mayor Jan Laverly Jones

SUMMARY: Amends Chapter 24 of Title 10 of the Las Vegas Municipal Code to delete and amend, and add sections relating to graffiti.

At a City Council meeting

DECEMBER 7, 1994

BILL NO. 94-94 WAS READ BY TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Full Council

COPIES OF THE COMPLETE BILL ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: December 22, 1994
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BARBARA CARR, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of DECEMBER 22, 1994 to DECEMBER 22, 1994, on the following days:

DECEMBER 22, 1994

Signed: Barbara Carr

Subscribed and sworn to before me this

22

day of December, 19 94

Christy A. Pierce
Notary Public



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