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BILL NO. 81-45
ORDINANCE NO. 2178

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 437; 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.

WHEREAS, the Board of Commissioners of the City of Las Vegas, Nevada, has heretofore taken action preliminary to the creation of Las Vegas, Nevada, Special Improvement District No. 437, for the purpose of improving certain streets and parts thereof, within that certain area of said City described in the Provisional Order Resolution passed and approved on the 3rd day of June, 1981 and to defray the entire costs and expenses thereof by special assessments, according to benefits, against the taxable lots and premises of said District; and

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

WHEREAS, pursuant to said Resolution, said Board of Commissioners directed the City Clerk of said City to give notice of the estimates of the expense of the improvements and plats and diagrams theretofore filed, and of the time and place of

1 hearing thereon, and said notice was given in the manner specified
2 by the laws of the State of Nevada and in accordance with the
3 directions contained in said resolution; and:

4 WHEREAS, the manner of giving such notice by mail,
5 publication and posting was reasonably calculated to inform the
6 parties of the proceedings concerning the District which might
7 directly and adversely affect their leagally protected in-
8 terests; and

9 WHEREAS, at said hearing with respect to Assessment
10 Unit No. I:

11 1. No protests, either verbal or written, were re-
12 ceived with respect to Assessable Area.

13 2. The Board of City Commissioners determined it to
14 be in the best interests of said District, the City and the in-
15 habitants thereof to create the District as heretofore proposed.

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

18 WHEREAS, said Board of Commissioners has done all
19 things necessary and preliminary to the creation of said Las Vegas
20 Nevada, Special Improvement District No. 437, 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, created
28 an improvement district for the purpose of improving certain
29 streets and parts thereof within that certain area of said City
30 described in the Provisional Order Resolution passed and approved
31 on the 3rd day of June, 1981 to include and be the same as the
32 area designated in the aforesaid Provisional Order Resolution,

1 and said improvements be, and hereby are ordered.

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

10 The boundaries of the District, which include all the
11 lots and parcels to be assessed, shall be more particularly de-
12 scribed as follows:

13 All 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 Painted Desert Drive
16 (51 feet wide) on the North and South: Beginning at the easterly
17 line of Lorenzi Boulevard (100 feet wide) to a point 870 feet,
18 more or less, easterly of the easterly line of said Lorenzi
19 Boulevard.

20 The proposed improvements will result in no substantial
21 change in the existing street elevation and grades.

22 All persons interested are hereby advised that the
23 plans, plats, typical sections, preliminary estimates of cost,
24 the description of the property to be assessed, the portion of
25 the cost to be assessed thereagainst and the maximum amount of
26 benefits estimated to be conferred on each piece or parcel of
27 property are on file in the Office of the City Clerk and may be
28 inspected by any property owner, or other interested persons,
29 during regular office hours.

30 SECTION 3. The amounts to be assessed shall be made
31 upon all lots and parcels of property benefitted, proportionately
32 to the benefits received and shall be assessed against the

1 property abutting said improvements in Assessment Unit No. I, on
2 an area basis, i.e., on the basis that each lot or parcel of
3 property to be assessed in each such assessment unit shall be
4 assessed a portion of the aggregate dollar amount being levied
5 against that particular entire assessment in the proportion that
6 the area of said lot or parcel bears to the area of all
7 the assessable property in such assessment unit, provided that
8 the depth of a lot or parcel in excess of 99.5 feet from the
9 frontage facing the improvements shall not be considered in com-
10 puting the area of such lot or parcel; provided that in each
11 assessment unit and equitable adjustment will be made for assess-
12 ments levied against any irregular lots or parcels, so that the
13 assessment according to benefits are equal and uniform. The
14 portion of the costs to be assessed against, and the maximum
15 benefits estimated to be conferred upon each lot or parcel of
16 property shall be as stated in the aforesaid assessment plat.

17 Regardless of the basis used by apportioning assessments,
18 in case of wedge or "V" or other irregularly shaped tracts, an
19 amount apportioned thereto shall be in proportion to the special
20 benefits to be derived.

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

24 The improvements include the installation of pavement,
25 24 feet in width, consisting of 2 inches of A.C. pavement with
26 fog seal and prime coat over 4 inches of Type II aggregate base
27 and 6 inches of Type I aggregate base with a 2 foot Type II
28 gravel shoulder on each side on Painted Desert Drive from the
29 easterly line of Lorenzi Boulevard to a point 870 feet, more or
30 less easterly, thence northerly 128 feet, more or less, to the
31 point of termination, to include the necessary installation, re-
32 moval and relocation of any and all utilities and appurtenances

1 that are deemed necessary to complete same, as more particularly
2 shown on the plats, diagrams, and plans of the work and the lo-
3 cality to be improved, now on file in the office of the City
4 Clerk.

5 SECTION 5. That all actions (not inconsistent with
6 the provisions of this ordinance) heretofore taken by the City
7 of Las Vegas, and the officers of said City, directed toward
8 the construction and installation of the improvements within
9 said Improvement District No. 437, toward the creation of said
10 District No. 437, and toward the levying and effecting of special
11 assessments to defray the cost thereof, be, and the same hereby
12 are, ratified, confirmed and approved.

13 SECTION 6. That all by-laws, orders, resolutions and
14 ordinances, or parts of by-laws, orders, resolutions and ordi-
15 nances, in conflict herewith are hereby repealed.

16 SECTION 7. That if any one or more sections, sentences,
17 clauses, or parts of this ordinance shall, for any reason, be
18 questioned or be held invalid, such judgment shall not affect,
19 impair, or invalidate the remaining provisions of this ordinance,
20 but shall be confined in its operation to the specific sections,
21 sentences, clauses, or parts of this ordinance in any one or
22 more instances shall not affect or prejudice in any way the
23 applicability and validity of this ordinance in any other instance.

24 SECTION 8. That the City Clerk and Clerk of the Board
25 of Commissioners of the City of Las Vegas shall cause this
26 ordinance to be published once a week for two consecutive weeks
27 immediately following its final reading and adoption, in the

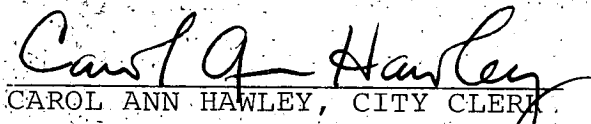
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1 Las Vegas Review Journal, a daily newspaper published in and of
2 general circulation in said City, and this ordinance shall become
3 effective immediately following the second publication thereof.

4 PASSED, ADOPTED AND APPROVED this 19th day of August,
5 1981.

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10 WILLIAM H. BRIARE, MAYOR

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12 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 5th day of August
3 _____, 1981, 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 19th day of August,
7 1981, 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 amended and
10 adopted by the following vote:

11
12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Woofter & Mayor Briare

13 VOTING "NAY" Commissioners: None

14 ABSENT: None

15 APPROVED:

16
17 William H. Briare
18 BY WILLIAM H. BRIARE, Mayor

19 ATTEST:

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21 Carol Ann Hawley
22 Carol Ann Hawley, City Clerk

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BILL NO. 81-45
ORDINANCE NO. 2178
AN ORDINANCE CREATING
LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DIS-
TRICT NO. 437; ORDERING
THE IMPROVEMENTS OF
CERTAIN STREETS AND
PARTS THEREOF; PROVIDING
FOR THE LEVY AND COLLEC-
TION OF SPECIAL ASSES-
MENTS THEREFOR; RATIFY-
ING ACTION HERETOFORE
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 or-
dinance was first proposed and
read by title to the Board of
Commissioners on the 5th day
of August, 1981, and referred
to the following committee
composed of Commissioners
Christensen and Lurie for re-
commendation; thereafter the
said committee reported
favorable on said ordinance on
the 19th day of August, 1981,
which was a regular meeting of
said Board; that at said regular
meeting, the proposed or-
dinance was read by title to the
Board of Commissioners as
first introduced and adopted by
the following vote:

VOTING "AYE" Com-
missioners: Christensen, Levy,
Lurie, Wootter and Mayor Briar
VOTING "NAY" Com-
missioners: None

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

Pub: August 22, 1981
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

REX TAYLOR

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM FOREMAN of the
LAS VEGAS SUN, 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 1 time

from August 22 to August 22

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

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

Signed Rex Taylor

Subscribed and sworn to before me this 22ND
day of
AUGUST, 1981

My Commission Expires



Notary Public-in-and-for, Clark County, Nevada

RUTHE V. DESKIN
Notary Public-State of Nevada
COUNTY OF CLARK

My Appointment Expires Apr 14, 1985

RECEIVED
AUG 26 9 37 PM '81
CITY CLERK

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 TAKEN RELATIVE TO SAID
 DISTRICT; AND PROVIDING
 FOR RELATED MATTERS.
 Sponsored By: ordinance re-
 quired by step procedure
 Intent of Bill: Step requirement.
 At a Commission Meeting on
 8-5-81
 BILL NO. 81-45 WAS READ BY
 TITLE AND REFERRED TO RE-
 COMMENDING COMMITTEE:
 C O M M I S S I O N E R S
 CHRISTENSEN AND LURIE
 COPIES OF THE COMPLETE
 ORDINANCE ARE AVAILABLE
 FOR PUBLIC INFORMATION
 IN THE OFFICE OF THE CITY
 CLERK, 10TH FLOOR, CITY
 HALL, 400 EAST STEWART
 AVENUE, LAS VEGAS,
 NEVADA.
 Pub: August 12, 1981
 Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
 COUNTY OF CLARK } ss.

REX TAYLOR

, being first duly sworn,

deposes and says: That he is COMPOSING ROOM FOREMAN of the
LAS VEGAS SUN, 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 1 time

from August 12

to August 12

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

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

Signed

Rex Taylor

Subscribed and sworn to before me this 12TH
 day of

AUGUST, 1981

Ruthie V. Deskin

Notary Public in and for Clark County, Nevada

RUTHIE V. DESKIN

My Commission Expires



Notary Public-State of Nevada
 COUNTY OF CLARK

My Appointment Expires Apr. 14, 1985

RECEIVED

AUG 18 1 21 PM '81

CITY CLERK