

EMERGENCY ORDINANCE NO. 924

AN EMERGENCY ORDINANCE CREATING ASSESSMENT DISTRICT NO. 100-57; PROVIDING FOR CERTAIN PUBLIC IMPROVEMENTS IN VARIOUS AREAS OF SAID CITY GENERALLY DESCRIBED AS FOLLOWS: UNIT I - INSTALLING SANITARY SEWER ALONG CERTAIN STREETS AND PORTIONS OF STREETS IN BONANZA VILLAGE SUBDIVISION; UNIT II - SIDEWALK CONSTRUCTION, FRANKLIN AVENUE FROM 10TH STREET EASTERLY TO MARYLAND PARKWAY; UNIT III - ALLEY PAVING, ALLEY WITHIN THE BLOCK BOUNDED BY 9TH STREET, 10TH STREET, BRIDGER AVENUE AND LEWIS AVENUE; UNIT IV - INSTALLING STREET LIGHTING SYSTEM WITHIN LAS VEGAS SQUARE SUBDIVISION, COMMONLY KNOWN AS "BRENTWOOD PARK" SUBDIVISION; UNIT V - INSTALLING SIDEWALKS AND ALLEY PAVING WITHIN THE AREA BOUNDED BY 7TH STREET, BONANZA ROAD, 10TH STREET AND LINDEN AVENUE; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE STATED COST THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING FOR FILING OF SAID ROLL WITH CITY CLERK; PROVIDING A TIME AND PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PROVIDING FOR THE CORRECTION AND/OR CONFIRMATION AND APPROVAL OF SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE INDORSEMENT ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR; PROVIDING THAT SAID ASSESSMENTS SHALL CONSTITUTE A LIEN; PRESCRIBING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON; PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD IMPROVING SAID AREAS IN SAID FIVE UNIT DISTRICT; TOWARD ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of the City of Las Vegas in the County of Clark and State of Nevada deems it expedient and for the best interests of said City to make certain improvements, hereinafter more particularly described; and

WHEREAS, said Board deems it expedient and desirable to create Assessment District No. 100-57 for the purpose of making said improvements in each of said units and to defray the cost and expense thereof by special assessments made according to benefits against the owners and the assessable lots, premises, and property specially benefited by such improvements and included within each unit of said district; and

WHEREAS, there is included within said district in Unit IV the following described property against which a valid special assessment cannot be levied by said City and which shall be borne by the general fund of the City of Las Vegas, to-wit:

Block 25, Las Vegas Square Subdivision, as Shown by map thereof in Book 1 of Plats, Page 96, commonly known as Brentwood Park, all of which are of record in the Office of the County Recorder, Clark County, Nevada.

WHEREAS, in no case does the estimated amount of any special assessment upon any lot or premises for said improvements exceed one

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hundred percent (100%) of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation; and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas, it is fair and equitable that such portion of said cost and expense applicable to public property be borne by the City from its general funds; and

WHEREAS, said Board considers it necessary, desirable, and for the best interests of the City, to take the steps provided by law for the organization of an assessment district consisting of five separate and distinct units and the construction therein of said improvements; and

WHEREAS, said Board by Ordinance No. 913, passed, adopted and approved the 19th day of July, 1961, declared its determination to make certain improvements as herein provided in each unit of said district, to create Assessment District No. 100-57 for the purpose of making said improvements, to defray the cost and expense thereof by special assessments made according to benefits, and fixed a time in which protests against the proposed improvements or the creation of such District might be heard and considered by said Board, and directed notice thereof to be given; and

WHEREAS, said Board determined that said notice was given in the manner prescribed by Section 7 of said Ordinance No. 913 and Section 57, Chapter II, Charter of the City of Las Vegas; and

WHEREAS, certain protestants appeared and voiced certain objections to the proceeding and the Board of Commissioners determined that the number of protestants did not equal 50% of the property within the district; and

WHEREAS, said Board has done all things necessary and preliminary to the creation of said Assessment District No. 100-57, and now desires to create said District;

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

SECTION 1. There shall be and there hereby is created a special 5-unit assessment district in the City of Las Vegas, Nevada, to be called and designated Assessment District No. 100-57. The areas to be assessed within the units are described as follows:

- UNIT I - All of the lots in Block 1 through 6, inclusive; Lots 9 through 13, inclusive, Block 7; Lots 7 through 14, inclusive, Block 8; all of the lots in Block 9 and Lots 9 through 15, inclusive, in Block 10, as shown by map of Bonanza Village Subdivision in Book 2 of Plats, page 69, all of which are of record in the Office of County Recorder, Clark County, Nevada.
- UNIT II - A. Lots 18 through 25, inclusive, Block 11, Huntridge Subdivision Tract 1, as shown by map thereof in Book 2 of Plats, Page 32, in the Office of the County Recorder, Clark County, Nevada.
- B. The Westerly five feet of Lot 26, Block 11; Lot 34, Block 11, Huntridge Subdivision, Tract 2, as shown by map thereof in Book 2 of Plats, Page 37, in the Office of the County Recorder, Clark County, Nevada.
- C. Lot 39, Block 21, also lots 1 through 5, inclusive, Block 32, Huntridge Subdivision, Tract 4, as shown by map thereof in Book 2 of Plats, Page 55 in the Office of the County Recorder, Clark County, Nevada.
- D. Lots 6 through 11, inclusive, Block 32, Huntridge Subdivision, Tract 5, as shown by map thereof in Book 2 of Plats, Page 58, in the Office of the County Recorder, Clark County, Nevada.
- UNIT III - Lots 1 through 32, inclusive, Block 12, Pioneer Heights Addition, as shown by map thereof in Book 1 of Plats, Page 35, in the Office of the County Recorder, Clark County, Nevada.
- UNIT IV - Lots 5 through 24, Block 1; lots 9 through 48, Block 2; lots 9 through 48, Block 3; lots 9 through 48, Block 4; lots 9 through 48, Block 5; lots 9 through 48, Block 6; and all the lots in Blocks 7 through 30, inclusive, as shown by map of Las Vegas Square in Book 1 of Plats, Page 96, commonly known as "Brentwood Park", all of which are of record in the office of County Recorder, Clark County, Nevada.
- UNIT V - All the lots within Block 1 as shown by map of Grandview Addition in Book 2 of Plats, Page 20, and all the lots within Block 8 Buck's Addition as shown by map thereof in Book 1 of Plats, Page 15, each of which are of record in the Office of the County Recorder, Clark County, Nevada.

SECTION 2. That the Board proposes to improve the areas contained within Units I, II, III, IV and V as follows:

- UNIT I - By installing 4" and 8" vitrified clay sewer pipe and concrete base, brick constructed manholes where required, together with steel manhole covers and rings per City Standards S-102 in the office of the City Engineering Department, with the removal and relocation of any and all utilities that are deemed necessary to complete the same, 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.
- UNIT II - By installing five foot width Portland Cement Concrete sidewalks along the lots fronting said Avenue 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.
- UNIT III - By installing 1½" asphaltic concrete on 6" gravel base on said alley, 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.
- UNIT IV - By installing Mercury vapor luminaires and incandescent luminaires including concrete bases, steel lighting standards, overhead wiring, series and/or multiple circuits, control cabinets, together with such appurtenances that may be required, with the removal and relocation of any and all utilities that are deemed necessary to complete same, 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.
- UNIT V - By installing 1½" asphaltic concrete on 6" gravel base on said alleys  
and  
By installing Portland cement concrete sidewalks and drive-ways where 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.

That the following named streets, alleys and avenues shall be specifically improved as follows by installing in the following:

- UNIT I - Sanitary sewer in Bonanza Village Subdivision along the following streets, to-wit: Goldhill Avenue, Sutro Lane, Mills Circle, Fair Avenue, Ophir Drive, Virginia City Avenue, Comstock Drive, Ralston Drive and Sharon Road.  
Estimated cost - \$104,000.14.
- UNIT II - Adequate sidewalks where required along Franklin Avenue from 10th Street Easterly to Maryland Parkway.  
Estimated cost - \$6,637.65.
- UNIT III - Alley paving in alley within the block bounded by 9th Street, 10th Street, Bridger Avenue and Lewis Avenue;  
Estimated cost - \$1,000.00.

UNIT IV - Street lighting extending from Fremont Street to a point 115' South of Washington Avenue along the following streets: Minnesota Street, Stanford Street, Princeton Street, Harvard Street, Yale Street, and the west side of Decatur Boulevard.

UNIT V - Adequate sidewalks where required along the following streets: South side of Bonanza Road between 7th Street and 10th Street; north side of Linden Avenue between 7th Street and 10th Street; the west side of 7th Street between Bonanza Road and Linden Avenue and 8th and 9th Streets between Bonanza Road and Linden Avenue,

and

Alley paving in alley parallel to and between 7th and 8th Streets from Bonanza Road to Linden Avenue and the alley parallel to and between 9th and 10th Streets from Bonanza Road to Linden Avenue,

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 cost and expense of making said improvements, including all incidental expenses which may be legally included in the sums assessed, including, without limiting the generality of the foregoing, the cost of surveys, plans, assessments, the costs of construction, and the fees and compensation properly charged in the work of making special assessments, shall be defrayed by special assessments made according to benefits against the owners and the assessable lots, premises and property specially benefitted by such improvements and included within said District. The entire costs and expenses of making said improvements in each of said units and the totals of the special assessments so levied shall be in the following amounts: Unit I - \$67,012.95; Unit II - \$6,473.52; Unit III - \$2,359.22; Unit IV - \$35,527.08 and Unit V - \$8,755.58, and the amount to be paid from the general fund of the City of Las Vegas is \$451.23 (Unit IV).

SECTION 4. That in no case shall the amount of any special assessment upon any such lot or premises exceed 100% of the value of such lot or premises as shown upon the latest tax list or assessment roll for State and County taxation, but such cost in excess of 100% shall be borne by the City of Las Vegas and paid out of the General Fund.

SECTION 5. That the County Assessor of the County of Clark and State of Nevada, the Acting Ex-Officio City Assessor of the City of Las Vegas, Nevada, shall prepare, and is hereby empowered, authorized

and directed to make forthwith, an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot and parcel of land embraced within the aforementioned Special Assessment District, with such relative portion of the whole amount to be levied as lot and parcel of land abutting upon the improvement, or is otherwise benefited, bears to the whole area of all the lots and parcels to be assessed and the area of all lots to be assessed shall be deemed to be the aggregate area as determined upon for assessment by the assessor, and the total benefits to each lot and parcel shall be as determined by the Board of City Commissioners.

SECTION 6. That when said Ex-Officio City Assessor shall have completed the assessment, he shall report the same to the Board of Commissioners of the City of Las Vegas. Such report shall be signed by him and made in the form of a certificate endorsed on an assessment roll which certificate shall be in form prescribed by the Charter of the City of Las Vegas.

SECTION 7. That after said special assessment roll shall have been prepared and reported to said Board, it shall be filed in the office of the City Clerk and numbered.

SECTION 8. That before said special assessment roll is adopted and confirmed by said Board, any person objecting to the assessment may file his objection thereto with the City Clerk on or before Wednesday, the 6th day of December, 1961, at 7:30 P.M., at the City Hall in said City, and said time and place are hereby fixed as the time and place when and where said Board and said County Assessor and Ex-Officio City Assessor will meet to hear and consider objections to said special assessment roll and to review said assessment.

SECTION 9. That after filing said special assessment roll with the City Clerk, she shall give notice of the time said Board and said Ex-Officio City Assessor will meet to review the assessments by publication at least once a week for two weeks in the Las Vegas Review Journal, a daily newspaper published in said City of Las Vegas, and by mailing said notice, postage prepaid, as first class mail, at least fifteen days prior to such hearing, to the last known address of each last known owner of land within the district whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the local property assessment rolls for general (ad valorem) taxes of the County of Clark wherein said property is located. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given. Said notice shall be in the form prescribed by the Charter of the City of Las Vegas.

SECTION 10. That at said time appointed for reviewing the assessments as aforesaid, the Board of Commissioners and the Ex-Officio City Assessor shall meet and then, or at some adjourned meeting, review the assessments and hear any objections to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide the same; and said Board may correct the same as to any assessment or description of the premises appearing therein, and may confirm and approve it as reported or as corrected, or said Board may refer the assessment back to said Ex-Officio City Assessor for revision, or annul it and direct a new assessment in which case the assessment shall be made anew.

SECTION 11. That when said special assessments shall be confirmed, the City Clerk shall make an indorsement upon the roll showing the date of confirmation, which shall be in the form prescribed by the Charter of the City of Las Vegas.

SECTION 12. That when the assessments shall be confirmed and approved as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to said County Assessor, acting ex-officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with his certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-Officio City Assessor, shall thereupon, without extra compensation, record such Assessment Roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll.

SECTION 13. That all special assessments, assessed as aforesaid, shall from the date of confirmation and approval thereof constitute a lien upon the respective lots or parcels of land assessed. The special assessments thereafter shall be and remain a lien on the respective lots and parcels of land assessed until paid.

SECTION 14. That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-Officio City Treasurer and Ex-Officio Tax Collector of the City of Las Vegas, within thirty days after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of said Ex-Officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of January , 1963, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of January, 1962, at a rate of interest which shall be one-half of one percent greater than the maximum coupon rate to be borne by the special assessment bonds to be hereafter authorized, sold, issued, and delivered, said interest rate on assessments not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-Officio City Treasurer, the first annual payment of interest being due and payable on the 1st day of January, 1963, and the remainder of said annual installments of interest being due and payable on the 1st day of January in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter bear penalty at the rate of ten per centum (10%) per annum, until the day of sale, but any time prior to the day of the sale, the owner may pay the

amount of all unpaid installments, with interest thereon at ten per centum (10%) per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-Officio Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-Officio City Treasurer and Ex-Officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected.

SECTION 15. That the special assessments, both principal and interest, when collected, shall be placed in a special fund to be known as "Assessment District No. 100-57 Bond Interest and Redemption Fund", and as such shall at all times constitute a sinking fund for and deemed specially appropriated to the payment of the special assessment improvement bonds and interest thereon, to be hereafter authorized, sold, issued and delivered for the purpose of paying in part the cost or expense of said improvements; and said fund shall be applied to payment of bonds and interest and shall not be used for any other purpose until said bonds and the interest thereon are fully paid.

SECTION 16. That after said assessment roll has been confirmed and approved, said Ex-Officio City Treasurer immediately shall notify each person known to said Ex-Officio City Assessor, whose name appears on said assessment roll, by United States of America mail, that an assessment has been levied against said person and the designated property in said "Assessment District No. 100-57", and shall state therein when and where said assessment is due and payable.

SECTION 17. That all action (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 improving of the area in each of the hereinabove described Units by installing sewers, sidewalks, alley paving and street lighting in said Assessment District No. 100-57, toward the creation of said District, and toward levying and effecting special assessments to defray the cost thereof, be, and the same is hereby ratified, approved and confirmed.

SECTION 18. 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 19. 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 instances, and each of the units comprising this proposed assessment district shall be treated separately and distinctly for purposes of notice, protest and other matters relating thereto and should any of the individual units be defeated by protest or become invalid for any other reason, said protest or invalidity by operation of law or otherwise shall not affect the remaining unit or units.

SECTION 20. That by reason of the fact that the sewers, sidewalks, alleys, and street lighting of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve the said sewers, sidewalks, alleys and street lighting, 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 21. 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 hereof.

PASSED, ADOPTED AND APPROVED this 1st day of November, 1961.

Osman K. Gragson  
Mayor

ATTEST:

Edwina M. Cole  
EDWINA M. COLE, CITY CLERK

VOTING "AYE": Mayor Gragson and Commissioners Whipple and Fountain.

VOTING "NAY": None

ABSENT: Commissioners Levy and Mirabelli.

APPROVED:

Osman K. Gragson  
Mayor

ATTEST:

Edwina M. Cole  
EDWINA M. COLE, CITY CLERK



AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, ) ss  
COUNTY OF CLARK )

LOUIE MURATORE, being first duly sworn deposes and says That He is Foreman of the LAS VEGAS 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 (2) insertions from NOVEMBER 3, 1961 to NOVEMBER 10, 1961 inclusive, being the issues of said newspaper for the following dates, to-wit:

NOVEMBER 3, 10, 1961

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

SIGNED

*L. Muratore*  
LOUIE MURATORE

Subscribed and sworn to  
before me

this 10th day of NOVEMBER, 1961.

*Arnold Schindler*

NOTARY PUBLIC, IN AND FOR CLARK  
COUNTY, NEVADA

~~My commission expires January~~  
~~22, 1964.~~

MY COMMISSION EXPIRES JANUARY 16, 1962

**EMERGENCY ORDINANCE NO. 924**  
**AN EMERGENCY ORDINANCE CREATING ASSESSMENT DISTRICT NO. 100-57; PROVIDING FOR CERTAIN PUBLIC IMPROVEMENTS IN VARIOUS AREAS OF SAID CITY GENERALLY DESCRIBED AS FOLLOWS: UNIT I — INSTALLING SANITARY SEWER ALONG CERTAIN STREETS AND PORTIONS OF STREETS IN BONANZA VILLAGE SUBDIVISION; UNIT II — SIDEWALK CONSTRUCTION, FRANKLIN AVENUE FROM 10TH STREET EASTERLY TO MARYLAND PARKWAY; UNIT III — ALLEY PAVING, ALLEY WITHIN THE BLOCK BOUNDED BY 9TH STREET, 10TH STREET, BRIDGER AVENUE AND LEWIS AVENUE; UNIT IV — INSTALLING STREET LIGHTING SYSTEM WITHIN LAS VEGAS SQUARE SUBDIVISION, COMMONLY KNOWN AS "BRENTWOOD PARK" SUBDIVISION; UNIT V — INSTALLING SIDEWALKS AND ALLEY PAVING WITHIN THE AREA BOUNDED BY 7TH STREET, BONANZA ROAD, 10TH STREET AND LINDEN AVENUE; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE STATED COST THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING FOR FILING OF SAID ROLL WITH CITY CLERK; PROVIDING A TIME AND PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PROVIDING FOR THE CORRECTION AND OR CONFIRMATION AND APPROVAL OF SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE INDORSEMENT ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR; PROVIDING THAT SAID ASSESSMENTS SHALL CONSTITUTE A LIEN; PRESCRIBING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON; PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD IMPROVING SAID AREAS IN SAID FIVE UNIT DISTRICT; TOWARD ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO AND DECLARING AN EMERGENCY.**

WHEREAS, the Board of Commissioners of the City of Las Vegas in the County of Clark and State of Nevada deems it expedient and for the best interests of said City to make certain improvements, hereinafter more particularly described; and

WHEREAS, said Board deems it expedient and desirable to create Assessment District No. 100-57 for the purpose of making said improvements in each of said units and to defray the cost and expense thereof by special assessments made according to benefits against the owners and the assessable lots, premises, and property specially benefited by such improvements and included within each unit of said district; and

WHEREAS, there is included within said district in Unit IV the following described property against which a valid special assessment cannot be levied by said City and which shall be borne by the general fund of the City of Las Vegas, to-wit:

Block 25, Las Vegas Square Subdivision, as shown by map thereof in Book 1 of Plats, Page 96, commonly known as Brentwood Park, all of which are of record in the Office of the County Recorder, Clark County, Nevada.

WHEREAS, in no case does the estimated amount of any special assessment upon any lot or premises for said improvements exceed one hundred percent (100 percent) of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation; and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas, it is fair and equitable that such portion of said cost and expense applicable to public property be borne by the City from its general funds; and

WHEREAS said Board considers it necessary, desirable, and for the best interests of the City, to take the steps provided by law for the organization of an assessment district consisting of five separate and distinct units and the construction therein of said improvements; and

WHEREAS, said Board by Ordinance No. 913, passed, adopted and approved the 19th day of July, 1961, declared its determination to make certain improvements as herein provided in each unit of said district, to create Assessment District No. 100-57 for the purpose of making said improvements, to defray the cost and expense thereof by special assessments made according to benefits, and fixed a time in which protests against the proposed improvements or the creation of such District might be heard and considered by said Board, and directed notice thereof to be given; and

WHEREAS, said Board determined that said notice was given in the manner prescribed by Section 7 of said Ordinance No. 913 and Section 57, Chapter II, Charter of the City of Las Vegas; and

WHEREAS, certain protestants appeared and voiced certain objections to the proceeding and the Board of Commissioners determined that the number of protestants did not equal 50 percent of the property within the district; and

WHEREAS, said Board has done all things necessary and preliminary to the creation of said Assessment District No. 100-57, and now desires to create said District;

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

SECTION 1. THERE SHALL BE AND there hereby is created a special 5-unit assessment district in the City of Las Vegas, Nevada, to be called and designated Assessment District No. 100-57. The areas to be assessed within the units are described as follows:

**UNIT I**—All of the lots in Block 1 through 6, inclusive; Lots 9 through 13, inclusive, Block 7; Lots 7 through 14, inclusive, Block 8; all of the lots in Block 9 and Lots 9 through 15, inclusive, in Block 10, as shown by map of Bonanza Village Subdivision in Book 2 of Plats, page 69, all of which are of record in the Office of County Recorder, Clark County, Nevada.

**UNIT II**—A. Lots 18 through 25, inclusive, Block 11, Huntridge Subdivision Tract 1, as shown by map thereof in Book 2 of Plats, Page 32, in the Office of the County Recorder, Clark County, Nevada.

B. The Westerly five feet of Lot 26, Block 11; Lot 34, Block 11, Huntridge Subdivision, Tract 2, as shown by map thereof in Book 2 of Plats, Page 37, in the Office of the County Recorder, Clark County, Nevada.

C. Lot 39, Block 21, also lots 1 through 5, inclusive, Block 32, Huntridge Subdivision, Tract 4, as shown by map thereof in Book 2 of Plats, Page 55 in the Office of the County Recorder Clark County, Nevada.

D. Lots 6 through 11, inclusive, Block 32, Huntridge Subdivision, Tract 5, as shown by map thereof in Book 2 of Plats, Page 58, in the Office of the County Recorder, County, Nevada.

**UNIT III**—Lots 1 through 32, inclusive, Block 12, Pioneer Heights Addition, as shown by map thereof in Book 1 of Plats, Page 35, in the Office of the County Recorder, Clark County, Nevada.

**UNIT IV**—Lots 5 through 24, Block 1; lots 9 through 48, Block 2; lots 9 through 48, Block 3; lots 9 through 48, Block 4; lots 9 through 48, Block 5; lots 9 through 48, Block 6; and all the lots in Blocks 7 through 30, inclusive, as shown by map of Las Vegas Square in Book 1 of Plats, Page 96, commonly known as "Brentwood Park", all of which are of record in the office of County Recorder, Clark County, Nevada.

**UNIT V**—All the lots within Block 1 as shown by map of Grandview Addition in Book 2 of Plats, Page 20, and all the lots within Block 8 Buck's Addition as shown by map thereof in Book 1 of Plats, Page 15, each of which are of record in the Office of the County Recorder, Clark County, Nevada.

SECTION 2. That the Board proposes to improve the areas contained within Units I, II, III, IV and V as follows:

**UNIT I**—By installing 4" and 8" vitrified clay sewer pipe and concrete base, brick constructed manholes where required, together with steel manhole covers and rings per City Standards S-102 in the office of the City Engineering Department; with the removal and relocation of any and all utilities that are deemed necessary to complete the same, 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.

**UNIT II**—By installing five foot width Portland Cement Concrete sidewalks along the lots fronting said Avenue 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.

**UNIT III**—By installing 1½" asphaltic concrete on 6" gravel base on said alley, 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.

**UNIT IV**—By installing Mercury vapor luminaires and incandescent luminaires including concrete bases, steel lighting standards, overhead wiring, series and/or multiple circuits, control cabinets, together with such appurtenances that may be required, with the removal and relocation of any and all utilities that are deemed necessary to complete same, 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.

**UNIT V**—By installing 1½" asphaltic concrete on 6" gravel base on said alleys.

By installing portland cement concrete sidewalks and driveways where 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.

That the following named streets, alleys and avenues shall be specifically improved as follows by installing in the following:

**UNIT I**—Sanitary sewer in Bonanza Village Subdivision along the following streets, to-wit: Goldhill Avenue, Sutro Lane, Mills Circle, Fair Avenue, Ophir Drive, Virginia City Avenue, Comstock Drive, Ralston Drive and Sharon Road.

**UNIT II**—Street lighting extending required along Franklin Avenue from 10th Street Easterly to Maryland Parkway.

**UNIT III**—Alley paving in alley within the block bounded by 9th Street, 10th Street, Bridger Avenue and Lewis Avenue.

**UNIT IV**—Street lighting extending from Fremont Street to a point 115' South of Washington Avenue along the following streets: Minnesota Street, Stanford Street, Princeton Street, Harvard Street, Yale Street, and the west side of Decatur Boulevard.

UNIT V—Adequate sidewalks where required along the following streets: South side of Bonanza Road between 7th Street and 10th Street; north side of Linden Avenue between 7th Street and 10th Street; the west side of 7th Street between Bonanza Road and Linden Avenue and 8th and 9th Streets between Bonanza Road and Linden Avenue, and  
Alley paving in alley parallel to and between 7th and 8th Streets from Bonanza Road to Linden Avenue and the alley parallel to and between 9th and 10th Streets from Bonanza Road to Linden Avenue.

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 cost and expense of making said improvements, including all incidental expenses which may be legally included in the sums assessed, including, without limiting the generality of the foregoing, the cost of surveys, plans, assessments, the costs of construction, and the fees and compensation properly charged in the work of making special assessments, shall be defrayed by special assessments made according to benefits against the owners and the assessable lots, premises and property specially benefitted by such improvements and included within said District. The entire costs and expenses of making said improvements in each of said units and the totals of the special assessments so levied shall be in the following amounts: Unit I—\$67,012.95; Unit II—\$6,473.52; Unit III—\$2,359.22; Unit IV—\$35,527.08 and Unit V—\$8,755.58, and the amount to be paid from the general fund of the City of Las Vegas is \$451.23 (Unit IV).

SECTION 4. That in no case shall the amount of any special assessment upon any such lot or premises exceed 100 percent of the value of such lot or premises as shown upon the latest tax list or assessment role for State and County taxation, but such cost in excess of 100 percent shall be borne by the City of Las Vegas and paid out of the General Fund.

Section 5. That the County Assessor of the County of Clark and State of Nevada, the Acting Ex-Officio City Assessor of the City of Las Vegas, Nevada, shall prepare, and is hereby empowered, authorized and directed to make forthwith, an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot and parcel of land embraced within the aforementioned Special Assessment District, with such relative portion of the whole amount to be levied as lot and parcel of land abutting upon the improvement, or is otherwise benefitted, bears to the whole area of all the lots and parcels to be assessed and the area of all lots to be assessed shall be deemed to be the aggregate area as determined upon for assessment by the assessor, and the total benefits to each lot and parcel shall be as determined by the Board of City Commissioners.

SECTION 6. That when said Ex-Officio City Assessor shall have completed the assessment, he shall report the same to the Board of Commissioners of the City of Las Vegas. Such report shall be signed by him and made in the form of a certificate endorsed on an assessment roll which certificate shall be in form prescribed by the Charter of the City of Las Vegas.

SECTION 7. That after said special assessment roll shall have been prepared and reported to said Board, it shall be filed in the office of the City Clerk and numbered.

SECTION 8. That before said special assessment roll is adopted and confirmed by said Board, any person objecting to the assessment may file his objection thereto with the City Clerk on or before Wednesday, the 6th day of December,

1961, at 7:30 P.M., at the City Hall in said City, and said time and place are hereby fixed as the time and place when and where said Board and said County Assessor and Ex-Officio City Assessor will meet to hear and consider objections to said special assessment roll and to review said assessment.

SECTION 9. That after filing said special assessment roll with the City Clerk, she shall give notice of the time said Board and said Ex-Officio City Assessor will meet to review the assessments by publication at least once a week for two weeks in the Las Vegas Review Journal, a daily newspaper published in said City of Las Vegas, and by mailing said notice, postage prepaid, as first class mail at least fifteen days prior to such hearing, to the last known address of each last known owner of land within the district whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the local property assessment rolls for general (ad valorem) taxes of the County of Clark wherein said property is located. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given. Said notice shall be in the form prescribed by the Charter of the City of Las Vegas.

SECTION 10. That at said time appointed for reviewing the assessments as aforesaid, the Board of Commissioners and the Ex-Officio City Assessor shall meet and then, or at some adjourned meeting, review the assessments and hear any objections to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide the same; and said Board may correct the same as to any assessment or description of the premises appearing therein, and may confirm and approve it as reported or as corrected, or said Board may refer the assessment back to said Ex-Officio City Assessor for revision, or annul it and direct a new assessment in which case the assessment shall be made anew.

SECTION 11. That when said special assessments shall be confirmed, the City Clerk shall make an indorsement upon the roll showing the date of confirmation, which shall be in the form prescribed by the Charter of the City of Las Vegas.

SECTION 12. That when the assessments shall be confirmed and approved as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to said County Assessor, acting ex-officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with his certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-Officio City Assessor shall thereupon, without extra compensation, record such Assessment Roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of

the assessment and Assessment Roll.

SECTION 13. That all special assessments, assessed as aforesaid, shall from the date of confirmation and approval thereof constitute a lien upon the respective lots or parcels of land assessed. The special assessments thereafter shall be and remain a lien on the respective lots and parcels of land assessed until paid.

SECTION 14. That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-Officio City Treasurer and Ex-Officio Tax Collector of the City of Las Vegas, within thirty days after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of said Ex-Officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of January, 1963, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest, in all cases on the unpaid and deferred installments of principal from the 1st day of January, 1962, at a rate of interest which shall be one-half of one percent greater than the maximum coupon rate to be borne by the special assessment bonds to be hereafter authorized, sold, issued, and delivered, said interest rate on assessments not to exceed seven per centum (7 per cent) per annum, payable annually at the office of said Ex-Officio City Treasurer, the first annual payment of interest being due and payable on the 1st day of January, 1963, and the remainder of said annual installments of interest being due and payable on the 1st day of January in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter bear penalty at the rate of ten per centum (10 per cent) per annum, until the day of sale, but any time prior to the day of the sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum (10 per cent) per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

est thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-Officio Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-Officio City Treasurer and Ex-Officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected.

Section 15. That the special assessments, both principal and interest when collected, shall be placed in a special fund to be known as "Assessment District No. 100-57 Bond Interest and Redemption Fund", and as such shall at all times constitute a sinking fund for and deemed specially appropriated to the payment of the special assessment improvement bonds and interest thereon, to be hereafter authorized, sold, issued and delivered for the purpose of paying in part the cost or expense of said improvements; and said fund shall be applied to payment of bonds and interest and shall not be used for any other purpose until said bonds and the interest thereon are fully paid.

SECTION 16. That after said assessment roll has been confirmed and approved, said Ex-Officio City Treasurer immediately shall notify each person known to said Ex-Officio City Assessor, whose name appears on said assessment roll, by United States of America mail, that an assessment has been levied against said person and the designated property in said "Assessment District No. 100-57", and shall state therein when and where said assessment is due and payable.

SECTION 17. That all action (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 improving of the area in each of the hereinabove described Units by installing sewers, sidewalks, alley paving and street lighting in said Assessment District No. 100-57, toward the creation of said District, and toward levying and effecting special assessments to defray the cost thereof, be, and the same is hereby ratified, approved and confirmed.

SECTION 18. 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 19. 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 instances, and each of the units comprising this proposed assessment district shall be treated separately and distinctly for purposes of notice, protest and other matters relating thereto and should any of the individual units be defeated by protest or become invalid for any other reason, said protest or invalidity by operation of law or otherwise shall not affect the remaining unit or units.

SECTION 20. That by reason of the fact that the sewers, sidewalks, alleys, and street lighting of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve the said sewers, sidewalks, alleys and street lighting, 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 21. 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 hereof.

PASSED, ADOPTED AND APPROVED this 1st day of November, 1961.

ORAN K. GRAGSON  
Mayor

ATTEST:

(s) Edwina M. Cole  
Edwina M. Cole

City Clerk

VOTING "AYE": Mayor Gragson and Commissioners Whipple and Fountain.

VOTING "NAY": None

ABSENT: Commissioners Levy and Mirabelli

APPROVED:

/s/ Oran K. Gragson  
Mayor

ATTEST:

(s) Edwina M. Cole  
Edwina M. Cole,

City Clerk

Nov. 3, 1961.