

ORDINANCE NO. 1597

AN ORDINANCE CONFIRMING THE PROCEEDINGS HERETOFORE TAKEN IN PROVIDING FOR CERTAIN STREET IMPROVEMENTS WITHIN LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 465; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COSTS AND EXPENSES OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF PROPERTY BENEFITED BY SAID IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; APPROVING, RATIFYING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COMMISSIONERS AND THE OFFICERS OF SAID CITY DIRECTED TOWARD THE INSTALLATION OF SAID IMPROVEMENTS IN SAID DISTRICT AND PRESCRIBING DETAILS IN CONNECTION THEREWITH, AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Board of Commissioners of the City of Las Vegas, in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, provided for the grading, gravelling, macadamizing, paving, curbing, guttering, draining and otherwise improving the streets and portions thereof, with intersections, within that certain area of said City described in the provisional order resolution passed and approved on the 2nd day of October, 1968, as Assessment Unit No. 1; the construction of a sanitary sewer system consisting of the installation of sewer collection lines and all other facilities incidental thereto in that portion of Western Street within said City described in said provisional order resolution as Assessment Unit No. 2; and the installation of street lights and appurtenances along the streets and portions thereof within that certain area of said City described in said provisional order resolution as Assessment Unit No. 3, in accordance with the provisions of law relating thereto, the areas in which said improvements have been installed and the areas in which property shall be assessed being designated as "Las Vegas, Nevada, Special Assessment District No. 465," all in accordance with the statutes of the State of Nevada, and in particular with Chapter 271 of Nevada Revised Statutes, providing therefor; and

WHEREAS, pursuant to said proceedings and pursuant to notice duly and validly given, said Board of Commissioners, on the 3rd day of January, 1969, received bids for the doing of the work therefor and said City formally entered into the following contracts for the doing of such work and the furnishing of all necessary materials, to wit:

FREHNER TRUCKING SERVICE, INC. OF NORTH LAS VEGAS, NEVADA, in the amount of \$224,317.34 for the work to be done in Unit No. 1;

LONGLEY CONSTRUCTION CO., INC. OF LAS VEGAS, NEVADA, in the amount of \$16,312.44 for the work to be done in Unit No. 2; and

ACME ELECTRIC OF LAS VEGAS, NEVADA, in the amount of \$44,637.03 for the work to be done in Unit No. 3; and

WHEREAS, said Board of Commissioners has determined, and does hereby determine, that the total cost of such improvements, including advertising, appraising, engineering, legal, printing, interest on interim warrants and all other proper incidental

costs in each unit of said Assessment District is as follows, to wit:

Assessment Unit No. 1	\$ 190, 157.00
Assessment Unit No. 2	10, 800.00
Assessment Unit No. 3	42, 150.00

and

WHEREAS, no money is available from other sources to pay for a portion of the costs of said improvements in either of said Assessment Units; and

WHEREAS, said Board of Commissioners has determined, and does hereby determine, that the following amounts shall be assessed against and be paid by the property specially benefited by the improvements in each Unit of said Assessment District, to wit:

Assessment Unit No. 1	\$ 190, 157.00
Assessment Unit No. 2	10, 800.00
Assessment Unit No. 3	42, 150.00

and

WHEREAS, said Board of Commissioners has determined, and does hereby determine, that there shall be assessed to each lot or parcel of property specially benefited its proportionate share of the costs and expenses being levied against the particular Assessment Unit in which such lot or parcel is situate, on the basis set forth in the provisional order Resolution passed and approved on the 2nd day of October, 1968, and Ordinance No. 1382, the ordinance creating the District, duly passed, adopted and approved on the 3rd day of January, 1969; and

WHEREAS, said assessments in no event exceed the estimated benefits to the property assessed nor that portion of the total costs of improvements payable in assessments as heretofore determined; and

WHEREAS, after the determination of the costs of such work to be paid by the property specially benefited, the City Engineer, pursuant to directions contained in the Resolution of said Board of Commissioners duly passed, adopted and approved on the 20th day of September, 1972, prepared an assessment roll which contained, among other things, the name of each last known owner of each lot or parcel of property to be assessed, a description of each lot or parcel to be assessed, and the amount of the proposed assessment thereon, apportioned on an area basis as more particularly set forth in Section 4 of said Ordinance No. 1382; and

WHEREAS, said Board of Commissioners thereupon fixed a time and place, to wit, the 25th day of October, 1972, at 9:30 o'clock A.M. in the temporary City Hall, Reed Whipple Center, 821 Las Vegas Blvd., North, Las Vegas, Nevada, when all complaints, protests and objections by owners of such property, by any party interested in the regularity of the proceedings in making such assessments, and all parties aggrieved by such assessments, to said assessment roll, including, without limiting the generality of the foregoing, the regularity of the proceedings in making any assessment thereon, and the correctness of such assessment or the amount levied on any particular lot or parcel of property to be assessed, would be heard and considered by said Board of Commissioners; and

WHEREAS, said Board of Commissioners caused said assessment roll to be filed in the office of the Clerk of said City on the 20th day of September, 1972; and said Clerk, by publication in a newspaper and by mail, gave the requisite notice of the time and place of such hearing, of the filing of said assessment roll in her office, of the date of filing the same, and of the right of any such person so to object specifically in writing, and the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated for the hearing of such objections, said Board of Commissioners met to hear and consider all objections so filed by any interested party, and thereafter, by Resolution duly passed, adopted and approved on the 25th day of October, 1972, confirmed said assessment roll, and ordered said assessment roll to be filed in the office of, and endorsed by, the City Clerk of said City; and

WHEREAS, no protests nor objections, either written and oral, were received at such hearing; and

WHEREAS, it is incumbent upon said Board of Commissioners to provide herein when said assessments shall become due and delinquent, the rate of interest payable thereon, and the penalties payable after delinquency.

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

Section 1. That all actions heretofore taken (not inconsistent with the provisions of this ordinance) by the City of Las Vegas and the officers and employees thereof directed toward the creation of Las Vegas, Nevada, Special Assessment District No. 465 and the installation therein of certain improvements, to wit: the grading,

gravelling, macadamizing, paving, curbing, guttering, draining and otherwise improving the streets and portions thereof, with intersections, within that certain area of said City described in the provisional order resolution passed and approved on the 2nd day of October, 1968, as Assessment Unit No. 1; the construction of a sanitary sewer system consisting of the installation of sewer collection lines and all other facilities incidental thereto in that portion of Western Street within said City described in said provisional order resolution as Assessment Unit No. 2; and the installation of street lights and appurtenances along the streets and portions thereof within that certain area of said City described in said provisional order resolution as Assessment Unit No. 3; and toward performing all prerequisites to levying special assessments and to fixing the assessment lien against the various lots and parcels of property specially benefited by the improvements in each unit of said District, be, and the same hereby are, approved, ratified and confirmed.

Section 2. That for the purpose of paying the costs and expenses of said improvements, there be, and there hereby are, levied and assessed against the lots and parcels of property in each assessment unit of said District, being all those lots and parcels specially benefited by said improvements in such assessment unit, in the City of Las Vegas, Clark County, Nevada, and described in the assessment roll for said District as filed in the office of the City Clerk on the 20th day of September, 1972, and as confirmed by resolution duly adopted by said Board of Commissioners on the 4th day of September, 1968, the amounts and assessments shown in said roll.

Section 3. That said assessments shall be due and payable at the office of the City Treasurer on or before December 31, 1972, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment on or before December 31, 1972, shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this ordinance after passage and approval, at a rate of seven per centum (7%) per annum. Failure to pay any installment, whether of principal or interest, when due, shall ipso facto cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by

the City of Las Vegas, and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of one per centum (1%) per month, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, 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 or any annual installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Section 4. That the amounts assessed as aforesaid shall be a lien upon said lots and parcels of property from the effective date of this ordinance, i.e., from the 13th day of November, 1972, co-equal with the lien of other taxes and prior and superior to all other liens, claims, encumbrances and titles. The sale of any such lot or parcel of property for general or other taxes shall not relieve such lot or parcel of property from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots and parcels of property assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 5. That in case any such lot or parcel of property so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the assessment roll and the certified copy of this ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor.

Section 6. That the City Clerk shall publish, as soon as reasonable possible, a notice in the Las Vegas Sun, a newspaper which is an official newspaper, published daily for said City, once a week for two consecutive weeks, stating that said assessments having been levied and are due and payable. The Board of Commissioners hereby determines that the manner of giving notice herein provided for by publication is reasonably calculated to inform the interested parties of the proceedings concerning said District, which may directly and adversely affect their legally protected interests.

Section 7. That the City Clerk is hereby directed to deliver to the County Assessor of Clark County, Nevada, the Ex-Officio City Assessor for the City of Las Vegas, a copy of the final assessment roll, as confirmed by resolution duly passed, adopted and approved on the 25th day of October, 1972, containing a description of the lots and

parcels of property being assessed, with the amount of the assessment levied upon each, and the name of the owner or occupant thereof against whom the assessment was made; and said City Clerk is additionally directed to require the City Treasurer to collect the several sums so assessed, as a tax upon the several lots and parcels to which they were assessed.

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

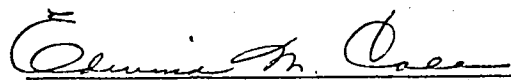
NOTICE TO PROPERTY OWNERS
OF ASSESSMENTS FOR IMPROVEMENTS IN
LAS VEGAS, NEVADA
SPECIAL ASSESSMENT DISTRICT NO. 465

NOTICE IS HEREBY GIVEN to property owners and other interested persons that, by Ordinance No. 1597, duly passed, adopted, signed and approved on the 1st day of November, 1972, there were levied and assessed against the lots and parcels of property specially benefited by the local improvements in what is commonly designated as "Las Vegas, Nevada, Special Assessment District No. 465", said lots and parcels being more specifically described in the assessment roll designated in said ordinance, the total cost and expenses of said improvements.

Said assessments shall be due and payable at the office of the City Treasurer of Las Vegas, Nevada, on or before the 31st day of December, 1972, without interest and without demand; provided, that all/or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of January, 1973, i.e., the end of the cash payment period, at a rate of seven per centum (7%) per annum, with principal and interest due at the office of the City Treasurer of Las Vegas, Nevada, on the 1st day of January, 1974. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, at the City's option, and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of one per centum (1%) per month, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, 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 or any actual installment of the unpaid principal, with interest accruing thereon to the next interest payment date.

The amounts assessed as aforesaid constitute a lien upon said lots and parcels of property from the 13th day of November, 1972, the effective date of said ordinance, which lien shall be co-equal with the lien of other taxes and prior and superior to all other liens, claims and titles. The sale of any such lot or parcel of property for general or other taxes shall not relieve such lot or parcel of property from such assessment or the lien therefor.

Dated this 1st day of November, 1972.



City Clerk

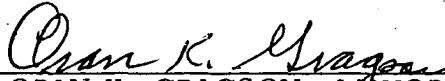
(SEAL)

Section 9. That the officers of the City of Las Vegas be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

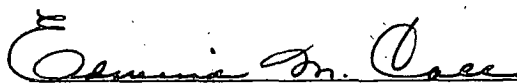
Section 10. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 11. That all ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED, ADOPTED, SIGNED AND APPROVED this 1st day of November, 1972.


ORAN K. GRAGSON, MAYOR

ATTEST:

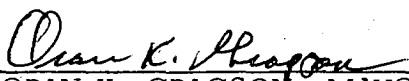

Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 25th day of October, 1972, and referred to the following committee composed of Commissioners Morelli and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of November, 1972, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

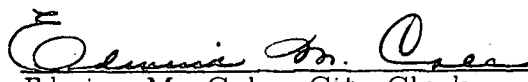
VOTING "AYE": Commissioners Franklin, Morelli, Coblentz, Thornley and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

RECEIVED

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss. CITY CLERK

ROBERT E. HUNTER, 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 8 days

from November 4, 1972 to November 11, 1972

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

November 4, 11, 1972

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

Signed

Subscribed and sworn to before me this 13th day of November, 1972

My Commission Expires



Notary Public in and for the County, Nevada
Notary Public - State of Nevada
COUNTY OF CLARK
My Commission Expires April 14, 1973

AN ORDINANCE NO. 1597
AN ORDINANCE CONFIRMING
THE PROCEEDINGS HERETO-
FORE TAKEN IN PROVIDING
FOR CERTAIN STREET IMPROVE-
MENTS WITHIN LAS VEGAS, NE-
VADA, SPECIAL ASSESSMENT DIS-

TRICT NO. 465; PROVIDING FOR
THE PAYMENT OF THE COSTS
AND EXPENSES OF SAID IMPROVE-
MENTS; ASSESSING THE
COSTS AND EXPENSES OF SAID
IMPROVEMENTS AGAINST THE
ASSESSABLE LOTS AND PARCELS
OF PROPERTY BENEFITED BY
SAID IMPROVEMENTS; DESCRIB-
ING THE MANNER FOR THE
COLLECTION AND PAYMENT OF
SAID ASSESSMENTS; PROVIDING
PENALTY FOR DELINQUENT
PAYMENTS; APPROVING, RATI-
FYING AND CONFIRMING ALL
ACTION PREVIOUSLY TAKEN BY
THE BOARD OF COMMISSIONERS
AND THE OFFICERS OF SAID
CITY DIRECTED TOWARD THE
INSTALLATION OF SAID IMPROVE-
MENTS IN SAID DISTRICT
AND PRESCRIBING DETAILS IN
CONNECTION THEREWITH, AND
OTHER MATTERS RELATING
THERE TO.

WHEREAS, the Board of Commis-
sioners of the City of Las Vegas, in
the County of Clark and State of
Nevada, has heretofore, pursuant to
the requisite preliminary proceed-
ings, provided for the grading, grav-
eling, macadamizing, paving, curb-
ing, guttering, draining and other-
wise improving the streets and por-
tions thereof, with intersections,
within that certain area of said City
described in the provisional order
resolution passed, and approved on
the 2nd day of October, 1968, as As-
sessment Unit No. 1; the construc-
tion of a sanitary sewer system con-
sisting of the installation of sewer
collection lines and all other facil-
ities incidental thereto in that portion
of Western Street within said City
described in said provisional order
resolution as Assessment Unit No. 2;
and the installation of street lights
and appurtenances along the streets
and portions thereof within that cer-
tain area of said City described in
said provisional order resolution as
assessment Unit No. 3, in accordance
with the provisions of law relating
thereto, the areas in which said im-
provements have been installed and
the areas in which property shall be
assessed being designated as "Las
Vegas, Nevada, Special Assessment
District No. 465," all in accordance
with the statutes of the State of
Nevada, and in particular with
Chapter 271 of Nevada Revised Sta-
tutes, provided therefore and

WHEREAS, pursuant to said pro-
ceedings and pursuant to notice duly
and validly given, said Board of
Commissioners, on the 3rd day of
January, 1969, received bids for the
doing of the work therefor and said
City formally entered into the follow-
ing contracts for the doing of such
work and the furnishing of all neces-
sary materials, to-wit:

FREHNER TRUCKING SERVICE,
INC. OF NORTH LAS VEGAS, NE-
VADA, in the amount of \$224,317.34
for the work to be done in Unit
No. 1;
LONGLEY CONSTRUCTION CO.,
INC. OF LAS VEGAS, NEVADA,
in the amount of \$16,312.44 for the
work to be done in Unit No. 2; and
ACME ELECTRIC OF LAS VEGAS,
NEVADA, in the amount of
\$44,637.03 for the work to be done
in Unit No. 3; and

WHEREAS, said Board of Com-
missioners has determined, and does
hereby determine, that the total cost
of such improvements, including ad-
vertising, appraising, engineering,
legal, printing, interest on interim
warrants and all other proper in-
cidental costs in each unit of said
Assessment District is as follows, to-
wit:

Assessment Unit No. 1	\$190,157.00
Assessment Unit No. 2	10,800.00
Assessment Unit No. 3	42,150.00

and
WHEREAS, no money is available
from other sources to pay for a por-
tion of the costs of said improvements
in either of said Assessment Units;
and

WHEREAS, said Board of Commis-
sioners has determined, and does
hereby determine, that the following
amounts shall be assessed against
and be paid by the property special-
ly benefited by the improvements in
each Unit of said Assessment Dis-
trict, to-wit:

Assessment Unit No. 1	\$190,157.00
Assessment Unit No. 2	10,800.00
Assessment Unit No. 3	42,150.00

and
WHEREAS, said Board of Commis-
sioners has determined, and does
hereby determine, that there shall be
assessed, to each lot or parcel of
property specially benefitted its pro-
portionate share of the costs and ex-
penses being levied against the par-
ticular Assessment Unit in which
such lot or parcel is situated, on the
basis set forth in the provisional
order Resolution passed and ap-
proved on the 2nd day of October,
1968, and Ordinance No. 1382, the or-
dinance creating the District, duly
passed, adopted and approved on the
3rd day of January, 1969; and

WHEREAS, said assessments in no
event exceed the estimated benefits
to the property assessed nor that
portion of the total costs of improve-
ments payable in assessments as
heretofore determined; and

WHEREAS, after the determination
of the costs of such work to be paid
by the property specially benefitted,
the City Engineer, pursuant to direc-
tions contained in the Resolution of
said Board of Commissioners duly
passed, adopted and approved on the
20th day of September, 1972, pre-
pared an assessment roll which con-
tained, among other things, the name
of each last known owner of each lot
or parcel of property to be assessed,
a description of each lot or parcel to
be assessed, and the amount of the
proposed assessment thereon, appar-
tioned on an area basis as more par-
ticularly set forth in Section 4 of
said Ordinance No. 1382; and

WHEREAS, said Board of Commis-
sioners, thereunder fixed a time and
a place, to-wit, the 25th day of Oc-
tober, 1972, at 9:30 o'clock A.M. in
the temporary City Hall, Read Whip-
ple Center, 821 Las Vegas Blvd.
North, Las Vegas, Nevada, when all
complaints, protests and objections
by owners of such property, by any
party interested in the regularity of
the proceedings in making such as-
sessments, and all parties aggrieved
by such assessments, to said assess-
ment roll, including, without limiting
the generality of the foregoing, the
regularity of the proceedings in mak-
ing any assessment thereon, and the
correctness of such assessment or
the amount levied on any particular
lot or parcel of property to be as-
sessed, would be heard and consid-
ered by said Board of Commis-
sioners; and

WHEREAS, said Board of Com-
missioners caused said assessment
roll to be filed in the office of the
Clerk of said City on the 20th day
of September, 1972; and said Clerk, by
publication in a newspaper and by
mail, gave the requisite notice of the
time and place of such hearing, of
the filing of said assessment roll in
her office, of the date of filing the
person so to object specifically in
writing, and the waiver of any objec-
tion in the absence of such objec-
tion, and of the right of any such
person; and

WHEREAS, at the same time and
place so designated for the hearing
of such objections, said Board of
Commissioners met to hear and con-
sider all objections so filed by any
interested party, and thereafter, by
Resolution duly passed, adopted and
approved on the 25th day of October,
1972, confirmed said assessment roll,
and ordered said assessment roll to
be filed in the office of, and en-
dorsed by, the City Clerk of said
City; and

WHEREAS, no protests nor objec-
tions, either written and oral, were
received at such hearing; and

WHEREAS, it is incumbent upon
said Board of Commissioners to
provide herein when said assess-
ments shall become due and delin-
quent, the rate of interest payable
thereon, and the penalties payable
after delinquency.

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

Section 1. That all actions hereto-
fore taken (not inconsistent with
the provisions of this ordinance) by
the City of Las Vegas and the of-
ficers and employees thereof directed
toward the creation of Las Vegas,
Nevada, Special Assessment District
No. 465 and the installation therein of
certain improvements, to-wit: the
grading, graveling, macadamizing,
paving, curbing, guttering, draining
and otherwise improving the streets
and portions thereof, with intersec-
tions, within that certain area of
said City described in the provisional
order resolution passed and ap-
proved on the 2nd day of October,
1968, as Assessment Unit No. 1; the

construction of a sanitary sewer system consisting of the installation of sewer collection lines and all other facilities incidental thereto in that portion of Western Street within said City described in said provisional order resolution, as Assessment Unit No. 2; and the installation of street lights and appurtenances along the streets and portions thereof within that certain area of said City described in said provisional order resolution, as Assessment Unit No. 3; and, toward performing all prerequisites to levying special assessments and to fixing the assessment lien against the various lots and parcels of property specially benefited by the improvements in each unit of said District, be, and the same hereby are, approved, ratified and confirmed.

Section 2. That for the purpose of paying the costs and expenses of said improvements, there be, and there hereby are, levied and assessed against the lots and parcels of property in each assessment unit of said District, being all those lots and parcels specially benefited by said improvements in such assessment unit, in the City of Las Vegas, Clark County, Nevada, and described in the assessment roll for said District as filed in the office of the City Clerk on the 20th day of September, 1972, and as confirmed by resolution duly adopted by said Board of Commissioners on the 24th day of September, 1968, the amounts and assessments shown in said roll.

Section 3. That said assessments shall be due and payable at the office of the City Treasurer on or before December 31, 1972, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment on or before December 31, 1972, shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of assessments then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this ordinance after passage and approval, at a rate of seven per centum (7%) per annum. Failure to pay any installment, whether of principal or interest, when due, shall ipso facto cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise and said option to be indicated by the commencement of foreclosure proceedings by the City of Las Vegas, and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of one per centum (1%) per month, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, 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 or any annual installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Section 4. That the amounts assessed as aforesaid shall be a lien upon said lots and parcels of property from the effective date of this ordinance, i.e., from the 13th day of November, 1972, co-equal with the lien of other taxes and prior and superior to all other liens, claims, encumbrances and titles. The sale of any such lot or parcel of property for general or other taxes shall not relieve such lot or parcel of property from such assessment, or the lien therefor. Such amounts shall continue to be a lien upon the lots and parcels of property assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 5. That in case any such lot or parcel of property as assessed is delinquent in the payment of such assessment or any installment of principal or interest, the assessment roll and the certified copy of this ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor.

Section 6. That the City Clerk shall publish, as soon as reasonably possible, a notice in the Las Vegas Sun, a newspaper which is an official newspaper, published daily for said City, once a week for two consecutive weeks, stating that said assessments having been levied and are due and payable. The Board of Commissioners hereby determines that the manner of giving notice herein provided for by publication is reasonably calculated to inform the interested parties of the proceedings concerning said District, which may directly and adversely affect their legally protected interests.

Section 7. That the City Clerk is hereby directed to deliver to the County Assessor of Clark County, Nevada, the Ex-Officio City Assessor for the City of Las Vegas, a copy of the final assessment roll, as confirmed by resolution duly passed, adopted and approved on the 25th day of October, 1972, containing a description of the lots and parcels of property being assessed, with the amount of the assessment levied upon each, and the name of the owner or occupant thereof against whom the assessment was made; and said City Clerk is additionally directed to require the City Treasurer to collect the several sums so assessed, as a tax upon the several lots and parcels to which they were assessed.

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

NOTICE TO PROPERTY OWNERS OF ASSESSMENTS FOR IMPROVEMENTS IN LAS VEGAS, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 465

NOTICE IS HEREBY GIVEN to property owners and other interested persons that, by Ordinance No. 1597, duly passed, adopted, signed and approved on the 1st day of November, 1972, there were levied and assessed against the lots and parcels of property specially benefited by the local improvements in what is commonly designated as "Las Vegas, Nevada, Special Assessment District No. 465", said lots and parcels being more specifically described in the assessment roll designated in said ordinance, the total cost and expenses of said improvements.

Said assessments shall be due and payable at the office of the City Treasurer of Las Vegas, Nevada, on or before the 31st day of December, 1972, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of January, 1973, i.e., the end of the cash payment period, at a rate of seven per centum (7%) per annum, with principal and interest due at the office of the City Treasurer of Las Vegas, Nevada, on the 1st day of January, 1974. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, at the City's option, and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of one centum (1%) per month, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installment originally becoming due on or before the date of said payment, with interest thereon, 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 or any actual installment of the unpaid principal, with interest accruing thereon to the next interest payment date.

The amounts assessed as aforesaid constitute a lien upon said lots and parcels of property from the 13th day of November, 1972, the effective date of said ordinance, which lien shall be co-equal with the lien of other taxes and prior and superior to all other liens, claims and titles. The sale of any such lot or parcel of property for general or other taxes shall not relieve such lot or parcel of property from such assessment of the lien therefor.

Dated this 1st day of November, 1972.

EDWINA M. COLE,
City Clerk

(SEAL)

Section 9. That the officers of the City of Las Vegas be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 10. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid, unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provision of this ordinance.

Section 11. That all ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

PASSED, ADOPTED, SIGNED AND APPROVED this 1st day of November, 1972.

ORAN K. GRAGSON,
Mayor

ATTEST:
EDWINA M. COLE,
City Clerk
(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 25th day of October, 1972, and referred to the following committee composed of Commissioners Morelli and Thornley for recommendation; thereafter the said committee reported favorably on said ordinance on the 1st day of November, 1972, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Franklin, Morelli, Cabientz, Thornley and Mayor Gragson.

VOTING "NAY": None.

ABSENT: None.

APPROVED:
ORAN K. GRAGSON,
Mayor

ATTEST:
EDWINA M. COLE,
City Clerk
(SEAL)

Pub. Nov. 4, 11, 1972.