

EMERGENCY ORDINANCE NO. 1133

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN SAID CITY BY INSTALLING STREET PAVING AND CURBS AND GUTTERS IN THOSE CERTAIN STREETS DESCRIBED GENERALLY AS FOLLOWS:- EAST ONE-HALF OF MARION DRIVE FROM MONROE AVENUE TO OWENS AVENUE; MONROE AVENUE FROM MARION DRIVE TO NELLIS BOULEVARD; VAN BUREN AVENUE FROM MARION DRIVE TO NELLIS BOULEVARD; TO CREATE IMPROVEMENT ASSESSMENT DISTRICT NO. 450 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; AND TO DEFRAY THE ENTIRE COSTS AND EXPENSES THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO BENEFITS; FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS FOR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD; DIRECTING NOTICE THEREOF TO BE GIVEN; PROVIDING OTHER MATTERS PROPERLY 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 the said City to make certain improvements, hereinafter more particularly described; and

WHEREAS, said Board deems it expedient and desirable to create Assessment District No. 450 for the purpose of making said improvements and to defray the entire costs and expenses 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 said district; 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 and the construction therein of said improvements; and

WHEREAS, said Board, by a Resolution duly adopted and approved on the 15th day of April, 1964, ordered the City Engineer to make estimates of the expense thereof and plats, diagrams and plans of the work and of the locality to be improved in each unit of said district, and to file such estimates, plats, diagrams and plans with the City Clerk for public examination; and

WHEREAS, said estimates, plats, diagrams and plans were so filed on the 15th day of April, 1964.

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

SECTION 1. That the Board of Commissioners of the City of Las Vegas, County of Clark and State of Nevada, does hereby declare its determination to make certain public improvements by installing street paving and curbs and gutters in those certain streets hereinafter described, to wit:

East one-half of Marion Drive - 2 1/2" asphaltic concrete pavement, 4" type II aggregate, 14" type I aggregate, and seal and chips, extending from a point forty-three and one-half (43 1/2) feet southerly of centerline of Monroe Avenue to a point forty (40) feet southerly of centerline of Owens Avenue, and Portland Cement "L" type curb and gutter, extending from North curb line of Monroe Avenue to a point forty (40) feet southerly of centerline of Owens Avenue, said improvements to be thirty-three and one-half (33 1/2) feet in width from back of curb to centerline.

Monroe Avenue - 2" asphaltic concrete pavement, 4" type II aggregate, 8" type I aggregate, bituminous prime coat, bituminous fog seal, one (1) valley gutter and Portland Cement "L" type curb and gutter (along both sides of street), extending from East curb line of Marion Drive to a point fifty (50) feet westerly of centerline of Nellis Boulevard, said improvements to be fifty (50) feet in width from back-of-curb to back-of-curb.

Van Buren Avenue - 2" asphaltic concrete pavement, 4" type II aggregate, 8" type I aggregate, bituminous prime coat, bituminous fog seal, one (1) valley gutter and Portland Cement "L" type curb and gutter (along both sides of street), extending from east curb line of Marion Drive to a point fifty (50) feet westerly of centerline of Nellis Boulevard, said improvements to be forty-one (41) feet in width from back-of-curb to back-of-curb.

Together with removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of work and the locality to be improved now on file in the Office of the City Clerk of the City of Las Vegas, Nevada.

Aggregate estimated cost for all improvements
in all streets

\$103,063.00

and to create a special assessment district therefor and to defray the entire costs and expenses thereof by special assessments made according to benefits against the owners and the assessable lots, premises and properties specially benefited by such improvements and included within said district.

SECTION 2. That the area to be assessed within the district which the Board proposes to so have improved is as follows:

ASSESSMENT DISTRICT 450
DESCRIPTION OF BOUNDARIES

A certain tract or parcel of land lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of the Northeast One-Quarter (NE 1/4) of Section 29, Township 20 South, Range 62 East, M.D.B. & M., and being more particularly described as follows, to wit:

Commencing at the Northwest corner of the plat of Happy Valley Ranchos Tract No. 1, as recorded in Book 3 of Plats, page 69, in the Office of the Recorder, County of Clark, State of Nevada, said corner also being the Quarter corners of Sections 29 and 20, Township 20 South, Range 62 East, M.D.B. & M.; thence South 1°50'08" West a distance of 40.14 feet to a point, said point being the True Point of Beginning; thence North 86°58'06" East a distance of 113 feet to a point; thence South 1°50'08" West a distance of 151.64 feet more or less to a point on the north property line of Lot 18, Block 1, Happy Valley Ranchos Tract No. 1; thence North 87°13'28" East along said north line a distance of 145.78 feet more or less to the Northeast corner thereof; thence South 0°20'08" East along the East line of said Lot 18 a distance of 150 feet to the Northwest corner of Lot 21, Block 1, Happy Valley Ranchos Tract No. 1; thence North 87°13'28" East a distance of 1968 feet to the Northeast corner of Lot 36, Block 1, Happy Valley Ranchos Tract No. 1; thence South 0°20'08" East along the East line of said Lot 36 a distance of 200 feet to the Northwest corner of Lot 37, Block 1, Happy Valley Ranchos Tract No. 1; thence North 87°13'28" East along the North line of said Lot 37 a distance of 277 feet to a point 50 feet West of the East line of the Northeast One-Quarter (NE 1/4) of Section 29; thence South 0°20'08" East parallel with and distant 50 feet West of the East line of the Northeast One-Quarter (NE 1/4) of Section 29 a distance of 260 feet to the Southeast corner of Lot 42, Block 2, Happy Valley Ranchos Tract No. 1; thence South 87°13'28" West along the South line of said Lot 42 a distance of 277 feet to the Southwest corner of said Lot 42; thence South 0°20'08" East a distance of 400 feet to the Northwest corner of Lot 37, Block 2, Happy Valley Ranchos

Tract No. 1; thence North 87°13'28" East along the North line of said Lot 37 a distance of 277 feet to a point 50 feet West of the East line of the Northeast One-Quarter (NE 1/4) of Section 29; thence South 0°20'08" East parallel with and distant 50 feet West of the Northeast One-Quarter (NE 1/4) of Section 29 a distance of 282.38 feet more or less to a point; thence South 87°13'28" West a distance of 277 feet to a point on the East line of Lot 1, Block 1, Happy Valley Ranchos Tract No. 2 as recorded in Book 4 of Plats, page 21, in Office of the Recorder, County of Clark, State of Nevada; thence South 0°20'08" East along said East line a distance of 182.89 feet more or less to the Southeast corner of Lot 1, Block 1, Happy Valley Ranchos Tract No. 2; thence South 87°13'28" West a distance of 977.38 feet to the Southwest corner of Lot 9, Block 1, Happy Valley Ranchos Tract No. 2; thence North 0°44'43" East along the West line of said Lot 9 a distance of 5.57 feet to a point on the West line of said Lot 9, Block 1, Happy Valley Ranchos Tract No. 2; thence along a line that bears South 87°13'28" West and 330 feet South and parallel with the South line of the North One-Half (N 1/2) of the Northeast One-Quarter (NE 1/4) of Section 29 a distance of 1299.20 feet more or less to a point on the North-South center Quarter line of Section 29; thence North 1°50'08" East along said North-South center Quarter line a distance of 330 feet to the Southwest corner of Happy Valley Ranchos Tract No. 1; thence South 87°13'28" West a distance of 6.5 feet to a point; thence North 1°50'08" East a distance of 1294.26 feet to a point on the South right of way line of Owens Avenue (80 feet in width); thence North 86°58'06" East a distance of 6.5 feet to the True Point of Beginning.

SECTION 3. That the special assessment district which it is proposed to create, shall be designated Assessment District No. 450, and the assessments shall be made on an area basis, i.e., that each lot or parcel of property to be assessed shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment district in the proportion that the area of said lot or parcel of property bears to the area of all the assessable property in said district.

SECTION 4. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination, and the plans, diagrams and locality to be improved of this proposed district shall be plainly marked and labeled.

SECTION 5. That the Board of Commissioners of said City will meet at the City Hall in said City on Wednesday, the 6th day of May, 1964, at the hour of 6:00 p.m. to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements in the proposed district, or any matters relating thereto, which said suggestions and objections may be filed in writing in the Office of the City Clerk at any time prior to said meeting.

SECTION 6. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams and plans with the City Clerk for examination of the proposed improvement or work, of the location to be improved, of the area to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvement. Said notice shall be given by publication once a week for two successive weeks in the Las Vegas Review-Journal, a daily newspaper published in said City of Las Vegas, by posting said notices in at least three public places near the site of said proposed work, and by mailing said notice, postage prepaid, as first class mail, at least fifteen (15) 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.

SECTION 7. 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 8. 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 instance.

SECTION 9. That by reason of the fact that the existing improvements in 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 install the hereinabove described improvements, 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 10. 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 said ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 15th day of April, 1964.

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


Edwina M. Cole
City Clerk

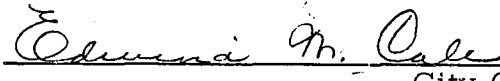
VOTING "AYE": Commissioners Mirabelli, Levy, Fountain, Whipple and Mayor Gragson.

VOTING "NAY": None ABSENT: None

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


Edwina M. Cole
City Clerk