

BILL NO. 93-47

ORDINANCE NO. 3740

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1405; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

Sponsored by: Ordinance required by
step procedure.

Summary: Creates
District.

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and the "City", respectively, herein), in the County of Clark, and State of Nevada, has heretofore taken action that is preliminary to the creation of the proposed "City of Las Vegas, Nevada, Special Improvement District No. 1405" (the "District" herein), consisting of eight (8) separate and distinct assessment units, for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Rampart Boulevard, and portions thereof, as is more particularly described in the notice of hearing (the "Notice of Hearing" herein) that is provided for in Section 4 of the Provisional Order Resolution that was duly passed, adopted and approved by the City Council on the 7th day of July, 1993, as ASSESSMENT UNIT NO. I, the installation of curbs and gutters along Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. II, the installation of a sidewalk along that portion of Rampart Boulevard that is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. III, the installation of a street lighting system and all facilities that are incidental

thereto along Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. IV, the installation of commercial driveway approaches along that portion of Rampart Boulevard that is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. V, the installation of drainage facilities along those portions of Rampart Boulevard that are more particularly described in the Notice of Hearing (as such description is modified, at the request of the owner of the parcel of property that will be assessed for such drainage facilities, in Section 2 hereof) as ASSESSMENT UNIT NO. VI, the installation of a potable water distribution mains along those portions of Rampart Boulevard that are more particularly described in the Notice of Hearing (as such description is modified, at the request of the owner of the parcel of property that will be assessed for such water mains, in Section 2 hereof) as ASSESSMENT UNIT NO. VII and the installation of sanitary sewer collection mains along Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. VIII, and of defraying the entire cost and expense thereof by special assessments against the assessable lots and parcels of property within each assessment unit of the District according to the benefits that will be derived from such improvements by the respective lots and parcels that are proposed to be so assessed; and

WHEREAS, pursuant to Chapter 271 of the Nevada Revised Statutes ("Chapter 271" herein), the City Council, in the

Provisional Order Resolution, declared its determination to create the District for the purpose of constructing and installing such improvements within the respective assessment units thereof, described the improvements that are proposed to be constructed and installed in the respective units, stated that the entire cost and expense thereof shall be paid by special assessments and that such assessments are to be levied according to the benefits that will be derived by the respective assessable lots and parcels or property from such improvements, designated, by apt description, the District, including the lots and parcels that are proposed to be so assessed, described with particularity the location at which the improvement that is proposed to be constructed and installed within each assessment unit of the District is to be so constructed and installed and directed the City Clerk of the City (the "City Clerk" herein) to give notice that certain documents with respect to the District had been filed in her office and of the time, date and place of a public hearing as to the propriety and advisability of constructing and installing such improvements, and the City Clerk gave the notice of such filing and such public hearing in the manner and for the period that is specified in Chapter 271 and in accordance with the directions that are contained in the Provisional Order Resolution; and

WHEREAS, the public hearing concerning the propriety and advisability of constructing and installing such improvements was held on the 4th day of August, 1993, pursuant to the duly mailed, posted and published Notice of Hearing, with no written protest

or objection and no oral protest or objection having been presented to the creation of the District or to the construction and installation, in any of the several assessment units thereof, of the improvements that are proposed to be constructed and installed in the respective assessment units; and

WHEREAS, the City Council, by that certain Resolution concerning the District that was duly passed, adopted and approved on the 1st day of September, 1993, has found, determined and declared that there has been no protest or objection, either written or oral, to the creation of the District or to the construction and installation, in any of the several assessment units thereof, of the improvements that are proposed to be constructed and installed in the respective assessment units and has further found, determined and declared that the public convenience and necessity require the creation of the District and that the creation of the District is economically sound and feasible; and

WHEREAS, the City Council and the officers of the City have done all of the things that are necessary and preliminary to the creation of the proposed "City of Las Vegas, Nevada, Special Improvement District No. 1405", including without limitation the filing with the City Clerk by the City Engineer of the City of a revised and accurate estimate of the cost and plans, assessment plats, specifications and maps that relate to the District, and the City Council desires, by this Ordinance, now to order the construction and installation of such improvements and the performance of the work within each

assessment unit of the District;

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

SECTION 1. That there shall be, and there hereby is, created a special improvement district, consisting of eight (8) separate and distinct assessment units, for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. I, the installation of curbs and gutters along Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. II, the installation of a sidewalk along that portion of Rampart Boulevard that is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. III, the installation of a street lighting system and all facilities that are incidental thereto along Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. IV, the installation of commercial driveway approaches along that portion of Rampart Boulevard that is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. V, the installation of drainage facilities along those portions of Rampart Boulevard that are more particularly described in the Notice of Hearing (as such description is modified, at the request of the owner of the parcel of property that will be assessed for such drainage facilities, in Section 2 hereof) as ASSESSMENT UNIT NO.

VI, the installation of a potable water distribution mains along those portions of Rampart Boulevard that are more particularly described in the Notice of Hearing (as such description is modified, at the request of the owner of the parcel of property that will be assessed for such water mains, in Section 2 hereof) as ASSESSMENT UNIT NO. VII and the installation of sanitary sewer collection mains along Rampart Boulevard, and portions thereof, as is more particularly described in the Notice of Hearing as ASSESSMENT UNIT NO. VIII, and of defraying the entire cost and expense thereof by special assessments against the assessable lots and parcels of property within each assessment unit of the District according to the benefits that will be derived from such improvements by the respective lots and parcels that are to be so assessed, such assessment units to include, and be the same as, the areas that are designated in the Provisional Order Resolution, and such improvements shall be, and they hereby are ordered to be, constructed and installed.

SECTION 2. That the character and location of the improvements and the boundaries of the District, and of each assessment unit thereof, shall be, in all respects, as the same are set forth in the Provisional Order Resolution (except to the extent that any thereof may be inconsistent herewith), all as is more particularly shown on the plats, diagrams, plans and specifications that relate to the District, as they were filed in the Office of the City Clerk prior to the adoption of the Provisional Order Resolution.

The boundaries of the District, which include all of the lots and parcels of property that are to be assessed, are more particularly described as follows:

ASSESSMENT UNIT NO. I (Street Paving)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29 or Section 32, Township 20 South, Range 60 East, M.D.M., that abuts Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of said Section 32 and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of the Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) along either side thereof from the centerline of Charleston Boulevard (130 feet wide) northerly to a point that is approximately 372 feet south of the centerline of Summerlin Parkway (330 feet wide).

ASSESSMENT UNIT NO. II (Curbs and Gutters)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29 or Section 32, Township 20 South, Range 60 East, M.D.M., that abuts Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of said Section 32 and widening from 95 feet at its intersection with the north

section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of the Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) along either side thereof from the centerline of Charleston Boulevard (130 feet wide) northerly to a point that is approximately 372 feet south of the centerline of Summerlin Parkway (330 feet wide).

ASSESSMENT UNIT NO. III (Sidewalk)

That certain lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29, Township 20 South, Range 60 East, M.D.M., that is benefited by the improvement, abuts Rampart Boulevard (100 feet wide in that portion thereof in which such sidewalk is constructed and installed) on the west side thereof and is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-401-001.

ASSESSMENT UNIT NO. IV (Street Lighting)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29 or Section 32, Township 20 South, Range 60 East, M.D.M., that abuts Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of said Section 32 and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin

Parkway, being the intersection of the south right-of-way line of the Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) along either side thereof from the centerline of Charleston Boulevard (130 feet wide) northerly to a point that is approximately 372 feet south of the centerline of Summerlin Parkway (330 feet wide).

ASSESSMENT UNIT NO. V (Commercial Driveway Approaches)

That certain lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29, Township 20 South, Range 60 East, M.D.M., that is benefited by the improvement, abuts Rampart Boulevard (100 feet wide in that portion thereof in which such driveway approaches are constructed and installed) on the west side thereof and is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-401-001.

ASSESSMENT UNIT NO. VI (Drainage Facilities)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29, Township 20 South, Range 60 East, M.D.M., that is benefited either by (i) that certain portion of the improvements that is constructed and installed in a permanent easement (varying in width from 40 feet to 140 feet depending upon the topography of the adjacent land), the east boundary line of which coincides with the west right-of-way line of Rampart Boulevard (100 feet wide in that portion thereof in which that particular portion of such drainage facilities is constructed and installed), abuts such easement and is identified by the Clark

County, Nevada, County Assessor's parcel number as Parcel 138-32-201-001 ("Parcel 138-32-201-001" herein) or (ii) that certain portion of the improvements that is constructed and installed in said Rampart Boulevard at a point that is approximately 1,294 feet south of the centerline of Alta Drive (80 feet wide) and extends westerly from said centerline a distance of approximately 59 feet, abuts said Rampart Boulevard on the west side thereof at said point and is so identified as Parcel 138-32-301-001 ("Parcel 138-32-301-001" herein) (Parcel 138-32-201-001 and Parcel 138-32-301-001 being under common ownership, the benefit that will inure to Parcel 138-32-301-001 from such drainage facilities being negligible and the owner of said Parcels having agreed in writing to assume and pay, as an assessment against Parcel 138-32-201-001, the entire cost and expense of constructing and installing such drainage facilities).

ASSESSMENT UNIT NO. VII (Potable Water Distribution Mains)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29, Township 20 South, Range 60 East, M.D.M., that is benefited either by (i) that certain portion of the improvements that is installed in Rampart Boulevard (100 feet wide in that portion thereof in which that particular portion of such potable water distribution mains is installed), abuts said Rampart Boulevard on the west side thereof and is identified as Parcel 138-32-301-001 or (ii) that certain portion of the improvements that is installed in said Rampart Boulevard, abuts said Rampart Boulevard on the west side thereof, from the

centerline of Alta Drive (80 feet wide) northerly a distance approximately 1,176 feet, and is identified as Parcel 138-32-201-001 (Parcel 138-32-201-001, Parcel 138-32-301-001 and that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-701-001 ("Parcel 138-32-701-001" herein) being under common ownership, the benefit that will inure to Parcel 138-32-201-001 and Parcel 138-32-701-001 from such water mains being negligible and the owner of said Parcels having agreed in writing to assume and pay, as an assessment against Parcel 138-32-301-001, the entire cost and expense of installing such water mains).

ASSESSMENT UNIT NO. VIII (Sanitary Sewer Collection Mains)

Those certain lots or parcels of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 29 or Section 32, Township 20 South, Range 60 East, M.D.M., that are benefited by the improvements, abut Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of said Section 32 and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of the Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) and are identified by the Clark County, Nevada, County Assessor's parcel numbers as Parcel 138-29-401-001 and Parcel 138-32-301-001.

SECTION 3. That the improvements that are ordered by Section 1 of this Ordinance and to be constructed and installed constitute a portion of a total project that will include the construction and installation on Summerlin Parkway of the Summerlin Parkway/Rampart Boulevard Interchange and the construction and installation along Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of Section 32, Township 20 South, Range 60 East, M.D.M., and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of said Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) of street paving (86 feet in width in that portion of the right-of-way of said Rampart Boulevard that is 100 feet wide and widening from 81 feet in width to 118 feet in width in that portion of the right-of-way of said Rampart Boulevard that widens from 95 feet to 132 feet); raised median islands; a traffic control device; curbs and gutters; a sidewalk; streetlights; commercial driveway approaches; drainage facilities; potable water distribution mains; and sanitary sewer collection mains (the "Project" herein). The total cost of the Project is estimated to be \$7,708,072.00, of which an estimated \$1,533,074.00 will be paid by the special assessments that will be levied upon the assessable lots and parcels of property that will be benefited by the Project. The City Council shall provide that such

assessments may be payable without interest or demand during a specified period or, at the election of the owner of the lot or parcel of property upon which such assessment is levied, in twenty (20) substantially equal semiannual installments of principal. The amounts that are to be assessed shall be assessed against all of the assessable lots and parcels of property that are benefited by such improvements, proportionately to the benefits that each such lot or parcel receives, and shall be assessed against the assessable lots and parcels of property that abut, and are benefited by, the improvement that is constructed and installed in ASSESSMENT UNIT NO. I on a front foot basis, i.e., on the basis that each lot or parcel of property that will be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the frontage of such lot or parcel that abuts, and is benefited by, the improvement bears to the frontage of all of the assessable properties that abut, and are benefited by, the improvement in the assessment unit, against the assessable lots and parcels of property that abut, and are benefited by, the improvement that is constructed and installed in either ASSESSMENT UNIT NO. II on a lineal foot basis, i.e., on the basis that each lot or parcel of property that will be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the number of lineal feet of such lot or parcel that abut, and are benefited by, the improvement bears to the number of lineal

feet of all of the assessable properties that abut, and are benefited by, the improvement in the assessment unit, against the assessable lots and parcels of property that abut, and are benefited by, the improvements that are constructed and installed in either ASSESSMENT UNIT NO. III or ASSESSMENT UNIT NO. V on the basis that the lot or parcel of property that abuts the sidewalk, in ASSESSMENT UNIT NO. III, or is served by the driveway approach or approaches, in ASSESSMENT UNIT NO. V, shall be assessed the entire cost and expense of constructing and installing such sidewalk or driveway approach or approaches, as the case may be, in the respective assessment units, against the assessable lots and parcels of property that abut, and are benefited by, the improvement that is constructed and installed in either ASSESSMENT UNIT NO. IV or ASSESSMENT UNIT NO. VIII on a front foot basis, i.e., on the basis that each lot or parcel of property that will be assessed in the respective assessment units shall be assessed a portion of the aggregate dollar amount that is being levied against that entire assessment unit in the proportion that the frontage of such lot or parcel that abuts the street along which the improvement is installed, and is benefited by such improvement, bears to the frontage of all of the assessable properties that abut the street along which the improvement is installed, and are benefited by such improvement, in such assessment unit (provided, however, that, with respect to ASSESSMENT UNIT NO. VIII, the owner of Parcel 138-32-301-001 -- Parcel 138-32-201-001 and Parcel 138-32-301-001 being under

common ownership and the benefit that will inure to Parcel 138-32-201-001 from the sewer main that is adjacent thereto being negligible -- has agreed in writing to assume and pay, as an assessment against Parcel 138-32-301-001, the entire portion of the cost and expense of installing the sewer mains that would otherwise be assessed against both Parcel 138-32-201-001 and Parcel 138-32-301-001), against the assessable lots and parcels of property that are adjacent to, and are benefited by, the improvements that are constructed and installed in ASSESSMENT UNIT NO. VI on the basis that Parcel 138-32-201-001 shall be assessed the entire cost and expense of constructing and installing such drainage facilities (Parcel 138-32-201-001 and Parcel 138-32-301-001 being under common ownership, the benefit that will inure to Parcel 138-32-301-001 from such drainage facilities being negligible and the owner of said Parcels having agreed in writing to assume and pay, as an assessment against Parcel 138-32-201-001, such entire cost and expense) and against the assessable lots and parcels of property that abut the street in which the improvements are installed in ASSESSMENT UNIT NO. VII on the basis that that certain parcel of property that is identified as Parcel 138-32-301-001 shall be assessed the entire cost and expense of installing such potable water distribution mains (Parcel 138-32-201-001, Parcel 138-32-301-001 and Parcel 138-32-701-001 being under common ownership, the benefit that will inure to Parcel 138-32-201-001 and Parcel 138-32-701-001 from such water mains being negligible and the owner of said Parcels having agreed in writing to assume and pay, as an

assessment against Parcel 138-32-301-001, such entire cost and expense). The portion of the costs that is to be assessed against, and the estimated amount of the maximum benefits that are anticipated will be derived from such improvements by, each lot or parcel of property in each of the individual assessment units shall be as is stated in the aforesaid assessment plat. If any lot or parcel of property that is proposed to be so assessed in the respective assessment units is divided, after the date of the hearing as to the propriety and advisability of making the improvements that are constructed and installed by way of the District but prior to the date on which the assessments therefor are levied by ordinance, pursuant to NRS 271.390, into sublots or subparcels, the assessment against such lot or parcel shall be apportioned among such sublots or subparcels on an area basis, i.e., on the basis that each such subplot or subparcel shall be assessed a portion of the aggregate dollar amount that is being levied against that entire lot or parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of that entire lot or parcel.

Regardless of the basis that is used in apportioning the assessments, in the case of a wedge, "V" or other irregularly shaped lot or parcel of property, the amount that is apportioned thereto shall be in proportion to the special benefits that will be derived thereby.

SECTION 4. That, except as is shown on the plans and specifications that relate to the District and are now on file in

the Office of the City Clerk, the character of such improvements is more particularly described as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The street paving shall consist of 1 inch of opengrade over 4 inches of asphaltic concrete pavement, a prime coat and 10 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The curbs and gutters shall be standard Portland cement Class "B" concrete "L" type over 6 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. III (Sidewalk)

The sidewalk shall consist of 4 inches of standard Portland cement Class "B" concrete slabs over 5 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of

the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Street Lighting)

The street lighting system shall consist of double masted 250 watt high pressure sodium vapor luminaires, steel lighting standards on concrete bases and underground circuits (except that the street lights that are installed adjacent to that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-29-401-001 shall be mounted on Type 1B square, tapered, prestressed concrete poles with chambered corners on concrete bases); together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. V (Commercial Driveway Approaches)

Each driveway approach shall consist of a radius driveway with a cross gutter, consisting of 6 inches of standard Portland cement Class B concrete that is reinforced with #4 rebar over 6 inches of Type II aggregate base (together with such driveway paving, consisting of 2 inches of asphaltic concrete pavement over 4 inches of Type II aggregate base, as may be necessary to complete the driveway approach), and a sidewalk with an access ramp for the handicapped on either side of the driveway, consisting of 4 inches of standard Portland cement Class B concrete over 5 inches of Type II aggregate base; together with

the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VI (Drainage Facilities)

The drainage facilities shall consist of a flat bottomed drainage channel, 5 feet in width and approximately 1000 feet in length, which connects into a proposed concrete headwall which, in turn, connects into a proposed 48-inch Class IV reinforced concrete drainage pipe, approximately 90 feet in length, which shall connect with the existing drainage channel in Alta Drive; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VII (Potable Water Distribution Mains)

The potable water distribution mains shall consist of 8-inch, 10-inch and 12-inch polyvinyl chloride potable water distribution pipes; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VIII (Sanitary Sewer Collection Mains)

The sanitary sewer collection mains shall consist of 12-inch polyvinyl chloride sanitary sewer collection pipe (but only that portion of the costs thereof that is equivalent to the costs that would be incurred in the installation of an 8-inch polyvinyl chloride sanitary sewer collection pipe throughout the entire length of such sewer main shall be assessed against the abutting properties); together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

SECTION 5. That the City Clerk be, and she hereby is, authorized, empowered and directed to file in the Office of the County Recorder of Clark County, Nevada, a certified copy of a list of the lots and parcels of property that are to be assessed in the District and the estimated amount of the maximum benefits that are to be assessed against each lot or parcel in the assessment area, as the same is shown on the assessment plat, as such estimated amount may have been revised and approved by the City Council.

SECTION 6. That all of the actions (not inconsistent with the provisions of this Ordinance) that have heretofore been taken by the City, and the officers thereof, and were directed toward the construction and installation of the improvements within each of the assessment units of the District, toward the

creation of the District and toward the levying and effecting of the special assessments to defray the cost thereof be, and the same hereby are, approved, ratified and confirmed.

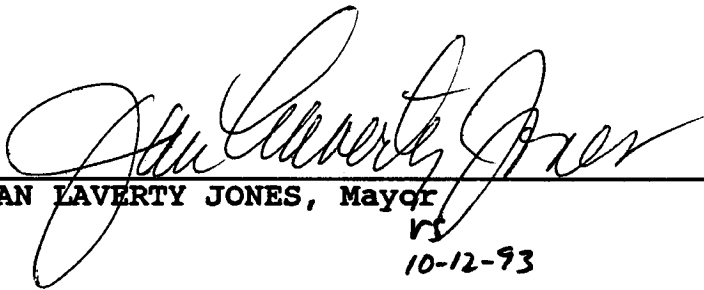
SECTION 7. That all bylaws, orders, resolutions or ordinances, or parts of bylaws, orders, resolutions or ordinances, that are in conflict with this Ordinance are hereby repealed.

SECTION 8. That, if any one or more of the sections, sentences, clauses or parts of this Ordinance shall, for any reason, be judicially questioned or be held to be invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance but shall be confined in its operation to each specific section, sentence, clause or part of this Ordinance that is so held to be unconstitutional or invalid, that the inapplicability or 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 or validity of this Ordinance in any other instance and that each of the assessment units that comprise the District shall be treated separately and distinctly for the purposes of notice, protest and other matters that relate thereto, and, should any of the individual assessment units be defeated by protests or become invalid for any reason, such protests or invalidity, by the operation of law or otherwise, shall not affect the remaining assessment unit or units.

SECTION 9. That the City Clerk, ex officio the Clerk of the City Council, be, and she hereby is, authorized, empowered and

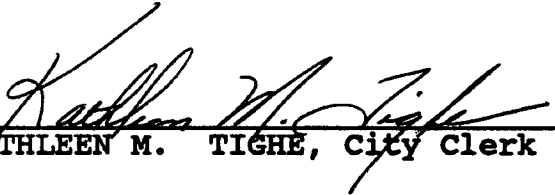
directed to cause this Ordinance to be published once, immediately following its final reading and adoption, in the Las Vegas Review-Journal, a daily newspaper that is published and of general circulation within the City, and this Ordinance shall become effective on the day that immediately follows the day on which such publication is made.

PASSED, ADOPTED AND APPROVED this 6th day of October, 1993.



JAN LAVERTY JONES, Mayor
vs
10-12-93

ATTEST:



KATHLEEN M. TIGHE, City Clerk

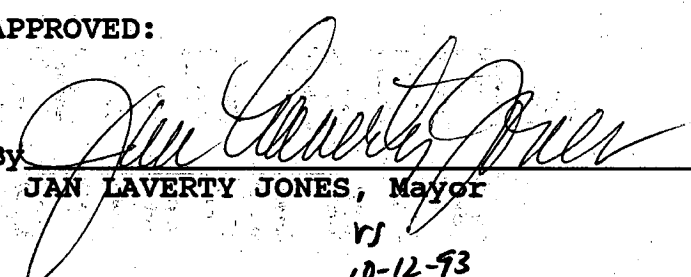
The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of September, 1993, and referred to a committee that was composed of Mayor Jones and Councilman Adamsen for recommendation; thereafter such committee reported favorably on the proposed ordinance on the 6th day of October, 1993, which was a regular meeting of the City Council; and that at such regular meeting the proposed ordinance was read by title to the City Council as it was first introduced and was adopted by the following vote:

VOTING "AYE": Councilmen Nolen, Higginson, Hawkins Jr. and Mayor Jones

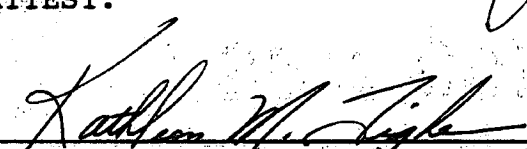
VOTING "NAY": NONE

ABSENT: Councilman Adamsen

APPROVED:

By 
JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

rs
10-12-93

RECEIVED
CITY CLERK

SEP 23 10 38 AM 1993

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 93-47

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1405; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

SPONSORED BY: Ordinance required by step procedure.

SUMMARY: Creates District

At a City Council meeting

September 1, 1993

BILL NO. 93-47 WAS READ BY

TITLE AND REFERRED TO RECOMMENDING COMMITTEE:

Mayor Jones AND Councilman

Adamsen

COPIES OF THE COMPLETE BILL

ARE AVAILABLE FOR PUBLIC

INFORMATION IN THE OFFICE

OF THE CITY CLERK, 5TH

FLOOR, 400 EAST STEWART AVE.

NUE, LAS VEGAS, NEVADA.

PUB: September 17, 1993

Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of SEPTEMBER 17, 1993 to SEPTEMBER 17, 1993, on the following days:

SEPTEMBER 17, 1993

Signed: Andrea Davis

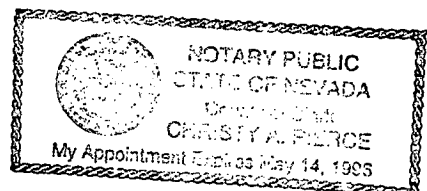
Subscribed and sworn to before me this

20

day of

September, 19 93

Christy A. Pierce
Notary Public



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CITY CLERK

OCT 14 3 58 PM '93

AFFIDAVIT OF PUBLICATION

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BILL NO. 93-47
ORDINANCE NO. 3740

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1405; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

Sponsored by: Ordinance required by step procedure.

Summary: Creates District.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of September, 1993, and referred to the following committee composed of Mayor Jones and Councilman Adamsen, for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of October, 1993, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE" Councilmen: Nolen, Higginson, Howkins Jr. and Mayor Jones

VOTING "NAY" NONE

EXCUSED: Councilman: Adamsen

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR

PUBLIC INFORMATION IN THE

OFFICE OF THE CITY CLERK,

5TH FLOOR, 400 EAST STEWART

AVENUE, LAS VEGAS, NEVADA.

PUB: October 9, 1993

Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 9, 1993 to OCTOBER 9, 1993, on the following days:

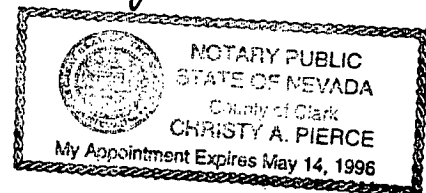
OCTOBER 9, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

12 day of October, 19 93

Christy A. Pierce
Notary Public



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CITY CLERK

SEP 23 10 38 AM '93

AFFIDAVIT OF PUBLICATION

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BILL NO. 93-47
AN ORDINANCE CREATING CITY
OF LAS VEGAS, NEVADA, SPE-
CIAL IMPROVEMENT DISTRICT
NO. 1405; ORDERING THE IN-
STALLATION OF CERTAIN IM-
PROVEMENTS WITHIN THE CITY
OF LAS VEGAS; PROVIDING FOR
THE LEVY AND COLLECTION OF
SPECIAL ASSESSMENTS THERE-
FOR; RATIFYING ACTION THERE-
FORE TAKEN RELATIVE TO
SAID DISTRICT; AND PROVIDING
FOR RELATED MATTERS.
SPONSORED BY: Ordinance
required by step procedure.
SUMMARY: Creates District
At a City Council meeting
September 1, 1993
BILL NO. 93-47 WAS READ BY
TITLE AND REFERRED TO REC-
OMENDING COMMITTEE:
Mayor Jones AND Councilman
Adamsen
COPIES OF THE COMPLETE BILL
ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE
OF THE CITY CLERK, 5TH
FLOOR, 400 EAST STEWART AVE-
NUE, LAS VEGAS, NEVADA.
PUB: September 17, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly
sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS
REVIEW-JOURNAL and THE LAS VEGAS SUN,
daily newspapers regularly issued, published and
circulated in the City of Las Vegas, County of
Clark, State of Nevada, and that the
advertisement, a true copy of which is attached,
was continuously published in the LAS VEGAS
REVIEW-JOURNAL or THE LAS VEGAS SUN for a
period of ONE insertions
from the period of SEPTEMBER 17, 1993
to SEPTEMBER 17, 1993, on the following
days:

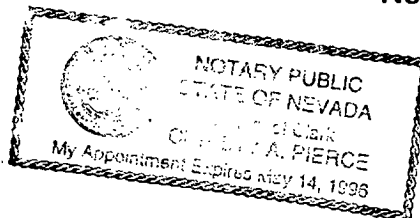
SEPTEMBER 17, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this

20 day of September, 19 93

Christy A. Pierce
Notary Public



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CITY CLERK

AFFIDAVIT OF PUBLICATION

Oct 14 58 PM '93

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BILL NO. 93-47
ORDINANCE NO. 3740

AN ORDINANCE CREATING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1405; ORDERING THE INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

Sponsored by: Ordinance required by step procedure.
Summary: Creates District.
The above and foregoing ordinance was first proposed and read by title to the City Council on the 1st day of September, 1993, and referred to the following committee composed of Mayor Jones and Councilman Adamsen, for recommendation; thereafter the said committee reported favorably on said ordinance on the 6th day of October, 1993, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:
VOTING "AYE" Councilmen: Nolan, Higginson, Hawkins Jr. and Mayor Jones
VOTING "NAY" NONE
EXCUSED: Councilman: Adamsen
COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 5TH FLOOR, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.
PUB: October 9, 1993
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

ANDREA DAVIS, being first duly sworn, deposes and says:

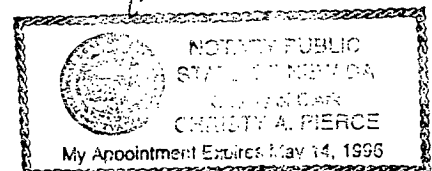
That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 9, 1993 to OCTOBER 9, 1993, on the following days:

OCTOBER 9, 1993

Signed: Andrea Davis

Subscribed and sworn to before me this 12 day of October, 19 93

Christy A. Pierce
Notary Public



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