

Bill No. 90-17

Ordinance No. 3496

AN ORDINANCE AMENDING ORDINANCE NO. 3478, WHICH WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, ON JANUARY 17, 1990, AND CREATED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 491, TO PROVIDE FOR CERTAIN MODIFICATIONS TO THE WATER DISTRIBUTION MAIN THAT IS PROPOSED TO BE CONSTRUCTED AND INSTALLED BY WAY OF ASSESSMENT UNIT NO. VII OF SAID SPECIAL IMPROVEMENT DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN RELATIVE TO SAID SPECIAL IMPROVEMENT DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Sponsored By: Ordinance required by
step procedure.

Summary: Amends
Ordinance Creating
District.

WHEREAS, the City Council of the City of Las Vegas, Nevada, by Ordinance No. 3478 that was passed, adopted and approved on January 17, 1990, created Las Vegas, Nevada, Special Improvement District No. 491 for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of West Charleston Boulevard and portions thereof, as more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution that was passed, adopted and approved on the 1st day of November, 1989, as ASSESSMENT UNIT NO. I, the installation of curbs and gutters along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II, the installation of sidewalks along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. III, the installation of landscaped areas along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IV, the installation of a raised

median island along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. V, the installation of a street lighting system and all facilities incidental thereto along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VI, the installation of a water distribution main along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VII, the installation of sanitary sewer laterals along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VIII and the installation of commercial driveway approaches along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IX and of defraying the entire costs and expenses thereof by special assessments, according to the benefits, against the taxable lots and parcels in each assessment unit of said District; and

WHEREAS, the owners of 100% of the properties that are to be assessed for the water distribution main that will be installed by way of ASSESSMENT UNIT NO. VII have petitioned said City to approve the reduction, from 48 inches to 10 inches, the diameter of that portion of such water main that extends between Grand Canyon Drive and the westerly terminus thereof and to construct and install an additional water main that will connect to the water main in West Charleston Boulevard and extend northerly along the alignment of Grand Canyon Drive a distance of approximately 1,200 feet and have consented in writing to the

increase that will result from such reduction and addition in the amount of the assessments that will be levied against the properties within ASSESSMENT UNIT NO. VII; and

WHEREAS, said City Council desires to amend Section 2, Section 3, Section 4 and Section 5 of said Ordinance No. 3478 to provide for the requested reduction and addition;

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

SECTION 1. Section 2 of Ordinance No. 3478 is hereby amended to read as follows:

SECTION 2. That there shall be, and hereby is, created a special improvement district, consisting of nine (9) separate and distinct assessment units for the purpose of grading, gravelling, macadamizing, paving, draining and otherwise improving West Charleston Boulevard and portions thereof, as more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution which was passed, adopted and approved on the 1st day of November, 1989, as ASSESSMENT UNIT NO. I, installing curbs and gutters along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II, installing sidewalks along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. III, installing landscaped

areas along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IV, installing a raised median island along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. V, installing a street lighting system and all facilities incidental thereto along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VI, installing a water distribution main along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VII and a water distribution main along Grand Canyon Drive and portions thereof as more particularly described in Section 5 of this Ordinance, installing sanitary sewer laterals along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VIII and installing commercial driveway approaches along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IX, to include and be the same as the areas designated in the aforesaid Provisional Order Resolution, and said improvements be, and they hereby are, ordered.

SECTION 2. Section 3 of Ordinance No. 3478 is hereby amended to read as follows:

SECTION 3. That the character and location of the improvements and the boundaries of said District, and of each assessment unit thereof, shall be in all respects as set forth in the aforesaid Provisional Order Resolution (except to the extent inconsistent herewith), as more particularly shown in the plats, diagrams, plans and specifications as filed in the office of said City Clerk prior to the adoption of said Provisional Order Resolution.

The boundaries of said District, which include all the lots and parcels 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 the South Half ($S\frac{1}{2}$) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half ($S\frac{1}{2}$) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half ($N\frac{1}{2}$) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of

the west line of said Section 31.

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 the South Half ($S\frac{1}{2}$) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half ($S\frac{1}{2}$) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half ($N\frac{1}{2}$) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. III (Sidewalks)

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 the South Half ($S\frac{1}{2}$) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half ($S\frac{1}{2}$) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half ($N\frac{1}{2}$) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of

the centerline of Durango Drive (100 feet wide) westerly to a point approximately 1,070 feet east of the north quarter corner of said Section 6.

ASSESSMENT UNIT NO. IV (Landscaping)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Merialdo Lane (60 feet wide) westerly to a point approximately 1,070 feet east of the north quarter corner of said Section 6.

ASSESSMENT UNIT NO. V (Median Island)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of

the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. VI (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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. VII (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 the South Half (S½) of Section 31, or Section 32, Township 20 South, Range 60 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from the west

right-of-way line of Fort Apache Road (100 feet wide) westerly to a point approximately 455 feet west of the north quarter corner of said Section 6 or which abuts Grand Canyon Drive (80 feet wide), or portions thereof, along both sides thereof from a point approximately 30 feet north of the centerline of West Charleston Boulevard northerly a distance of approximately 1,200 feet.

ASSESSMENT UNIT NO. VIII (Sanitary Sewer)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. IX (Commercial Driveway Approaches)

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 the

property within said District. Said City Council shall provide that such assessments may be payable without interest or demand during a specified period, at the election of the property owner, or in twenty substantially equal installments of principal. The amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to be benefits received, and shall be assessed against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. I on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit for the 34 feet of street paving shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of each lot or parcel which abuts the 34 feet of street paving bears to the aggregate frontage of all assessable property abutting the 34 feet of street paving in the assessment unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for the 20 feet of street paving shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of each lot or parcel which abuts the 20 feet of street paving bears to the aggregate frontage of all assessable property

abutting the 20 feet of street paving in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. II and ASSESSMENT UNIT NO. III on a lineal foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number of lineal feet of said lot or parcel which abut the improvement bears to the total

number of lineal feet of all assessable property abutting the improvement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. IV and ASSESSMENT UNIT NO. VII on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or

parcel which abuts the improvement bears to the aggregate frontage of all assessable property abutting the improvement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. V on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit for the island curb shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for the island curb in the proportion that the frontage of said

lot or parcel which abuts the island curb bears to the aggregate frontage of all assessable property abutting the island curb in the assessment unit and each lot or parcel of property to be assessed in the assessment unit for the asphaltic concrete pavement shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for the asphaltic concrete pavement in the proportion that the frontage of said lot or parcel which abuts the asphaltic concrete pavement bears to the aggregate frontage of all assessable property abutting the asphaltic concrete pavement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or

subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. VI on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the street along which the improvement is being installed bears to the aggregate frontage of all assessable property abutting the street along which the improvement is being installed in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such sublot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or

parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. VIII on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number and length of the sewer laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the sewer laterals installed to serve all assessable property in the assessment unit and against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. IX on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number, length and width of the driveway approaches installed to serve said lot or parcel bears to the total number and aggregate length and width of all of the driveway approaches installed to serve all assessable property in the assessment unit. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot

or parcel of property in each of the individual assessment units shall be as stated in the aforesaid assessment plat.

Regardless of the basis used in apportioning the assessments, in case of wedge, "V" or other irregularly shaped lots or parcels, the amounts apportioned thereto shall be in proportion to the special benefits to be derived.

SECTION 4. Section 5 of Ordinance No. 3478 is hereby amended to read as follows:

SECTION 5. That, except as shown on the plans and specifications now on file in the office of said City Clerk, the character of such improvements are more particularly as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The street paving shall consist of 5 inches of asphaltic concrete pavement (including prime coat) over 4 inches of Type II aggregate base and 6 inches of Type I aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The curbs and gutters shall consist of standard Portland cement "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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. III (Sidewalks)

The sidewalks shall consist of 4 inch Portland cement 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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. IV (Landscaping)

The landscaping shall include trees, shrubs, ground cover and an electrically controlled irrigation system; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. V (Median Island)

The median island shall consist of "L" type island curb surrounding the median island landscaped strip that will be installed in connection with Assessment Unit No. IV of said proposed District and, from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to the west right-of-way line of Merialdo Lane (60 feet wide) and from a point approximately 1,070 feet east of the north quarter corner of Section 6, Township 21 South, Range 60 East, M.D.M., westerly to a point approximately 50 feet east of the west line of Section 31, Township 20 South, Range 60 East, M.D.M., 2 inches of asphaltic concrete pavement over 4 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. VI (Street Lighting)

The street lighting system shall consist of 250 watt high pressure sodium vapor luminaires, two mast arm steel lighting standards on concrete bases and underground circuits; together with the installation, removal and relocation of any and all

utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that as filed with said City Clerk.

ASSESSMENT UNIT NO. VII (Water Distribution Mains)

The water distribution mains shall consist of a 48 inch cement mortar lined encoated steel potable water main along West Charleston Boulevard (130 feet wide) from the west right-of-way line of Fort Apache Road (100 feet wide) westerly to a point approximately 16 feet west of the centerline of Grand Canyon Drive (80 feet wide), a 10 inch polyvinyl chloride potable water main along said West Charleston Boulevard from a point approximately 16 feet west of the centerline of said Grand Canyon Drive westerly to a point approximately 455 feet west of the north quarter (N $\frac{1}{4}$) corner of Section 6, Township 21 South, Range 60 East, M.D.M., and a 48 inch cement mortar lined encoated steel potable water main along said Grand Canyon Drive from a point approximately 30 feet north of the centerline of said West Charleston Boulevard northerly a distance of approximately 1,200 feet (but the aggregate costs of said mains that will be assessed against the assessable lots or parcels of property within said proposed District shall not exceed the City Engineer's

estimate of the costs that would be incurred in the installation of a nominal water distribution system that consists of a 24 inch polyvinyl chloride potable water distribution main); together with the installation, removal and relocation of any and all utilities and any and all appurtenances which may be deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that as filed with said City Clerk.

ASSESSMENT UNIT NO. VIII (Sanitary Sewer Laterals)

The sanitary sewer laterals shall consist of 8 inch polyvinyl chloride sewer laterals between the sanitary sewer collection line and the front property lines; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that as filed with said City Clerk.

ASSESSMENT UNIT NO. IX (Commercial Driveway Approaches)

The driveway approaches shall consist of 6 inch Portland cement slabs over 8 inches of Type II aggregate base, reinforced with #3 rebar, together with the installation, removal and relocation of any and all utilities and any and all appurtenances

which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

SECTION 5. That all actions (not inconsistent with the provisions of this Ordinance) heretofore taken by said City, and the officers thereof, directed toward the construction and installation of the improvements within each of the assessment units of said Special Improvement District No. 491, toward the creation of said District, including without limitation the passage, adoption and approval on the 17th day of January, 1990, of Ordinance No. 3478 which created said District, and toward the levying and effecting of special assessments to defray the cost thereof be, and the same hereby are, ratified, approved and confirmed.

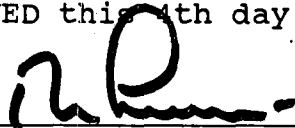
SECTION 6. That all bylaws, orders, resolutions and ordinances, or parts of bylaws, orders, resolutions and ordinances, in conflict with this ordinance are hereby repealed.

SECTION 7. 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 or invalid, and the applicability 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 or validity of this Ordinance in any other

instance, and each of the units which comprise said District shall be treated separately and distinctly for the purpose of notice, protest and other matters relating thereto, and, should any of the individual assessment units be defeated by protest or become invalid for any reason, said protest or invalidity, by operation of law or otherwise, shall not affect the remaining unit or units.

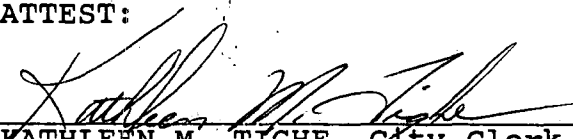
SECTION 8. That said City Clerk and Clerk of said City Council shall cause this Ordinance to be published once immediately following its final reading and adoption in the Las Vegas Sun, a daily newspaper published and of general circulation in said City, and this Ordinance shall become effective on the day immediately following such publication.

PASSED, ADOPTED AND APPROVED this 4th day of April, 1990.



RON LURIE, Mayor OK 4-6-90 RAW

ATTEST:



KATHLEEN M. TIGHE, City Clerk

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of March, 1990, and referred to the following committee composed of Councilmen Higginson and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of April, 1990, which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE" Councilmen: Adamsen, Higginson, Miller, Nolen and Mayor Lurie.

VOTING "NAY" Councilmen: NONE

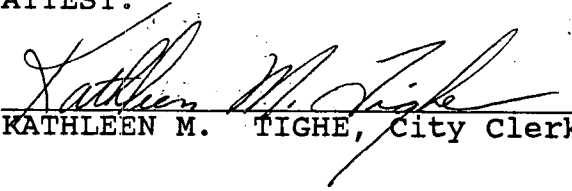
ABSENT: NONE

APPROVED:

By


RON LURIE, Mayor OK 4-6-90 RAW

ATTEST:


KATHLEEN M. TIGHE, City Clerk

Bill No. 90-17

Ordinance No. 3496

AN ORDINANCE AMENDING ORDINANCE NO. 3478, WHICH WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, ON JANUARY 17, 1990, AND CREATED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 491, TO PROVIDE FOR CERTAIN MODIFICATIONS TO THE WATER DISTRIBUTION MAIN THAT IS PROPOSED TO BE CONSTRUCTED AND INSTALLED BY WAY OF ASSESSMENT UNIT NO. VII OF SAID SPECIAL IMPROVEMENT DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN RELATIVE TO SAID SPECIAL IMPROVEMENT DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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WHEREAS, the City Council of the City of Las Vegas, Nevada, by Ordinance No. 3478 that was passed, adopted and approved on January 17, 1990, created Las Vegas, Nevada, Special Improvement District No. 491 for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of West Charleston Boulevard and portions thereof, as more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution that was passed, adopted and approved on the 1st day of November, 1989, as ASSESSMENT UNIT NO. I, the installation of curbs and gutters along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II, the installation of sidewalks along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. III, the installation of landscaped areas along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IV, the installation of a raised median island along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. V, the installation of a street lighting system and all facilities incidental thereto along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VI, the installation of a water distribution main along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VII,

the installation of sanitary sewer laterals along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VIII and the installation of commercial driveway approaches along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IX and ~~of defraying the entire costs and expenses thereof by special~~ assessments, according to the benefits, against the taxable lots and parcels in each assessment unit of said District; and

WHEREAS, the owners of 100% of the properties that are to be assessed for the water distribution main that will be installed by way of ASSESSMENT UNIT NO. VII have petitioned said City to approve the reduction, from 48 inches to 10 inches, the diameter of that portion of such water main that extends between Grand Canyon Drive and the westerly terminus thereof and to construct and install an additional water main that will connect to the water main in West Charleston Boulevard and extend northerly along the alignment of Grand Canyon Drive a distance of approximately 1,200 feet and have consented in writing to the increase that will result from such reduction and addition in the amount of the assessments that will be levied against the properties within ASSESSMENT UNIT NO. VII; and

WHEREAS, said City Council desires to amend Section 2, Section 3, Section 4 and Section 5 of said Ordinance No. 3478 to provide for the requested reduction and addition;

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

SECTION 1. Section 2 of Ordinance No. 3478 is hereby amended to read as follows:

SECTION 2. That there shall be, and hereby is, created a special improvement district, consisting of nine (9) separate and distinct assessment units for the purpose of grading, gravelling, macadamizing, paving, draining and otherwise improving West Charleston Boulevard and portions thereof, as

more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution which was passed, adopted and approved on the 1st day of November, 1989, as ASSESSMENT UNIT NO. I, installing curbs and gutters along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II, installing sidewalks along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. III, installing landscaped areas along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IV, installing a raised median island along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. V, installing a street lighting system and all facilities incidental thereto along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VI, installing a water distribution main along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VII and a water distribution main along Grand Canyon Drive and portions thereof as more particularly described in Section 5 of this Ordinance, installing sanitary sewer laterals along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VIII and installing commercial driveway approaches along West Charleston Boulevard and portions thereof as more particularly described in said Notice of Hearing

as ASSESSMENT UNIT NO. IX, to include and be the same as the areas designated in the aforesaid Provisional Order Resolution, and said improvements be, and they hereby are, ordered.

SECTION 2. Section 3 of Ordinance No. 3478 is hereby amended to read as follows:

~~SECTION 3.~~ That the character and location of the improvements and the boundaries of said District, and of each assessment unit thereof, shall be in all respects as set forth in the aforesaid Provisional Order Resolution (except to the extent inconsistent herewith), as more particularly shown in the plats, diagrams, plans and specifications as filed in the office of said City Clerk prior to the adoption of said Provisional Order Resolution.

The boundaries of said District, which include all the lots and parcels 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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. III (Sidewalks)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 1,070 feet east of the north quarter corner of said Section 6.

ASSESSMENT UNIT NO. IV (Landscaping)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21

South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Merialdo Lane (60 feet wide) westerly to a point approximately 1,070 feet east of the north quarter corner of said Section 6.

ASSESSMENT UNIT NO. V (Median Island)

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 the South Half ($S\frac{1}{2}$) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half ($S\frac{1}{2}$) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half ($N\frac{1}{2}$) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. VI (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 the South Half ($S\frac{1}{2}$) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half ($S\frac{1}{2}$) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half ($N\frac{1}{2}$) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of

the west line of said Section 31.

ASSESSMENT UNIT NO. VII (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 the South Half (S½) of Section 31, or Section 32, Township 20 South, Range 60 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Fort Apache Road (100 feet wide) westerly to a point approximately 455 feet west of the north quarter corner of said Section 6 or which abuts Grand Canyon Drive (80 feet wide), or portions thereof, along both sides thereof from a point approximately 30 feet north of the centerline of West Charleston Boulevard northerly a distance of approximately 1,200 feet.

ASSESSMENT UNIT NO. VIII (Sanitary Sewer)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

ASSESSMENT UNIT NO. IX (Commercial Driveway Approaches)

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 the South Half (S½) of Section 31 or Section 32, Township 20 South, Range 60 East, M.D.M., the South Half (S½) of Section 36, Township 20 South, Range 59 East, M.D.M., or the North Half (N½) of Section 5 or Section 6, Township 21 South, Range 60 East, M.D.M., which abuts West Charleston Boulevard (130 feet wide), or portions thereof, along both sides thereof from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to a point approximately 50 feet east of the west line of said Section 31.

SECTION 3. Section 4 of Ordinance No. 3478 is hereby amended to read as follows:

SECTION 4. That the improvements that are proposed to be installed in said District constitute a portion of a total project that will include the installation of four travel lanes; traffic control devices; two safety (parking) lanes; curbs and gutters; sidewalks; landscaped areas; a raised median island; streetlights; a water distribution main (including an extension thereof along Grand Canyon Drive); sanitary sewer laterals; and drainage facilities, including without limitation a storm drain (the "Project" herein). The total cost of the Project is estimated to be \$6,597,421.57, of which an estimated \$4,200,482.32 will be paid by the special assessments that will be levied against the benefitted lots or parcels of property within said District. Said City Council shall provide that such assessments may be payable without interest or demand during a specified

period, at the election of the property owner, or in twenty substantially equal installments of principal. The amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to be benefits received, and shall be assessed against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. I on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit for the 34 feet of street paving shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of each lot or parcel which abuts the 34 feet of street paving bears to the aggregate frontage of all assessable property abutting the 34 feet of street paving in the assessment unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for the 20 feet of street paving shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of each lot or parcel which abuts the 20 feet of street paving bears to the aggregate frontage of all assessable property abutting the 20 feet of street paving in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the

frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. II and ASSESSMENT UNIT NO. III on a lineal foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number of lineal feet of said lot or parcel which abut the improvement bears to the total number of lineal feet of all assessable property abutting the improvement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel,

against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. IV and ASSESSMENT UNIT NO. VII on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount ~~being levied against the entire assessment unit in~~ the proportion that the frontage of said lot or parcel which abuts the improvement bears to the aggregate frontage of all assessable property abutting the improvement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such sublot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said sublot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. V on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit for the island curb shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for the island curb in the proportion that the frontage of said

lot or parcel which abuts the island curb bears to the aggregate frontage of all assessable property abutting the island curb in the assessment unit and each lot or parcel of property to be assessed in the assessment unit for the asphaltic concrete pavement shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for the asphaltic concrete pavement in the proportion that the frontage of said lot or parcel which abuts the asphaltic concrete pavement bears to the aggregate frontage of all assessable property abutting the asphaltic concrete pavement in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such sublot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said sublot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. VI on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assess-

ment unit in the proportion that the frontage of said lot or parcel which abuts the street along which the improvement is being installed bears to the aggregate frontage of all assessable property abutting the street along which the improvement is being installed in the assessment unit; provided, however, that, if any such lot or parcel is divided after the date of the hearing as to the propriety and advisability of making such improvements, i.e., the 6th day of December, 1989, but prior to the date on which the assessments 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, or portions thereof, that are within 580 feet of the frontage of such lot or parcel on an area basis, i.e., on the basis that each such subplot or subparcel, or portion thereof, shall be assessed a portion of the aggregate dollar amount being levied against the entire lot or parcel in the proportion that the area of said subplot or subparcel, or portion thereof, bears to the aggregate area of the entire lot or parcel, against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. VIII on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number and length of the sewer laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the sewer laterals installed to serve all assessable property in the assessment unit and against the benefitted property abutting said improvements in ASSESSMENT UNIT NO. IX on the basis

that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number, length and width of the driveway approaches installed to serve said lot or parcel bears to the total number and aggregate length and width of all of the driveway approaches installed to serve all assessable property in the assessment unit. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot or parcel of property in each of the individual assessment units shall be as stated in the aforesaid assessment plat.

Regardless of the basis used in apportioning the assessments, in case of wedge, "V" or other irregularly shaped lots or parcels, the amounts apportioned thereto shall be in proportion to the special benefits to be derived.

SECTION 4. Section 5 of Ordinance No. 3478 is hereby amended to read as follows:

SECTION 5. That, except as shown on the plans and specifications now on file in the office of said City Clerk, the character of such improvements are more particularly as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The street paving shall consist of 5 inches of asphaltic concrete pavement (including prime coat) over 4 inches of Type II aggregate base and 6 inches of Type I aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be

improved as filed with said City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The curbs and gutters shall consist of standard Portland cement "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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. III (Sidewalks)

The sidewalks shall consist of 4 inch Portland cement 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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. IV (Landscaping)

The landscaping shall include trees, shrubs, ground cover and an electrically controlled irrigation system; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. V (Median Island)

The median island shall consist of "L" type island curb surrounding the median island landscaped strip that will be installed in connection with Assessment Unit No. IV of said proposed

District and, from a point approximately 70 feet west of the centerline of Durango Drive (100 feet wide) westerly to the west right-of-way line of Merialdo Lane (60 feet wide) and from a point approximately 1,070 feet east of the north quarter corner of Section 6, Township 21 South, Range 60 East, M.D.M., westerly to a point approximately 50 feet east of the west line of Section 31, Township 20 South, Range 60 East, M.D.M., 2 inches of asphaltic concrete pavement over 4 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

ASSESSMENT UNIT NO. VI (Street Lighting)

The street lighting system shall consist of 250 watt high pressure sodium vapor luminaires, two mast arm steel lighting standards on concrete bases and underground circuits; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that as filed with said City Clerk.

ASSESSMENT UNIT NO. VII (Water Distribution Mains)

The water distribution mains shall consist of a 48 inch cement mortar lined encoated steel potable water main along West Charleston Boulevard (130 feet wide) from the west right-of-way line of Fort Apache Road (100 feet wide) westerly to a point approximately 16 feet west of the centerline of Grand Canyon Drive (80 feet wide), a 10 inch

polyvinyl chloride potable water main along said West Charleston Boulevard from a point approximately 16 feet west of the centerline of said Grand Canyon Drive westerly to a point approximately 455 feet west of the north quarter (N $\frac{1}{4}$) corner of Section 6, Township 21 South, Range 60 East, M.D.M., and a 48 inch cement mortar lined encoated steel potable water main along said Grand Canyon Drive from a point approximately 30 feet north of the centerline of said West Charleston Boulevard northerly a distance of approximately 1,200 feet (but the aggregate costs of said mains that will be assessed against the assessable lots or parcels of property within said proposed District shall not exceed the City Engineer's estimate of the costs that would be incurred in the installation of a nominal water distribution system that consists of a 24 inch polyvinyl chloride potable water distribution main); together with the installation, removal and relocation of any and all utilities and any and all appurtenances which may be deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that as filed with said City Clerk.

ASSESSMENT UNIT NO. VIII (Sanitary Sewer Laterals)

The sanitary sewer laterals shall consist of 8 inch polyvinyl chloride sewer laterals between the sanitary sewer collection line and the front property lines; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that as filed with said City Clerk.

ASSESSMENT UNIT NO. IX (Commercial Driveway Approaches)

The driveway approaches shall consist of 6 inch Portland cement slabs over 8 inches of Type II aggregate base, reinforced with #3 rebar, together with the installation, removal and relocation of ~~any and all utilities and any and all appurtenances~~ which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved as filed with said City Clerk.

SECTION 5. That all actions (not inconsistent with the provisions of this Ordinance) heretofore taken by said City, and the officers thereof, directed toward the construction and installation of the improvements within each of the assessment units of said Special Improvement District No. 491, toward the creation of said District and toward the levying and effecting of special assessments to defray the cost thereof be, and the same hereby are, ratified, approved and confirmed.

SECTION 6. That all bylaws, orders, resolutions and ordinances, or parts of bylaws, orders, resolutions and ordinances, in conflict with this ordinance are hereby repealed.

SECTION 7. 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 or invalid, and the applicability 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 or validity of this Ordinance in any other instance, and each of the units which comprise said District shall be treated separately and distinctly for the purpose of notice, protest and other matters relating thereto, and, should any of the individual assessment units be defeated by protest or

become invalid for any reason, said protest or invalidity, by operation of law or otherwise, shall not affect the remaining unit or units.

SECTION 8. That said City Clerk and Clerk of said City Council shall cause this Ordinance to be published once immediately following its final reading and adoption in the Las Vegas Sun, a daily newspaper published and of general circulation in said City, and this Ordinance shall become effective on the day immediately following such publication.

PASSED, ADOPTED AND APPROVED this 21st day of March, 1990.

RON LURIE, Mayor

ATTEST:

KATHLEEN M. TIGHE, City Clerk

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 1990, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 1990, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

RON LURIE, Mayor

ATTEST:

KATHLEEN M. TIGHE, City Clerk

No. 22010

BILL NO. 90-17
Ordinance No. 3496

AN ORDINANCE AMENDING ORDINANCE NO. 3478, WHICH WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA ON JANUARY 17, 1990, AND CREATED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 491, TO PROVIDE FOR CERTAIN MODIFICATIONS TO THE WATER DISTRIBUTION MAIN THAT IS PROPOSED TO BE CONSTRUCTED AND INSTALLED BY WAY OF AS-

SESSMENT UNIT NO. VII OF SAID SPECIAL IMPROVEMENT DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN RELATIVE TO SAID SPECIAL IMPROVEMENT DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Summary: Amends Ordinance Creating District.

Sponsored By: Ordinance required by step procedure.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of March, 1990, and referred to the following committee composed of Councilmen Higginson and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of April, 1990 which was a regular meeting of said Council; 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:
Adamsen, Higginson, Miller,
Nolen and Mayor Lurie

VOTING "NAY" Councilmen:
NONE

ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: April 7, 1990
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

APR 23 2 21 PM '90

Joan Pollock **CITY CLERK**, being first duly sworn,

legal clerk

deposes and says: That he is _____ of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from April 7, 1990 to April 7, 1990

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

April 7

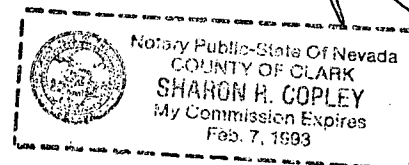
That said newspaper was regularly issued and circulated on each of the dates above named.

Signed Joan Pollock

Subscribed and sworn to before me this 7th day of April, 1990

Sharon R. Copley
Notary Public in and for Clark County, Nevada

My Commission Expires



No. 15758

BILL, NO. 90-17
S.I.D. 491

AN ORDINANCE AMENDING ORDINANCE NO. 3478, WHICH WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, ON JANUARY 17, 1990, AND CREATED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 491, TO PROVIDE FOR CERTAIN MODIFICATIONS TO THE WATER DISTRIBUTION MAIN THAT IS PROPOSED TO BE CONSTRUCTED AND INSTALLED BY WAY OF ASSESSMENT UNIT NO. VII OF SAID SPECIAL IMPROVEMENT DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN RELATIVE TO SAID SPECIAL IMPROVEMENT DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Sponsored By:
Ordinance required by step procedure.

Summary:
Amends Ordinance Creating District.

At a City Council meeting, March 7, 1990, Bill No. 90-17 was read by title and referred to Recommending Committee: Councilmen Higginson and Miller.

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: March 9, 1990
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

MAR 23 3 59 PM '90

Joan Pollack CITY CLERK

, being first duly sworn,

deposes and says: That he is _____ legal clerk _____ of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from March 9, 1990

to March 9, 1990

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

March 9

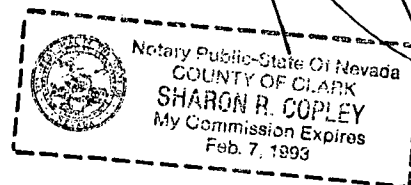
That said newspaper was regularly issued and circulated on each of the dates above named.

Signed

Subscribed and sworn to before me this 9th day of March, 1990

Notary Public in and for Clark County, Nevada

My Commission Expires



FINANCE DEPT

MAR 22 11 08 AM '90

RECEIVED

AFFIDAVIT OF PUBLICATION

No. 15758

BILL NO. 90-17
S.I.D. 491

AN ORDINANCE AMENDING ORDINANCE NO. 3478, WHICH WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, ON JANUARY 17, 1990, AND CREATED LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 491 TO PROVIDE FOR CERTAIN MODIFICATIONS TO THE WATER DISTRIBUTION MAIN THAT IS PROPOSED TO BE CONSTRUCTED AND INSTALLED BY WAY OF ASSESSMENT UNIT NO. VII OF SAID SPECIAL IMPROVEMENT DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN RELATIVE TO SAID SPECIAL IMPROVEMENT DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Sponsored By:
Ordinance required by step
Procedure.

Summary:
Amends Ordinance Creating
District

At a City Council meeting,
March 7, 1990, Bill No. 90-17
was read by title and referred
to Recommending Committee.
Councilmen Higginson and
Miller

COPIES OF THE COMPLETE
ORDINANCE ARE AVAILABLE
FOR PUBLIC INFORMATION
IN THE OFFICE OF THE CITY
CLERK, 10TH FLOOR, CITY
HALL, 400 EAST STEWART
AVENUE, LAS VEGAS, NEVADA

PUB. March 9, 1990
Las Vegas SUN

STATE OF NEVADA, { ss.
COUNTY OF CLARK

MAR 23 3 59 PM '90

Joan Pollack CITY CLERK being first duly sworn,

deposes and says: That he is _____ legal clerk _____ of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time

from March 9, 1990 to March 9, 1990

inclusive, being the issues of said newspaper for the following dates, to-wit:
March 9

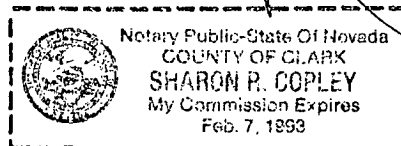
That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed _____

Subscribed and sworn to before me this 9th
day of March, 1990

Notary Public in and for Clark County, Nevada

My Commission Expires



083859

No. 22010

BILL NO. 90-17
Ordinance No. 3496

AN ORDINANCE, AMENDING ORDINANCE NO. 3478, WHICH WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA ON JANUARY 17, 1990, AND CREATED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 491, TO PROVIDE FOR CERTAIN MODIFICATIONS TO THE WATER DISTRIBUTION MAIN THAT IS PROPOSED TO BE CONSTRUCTED AND INSTALLED BY WAY OF AS-

SESSMENT UNIT NO. VII OF SAID SPECIAL IMPROVEMENT DISTRICT, RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN RELATIVE TO SAID SPECIAL IMPROVEMENT DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Summary: Amends Ordinance Creating District.

Sponsored By: Ordinance required by step procedure.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 7th day of March, 1990, and referred to the following committee composed of Councilmen Higginson and Miller for recommendation; thereafter the said committee reported favorably on said ordinance on the 4th day of April, 1990 which was a regular meeting of said Council; 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: Adamsen, Higginson, Miller, Nolen and Mayor Lurie

VOTING "NAY" Councilmen: NONE

ABSENT: NONE

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: April 7, 1990
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

APR 23 2 21 PM '90

Joan Pollack CITY CLERK, being first duly sworn,

legal clerk

deposes and says: That he is _____ of the LAS VEGAS SUN, a daily newspaper of general circulation, printed and published at Las Vegas, in the County of Clark, State of Nevada, and that the attached was continuously published in said newspaper for a period of 1 time

from April 7, 1990 to April 7, 1990

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

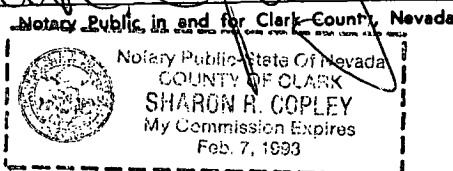
April 7

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

Signed

Subscribed and sworn to before me this 7th day of April, 1990

My Commission Expires



083844