

ORDINANCE NO. 1746

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 415; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the Board of Commissioners of the City of Las Vegas, Nevada, has heretofore taken action preliminary to the creation of Las Vegas, Nevada, Special Improvement District No. 415, for the purpose of improving certain streets and parts thereof, within that certain area of said City described in the Provisional Order Resolution passed and approved on the 9th day of October, 1974, and to defray the entire costs and expenses thereof by special assessments, according to benefits, against the taxable lots and premises of said District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes, and the aforesaid Provisional Order Resolution, said Board of Commissioners declared its determination to create the District for the purpose of making said improvements stating therein the improvements, that the entire expense thereof shall be paid by special assessments, and that the assessment is to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made within said District; and

WHEREAS, pursuant to said Resolution, said Board of Commissioners directed the City Clerk of said City to give notice of the estimates of the expense of the improvements and plats and diagrams theretofore filed, and of the time and place of hearing thereon, and said notice was given in the manner specified by the laws of the State of Nevada and in accordance with the directions contained in said resolution; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, at said hearing with respect to Assessment Unit No. I:

1. One (1) verbal protest was received with respect to 2 1/2% of assessable area.

2. The Board of City Commissioners having duly considered said protest, determined it to be in the best interest of said District, the City and the inhabitants thereof to create the District as heretofore proposed.

3. The owners of less than one-half of the area to be assessed filed written or verbal objections; and

WHEREAS, said Board of Commissioners has done all things necessary and preliminary to the creation of said Las Vegas, Nevada, Special Improvement District No. 415, including, but not necessarily limited to, the filing with the City Clerk by the City Engineer of a revised and accurate estimate of the cost, plans, assessment plat, specifications and map, and desires now to order such improvements and work by this ordinance.

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

SECTION 1. That said Board of Commissioners has determined, and does hereby determine, that each and every protest and objection filed or otherwise made in connection with Assessment Unit I, of Las Vegas, Nevada, Special Improvement District No. 415 (representing less than fifty percent (50%) of the area to be assessed in said District) is without merit, and that the same be, and hereby is, overruled and finally passed upon by said Board.

SECTION 2. That there shall be, and hereby is, created an improvement district for the purpose of improving certain streets and parts thereof within that certain area of said City described in the Provisional Order Resolution passed and approved on the 2nd day of October, 1974, to include and be the same as the areas designated in the aforesaid Provisional Order Resolution, and said improvements be, and hereby are ordered.

SECTION 3. That the character and location of the improvements and the boundaries of the District 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 City Clerk's office prior to the adoption of said Provisional Order Resolution, and as since remaining on file therein.

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

Those portions of Section 36, Township 20 South, Range 61 East, M.D.M., and Section 31 and 32, Township 20 South, Range 62 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, adjoining East Stewart Avenue on the South from a point approximately 703 feet east of the centerline of 28th Street

to Pecos Drive; from a point approximately 402 feet east of the centerline of Pecos Drive to a point approximately 662 feet East of the centerline of Honolulu Street; from Sandhill Road to a point approximately 645 feet East of the centerline of Sandhill Road; from a point approximately 1290 feet west of the centerline of Lamb Boulevard to Lamb Boulevard; from Page Street to Nellis Boulevard; on the North side of Stewart Avenue from 30th Street to a point approximately 540 feet East of the centerline of Pecos Drive; from a point approximately 1032 feet West of the centerline of Lamb Boulevard to Nellis Boulevard.

The proposed improvements will result in no substantial change in the existing street elevations or grades.

All persons interested are hereby advised that the plans, plats, typical sections, preliminary estimates of cost, the description of the property to be assessed, the portion of the cost to be assessed there against and the maximum amount of benefits estimated to be conferred on each piece or parcel of property are on file in the Office of the City Clerk and may be inspected by any property owner, or other interested persons, during regular office hours.

SECTION 4. The amounts to be assessed shall be made upon all lots and parcels of property benefitted, proportionately to the benefits received and shall be assessed against the property abutting said improvements in said assessment unit on an area basis, i.e., on the basis that each lot or parcel of property to be assessed in each assessment unit shall be assessed a portion of the aggregate dollar amount being levied against that particular entire assessment unit in the proportion that the area of said lot or parcel bears to the area of all the assessable property in such assessment unit, provided that the depth of a lot or parcel in excess of 100 feet from the frontage facing the improvements shall not be considered in computing the area of such lot or parcel provided that in each assessment unit an equitable adjustment will be made for assessments levied against any irregular lots or parcels, so that the assessments according to benefits are equal and uniform. 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 shall be as stated in the aforesaid assessment plat.

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

SECTION 5. Except as shown on the plans and specifications now on file in the Office of the City Clerk, the character of such improvements shall be more particularly as follows:

The improvements shall include the installation of street lighting, consisting of sodium vapor luminaires and steel lighting standards with concrete bases and underground wiring; the installation of concrete curbs and gutters, with commercial driveway openings as required, and an eight foot (8') parking lane on each side of Stewart Avenue from 28th Street to Nellis Boulevard, except where adequate improvements have previously been installed, to include the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

SECTION 6. That all actions (not inconsistent with the provisions of this ordinance) heretofore taken by the City of Las Vegas, and the officers of said City, directed toward the construction and installation of the improvements within said Improvement District No. 415, toward the creation of said District No. 415, and toward the levying and effecting of special assessments to defray the cost thereof, be, and the same hereby are, ratified, confirmed and approved.

SECTION 7. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict herewith are hereby repealed.

SECTION 8. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses, or parts of this ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instance.

SECTION 9. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas

Review Journal, a daily newspaper published in and of general circulation in said City, and this ordinance shall become effective immediately following the second publication thereof.

PASSED, ADOPTED AND APPROVED this 18th day of December, 1974.


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

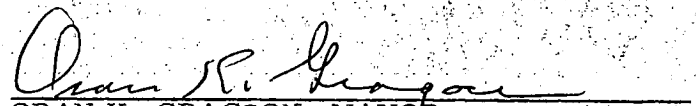
(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 20th day of November, 1974, and referred to the following committee composed of Commissioners Franklin and Christensen for recommendation; thereafter the said committee reported favorably on said ordinance on the 18th day of December, 1974, which was a regular meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Christensen, Lurie, Morelli and Mayor Gragson

VOTING "NAY": None ABSENT (Temporarily) Commissioner Franklin

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

RECEIVED

Nov 26 9 43 AM '74 AFFIDAVIT OF PUBLICATION

STATE OF NEVADA
COUNTY OF CLARK

George J. Vasconi being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of November 25, 1974 to November 25, 1974 inclusive, being the issue of said newspaper for the following dates, to wit:

November 25, 1974

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

SIGNED

George J. Vasconi
GEORGE J. VASCONI

Subscribed and sworn to before me this 25 day of November 19, 74.

ORDINANCE NO. 1746

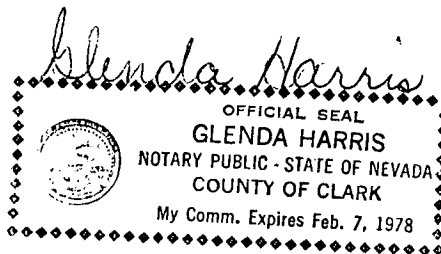
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The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 20th day of November, 1974, and referred to the following committee composed of Commissioners Franklin and Christensen for recommendation.

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

November 25, 1974

NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA



RECEIVED

DEC 26 1 32 PM '74

CITY CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA) SS
COUNTY OF CLARK)

Mr. George J. Vasconi, being first duly sworn, deposes and says that he is Business Manager for the LAS VEGAS REVIEW-JOURNAL, a daily newspaper 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 one insertions from period of December 24, 1974 to December 24, 1974 inclusive, being the issue of said newspaper for the following dates, to wit:

December 24, 1974

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

SIGNED

George J. Vasconi

GEORGE J. VASCONI

Subscribed and sworn to before me this 24 day of December 1974

ORDINANCE NO. 1746

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 415; ORDERING THE IMPROVEMENT OF CERTAIN STREETS AND PARTS THEREOF; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING ACTION HERETOFORE TAKEN RELATIVE TO SAID DISTRICT; AND PROVIDING FOR RELATED MATTERS.

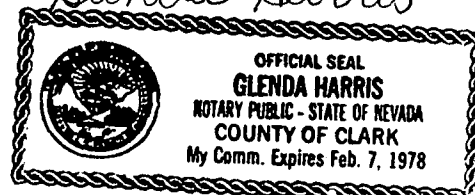
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VOTING "AYE": Commissioners Christensen, Lurie, Morell and Mayor Gregson
VOTING "NAY": None ABSENT (Temporarily) Commissioner Franklin

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 E. STEWART AVENUE, LAS VEGAS, NEVADA.
Dec. 24, 1974

NOTARY PUBLIC, IN AND FOR
CLARK COUNTY, NEVADA

Glenda Harris



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DEC 28 10 28 AM '74

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