

ORDINANCE NO. 1730

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 413; 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. 413 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 17th day of July, 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. 413:

1. Two (2) written protests, one (1) of which was also a verbal protest, were received with respect to 17% of assessable area.

2. The Board of City Commissioners having duly considered each of said protests, 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. 413, 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 Units I, II, III and IV of Las Vegas, Nevada, Special Improvement District No. 413 (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 17th day of July, 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:

ASSESSMENT UNIT NO. 1

Those portions of Section 8, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

All those parcels of land adjoining Rancho Drive on the West, from a point 226 feet South of the Centerline of Sahara Avenue to Sirius Avenue.

That portion of Section 9, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

That parcel of land adjoining Rancho Drive on the East, from Sahara Avenue to Interstate Highway Route 15.

ASSESSMENT UNIT NO. II

Those portions of Section 8, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

All those parcels of land adjoining Sirius Avenue from Rancho Drive to Valley View Boulevard.

ASSESSMENT UNIT NO. III

That portion of Section 8, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

That parcel of land adjoining Rancho Drive on the West from a point 226 feet South of the centerline of Sahara Avenue to Kings Way.

ASSESSMENT UNIT NO. IV

That portion of Section 9, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

That parcel of land adjoining Rancho Drive on the East, from Sahara Avenue to Interstate Route 15.

Those portions of Section 8, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

Those parcels of land adjoining Sirius Avenue on the South from Rigel Avenue to Valley View Boulevard; those parcels of land adjoining Sirius Avenue on the North from Rigel Avenue to Sheridan Street and that parcel from a point 250 feet East of the centerline of Valley View Boulevard to a point 300 feet east of the centerline of Valley View 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 thereagainst 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 Assessment Unit I, II, III and IV, 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.

ASSESSMENT UNIT NO. I

The improvements shall include the installation of street paving, curb and gutter on the east side of Rancho Drive from the south edge of Sahara Avenue to a point 226 feet south of the centerline of Sahara Avenue; along both sides thereof from a point 226 feet south of the centerline of Sahara Avenue to Sirius Avenue, except where adequate pavement, curb and gutter has already been installed; the installation of street lighting consisting of mercury vapor luminaires and steel lighting standards with concrete bases along Rancho Drive from Sahara Avenue southward to Sirius Avenue, to include the necessary drainage facilities, the 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.

ASSESSMENT UNIT NO. II

The improvements shall include the installation of street paving, curb and gutter, and street lighting along Sirius Avenue from Rancho Drive to Valley View Boulevard, to include the 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, dia-

grams and plans of the work and the locality to be improved, now on file in the Office of the City Clerk.

ASSESSMENT UNIT NO. III

The improvements shall include the installation of sidewalks along the west side of Rancho Drive from a point 226 feet south of the centerline of Sahara Avenue to Kings Way, 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.

ASSESSMENT UNIT NO. IV

The improvements shall include the installation of commercial driveway openings, as requested by the property owners, along Rancho Drive from Sahara Avenue to Sirius Avenue and along Sirius Avenue from Rancho Drive to Valley View Boulevard, 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. 413, toward the creation of said District No. 413, 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.

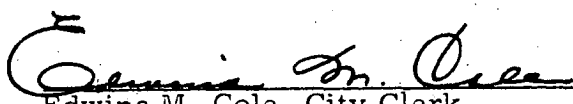
SECTION 8. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific 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 2nd day of ^{October}~~September~~, 1974.


ORAN K. GRAGSON, MAYOR

ATTEST:


Edwina M. Cole, City Clerk

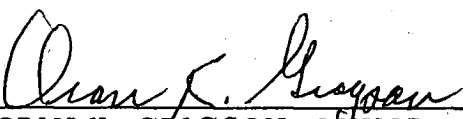
(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 18th day of September, 1974, and referred to the following committee composed of Commissioners Christensen and Lurie for recommendation; thereafter, the said committee reported favorably on said ordinance on the 2nd of October, 1974, which was a regular meeting of the 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:

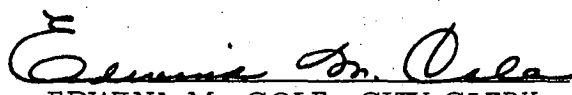
VOTING "AYE": Commissioners Christensen, Lurie, Franklin, Morelli and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:


ORAN K. GRAGSON, MAYOR

ATTEST:


EDWINA M. COLE, CITY CLERK

RECEIVED
OCT 9 1974
CITY CLERK

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

ROBERT E. HUNTER, being first duly sworn,

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

from OCTOBER 7, 1974 to

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

OCTOBER 7, 1974

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

Signed Robert E. Hunter

Subscribed and sworn to before me this 7th
day of OCTOBER 1974

Notary Public

Notary Public in and for Clark County, Nevada
Notary Public—State of Nevada
COUNTY OF CLARK
My Commission Expires April 14, 1977



My Commission Expires

ORDINANCE NO. 1730
An Ordinance creating Las Vegas,
Nevada; Special Improvement
District No. 413; ordering the im-
provement 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.
The above and foregoing ordinance
was first proposed and read by title
to the Board of Commissioners on
the 18th day of September, 1974,
and referred to the following com-
mittee composed of Commissioners
Christensen and Lurie for recommen-
dation; thereafter, the said com-
mittee reported favorably on said
ordinance on the 2nd day of Oc-
tober, 1974, which was a regular
meeting of Board; that at said
regular meeting, the proposed or-
dinance was read by title to the
Board of Commissioners as first in-
troduced and adopted by the
following vote:
VOTING "AYE": Commissioners
Christensen, Lurie, Franklin, Morelli
and Mayor Gragsan.
VOTING "NAY": None. ABSENT:
None.
Copies of the complete Ordinance
No. 1730 are available in the Office
of the City Clerk, 10th Floor, City
Hall, 400 E. Stewart Avenue, Las
Vegas, Nevada.
PUB.: Oct. 7, 1974

ORDINANCE NO. 1730
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VEGAS, NEVADA, SPECIAL IM-
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LEVY AND COLLECTION OF SPEC-
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RATIFYING ACTION HERETOFORE
TAKEN RELATIVE TO SAID DIS-
TRICT; AND PROVIDING FOR RE-
LATED MATTERS.

The above and foregoing ordinance
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and referred to the following com-
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Christensen and Lurie for recommen-
dation.
COPIES OF THE COMPLETE OR-
DINANCE ARE AVAILABLE AT THE
OFFICE OF THE CITY CLERK, 10th
FLOOR, 400 STEWART AVENUE,
LAS VEGAS, NEVADA.
PUB.: Sept. 23, 1974

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, { ss.
COUNTY OF CLARK

ROBERT E. HUNTER

, being first duly sworn,

COMPOSING ROOM FOREMAN

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 SEPTEMBER 23, 1974 to

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

SEPTEMBER 23, 1974

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

Signed _____

Subscribed and sworn to before me this 23rd
day of SEPTEMBER 1974

My Commission Expires



Notary Public in and for Clark County, Nevada

Notary Public--State of Nevada
COUNTY OF CLARK

My Commission Expires April 14, 1977

RECEIVED

SEP 25 9 42 AM '74

CITY CLERK

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