

ORDINANCE NO. 1658

AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 493 ORDERING THE IMPROVEMENT OF STREET PAVING AND STREET LIGHTING WITHIN THE CITY OF LAS VEGAS, NEVADA; 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. 493, for the purpose of improvement of street paving and street lighting, within that certain area of said City described in the provisional order resolution passed and approved on the 23rd day of May, 1973, and to defray the entire costs and expenses thereof by special assessments, according to the benefits, against the taxable lots and premises in each assessment unit 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 improvement of street paving and street lighting within said improvement unit thereof, stating therein the improvements, that the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to the benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made within each assessment unit of 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 no protest, either written or verbal, were received with respect to Assessment Unit Nos. 1 and 2; and

said Board, having duly considered the matter, determined it to be in the best interests of said District of the City and the inhabitants thereof to create the District as heretofore proposed; and

WHEREAS, 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. 493 including, but not necessarily limited to, the filing with the City Clerk by the City Engineer of a revised and accurate estimate of costs, 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 the municipality shall pay one-half (1/2) or more of the total cost of said District with funds derived from other than the levy of assessments, that each and every protest and objection filed or otherwise made in connection with Las Vegas, Nevada, Special Improvement District No. 493 (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 street paving and street lighting within that certain area of said City described in the provisional order resolution passed and approved on the 23rd day of May, 1973, to include and be the same as the area as 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

PARCEL 1:

Those certain tracts or parcels of land situate in the South Half (S $\frac{1}{2}$) of Section 36, T. 20 S., R. 61 E., M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, which adjoin EAST CHARLESTON BOULEVARD on the North, as follows:

A. From the East line of 28th Street, Easterly a distance of 200 feet.

B. From a point that is 551 feet Easterly from the East line of 28th Street, Easterly 269 feet to a point that is 151 feet Westerly from the West line of 30th Street.

C. From the East line of Mojave Road, Easterly to the West line of Pecos Street.

PARCEL 2:

Those certain tracts or parcels of land situate in the South Half (S $\frac{1}{2}$) of Section 31, T. 20 S., R. 62 E., M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, which adjoin EAST CHARLESTON BOULEVARD, on the North, as follows:

A. From the East line of Pecos Street, Easterly to the West line of Honolulu Street.

B. From a point that is 373 feet Easterly from the East line of Honolulu Street, Easterly 511 feet to a point that is 238 feet Westerly from the West line of Del Amo Drive.

C. From a point that is 100 feet Easterly from the East line of Del Amo Drive, Easterly 509 feet to the West line of Sacramento Drive.

D. From a point that is 345 feet Easterly from the East line of Prince Lane, 526 feet to a point that is 20 feet Westerly from the West line of Moonlight Drive.

ASSESSMENT UNIT NO. 2

PARCEL 1:

Those certain tracts or parcels of land situate in the South

Half (S½) of Section 36, T. 20 S., R. 61 E., M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, which adjoin EAST CHARLESTON BOULEVARD, on the North, as follows:

A. From the East line of 28th Street, Easterly a distance of 200 feet.

B. From a point that is 551 feet Easterly from the East line of 28th Street, Easterly 269 feet to a point that is 151 feet Westerly from the West line of 30th Street.

C. From the East line of Mojave Road, Easterly to the West line of Pecos Street.

PARCEL 2:

Those certain tracts or parcels of land situate in the South Half (S½) of Section 31, T. 20 S., R. 62 E., M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, which adjoin EAST CHARLESTON BOULEVARD, on the North, as follows:

A. From the East line of Pecos Street, Easterly to the West line of Honolulu Street.

B. From a point that is 373 feet Easterly from the East line of Honolulu Street, Easterly 511 feet to a point that is 238 feet Westerly from the West line of Del Amo Drive.

C. From a point that is 100 feet Easterly from the East line of Del Amo Drive, Easterly 509 feet to the West line of Sacramento Drive.

D. From the East line of Sacramento Drive, Easterly to the West line of Ronald Lane.

E. From the East line of Ronald Lane, Easterly 131 feet to a point that is 131 feet Westerly from the West line of Prince Lane.

F. From a point that is 345 Feet Easterly from the East line of Prince Lane, Easterly 526 feet to a point that is 20 feet Westerly from the West line of Moonlight Drive.

Section 4. The amounts to be assessed shall be made upon all lots and parcels of property benefited, proportionately to the benefits received and shall be assessed against the property abutting said improvements on an area basis, i.e., on the basis that each lot or parcel of property to be assessed in each such assessment unit shall be assessed a portion of the aggregate dollar amount being levied against that

particular entire assessment 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 by apportioning assessments, in 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 of 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:

ASSESSMENT UNIT NO. 1

The improvements shall include the installation of street paving approximately 9 feet wide and curb and gutter along the north side of East Charleston Boulevard from 28th Street easterly to Lamb Boulevard, except where adequate improvements have already 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.

ASSESSMENT UNIT NO. 2

The improvements shall include the installation of street lighting, consisting of mercury vapor luminaires and steel lighting standards with concrete bases, along the north side of East Charleston Boulevard from 28th Street easterly to Lamb Boulevard, except where adequate lighting has already 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, not 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. 493, toward the creation of said District, and toward levying and effecting special assessments to defray the cost thereof, be, and the same hereby are, ratified, approved and confirmed.

Section 7. That all by-laws, orders, resolutions and ordinances, or parts of by-laws, orders, resolutions and ordinances, in conflict with this ordinance, are hereby repealed.

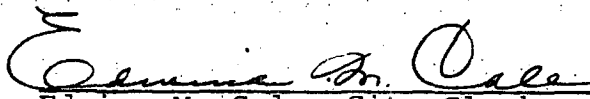
Section 8. That if any one or more sections, sentences, clauses, or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance 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 3rd day of October, 1973.


~~ORAN K. GRASSON, MAYOR~~
HAL F. MORELLI, MAYOR PRO TEM

ATTEST:


Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 19th day of September, 1973, 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 3rd day of October, 1973, which was a regular meeting of said Board; that at

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

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 day

from Sept. 22, 1973 to

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

Sept. 22, 1973

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 24
day of Sept. 1973

My Commission Expires



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

ORDINANCE NO. 1658
AN ORDINANCE CREATING LAS
VEGAS, NEVADA, SPECIAL
IMPROVEMENT DISTRICT NO. 493
ORDERING THE IMPROVEMENT OF
STREET PAVING AND STREET
LIGHTING WITHIN THE CITY OF
LAS VEGAS, NEVADA; PROVIDING
FOR THE LEVY AND COLLECTION
OF SPECIAL ASSESSMENTS
THEREFOR; RAISING ACTION
HERETOFORE TAKEN RELATIVE TO
SAID DISTRICT AND PROVIDING
FOR RELATED MATTERS.

The above and foregoing or-
dinance was first proposed and read
by title to the Board of Com-
missioners on the 19th day of
September, 1973, and referred to
the following committee composed
of Commissioners Christensen and
Lurie for recommendation.

COPIES OF THE COMPLETE
ORDINANCE No. 1658 ARE
AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE OF
THE CITY CLERK, 10TH FLOOR, 400
E. STEWART AVENUE, LAS VEGAS,
NEVADA.

Pub. Sept. 22, 1973

RECEIVED

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ORDINANCE NO. 1658
 AN ORDINANCE CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 493 ORDERING THE IMPROVEMENT OF STREET PAVING AND STREET LIGHTING WITHIN THE CITY OF LAS VEGAS, NEVADA; 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 19th day of September 1973; 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 3rd day of October, 1973, 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 adapted by the following vote:

Voting "Aye": Commissioners Christensen, Lurie, Franklin and Mayor Pro Tem Morelli.

Voting "Nay": None. Absent: Mayor Gragsan (excused).

Copies of the complete Ordinance No. 1658 are available for public information in the Office of the City Clerk, 10th Floor, 400 E. Stewart Avenue, Las Vegas, Nevada.
 PUB.: Oct. 6, 1973

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
 COUNTY OF CLARK } ss.

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 Day

from October 6, 1973 to

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

October 6, 1973

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

Signed _____

Subscribed and sworn to before me this 10th day of October, 1973

[Signature]

 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 _____

RECEIVED
 OCT 15 3 23 PM '73
 CITY CLERK