

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN SAID CITY BY INSTALLING A COMPLETE STREET LIGHTING SYSTEM, TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-11 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; AND TO DEFRAY THE ENTIRE COST AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO FRONTAGE FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD; DIRECTING NOTICE THEREOF TO BE GIVEN; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, A certain street in the City of Las Vegas, Nevada is without adequate street lighting, and

WHEREAS, the said Board of Commissioners deems it expedient and for the best interests of said City to improve that certain street hereinafter particularly described by installing thereon a complete street lighting system, and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-11 for the purpose of making said improvements, and to defray the entire cost and expense thereof by special assessments made according to the frontage against the owners and the assessable lots, premises, and property specially benefited by such improvements and included within said district; and

WHEREAS, there is not included within said district any lands belonging to the City or public grounds not taxable, and in no case does the estimated amount of any special assessment upon any lot or premise for said improvements exceed 50% of the value as such lot or premise as shown upon the latest tax list or assessment roll for State and County Tax, and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas, it is fair and equitable that no portion of said cost and expense be borne by the City from its general funds; and

WHEREAS, at a regular meeting of the Board of Commissioners of the City of Las Vegas, held on the 20th day of February, 1952, upon motion of Commissioner Whipple and duly seconded by Commissioner Peccole and unanimously carried, a resolution was adopted and approved, directing the City Engineer to make estimates of the expense thereof and plats, diagrams and plans of work of the locality to be improved, and to file such estimates, plats, diagrams and plans with the City Clerk for public examination, and

WHEREAS, on the 25th day of March, 1953, said estimates, plats, diagrams and plans were so filed.

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

Section 1. That the Board of Commissioners of the City of Las Vegas, County of Clark, and State of Nevada, does hereby declare its determination to make certain public improvements by installing along that certain street hereinafter described a complete street lighting system, to create a special assessment district therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said district.

Section 2. That the Board proposes to improve said street by constructing thereon street lighting facilities which include concrete bases, aluminum standards, mercury vapor luminaires and single overhead wire and series lighting system, together with such appurtenances as may be required, as more particularly shown by the plats, diagrams and plans of the work and locality to be improved now on file in the office of the City Clerk of the City of Las Vegas.

Section 3. That the certain street which the Board proposes so to have improved, is the following:

South Fifth Street from the South City limits to a point approximately 730 feet north of the intersection of South Fifth Street and South Main Street.

Section 4. That the special assessment district which it is proposed to create shall be designated Street Improvement Assessment District No. 100-11, and it shall include all the lots, premises and property, to the full depth of such fronting, adjoining and abutting upon said street.

Section 5. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

Section 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Monday the 6th day of April, 1953, at the hour of 8:00 o'clock P.M., to hear and consider any suggestions and

objections that may be made by parties in interest to the proposed improvements or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

Section 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams, and plans with the City Clerk for examination, of the proposed improvement or work, of the location of the improvement, and of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Said notice shall be given by publication for at least once a week for two successive weeks in the Las Vegas Sun, a daily newspaper published in said City of Las Vegas, and by posting notices in three public places near the site of said proposed work.

Section 8. 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 9. 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 and invalid, and the inapplicability 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 and validity of this ordinance in any other instances.

Section 10. That by reason of the fact that the streets of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 11. That the City Clerk and Clerk of the Board of Commissioners

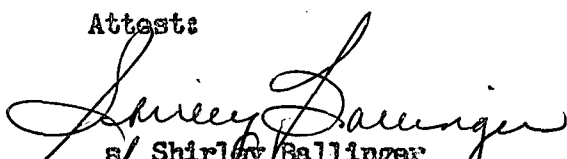
of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Sun, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED ADOPTED AND APPROVED this 25th day of

March, 1953.

(SEAL)

Attest:


s/ Shirley Ballinger
City Clerk


s/ C. D. Baker
Mayor

Commissioner Dunbar then duly seconded the motion to adopt the foregoing ordinance. The question being upon the adoption of said ordinance, the roll was called with the following result:

Those voting "Aye"

Commissioner Bunker,
Commissioner Jarrett,
Commissioner Pecole,
Commissioner Whipple, And
Mayor Baker,
Absent: None

Those voting "Nay" None

Thereupon, the presiding officer declared said motion carried and the ordinance duly passed and adopted.

It was then moved by Commissioner Pecole and seconded by Commissioner Dunbar that all rules of this Board which might prevent, unless suspended, the final passage and adoption of this ordinance at this meeting be and the same are hereby suspended for the purpose of permitting the final passage and adoption of said emergency ordinance at this meeting.

The question being upon the adoption of said motion and the suspension of the rules, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker
Commissioner Jarrett
Commissioner Pecole
Commissioner Whipple
Mayor Baker
Absent: None

Those voting "Nay": None

The presiding officer declared said motion carried and the rules suspended.

Commissioner Pecole then moved that said ordinance heretofore introduced and read in full at this meeting be now placed upon its passage. Commissioner Dunbar seconded the motion, and the question being upon its passage, the roll was called with the following result:

Those voting "Aye"

Commissioner Bunker
Commissioner Jarrett
Commissioner Pecole

Commissioner Whipple, and

Mayor Baker,

Absents: None.

Those voting "Nay": None.

The presiding officer declared the motion carried and the ordinance placed upon its final passage.

Commissioner _____ then moved that said ordinance be passed and adopted as read and as an emergency ordinance. Commissioner _____ seconded the motion. The question being upon the passage and adoption of said ordinance, the roll was called with the following results:

Those voting "Aye":

Commissioner Bunker

Commissioner Jarrett

Commissioner Paccola

Commissioner Whipple, and

Mayor Baker

Absents: None

Those voting "Nay": None

The presiding officer thereupon declared that _____ Commissioners having voted in favor thereof, said motion was carried and said ordinance was duly passed and adopted as an emergency ordinance.

On motion duly adopted, it was ordered that said Emergency Ordinance be numbered 534, and after approval by the Mayor shall be published as in said ordinance designated, and shall be recorded according to law.

There being no further business to come before the Board of Commissioners the meeting was, on motion duly made, seconded and carried, adjourned.

B. S. D. Baker
Mayor

ATTEST:

s/ Shirley Ballinger
City Clerk

Emergency Ordinance No. 534, copied into City of Las Vegas Commissioners' Minute Book.

STATE OF NEVADA)
COUNTY OF CLARK) SS
CITY OF LAS VEGAS)

I, SHIRLEY BALLINGER, THE DULY ELECTED, QUALIFIED AND ACTING CITY CLERK IN AND FOR THE CITY OF LAS VEGAS, COUNTY OF CLARK AND STATE OF NEVADA, DO HEREBY CERTIFY THAT THE FOREGOING PAGES NUMBERED 1 TO 7, BOTH INCLUSIVE, ARE A TRUE, PERFECT AND CORRECT COPY OF THE RECORD OF THE PROCEEDINGS TAKEN BY THE BOARD OF COMMISSIONERS OF SAID CITY AT A SPECIAL MEETING HELD ON WEDNESDAY THE 25TH DAY OF MARCH, 1953, AND NOW ON FILE AND OF RECORD IN MY OFFICE; THAT THE PROCEEDINGS THEREIN SET FORTH WERE DULY HAD AND TAKEN BY THE BOARD OF COMMISSIONERS AT SAID MEETING; WERE APPROVED BY THE MAYOR OF SAID CITY AND ATTESTED BY ME AS CITY CLERK; THAT THE PERSONS THEREIN NAMED AS PRESENT AT SAID MEETING WERE PRESENT AS SHOWN BY SAID MINUTES; AND THAT ALL MEMBERS OF THE BOARD OF COMMISSIONERS WERE DULY NOTIFIED OF SAID MEETING.

WITNESS MY HAND AND THE SEAL OF SAID CITY THIS 25TH DAY OF MARCH, 1953.

/s/ SHIRLEY BALLINGER
CITY CLERK

(SEAL)

STATE OF NEVADA)
COUNTY OF CLARK) SS
CITY OF LAS VEGAS)

SHIRLEY BALLINGER, BEING FIRST DULY SWORN, UPON OATH DEPOSES AND SAYS THAT SHE IS, AND WAS AT ALL TIMES HEREIN MENTIONED, THE DULY ELECTED, QUALIFIED AND ACTING CITY CLERK IN AND FOR THE CITY OF LAS VEGAS, COUNTY OF CLARK AND STATE OF NEVADA, AND THAT NO OBJECTIONS IN WRITING TO THE CREATION OF STREET IMPROVEMENT ASSESSMENT DISTRICT No. 100--II, TO THE MAKING OF CERTAIN STREET IMPROVEMENTS THEREIN, TO THE DEFRAYING OF THE ENTIRE COST AND EXPENSE THEREFOR BY ASSESSMENTS, OR TO ANY MATTER RELATING THERETO, WAS RECEIVED BY HER OR IN HER OFFICE BY 8:00 O'CLOCK, P.M., ON WEDNESDAY, APRIL 6TH, 1953, THE DATE AND TIME SET BY THE BOARD OF COMMISSIONERS TO HEAR AND CONSIDER ANY SUGGESTIONS AND OBJECTIONS THERETO.

FURTHER AFFIANT SAITH NOT.

/s/ SHIRLEY BALLINGER
CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 1953.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

(NOTARIAL SEAL)

R E S O L U T I O N

WHEREAS, the Board of Commissioners of the City of Las Vegas have taken steps to create certain public improvements all as provided in Emergency Ordinance No. 534, passed, adopted and approved this 25th day of March, 1953; and

WHEREAS, said Emergency Ordinance No. 534 discloses the intention and determination of said Board of Commissioners to create said district and construct said improvements by special assessment made according to frontage; and

WHEREAS, said Emergency Ordinance No. 534 provides a time certain for hearing protests against said proposed improvements and directing that notice thereof be given, such time of the protest hearing being 8:00 o'clock, P.M., on the 6th day of April, 1953.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Las Vegas at a special meeting thereof held on the 25th day of March, 1953, that the City Clerk and Clerk of the Board of Commissioners be and she is hereby directed to publish notice of said hearing once a week for two successive weeks in the Las Vegas Sun, a daily newspaper published in the City of Las Vegas; and

BE IT FURTHER RESOLVED that the City Clerk and Clerk of the Board of Commissioners be and she hereby is directed to post notice of said hearing in at least three public places near the site of the proposed work; and

BE IT FURTHER RESOLVED that said notice shall be in substantially the form attached to this Resolution and made a part hereof.

ADOPTED and APPROVED This 25th day of March, 1953.

s/ C. D. Baker
Mayor

ATTEST:

s/ Shirley Ballinger
City Clerk

NOTICE OF DETERMINATION AND INTENTION TO INSTALL A COMPLETE STREET LIGHTING SYSTEM, TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT No. 100-11 AND TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENTS, AND OF THE HEARING THEREON.

NOTICE IS HEREBY GIVEN That on March 25, 1953, the Board of Commissioners and Mayor of the City of Las Vegas, Nevada, adopted and approved an ordinance declaring the Board's determination to make certain public improvements by installing along that certain street hereinafter described a complete street lighting system composed of concrete bases, aluminum standards, mercury vapor luminaires, single overhead wire, and series lighting system together with such appurtenances as may be required, to create a special assessment district designated Street Improvement Assessment District No. 100-11 therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said district.

The street so proposed to be improved is:

South Fifth Street from the South City limits to a point approximately 730 feet north of the intersection of South Fifth Street and South Main Street.

Street Improvement Assessment District No. 100-11 shall include all the lots, premises and property to the full depth of such fronting, adjoining and abutting upon said street.

Said ordinance adopted and approved March 25, 1953, and the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, are on file for public inspection and examination in the office of the City Clerk of Las Vegas, Nevada, and all persons interested are hereby referred to the same for further information.

Said Board of Commissioners will meet at the City Hall at the corner of Stewart and Fifth Streets in the City of Las Vegas, Nevada, on the 6th day of April, 1953, at 8:00 o'clock P.M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting. Unless the owners of more than one-half of the frontage to be assessed shall file written objections thereto, such work shall be ordered.

DATED This 25th day of March, 1953.

s/ Shirley Ballinger
City Clerk

STATE OF NEVADA)
COUNTY OF CLARK) SS
CITY OF LAS VEGAS)

A special meeting of the Board of Commissioners of the City of Las Vegas, Clark County, Nevada, was held on Wednesday, the day of 25th March, 1953, at the hour of 7:30 o'clock P.M., at the City Hall, being the regular meeting place of said Board, at which meeting there were present and answering the roll call, the following:

Mayor	<u>C. D. Baker</u>
Commissioner	<u>Wendell Bunker</u>
Commissioner	<u>Rex A. Jarrett</u>
Commissioner	<u>William Peccole</u>
Commissioner	<u>Reed Whipple</u>
Absent:	<u>None</u>

constituting all of the members of said Board. There was also present the following:

City Manager	<u>C. W. Shelley</u>
Asst. City Mgr.	<u>Dora Lord</u>
City Attorney	<u>Howard W. Cannon</u>
City Clerk	<u>Shirley Ballinger</u>
City Engineer	<u>C. C. Boyer</u>

Thereupon, the following proceedings, among others, were duly had and taken.

Commissioner Peccole introduced and moved the adoption of the following emergency ordinance, which was thereupon read in full, and at length, and is as follows:

53.22B

- 1 -

53.23b

CITY
CLERK'S
FILE

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Richard Lochrie, being first duly sworn,

deposes and says: That he is Foreman of the
LAS VEGAS MORNING 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 *two weeks*

from March 27, 1953 to April 3, 1953

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

March 27, April 3, 1953

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

Signed Richard Lochrie

Subscribed and sworn to before me this 14th
day of April, 1953

Barbara J. Greenbaum
Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1954

EMERGENCY ORDINANCE NO. 534.
AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN SAID CITY BY INSTALLING A COMPLETE STREET LIGHTING SYSTEM, TO CREATE STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-11 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS; AND TO DEFRAY THE ENTIRE COST AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO FRONTAGE, FIXING A TIME IN WHICH PROTESTS AGAINST THE PROPOSED IMPROVEMENTS OR THE CREATION OF SUCH DISTRICT MAY BE HEARD AND CONSIDERED BY SAID BOARD; DIRECTING NOTICE THEREOF TO BE GIVEN; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, a certain street in the City of Las Vegas, Nevada, is without adequate street lighting, and

WHEREAS, the said Board of Commissioners deems it expedient and for the best interests of said City to improve that certain street hereinafter particularly described by installing thereon a complete street lighting system, and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-11 for the purpose of making said improvements, and to defray the entire cost and expense thereof by special assessments made according to the frontage against the owners and the assessable lots, premises, and property specially benefited by such improvements and included within said district; and

WHEREAS, there is not included within said district any lands belonging to the City or public grounds not taxable, and in no case does the estimated amount of any special assessment upon any lot or premise for said improvements exceed 50% of the value as such lot or premise as shown upon the latest tax list or assessment roll for State and County tax, and

WHEREAS, in the judgment of the Board of Commissioners of said City of Las Vegas it is fair and equitable that no portion of said cost and expense be borne by the City from its general funds; and

WHEREAS, at a regular meeting of the Board of Commissioners of the City of Las Vegas, held on the 20th day of February, 1953, upon motion of Commissioner Whipple and duly seconded by Commissioner Peccole, and unani- mously carried, a resolution was adopted and approved, directing the City Engineer to make estimates of the expense thereof and plats, diagrams and plans of work of the locality to be improved, and to file such estimates, plats, diagrams and plans with the City Clerk for public examination, and

WHEREAS, on the 25th day of March, 1953, said estimates, plats, diagrams and plans were so filed.

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

SECTION 1. That the Board of Commissioners of the City of Las Vegas, County of Clark, and State of Nevada, does hereby declare its determination to make certain public improvements by installing along that certain street hereinafter described a complete street lighting system, to create a special assessment district therefor, and to defray the entire cost and expense thereof by special assessments made according to frontage against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said district.

SECTION 2. That the Board proposes to improve said street by constructing thereon street lighting facilities which include concrete bases, aluminum standards, mercury vapor luminaries and single overhead wire and series lighting system, together with such appurtenances as may be required, as more particularly shown by the plats, diagrams and plans of the work and locality to be improved now on file in the office of the City Clerk of the City of Las Vegas.

SECTION 3. That the certain street which the Board proposes so to have improved, is the following:

South Fifth Street from the South City limits to a point approximately 730 feet north of the intersection of South Fifth Street and South Main Street.

SECTION 4. That the special assessment district which it is proposed to create, shall be designated Street Improvement Assessment District No. 100-11, and it shall include all the lots, premises and property, to the full depth of such fronting, adjoining and abutting upon said street.

SECTION 5. That the City Clerk shall keep the plats, diagrams and plans of the work and locality to be improved, together with the estimates of the expense thereof, on file in her office for public inspection and examination.

SECTION 6. That the Board of Commissioners of said City will meet at the City Hall in said City on Monday the 6th day of April, 1953, at the hour of 8:00 o'clock P. M., to hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto. Objections to said proposed improvements, or any matters relating thereto, may be filed in writing in the office of the City Clerk at any time prior to said meeting.

SECTION 7. That the City Clerk shall give notice of the filing of said estimates, plats, diagrams, and plans with the City

Clerk for examination, of the proposed improvement or work, of the location of the improvement, and of the district to be assessed, and of the time when the Board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Said notice shall be given by publication for at least once a week for two successive weeks in the Las Vegas Sun, a daily newspaper published in said city of Las Vegas, and by posting notices in three public places near the site of said proposed work.

SECTION 8. 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 9. 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 and invalid, and the inapplicability 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 and validity of this ordinance in any other instances.

SECTION 10. That by reason of the fact that the streets of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

SECTION 11. 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 Sun, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 25th day of March, 1953.

(SEAL) s/ C. D. BAKER, Mayor.

s/ SHIRLEY BALLINGER, City Clerk.

Those voting for the adoption of the foregoing ordinance are as follows:
Those voting "Aye":
MAYOR C. D. BAKER
COMMISSIONER WENDELL BUNKER
COMMISSIONER REX A. JARRETT
COMMISSIONER WILLIAM PECCOLE
COMMISSIONER REED WHIPPLE
Those voting "Nay": NONE.
Absent: NONE.

March 27, April 3, 1953.