

543
EMERGENCY ORDINANCE NO. 540

AN EMERGENCY ORDINANCE CREATING SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-12; PROVIDING PUBLIC IMPROVEMENTS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS AND PORTIONS OF STREETS; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO FRONTAGE TO DEFRAY THE STATED ENTIRE COST THEREOF; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL AND THE REPORTING OF THE SAME TO THE BOARD OF COMMISSIONERS; PROVIDING FOR FILING OF SAID ROLL WITH CITY CLERK; PROVIDING A TIME AND PLACE TO REVIEW SAID ASSESSMENTS AND NOTIFICATION THEREOF; PROVIDING FOR THE CORRECTION, AND/OR CONFIRMATION AND APPROVAL OF SAID ROLL THEREAT OR THEREAFTER; PROVIDING FOR THE ENDORSEMENT ON SAID ROLL OF SAID CONFIRMATION AND APPROVAL; PROVIDING FOR THE DELIVERY OF SAID APPROVED ROLL TO THE EX-OFFICIO CITY ASSESSOR; PROVIDING THAT SAID ASSESSMENT SHALL CONSTITUTE A LIEN; PRESCRIBING THE METHOD OF PAYING SAID ASSESSMENTS AND THE INTEREST THEREON; PROVIDING FOR THE DISPOSITION OF SAID ASSESSMENTS; DIRECTING THE NOTIFICATION BY MAIL WHEN AND WHERE SAID ASSESSMENT IS DUE AND PAYABLE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION HERETOFORE TAKEN TOWARD MAKING SAID IMPROVEMENT IN SAID DISTRICT, TOWARDS ITS CREATION AND TOWARD LEVYING AND EFFECTING SPECIAL ASSESSMENTS; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of the City of Las Vegas, in the County of Clark and State of Nevada, deems it expedient and for the best interests of said City to make certain improvements therein by installing along certain streets and portions of streets therein, hereinafter more particularly described a sanitary sewer, composed of vitrified clay pipe; and

WHEREAS, said Board deems it expedient and desirable to create Sanitary Sewer Improvement Assessment District No. 200-12 for the purpose of making said improvements, 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; and

WHEREAS, there is not included within said district any public or other property against which a valid special assessment cannot be levied by said City; and

WHEREAS, in no case does the estimated amount of any special assessment upon any lot or premises for said improvements exceed fifty percent of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation; 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, said Board by Emergency Ordinance No. 537, passed, adopted and approved the 25th day of March, 1953, declared its determination to make certain public improvements as herein provided, to create Sanitary Sewer Improvement

CITY
CLERK'S
FILE

Assessment District No. 200-12, for the purpose of making said improvements, to defray the entire cost and expense thereof by special assessments made according to frontage, and fixed a time in which protests against the proposed improvements or the creation of such District might be heard and considered by said Board, and directed notice thereof to be given; and

WHEREAS, said Board determined that said notice was given in the manner prescribed by Section 7 of said Emergency Ordinance No. 537 and by Section 57, Chapter II, Charter of the City of Las Vegas, and

WHEREAS, the owners of more than one-half the frontage to be assessed have not filed written objections concerning the making of said improvements, the creation of said District, or the defraying of the entire cost and expense by special assessments; and

WHEREAS, no objections, suggestions, comments nor questions were made or raised at said protest hearing; and

WHEREAS, said Board has done all things necessary and preliminary to the creation of said Sanitary Sewer Improvement Assessment District No. 200-12, and now desires to create said District;

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

Section 1. There shall be and there hereby is created a special assessment district in the City of Las Vegas, Nevada, to be called and designated Sanitary Sewer Improvement Assessment District No. 200-12, which shall include all the lots, premises and property to their full depth; fronting, adjoining and abutting upon the following streets and portions of streets, all within the City of Las Vegas.

f From the manhole at the intersection of Desert Lane and Hastings North $0^{\circ}06'26''$ East along the center line of Desert Lane 441.71 feet to a point; Thence North $89^{\circ}53'30''$ West through a utility easement a distance of 355 feet to a point; thence South $9^{\circ}06'30''$ East a distance of 62.20 feet to a point; thence Westerly along the center line of Bearden Way a distance of 510.92 feet.

Section 2. That the said sewer improvement shall be made by installing a sanitary sewer in and along the following streets and portions of streets, said sewer to be composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, as is more particularly shown by the plans, 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 streets and parts of streets in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

From the manhole at the intersection of Desert Lane and Hastings North $0^{\circ}06'26''$ East along the center line of Desert Lane 441.71 feet to a point; Thence North $89^{\circ}53'30''$ West through a utility easement a distance of 355 feet to a point; thence South $0^{\circ}06'30''$ East a distance of 62.20 feet to a point; thence Westerly along the center line of Bearden Way a distance of 510.92 feet.

Section 4. That the entire cost and expense of making said improvements, including all incidental expenses which may be legally included in the sums assessed, including, without limiting the generality of the foregoing, the cost of surveys, plans, assessments, the costs of construction, and the fees and compensation properly charged in the work of making special assessments, shall be defrayed 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. The entire cost and expense of making said improvements are deemed to be \$8307.84 and the total of the special assessments so levied shall be in that amount.

Section 5. That in no case shall the amount of any special assessment upon any such lot or premises exceed 50% of the value of such lot or premises as shown upon the latest tax list or assessment roll for State and County taxation, but such cost in excess of 50% shall be borne by the City of Las Vegas and paid out of the General Fund.

Section 6. That the County Assessor of the County of Clark and State of Nevada, the acting Ex-officio City Assessor of the City of Las Vegas, Nevada, shall prepare, and is hereby empowered, authorized and directed to make forthwith, an assessment roll in the manner provided by the Charter of the City of Las Vegas, Nevada, and shall assess each lot or parcel of land with such relative portion of the whole amount to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed; unless on account of the size or shape of any lot or lots an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be an aggregate number of feet as determined upon for an assessment by the assessor.

Section 7. That when said Ex-officio City Assessor shall have completed the assessment, he shall report the same to the Board of Commissioners of the City of Las Vegas. Such report shall be signed by him and made in the form of a certificate endorse on the assessment roll, which certificate shall be in the form prescribed by the Charter of the City of Las Vegas.

Section 8. That after said special assessment roll shall have been prepared and reported to said Board, it shall be filed in the office of the City Clerk, and numbered.

Section 9. That before said special assessment roll is adopted and confirmed by said Board, any person objecting to the assessment may file his objection thereto with the City Clerk on or before Monday, the 27th day of April, 1953, at 8:00 o'clock, 9 M., at the City Hall in said City, and said time and place are hereby fixed as the time and place when and where said Board and said County Assessor and Ex-officio City Assessor will meet to hear and consider objections to said special assessment roll and to review said assessments.

Section 10. That after filing said special assessment roll with the City Clerk, she shall publish notice of the time said Board and said Ex-officio City Assessor will meet to review the assessments at least once a week for two weeks in the Las Vegas Sun, a daily newspaper published in said City of Las Vegas. Said notice shall be in the form prescribed by the Charter of the City of Las Vegas.

Section 11. That at said time appointed for reviewing the assessments as aforesaid, the Board of Commissioners and the Ex-officio City Assessor shall meet and then, or at some adjourned meeting, review the assessments and hear any objection to said assessments, which may be made by any person deeming himself aggrieved thereby, and shall decide the same; and said Board may correct the same as to any assessment or description of the premises as appearing therein, and may confirm and approve it as reported or as corrected, or said Board may refer the assessment back to said Ex-officio City Assessor for revision, or annul it and direct a new assessment in which case the assessment shall be made anew.

Section 12. That when said special assessments shall be confirmed, the City Clerk shall make an indorsement upon the roll showing the date of confirmation, which shall be in the form prescribed by the Charter of the City of Las Vegas.

Section 13. That when the assessments shall be confirmed and approved as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to said County Assessor, acting Ex-officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with her certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-officio City Assessor, shall thereupon, without extra compensation, record such Assessment Roll

in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll, and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll.

Section 14. That all special assessments, assessed as aforesaid, shall from the date of confirmation and approval thereof constitute a lien upon the respective lots or parcels of land assessed. These special assessments thereafter shall be and remain a lien on the respective lots and parcels of land assessed until paid.

Section 15. That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada, acting Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, Nevada, within ten days after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment, or any part thereof, within said period of ten days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of the said Ex-officio City Treasurer in ten substantially equal annual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of December, 1953, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments or principal from the 1st day of January, 1953, at the same rate of interest as that provided for in the special assessment bond to be hereafter authorized, sold, issued and delivered, but not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-officio City Treasurer, the first annual payment of interest being due and payable on the said 1st day of December, 1953, and the remainder of said annual installments of interest being due and payable on the 1st day of December in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately,

and the whole amount of the unpaid principal and accrued interest shall thereafter bear penalty at the rate of ten per centum per annum, until the day of sale, but at any time prior to the day of the sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting ~~Ex-officio~~ Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the ~~Ex-officio~~ City Treasurer and ~~Ex-officio~~ Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected.

Section 16. That the special assessments, both principal and interest, when collected, shall be placed in a special fund to be known as "Sanitary Sewer Improvement Assessment District No. 200-12" and as such shall at all times constitute a sinking fund for and deemed specially appropriated to the payment of the special assessment improvement bonds and interest thereon, to be hereafter authorized, sold, issued and delivered for the purpose of paying in part the cost or expense of said improvements; and said fund shall be applied to payment for the improvements for which said assessments were made, and shall not be used for any other purpose until said bonds and the interest thereon is fully paid.

Section 17. That after said assessment roll has been confirmed and approved, said ~~Ex-officio~~ City Treasurer immediately shall notify each person known to said ~~Ex-officio~~ City Assessor, whose name appears on said assessment roll, by United States of America mail, that an assessment has been levied against said person and the designated property in said Sanitary Sewer Improvement Assessment District No. 200-12, and shall state therein when and where said assessment is due and payable.

Section 18 . That all action (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 making of said improvements by installing a sanitary sewer along

certain streets and portions of streets and easements therein in said Sanitary Sewer Improvement Assessment District No. 200-12, toward the creation of said District, and toward levying and effecting special assessments to defray the entire cost thereof, be, and the same is, hereby ratified, approved and confirmed.

Section 19. 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 20. That if any one or more sections, sentences, clauses or parts of this ordinance shall, for any reason, be questioned or 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 21. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, 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.

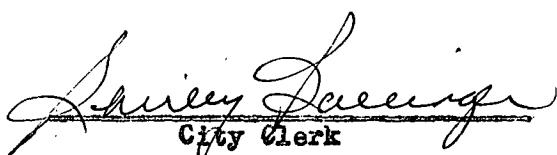
Section 22. That the City Clerk and Clerk of the Board of Commissioners of the City of Las Vegas, shall cause this ordinance to be published once a week for two successive weeks immediately following its final reading and adoption, in the Las Vegas Sun, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 6th day of April, 1953

Mayor

(SEAL)

Attest:


City Clerk

Commissioner Peccole 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 Farrell
Commissioner Peccole
Commissioner Whipple and
Mayor Baker

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 Whipple and seconded by Commissioner Peccole 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 rules, the roll was called with the following result:

Those voting "Aye":

Commissioner Bunker
Commissioner Farrell
Commissioner Peccole
Commissioner Whipple and
Mayor Baker

Those voting "Nay": None

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

Commissioner Whipple then moved that said

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

Those voting "Aye":

Commissioner Bunker
Commissioner Jarrett
Commissioner Peccole
Commissioner Whipple, and
Mayor Baker

Those voting "Nay": None

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

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

Those voting "Aye":

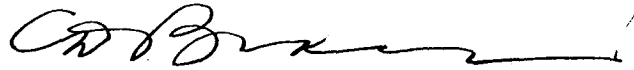
Commissioner Bunker
Commissioner Jarrett
Commissioner Peccole
Commissioner Whipple, and
Mayor C. D. Baker

Those voting "Nay": None

The presiding officer thereupon declared that All 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 543, 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.



/s/ C. D. BAKER

Mayor

(SEAL)

Attest:

/s/ SHIRLEY BALLINGER

City Clerk

Emergency Ordinance No. 543 copied into City of Las Vegas
Commissioner's Minute Book No. 8.

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

, 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 _____ meeting held on _____ the _____ day of APRIL, 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 _____ day of APRIL, 1953.

/s/ SHIRLEY BALLINGER
City Clerk

(SEAL)

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 April 7, 1953 to April 14, 1953

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

April 7, 14, 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 23rd
day of April, 1953

Barbara J. Greenman

Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1956

**CITY OF LAS VEGAS, NEVADA
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN: That the Board of Commissioners, Las Vegas, Nevada, will receive bids for furnishing all labor, material, transportation and services for improvements of the sanitary sewer system of the City of Las Vegas, Nevada, known as Assessment District No. 200-12, as created by Emergency Ordinance No. 543 of the City of Las Vegas, Nevada adopted and approved on the 6th day of April 1953; each bid to be in accordance with the plans, specifications, and other contract documents now on file with the City Clerk at the City Hall, Las Vegas, Nevada.

Notice is also hereby given that all bidders may submit with their bids, a sworn statement of their financial responsibility, technical ability and experience. Such sworn statement may be required to be furnished before award is made to any particular bidder.

Each bid shall be made out on a form to be obtained at the office of the City Clerk, Las Vegas, Nevada; shall be accompanied by a certified or cashier's check or bid bond for five per cent (5%) of the amount of the bid, made payable to the order of the City of Las Vegas, Nevada; shall be sealed and filed with the Board of Commissioners at the City Hall, Las Vegas, Nevada, on or before the 27th day of April, 1953, at 7:55 P.M., and will be opened and publicly read aloud at or about 8:00 P.M., of that day in the Council Chambers.

The above mentioned check or bond shall be given as a guarantee that the bidder will enter into the contract if awarded to him and will be declared forfeited if the successful bidder refuses to enter into said contract after being requested to do so by the Board of City Commissioners of the City of Las Vegas, Nevada.

The Board of City Commissioners of the City of Las Vegas, Nevada, reserves the right to reject any or all bids or waive any informality in a bid.

No bidder may withdraw his bid for a period of 90 days after the date set for the opening thereof.

S/ SHIRLEY BALLINGER
City Clerk

April 8, 15, 22, 1953

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 three weeks

from April 8, 1953 to April 22, 1953

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

April 8, 15, 22, 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 29th
day of April, 1953

Barbara F. Greenup

Notary Public in and for Clark County, Nevada.

My Commission Expires

My Commission Expires Mar. 17, 1956

EMERGENCY ORDINANCE NO. 543
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WHEREAS, the Board of Commissioners
of the City of Las Vegas, in the County
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WHEREAS, said Board deems it ex-
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WHEREAS, there is not included within
said district any public or other prop-
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ment cannot be levied by said City; and

WHEREAS, in no case does the esti-
mated amount of any special assessment
upon any lot or premises for said im-
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value of such lot or premises as shown
upon the latest tax list or assessment
roll for state and county taxation; 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, said Board by Emergency
Ordinance No. 537, passed, adopted and
approved the 25th day of March, 1953,
declared its determination to make cer-
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for the purpose of making said improve-
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time in which protests against the pro-
posed improvements or the creation of
such District might be heard and con-
sidered by said Board, and directed notice
thereof to be given; and

WHEREAS, said Board determined that
said notice was given in the manner pre-
scribed by Section 7 of said Emergency
Ordinance No. 537 and by Section 57,
Chapter II, Charter of the City of Las
Vegas, and

WHEREAS, the owners of more than
one-half the frontage to be assessed have
not filed written objections concerning
the making of said improvements, the
creation of said District, or the defraying
of the entire cost and expense by special
assessments; and

WHEREAS, no objections, suggestions,
comments nor questions were made or
raised at said protest hearing; and

WHEREAS, said Board has done all
things necessary and preliminary to the
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NOW, THEREFORE THE BOARD OF
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From the manhole at the intersection
of Desert Lane and Hastings North
0°06'26" East along the center line
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Thence North 89°53'30" West through
a utility easement a distance of 355
feet to a point; thence South 9°06'30"
East a distance of 62.20 feet to a
point; thence Westerly along the center
line of Bearden Way a distance
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Section 3. That the streets and parts
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Section 4. That the entire cost and
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including all incidental expenses which
may be legally included in the sums as-
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generality of the foregoing, the cost of
surveys, plans, assessments, the costs of
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property specially benefited by such im-
provements and included within said
District. The entire cost and expense
of making said improvements are deemed
to be \$8,309.84 and the total of the
special assessments so levied shall be
in that amount.

Section 5. That in no case shall the
amount of any special assessment upon
any such lot or premises exceed 50% of
the value of such lot or premises as
shown upon the latest tax list or assess-
ment roll for State and County taxation,
but such cost in excess of 50% shall be
borne by the City of Las Vegas and paid
out of the General Fund.

Section 6. That the County Assessor
of the County of Clark and State of Ne-
vada, the acting Ex-officio City Assessor
of the City of Las Vegas, Nevada, shall
prepare, and is hereby empowered, auth-
orized and directed to make forthwith,
an assessment roll in the manner provided
by the Charter of the City of Las Vegas,
Nevada, and shall assess each lot or par-
cel of land with such relative portion of
the whole amount to be levied as the
length of front of such premises abutting
upon the improvement bears to the whole
frontage of all the lots to be assessed;
unless on account of the size or shape
of any lot or lots an assessment for a
different number of feet would be more
equitable; and the frontage of all lots to
be assessed shall be deemed to be and
aggregate number of feet as determined
upon for an assessment by the assessor.

Section 7. That when said Ex-officio
City Assessor shall have completed the
assessment, he shall report the same to
the Board of Commissioners of the City
of Las Vegas. Such report shall be signed
by him and made in the form of a cer-
tificate endorse on the assessment roll,
which certificate shall be in the form
prescribed by the Charter of the City of
Las Vegas.

Section 8. That after said special as-
sessment roll shall have been prepared
and reported to said Board, it shall be
filed in the office of the City Clerk,
and numbered.

Section 9. That before said special as-
sessment roll is adopted and confirmed
by said Board, any person objecting to
the assessment may file his objection
thereto with the City Clerk on or before

Monday, the 27th day of April, 1953, at 8:00 o'clock P. M., at the City Hall in said City, and said time and place are hereby fixed as the time and place when and where said Board and said County Assessor and Ex-officio City Assessor will meet to hear and consider objections to said special assessment roll and to review said assessments.

Section 10. That after filing said special assessment roll with the City Clerk, she shall publish notice of the time said Board and said Ex-officio City Assessor will meet to review the assessments at least once a week for two weeks in the Las Vegas Sun, a daily newspaper published in said City of Las Vegas. Said notice shall be in the form prescribed by the Charter of the City of Las Vegas.

Section 11. That at said time appointed for reviewing the assessments as aforesaid, the Board of Commissioners and the Ex-officio City Assessor shall meet and then, or at some adjourned meeting, review the assessments and hear any objection to said assessments, which may be made by any person deeming himself aggrieved thereby, and shall decide the same; and said Board may correct the same as to any assessment or description of the premises as appearing therein, and may confirm and approve it as reported or as corrected, or said Board may refer the assessment back to said Ex-officio City Assessor for revision, or annul it and direct a new assessment in which case the assessment shall be made anew.

Section 12. That when said special assessments shall be confirmed, the City Clerk shall make an indorsement upon the roll showing the date of confirmation, which shall be in the form prescribed by the Charter of the City of Las Vegas.

Section 13. That when the assessments shall be confirmed and approved as herein provided, it shall be final and conclusive. The City Clerk shall thereupon deliver to said County Assessor, acting Ex-officio City Assessor, the Assessment Roll as confirmed by the Board of Commissioners, with her certificate of such confirmation, and of the date thereof. The County Assessor, acting Ex-officio City Assessor, shall thereupon, without extra compensation, record such Assessment Roll in his office, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such Assessment Roll and it shall be prima facie evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof, and of the validity of the assessment and Assessment Roll.

Section 14. That all special assessments, assessed as aforesaid, shall from the date of confirmation and approval thereof constitute a lien upon the respective lots or parcels of land assessed. The special assessments thereafter shall be and remain a lien on the respective lots and parcels of land assessed until paid.

Section 15. That said assessments shall be due and payable at the office of the County Treasurer of Clark County, Nevada acting Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, Nevada, within ten days after said special assessment roll is confirmed and approved, without interest and without demand; provided, that all such assessments, or any part thereof, may, at the election of the owner, be paid in installments, with interest, as herein-after provided. Failure to pay the whole assessment or any part thereof, within said period of ten days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable at the office of the said Ex-officio City Treasurer in ten substantially equal an-

nual installments of principal, the first of which installments of principal shall be due and payable on or before the 1st day of December, 1953, and the remainder of said installments shall be due and payable successively on or before the same day in each year thereafter until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 1st day of January, 1953, at the same rate of interest as that provided for in the special assessment bond to be hereafter authorized, sold, issued and delivered, but not to exceed seven per centum (7%) per annum, payable annually at the office of said Ex-officio City Treasurer, the first annual payment of interest being due and payable on the said 1st day of December 1953, and the remainder of said annual installments of interest being due and payable on the 1st day of December in each year thereafter. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter bear penalty at the rate of ten per centum per annum until the day of sale, but at any time prior to the day of the sale, the owner may pay the amount of all unpaid installments, with interest thereon at ten per centum per annum, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment, may, at any time, pay the whole of the unpaid principal with interest accruing thereon to the next interest paying date.

Each assessment, together with interest thereon, shall be placed on the tax roll of Clark County on and against the several owners and premises, and the County Assessor of Clark County, acting Ex-officio Assessor of the City of Las Vegas, is hereby authorized and directed to enter the same on the tax roll of said County and to extend the same in a special column for special assessments on said tax roll, and the County Treasurer of said County, the Ex-officio City Treasurer and Ex-officio Tax Collector of the City of Las Vegas, is hereby authorized and directed to collect the same, all in the same manner and at the same time as other State and County taxes are collected.

Section 16. That the special assessments, both principal and interest, when collected, shall be placed in a special fund to be known as "Sanitary Sewer Improvement Assessment District No. 200-12" and as such shall at all times constitute a sinking fund for and deemed specially appropriated to the payment of the special assessment improvement bonds and interest thereon, to be hereafter authorized, sold, issued and delivered for the purpose of paying in part the cost or expense of said improvements; and said fund shall be applied to payment for the improvement for which said assessments were made, and shall not be used for any other purpose until said bonds and the interest thereon is fully paid.

Section 17. That after said assessment roll has been confirmed and approved, said Ex-officio City Treasurer immediately shall notify each person known to said Ex-officio City Assessor, whose name appears on said assessment roll, by United States of America mail that an assessment has been levied against said person and the designated property in said Sanitary Sewer Improvement Assessment District No. 200-12, and shall state therein when and where said assessment is due and payable.

Section 18. That all action (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 making of said improvements by installing a sanitary sewer along certain streets and portions of streets and easements therein said Sanitary Sewer Improvement Assessment District No. 200-12, toward the creation of said District, and toward levying and effecting special assessments to defray the entire cost thereof be and the same is, hereby ratified, approved and confirmed.

Section 19. 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 20. That if any one or more sections, sentences, clauses or parts of this ordinance shall for any reason, be questioned or 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 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 instances.

Section 21. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the

present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, 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 22. 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 6th day of April, 1953.

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

Attest:
s/SIRLEY 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.
April 7, 14, 1953.