

EMERGENCY ORDINANCE NO. 493

AN EMERGENCY ORDINANCE DECLARING THE DETERMINATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, TO MAKE CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF LAS VEGAS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS AND PORTIONS OF STREETS AND EASEMENTS THEREIN; TO CREATE SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-5 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS, AND TO DEFRAY THE ENTIRE COSTS AND EXPENSES THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO THE BENEFITS, 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, certain areas in the City of Las Vegas, Nevada, are without adequate sewer improvements, and

WHEREAS, the said Board of Commissioners deems it expedient and desirable to create Sanitary Sewer Assessment District No. 200-5 for the purpose of installing along certain streets and portions of streets and easements herein-after particularly described, a sanitary sewer composed of vitrified clay pipe, and to defray the entire cost and expense thereof by special assessments made according to benefits against the owners and 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 of such lot or premise as shown upon the latest tax list or assessment roll for State and County tax, and

WHEREAS, at a regular meeting of the Board of Commissioners of the City of Las Vegas, held on the 15th day of August, 1951 upon motion of Commissioner Bunker 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 and 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 3rd day of June, 1952, 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, Nevada, does hereby declare its determination to make certain public improvements

CITY
CLERK'S
FILE

by installing a sanitary sewer along certain streets and parts of streets and easements therein, to create a special assessment district therefor, and to defray the entire cost and expense by special assessments made according to benefits against the owners and upon the assessable lots and premises specially benefited by such improvements and included within said district.

Section 2. That the Board proposes to make said improvements by installing a sanitary sewer in and along certain streets and portions of streets and easements therein, 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 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 streets and parts of streets and easements in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

In Ashby Avenue from 115.77 feet east of the center line of Cashman Drive to Strong Drive; in the easement on the west side of Lots 3 and 16, Block 1, 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Campbell Drive, 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Cahlan Drive 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Strong Drive from Ashby Avenue 663.55 feet north to the existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; all of above described area lying wholly within the McNeil Tract Subdivision.

Section 4. That the special assessment district which it is proposed to create, shall be designated Sanitary Sewer Improvement Assessment District No. 200-5, and shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting on said streets and parts of streets, excepting those lots, premises and properties fronting, adjoining and abutting on the following described streets and easement, to-wit:

In the McNeil Tract as shown in the Records of the County Recorder's Office, Clark County, Nevada

- (1) Lots 1 and 3, Block 1, which abut the easement along the west side of Lot 3, Block 1.
- (2) Lot 8, Block 1 and Lot 1, Block 2, which abut and adjoin Campbell Drive
- (3) Lot 13, Block 2 and Lot 1, Block 3, which abut and adjoin Cahlan Drive.
- (4) Lot 8, Block 3, which abuts and adjoins Strong Drive.

and also the unsubdivided area abutting and adjoining Strong Drive on the east side thereof, extending 200 feet south of Charleston Boulevard.

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 Wednesday, the 18th day of June, 1952, at the hour of 7:30 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 matter 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 improvements or work, of the location of the improvement, 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 once a week for two successive weeks in the Las Vegas Review Journal, a daily newspaper published in said City of Las Vegas, and also by posting said notices in three public places near the site of said proposed work.

N O T I C E

NOTICE OF DETERMINATION AND INTENTION TO INSTALL A SANITARY SEWER SYSTEM ALONG CERTAIN STREETS AND PORTIONS OF STREETS AND EASEMENTS, TO CREATE SANITARY SEWER ASSESSMENT DISTRICT NO. 200-5, AND TO DEFRAY THE ENTIRE COST BY SPECIAL ASSESSMENTS, AND OF THE HEARING THEREFOR.

NOTICE IS HEREBY GIVEN that on the 4th day of June, 1952, 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 a sewer system along certain streets and parts of streets therein, composed of eight inch vitrified clay pipe, together with such appurtenances as may be required, to create a special assessment district designated Sanitary Sewer Improvement Assessment District No. 200-5 therefor, and to defray the entire cost and expense thereof by special assessments made according to benefits against the owners and the assessable lots, premises and property specially benefited by such improvements and included within said district.

The streets and parts of streets in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

In Ashby Avenue from 115.77 feet east of the center line of Cashman Drive to Strong Drive; in the easement on the west side of Lots 3 and 16, Block 1, 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Campbell Drive, 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Cahlan Drive 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Strong Drive from Ashby Avenue 663.55 feet north to the existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; all of above described area lying wholly within the McNeil Tract Subdivision.

Street Improvement Assessment District No. 200-5 shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting upon said streets and parts of streets and easements, excepting:

In the McNeil Tract as shown by the Records of the County Recorder's Office, Clark County, Nevada

- (1) Lots 1 and 3, Block 1, which abut the easement along the west side of Lot 3, Block 1
- (2) Lot 8, Block 1 and Lot 1, Block 2, which abut and adjoin Campbell Drive
- (3) Lot 13, Block 2 and Lot 1, Block 3, which abut and adjoin Cahlan Drive
- (4) Lot 8, Block 3, which abuts and adjoins Strong Drive

and also the unsubdivided area abutting and adjoining Strong Drive on the east side thereof, extending 200 feet south of Charleston Boulevard.

Said ordinance adopted and approved the 4th day of June, 1952, 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 5th Streets in the City of Las Vegas, Nevada, on the 18th day of June, 1952, at 7:30 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 property to be assessed shall file written objections thereto, such improvement or work shall be ordered.

DATED this 4th day of June, 1952


City Clerk

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 instance.

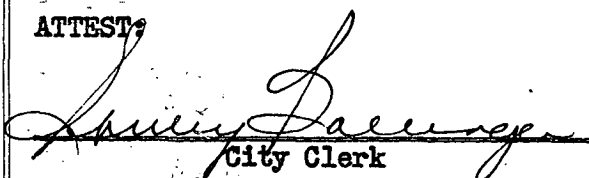
Section 10. That by reason of the fact that the sewer system of the City of Las Vegas is inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to extend said sewer system, therefore, it is hereby declared that an emergency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

Section 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 Review Journal, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 4th day of June, 1952.

(SEAL)

ATTEST:


City Clerk


Mayor

Commissioner Bunker then 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	<u>Bunker</u> ,
"	<u>Peccole</u> ,
"	<u>Whipple</u> ,
"	_____,
Mayor	<u>Baker</u> ,

Absent: Commissioner Jarrett.

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 Bunker, 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	<u>Bunker</u> ,
"	<u>Peccole</u> ,
"	<u>Whipple</u> ,
"	_____,
Mayor	<u>Baker</u> ,

Absent: Commissioner Jarrett.

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 Bunker 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,
" Peccole,
" Whipple,
" _____,
Mayor Baker,
Absent: Commissioner Jarrett.

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 Bunker 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,
" Peccole,
" Whipple,
" _____,
Mayor Baker,
Absent: Commissioner Jarrett.

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 493 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.

(SEAL)
ATTEST:

Louise L. Laverge
City Clerk

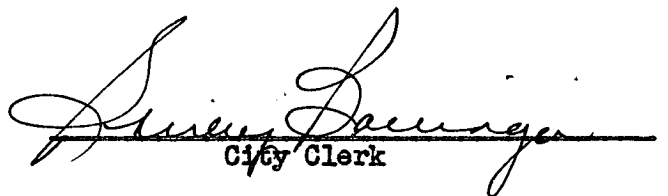
CA Baker
Mayor

Emergency Ordinance No. 493 copied into City of Las Vegas Commissioners' Minute Book No. 7.

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 are a true, perfect and correct copy of the record of the proceedings taken by the Board of Commissioners of said City, insofar as they relate to Sewer Improvement Assessment District No. 200-5, at a regular meeting held on Wednesday, the 4th day of June, 1952, 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 6th day of June, 1952.


City Clerk

(SEAL)

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

A regular meeting of the Board of Commissioners of the City of Las Vegas, Clark County, Nevada, was held on Wednesday, the 4th day of June, 1952, 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> ,
"	<u>William Peccole</u> ,
"	<u>Reed Whipple</u> ,
"	<u></u> ,
Absent:	<u>Commissioner Jarrett</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> , and
City Engineer	<u>C. C. Boyer</u> ,

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

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

EMERGENCY ORDINANCE NO. 493
AN EMERGENCY ORDINANCE DE-
CLARING THE DETERMINATION
OF THE BOARD OF COMMISS-
IONERS OF THE CITY OF LAS
VEGAS, NEVADA, TO MAKE
CERTAIN PUBLIC IMPROVE-
MENTS IN THE CITY OF LAS
VEGAS BY INSTALLING A SAN-
ITARY SEWER ALONG CERTAIN
STREETS AND PORTIONS OF
STREETS AND EASEMENTS
THEREIN; TO CREATE SANI-
TARY SEWER IMPROVEMENT
ASSESSMENT DISTRICT NO. 200-5
FOR THE PURPOSE OF MAKING
SAID IMPROVEMENTS, AND TO
DEFRAY THE ENTIRE COSTS
AND EXPENSES THEREOF BY

SPECIAL ASSESSMENTS MADE
ACCORDING TO THE BENEFITS
FIXING A TIME IN WHICH PRO-
TESTS AGAINST THE PROPOSED
IMPROVEMENTS OR THE CREA-
TION OF SUCH DISTRICT MAY
BE HEARD AND CONSIDERED
BY SAID BOARD, DIRECTING
NOTICE THEREOF TO BE GIVEN
AND PROVIDING OTHER MAT-
TERS RELATING THERETO.

WHEREAS, certain areas in the
City of Las Vegas, Nevada, are with-
out adequate sewer improvements,
and

WHEREAS, the said Board of Com-
missioners deems it expedient and de-
sirable to create Sanitary Sewer As-
sessment District No. 200-5 for the
purpose of installing along certain
streets and portions of streets and
easements herein-after particularly
described, a sanitary sewer composed
of vitrified clay pipe, and to defray
the entire cost and expense thereof
by special assessments made accord-
ing to benefits against the owners
and 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 belong-
ing to the City or public grounds and
taxable and in no case does the es-
timated amount of any special assess-
ment upon any lot or premise for said
improvements exceed 50% of the value
of such lot or premise as shown upon
the latest tax list or assessment roll
for State and County tax, and

WHEREAS, at a regular meeting
of the Board of Commissioners of the
City of Las Vegas, held on the 25th
day of August, 1951 upon motion of
Commissioner Bunker and duly sec-
onded 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, dia-
grams and plans of work and 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 3rd day of June,
1952, 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:

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

A. J. Schellack, being first duly sworn,
deposes and says: That he is Foreman of the LAS VEGAS REVIEW-JOURNAL, 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 2 insertions

from June 8, 1952 to June 15, 1952

inclusive, being the issues of said newspaper for the following dates, to-wit: June 8, 1952
That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

A. J. Schellack

Subscribed and sworn to before me this 15th day of June, 1952

Neala Peccole
Notary Public in and for Clark County, Nevada

My Commission Expires April 14, 1954.

Section 1. That the Board of Commissioners of the City of Las Vegas, Nevada, does hereby declare its determination to make certain public improvements by installing a sanitary sewer along certain streets and parts of streets and easements therein, to create a special assessment district therefor, and to defray the entire cost and expense by special assessments made according to benefits against the owners and upon the assessable lots and premises specially benefited by such improvements and included within said district.

Section 2. That the Board proposes to make said improvements by installing a sanitary sewer in and along certain streets and portions of streets and easements therein, 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 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 streets and parts of streets and easements in and along which the Board proposes to install eight inch vitrified clay pipe, are the following:

In Ashby Avenue from 115.77 feet east of the center line of Cashman Drive to Strong Drive; in the easement on the west side of Lots 3 and 16, Block 1, 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Campbell Drive, 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Cahlan Drive 385.00 feet north to existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; in Strong Drive from Ashby Avenue 662.55 feet north to the existing sanitary sewer 6.00 feet north of the center line of Charleston Boulevard; all of above described area lying wholly within the McNeil Tract Subdivision.

Section 4. That the special assessment district which it is proposed to create, shall be designated Sanitary Sewer Improvement Assessment District No. 200-5, and shall include all the lots, premises and property to the full depth of such, fronting, adjoining and abutting on said streets and parts of streets, excepting those lots, premises and properties fronting, adjoining and abutting on the following described streets and easement, to-wit:

In the McNeil Tract as shown in the Records of the County Recorder's Office, Clark County, Nevada

(1) Lots 1 and 3, Block 1, which abut the easement along the west side of Lot 3, Block 1.

(2) Lot 6, Block 1 and Lot 1, Block 2, which abut and adjoin Campbell Drive

(3) Lot 13, Block 2 and Lot 1, Block 3, which abut and adjoin Cahlan Drive.

(4) Lot 8, Block 3, which abuts and adjoins Strong Drive, and also the unsubdivided area abutting and adjoining Strong Drive on the east side thereof, extending 200 feet south of Charleston Boulevard.

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 Wednesday, the 18th day of June, 1952, at the hour of 7:30 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 matter 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 improvements or work, of the location of the improvement, 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 once a week for two successive weeks in the Las Vegas Review-Journal, a daily newspaper published in said City of Las Vegas, and also by posting said 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 instance.

Section 10. 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 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 Review-Journal, a daily newspaper published in said City, and this ordinance shall become effective immediately following the second publication hereof.

PASSED, ADOPTED AND APPROVED this 4th day of June, 1952.
(SEAL)

s/ C. D. Baker
Mayor

ATTEST:
s/ Shirley Ballinger
City Clerk

The above and foregoing ordinance was adopted by the following vote:
Those voting "aye": Commissioners Bunker, Peccole, Whipple and His Honor Mayor Baker
Those voting "nay": None
Absent: Commissioner Jarrett