

EMERGENCY ORDINANCE NO. 496

AN EMERGENCY ORDINANCE CREATING SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT NO. 200-5; PROVIDING PUBLIC IMPROVEMENTS BY INSTALLING A SANITARY SEWER ALONG CERTAIN STREETS AND PORTIONS OF STREETS AND EASEMENTS; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS TO DEFRAY THE 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 INDORSEMENT 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, TOWARD 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 AND EASEMENTS 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. 200-5 FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS, 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; 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

CITY  
CLERK'S  
FILE

PORTION OF SAID COST AND EXPENSE BE BORNE BY THE CITY FROM ITS GENERAL FUNDS; AND

WHEREAS, SAID BOARD BY EMERGENCY ORDINANCE No. 493, PASSED, ADOPTED AND APPROVED THE 4TH DAY OF JUNE, 1952, DECLARED ITS DETERMINATION TO MAKE CERTAIN PUBLIC IMPROVEMENTS AS HEREIN PROVIDED, TO CREATE SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT No. 200-5, FOR THE PURPOSE OF MAKING SAID IMPROVEMENTS, TO DEFRAY THE ENTIRE COST AND EXPENSE THEREOF BY SPECIAL ASSESSMENTS MADE ACCORDING TO BENEFITS, 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. 493 AND BY SECTION 57, CHAPTER 11, CHARTER OF THE CITY OF LAS VEGAS; AND

WHEREAS, THE OWNERS OF MORE THAN ONE-HALF THE PROPERTY 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. 200-5, 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. 200-5, 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, AND EASEMENTS, ALL WITHIN

THE CITY OF LAS VEGAS.

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.

*Sanitary Sewer*

STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 200-5 SHALL INCLUDE ALL THE LOTS, PREMISES AND PROPERTY TO THE FULL DEPTH OF EACH, 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.

SECTION 2. THAT THE SAID SEWER IMPROVEMENT SHALL BE MADE BY INSTALLING A SANITARY SEWER IN AND ALONG THE FOLLOWING STREETS AND PARTS OF STREETS AND EASEMENTS, 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 THE ABOVE DESCRIBED AREA  
LYING WHOLLY WITHIN THE McNEIL TRACT SUBDIVISION.

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 LIMIT-  
ING THE GENERALITY OF THE FOREGOING, THE COST OF SURVEYS, PLANS,  
ASSESSMENTS, THE COSTS OF CONSTRUCTION, AND THE FEES AND COMPEN-  
SATION PROPERLY CHARGED IN THE WORK OF MAKING SPECIAL ASSESSMENTS,  
SHALL BE DEFRAYED BY SPECIAL ASSESSMENTS MADE ACCORDING TO THE  
BENEFITS 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 \$27,946.90 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 ASSESS-  
MENT ROLL IN THE MANNER PROVIDED BY THE CHARTER OF THE CITY OF  
LAS VEGAS, NEVADA, AND SHALL ASSESS EACH LOT OR PARCEL OF LAND  
EMBRACED WITHIN THE AFOREMENTIONED SPECIAL ASSESSMENT DISTRICT,  
SUCH RELATIVE PORTION OF THE WHOLE SUM TO BE LEVIED IN SAID  
DISTRICT AS SHALL BE PROPORTIONATE TO THE ESTIMATE BENEFIT RESULT-  
ING TO SUCH LOT OR PARCEL OF LAND FROM THE IMPROVEMENT.

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 CERTIFI-  
CATE 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 Wednesday, THE 16th DAY OF July, 1952, AT 7:30 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 REVIEW JOURNAL, 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 AN 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 PRESORIBED 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 ONE WEEK 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 ONE WEEK 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 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 August 1, 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 August, 1952, 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 August, 1953, AND THE REMAINDER OF SAID ANNUAL INSTALLMENTS OF INTEREST BEING DUE AND PAYABLE ON THE 1ST DAY OF August 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 DRAW INTEREST 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. 200-5" 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. 200-5, 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, EASEMENTS, ALLEYS, AND PORTIONS THEREOF, IN SAID SANITARY SEWER IMPROVEMENT ASSESSMENT DISTRICT No. 200-5, 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 SYSTEMS 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 REVIEW JOURNAL, A DAILY NEWSPAPER PUBLISHED IN SAID CITY,  
AND THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY FOLLOWING  
THE SECOND PUBLICATION HEREOF.

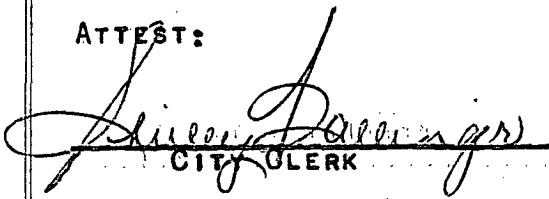
PASSED, ADOPTED AND APPROVED THIS 2ND DAY OF JULY, 1952.



MAYOR

(SEAL)

ATTEST:

  
CITY CLERK

## AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }  
COUNTY OF CLARK } ss.

A. F. 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 July 6, 1952 to July 13, 1952

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

July 6, '52

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

Signed

A. F. Schellack

Subscribed and sworn to before me this 13th day of July, 1952

Neola Guertel  
Notary Public in and for Clark County, Nevada

My Commission Expires April 14, 1954.

**EMERGENCY ORDINANCE NO. 496**  
**AN EMERGENCY ORDINANCE**  
**CREATING SANITARY SEWER**  
**IMPROVEMENT ASSESSMENT**  
**DISTRICT NO. 200-5; PROVIDING**  
**PUBLIC IMPROVEMENTS BY**  
**INSTALLING A SANITARY**  
**SEWER ALONG CERTAIN**  
**STREETS AND PORTIONS OF**  
**STREETS AND EASEMENTS;**  
**PROVIDING FOR SPECIAL AS-**  
**SESSMENTS ACCORDING TO**  
**BENEFITS TO DEFRAY THE EN-**  
**TIRE COST THEREOF; DIRECT-**  
**ING THE PREPARATION OF AN**  
**ASSESSMENT ROLL AND THE**  
**REPORTING OF THE SAME TO**  
**THE BOARD OF COMMISSION-**  
**ERS; PROVIDING FOR FILING OF**  
**SAID ROLL WITH CITY CLERK;**  
**PROVIDING A TIME AND PLACE**  
**TO REVIEW SAID ASSESSMENTS**  
**AND NOTIFICATION THEREOF;**  
**PROVIDING FOR THE CORREC-**  
**TION, AND/OR CONFIRMATION**  
**AND APPROVAL OF SAID ROLL**  
**THEREAT OR THEREAFTER;**  
**PROVIDING FOR THE INDORSE-**  
**MENT ON SAID ROLL OF SAID**  
**CONFIRMATION AND APPROV-**  
**AL; PROVIDING FOR THE DE-**  
**LIVERY OF SAID APPROVED**  
**ROLL TO THE EX-OFFICIO CITY**  
**ASSESSOR; PROVIDING THAT**  
**SAID ASSESSMENT SHALL CON-**  
**STITUTE A LIEN; PRESCRIBING**  
**THE METHOD OF PAYING SAID**  
**ASSESSMENTS AND THE INTER-**  
**EST THEREON; PROVIDING FOR**  
**THE DISPOSITION OF SAID AS-**  
**SESSMENTS; DIRECTING THE**  
**NOTIFICATION BY MAIL WHEN**  
**AND WHERE SAID ASSESSMENT**  
**IS DUE AND PAYABLE; RATI-**  
**FYING, APPROVING AND CON-**  
**FIRMING ALL ACTION HERETO-**  
**FORE TAKEN TOWARD MAKING**  
**SAID IMPROVEMENT IN SAID**  
**DISTRICT, TOWARD ITS CREA-**  
**TION AND TOWARD LEVYING**  
**AND EFFECTING SPECIAL AS-**  
**SESSMENTS; PROVIDING OTHER**  
**MATTERS RELATING THERETO;**  
**AND DECLARING AN EMERGEN-**  
**CY.**

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 and easements 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. 200-5 for the purpose of making said improvements, 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; 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. 493, passed, adopted and approved the 4th day of June, 1952, declared its determination to make certain public improvements as herein provided, to create Sanitary Sewer Improvement Assessment District No. 200-5, for the purpose of making said improvements, to de-

fray the entire cost and expense thereof by special assessments made according to benefits, 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. 493 and by Section 57, Chapter 11, Charter of the City of Las Vegas; and

WHEREAS, the owners of more than one-half the property 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. 200-5, 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. 200-5, 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 and easements, all within the City of Las Vegas.

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.

Sanitary Sewer Improvement Assessment District No. 200-5 shall include all the lots, premises and property to the full depth of each, 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.

**Section 2.** That the said sewer improvement shall be made by installing a sanitary sewer in and along the following streets and parts of streets and easements, 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 the above described area lying wholly within the McNeil Tract Subdivision.

**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 benefits 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 \$27,946.90 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 embraced within the aforementioned special assessment district, such relative portion of the whole sum to be levied in said district as shall be proportionate to the estimate benefit resulting to such lot or parcel of land from the improvement.

**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 Wednesday, the 16th day of July, 1952, at 7:30 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 Review-Journal, 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 one week 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 one week 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 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 August, 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 August, 1952, 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 August, 1953, and the remainder of said annual installments of interest being due and payable on the 1st day of August 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 draw interest 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. 200-5" 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. 200-5, 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, easements, alleys, and portions thereof, in said Sanitary Sewer Improvement Assessment District No. 200-5, 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 systems 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 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 2nd day of July, 1952.  
C. D. BAKER,  
Mayor.

(SEAL)

Attest:

Shirley Ballinger,  
City Clerk.

Those voting in favor of the foregoing Ordinance:

Commissioner Bunker. "Aye"

Commissioner Jarrett. "Aye"

Commissioner Whipple. "Aye"

Mayor Baker. "Aye"

Those voting "Nay": None

Absent: Commissioner Peccole.

July 6, 1952

EMERGENCY ORDINANCE NO. 496  
AN EMERGENCY ORDINANCE  
CREATING SANITARY SEWER  
IMPROVEMENT ASSESSMENT  
DISTRICT NO. 200-5; PROVIDING  
PUBLIC IMPROVEMENTS BY  
INSTALLING A SANITARY  
SEWER ALONG CERTAIN  
STREETS AND PORTIONS OF  
STREETS AND EASEMENTS;  
PROVIDING FOR SPECIAL AS-  
SESSMENTS ACCORDING TO  
BENEFITS TO DEFRAY THE EN-  
TIRE COST THEREOF; DIRECT-  
ING THE PREPARATION OF AN  
ASSESSMENT ROLL AND THE  
REPORTING OF THE SAME TO  
THE BOARD OF COMMISSION-  
ERS; PROVIDING FOR FILING OF  
SAID ROLL WITH CITY CLERK;  
PROVIDING A TIME AND PLACE  
TO REVIEW SAID ASSESSMENTS  
AND NOTIFICATION THEREOF;  
PROVIDING FOR THE CORREC-  
TION, AND/OR CONFIRMATION  
AND APPROVAL OF SAID ROLL  
THEREAT OR THEREAFTER;  
PROVIDING FOR THE INDORSE-  
MENT ON SAID ROLL OF SAID  
CONFIRMATION AND APPROV-  
AL; PROVIDING FOR THE DE-  
LIVERY OF SAID APPROVED  
ROLL TO THE EX-OFFICIO CITY  
ASSESSOR; PROVIDING THAT  
SAID ASSESSMENT SHALL CON-  
STITUTE A LIEN; PRESCRIBING  
THE METHOD OF PAYING SAID  
ASSESSMENTS AND THE INTER-  
EST THEREON; PROVIDING FOR  
THE DISPOSITION OF SAID AS-  
SESSMENTS; DIRECTING THE  
NOTIFICATION BY MAIL WHEN  
AND WHERE SAID ASSESSMENT  
IS DUE AND PAYABLE; RATI-  
FYING, APPROVING AND CON-  
FIRMING ALL ACTION HERETO-  
FORE TAKEN TOWARD MAKING  
SAID IMPROVEMENT IN SAID  
DISTRICT, TOWARD ITS CREA-  
TION AND TOWARD LEVYING  
AND EFFECTING SPECIAL AS-  
SESSMENTS; PROVIDING OTHER  
MATTERS RELATING THERETO;  
AND DECLARING AN EMERGEN-  
CY.

WHEREAS, the Board of Commis-  
sioners 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 in-  
stalling along certain streets and por-  
tions of streets and easements there-  
in, hereinafter more particularly de-  
scribed a sanitary sewer, composed of  
vitrified clay pipe; and

WHEREAS, said Board deems it  
expedient and desirable to create  
Sanitary Sewer Improvement Assess-  
ment District No. 200-5 for the pur-  
pose of making said improvements,  
and to defray the entire cost and ex-  
pense thereof by special assessments  
made according to benefits against the  
owners and the assessable lots,  
premises and property specially ben-  
efited by such improvements and in-  
cluded 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 as-  
sessment upon any lot or premises for  
said improvements exceed fifty per-  
cent of the value of such lot or prem-  
ises as shown upon the latest tax list  
or assessment roll for state and coun-  
ty 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 ex-  
pense be borne by the City from its  
general funds; and

WHEREAS, said Board by Emerg-  
ency Ordinance No. 493, passed,  
adopted and approved the 4th day of  
June, 1952, declared its determination  
to make certain public improvements  
is herein provided, to create Sanitary  
Sewer Improvement Assessment Dis-  
trict No. 200-5, for the purpose of  
making said improvements, to de-

fray the entire cost and expense  
thereof by special assessments made  
according to benefits, and fixed a  
time in which protests, against the  
proposed improvements or the crea-  
tion 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 man-  
ner prescribed by Section 7 of said  
Emergency Ordinance No. 493 and by  
Section 57, Chapter 11, Charter of the  
City of Las Vegas; and

WHEREAS, the owners of more  
than one-half the property to be as-  
sessed have not filed written objec-  
tions concerning the making of said  
improvements, the creation of said  
District, or the defraying of the en-  
tire cost and expense by special as-  
sessments; and

WHEREAS, no objections, sugges-  
tions, comments nor questions were  
made or raised at said protest hear-  
ings; and

WHEREAS, said Board has done all  
things necessary and preliminary to  
the creation of said Sanitary Sewer  
Improvement Assessment District No.  
200-5, 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 Assess-  
ment District No. 200-5, which shall  
include all the lots, premises and prop-  
erty to their full depth; fronting, ad-  
joining and abutting upon the follow-  
ing streets and portions of streets  
and easements, all within the City of  
Las Vegas.

In Ashby Avenue from 115.77 feet  
east of the center line of Cashman  
Drive to Strong Drive; in the ease-  
ment on the west side of Lots 3 and  
16, Block 1, 385.00 feet north to ex-  
isting 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.

Sanitary Sewer Improvement As-  
sessment District No. 200-5 shall in-  
clude all the lots, premises and prop-  
erty to the full depth of each, fronting,  
adjoining and abutting upon said  
streets and parts of streets and ease-  
ments, excepting:

In the McNeil Tract as shown by  
the Records of the County Record-  
er'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 Camp-  
bell 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 Boule-  
vard.

Section 2. That the said sewer im-  
provement shall be made by installing  
a sanitary sewer in and along the  
following streets and parts of streets  
and easements, said sewer to be com-  
posed of eight inch vitrified clay pipe,  
together with such appurtenances as  
may be required, as is more particu-  
larly 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 ease-  
ment on the west side of Lots 3 and  
16, Block 1, 385.00 feet north to ex-  
isting sanitary sewer 6.00 feet  
north of the center line of Charles-  
ton Boulevard; in Campbell Drive,  
385.00 feet north to existing sani-  
itary 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 Charles-  
ton 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 Charles-  
ton Boulevard; all of the above de-  
scribed area lying wholly within the  
McNeil Tract Subdivision.

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 spe-  
cial assessments, shall be defrayed  
by special assessments made accord-  
ing to benefits against the owners  
and the assessable lots, premises and  
property specially benefited by such  
improvements and included within  
said District. The entire cost and ex-  
pense of making said improvements  
are deemed to be \$27,946.90 and the  
total of the special assessments so  
levied shall be in that amount.

## 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 insertions  
from July 6, 1952 to July 13, 1952

inclusive, being the issues of said newspaper for the following dates, to-wit:  
July 6, 1952

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

Signed

Subscribed and sworn to before me this 13th day of July, 1952

Notary Public in and for Clark County, Nevada

My Commission Expires April 14, 1954.

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 prem-  
ises 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 Char-  
ter of the City of Las Vegas, Nevada,  
and shall assess each lot or parcel of  
land embraced within the aforemen-  
tioned special assessment district,  
such relative portion of the whole sum  
to be levied in said district as shall be  
proportionate to the estimate bene-  
fit resulting to such lot or parcel of  
land from the improvement.

Section 7. That when said Ex-Offi-  
cio City Assessor shall have completed  
the assessment, he shall report the  
same to the Board of Commissioners  
of the City of Las Vegas. Such re-  
port shall be signed by him and made  
in the form of a certificate endorse  
on the assessment roll, which certi-  
cate 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 pre-  
pared 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 con-  
firmed by said Board, any person  
objecting to the assessment may file  
his objection thereto with the City  
Clerk on or before Wednesday, the  
14th day of July, 1952, at 7:30 o'clock,  
P.M., at the City Hall in said City, and  
said time and place are hereby fixed.  
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 re-  
view said assessments.

Section 10. That after filing said  
special assessment roll with the City  
Clerk, she shall publish notice of the  
same said Board and said Ex-officio  
City Assessor will meet to review  
assessments at least once a week  
two weeks in the Las Vegas Re-  
view-Journal, a daily newspaper pub-  
lished 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 ap-  
pointed for reviewing the assessments  
aforesaid, the Board of Commis-  
sioners and the Ex-officio City Asses-  
sor shall meet and then, or at some  
subsequent meeting, review the as-  
sessments and hear any objection to  
said assessments which may be made  
by any person deeming himself ag-  
grieved thereby, and shall decide the  
same; and said Board may correct the  
same as to any assessment or descrip-  
tion 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 assess-  
ment 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 assess-  
ments shall be confirmed and ap-  
proved 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 Commis-  
sioners, with her certificate of such  
confirmation, and of the date thereof.  
The County Assessor, acting Ex-of-  
ficio 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 mak-  
ing thereof, and of the validity of the  
assessment and assessment roll.

Section 14. That all special assess-  
ments, assessed as aforesaid, shall  
from the date of confirmation and ap-  
proval 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 one week 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 one week 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 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 August, 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 August, 1952, 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 August, 1953, and the remainder of said annual installments of interest being due and payable on the 1st day of August 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 draw interest 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. 200-5" 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. 200-5, 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, easements, alleys, and portions thereof, in said Sanitary Sewer Improvement Assessment District No. 200-5, 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 systems 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 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 2nd day of July, 1952,  
C. D. BAKER,  
Mayor.

(SEAL)

Attest:

Shirley Ballinger,  
City Clerk.

Those voting in favor of the foregoing Ordinance:

|                              |       |
|------------------------------|-------|
| Commissioner Bunker          | "Aye" |
| Commissioner Jarrett         | "Aye" |
| Commissioner Whipple         | "Aye" |
| Mayor Baker                  | "Aye" |
| Those voting "Nay"           | None  |
| Absent: Commissioner Peccole |       |

July 6, 1952