

CALL OF SPECIAL MEETING

April 6, 1953

TO: SHIRLEY BALLINGER, City Clerk  
Las Vegas, Nevada

A special meeting of the Board of Commissioners of the City of Las Vegas is hereby called to be held in the Council Chambers at the City Hall, on the 6th day of April, 1953, at the hour of 8:00 P.M., to consider the following matters:

1. Assessment District No. 100-11
2. Assessment District No. 100-19
3. Assessment District No. 200-12
4. Assessment District No. 100-18
5. Assessment District No. 100-21

s/ C.D. Baker  
Mayor

NOTICE OF SPECIAL MEETING

TO: C.D. BAKER, Mayor and to WENDELL BUNKER, REX A. JARRETT, WILLIAM PECCOLE, REED WHIPPLE, Commissioners, and C.W. SHELLEY, City Manager, DORA LORD, Assistant City Manager, HOWARD W. CANNON, City Attorney of the City of Las Vegas, Nevada.

You and each of you will please take notice that pursuant to a call this day issued by Mayor Baker, a special meeting of the Board of Commissioners of the City of Las Vegas, Nevada, will be held in the Council Chambers at the City Hall, 5th and Stewart, on the 6th day of April, 1953, at the hour of 8:00 P.M., to consider the following matters:

1. Assessment District No. 100-11
2. Assessment District No. 100-19
3. Assessment District No. 200-12
4. Assessment District No. 100-18
5. Assessment District No. 100-21

s/ Shirley Ballinger  
City Clerk

ACCEPTANCE OF NOTICE

We, the undersigned Mayor, Commissioners, City Manager, Assistant City Manager and City Attorney of the City of Las Vegas, Nevada, do hereby admit due service of the foregoing Notice of Special Meeting:

C.D. BAKER  
Mayor

WENDELL BUNKER  
Commissioner

REX A. JARRETT  
Commissioner

WILLIAM PECCOLE  
Commissioner

REED WHIPPLE  
Commissioner

C.W. SHELLEY  
City Manager

HOWARD W. CANNON  
City Attorney

DORA LORD  
Assistant City Manager

Las Vegas, Nevada  
April 6, 1953

A special meeting of the Board of Commissioners of the City of Las Vegas, Nevada held this 6th day of April, 1953 was called to order at the hour of 8:00 P.M. by His Honor Mayor C.D. Baker with the following members present:

Mayor	C.D. Baker
Commissioner	Wendell Bunker
Commissioner	Rex A. Jarrett
Commissioner	William Peccole
Commissioner	Reed Whipple
City Manager	C.W. Shelley
Asst. City Mgr.	Dora Lord
City Attorney	Howard W. Cannon
City Engineer	C.C. Boyer
City Clerk	Shirley Ballinger

ASSESSMENT DISTRICT  
NO. 100-11  
Public Hearing on  
Creation of District

The Mayor announced that this was the time and place designated for the Board of Commissioners of the City of Las Vegas, Nevada to meet and hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto, in the proposed Street Improvement Assessment District No. 100-11 in said City as provided in Emergency Ordinance No. 534, passed, adopted and approved the 25th day of March, 1953, and the notice prescribed therein. The Mayor then asked if any written objections, suggestions or comments concerning said District had been filed in the office of the City Clerk. The City Clerk answered that no objections, suggestions or comments concerning said District had been filed in her

office prior to said meeting and she filed a certificate with the Board of Commissioners to that effect.

The Mayor then publicly asked if anyone desired to make any objection, suggestion or comment, or raise any question, concerning said District. There were no objections voiced.

**EMERGENCY ORDINANCE  
NO. 511**

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. 511**

AN EMERGENCY ORDINANCE CREATING STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-11; PROVIDING FOR THE IMPROVEMENT OF A CERTAIN STREET THEREIN; 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 ASSESSMENTS 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 IMPROVING THAT CERTAIN STREET 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, State of Nevada, deems it expedient and for the best interests of said City to improve a certain street, hereinafter particularly described, by installing thereon a complete Street Lighting System; and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-11 for the purpose of making said improvements, and to defray the entire cost and expense thereof by special assessments made according to 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. 511, passed, adopted and approved the 25th day of March, 1953, declared its determination to make certain public improvements as herein provided, to create Street Improvement Assessment District No. 100-11 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. 511 and by Section 57, Chapter 2, Charter of the City of Las Vegas; and

WHEREAS, the owners of more than one-half of 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 Street Improvement Assessment District No. 100-11, 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 Street Improvement Assessment District No. 100-11, which shall include all the lots, premises and property to their full depth, fronting, adjoining and abutting upon the following street within the City of Las Vegas:

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

Section 2. That the street, hereinabove described, shall be improved by constructing thereon street lighting facilities which include concrete bases, aluminum standards, mercury vapor luminaires and single overhead wire and series lighting system, together with such appurtenances as may be required, as more particularly

shown by the plats, diagrams and plans of the work and locality to be improved now on file in the office of the City Clerk of the City of Las Vegas.

Section 3. That the 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 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 \$14,355.05 and the total of the special assessments so levied shall be in that amount.

Section 4. That in no case shall the amount of any special assessment upon any 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 5. 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 and 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 shape or size 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 the aggregate number of feet as determined upon for assessment by the assessor.

Section 6. 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 7. 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 8. 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 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 assessment.

Section 9. 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 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 10. That at said time appointed for reviewing the assessment 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 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 11. 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 12. 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 13. 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 14. 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 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 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 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 15. That the special assessments, both principal and interest, when collected, shall be placed in a special fund to be known as "Street Improvement Assessment District No. 100-11, Bond Interest and Redemption Fund," 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 16. 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 Street Improvement Assessment District No. 100-11, and shall state therein when and where said assessment is due and payable.

Section 17. 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 improving of a certain street by installing a complete street lighting system in the said Street Improvement Assessment District No. 100-11, 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 18. 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 19. That if any one or more sections, sentences, clauses or parts of this ordinance shall, for any reason, be questioned or be held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance, in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.

Section 20. That by reason of the fact that the streets of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health, and safety.

Section 21. 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.  
Commissioner Peccole seconded the motion to adopt the foregoing ordinance, The question being upon the adoption of said ordinance, the roll was called with the following results:

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None                      Absent: 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 results:

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None                      Absent: 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  
Mayor Baker

Those voting "Nay": None                      Absent: 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  
Mayor Baker

Those voting "Nay": None                      Absent: 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.

Commissioner Whipple moved this ordinance be numbered 541.

Motion seconded by Commissioner Peccole and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 100-11  
Resolution Authorizing  
Call for Construction  
Bids

Commissioner Bunker introduced and moved the adoption of the following resolution authorizing the publication of notice that bids for the installation of improvements in Assessment District No. 100-11 will be opened April 27, 1953:

#### RESOLUTION

WHEREAS, the Board of Commissioners of the City of Las Vegas have taken steps to create certain public improvements all as provided for in Emergency Ordinance #541, passed, adopted and approved this 6th day of April, 1953, and

WHEREAS, the time is now arrived to authorize and direct the City Clerk to advertise for construction bids all in accordance with the proceedings heretofore taken to construct said improvements by special assessment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Las Vegas at a special meeting thereof held on the 6th of April, 1953, that the City Clerk and Clerk of the Board of Commissioners be and she is hereby directed to publish notice that the Board of Commissioners will receive bids for furnishing of labor, material, transportation and service for improvements of certain streets and parts of streets in special assessment district #100-11 as created by Emergency Ordinance #541 in the City of Las Vegas, Nevada.

BE IT FURTHER RESOLVED, that the City Clerk and Clerk of the Board of Commissioners be and she hereby is directed to publish notice of the receipt of bids for said construction by publication on April 8, April 15, and April 22, 1953, in the Las Vegas Sun, a daily newspaper published in the City of Las Vegas; and

BE IT FURTHER RESOLVED; that the City Clerk and Clerk of the Board of Commissioners be directed to publish in said notice that the bids for said construction will be received until 8:00 P.M. on Monday the 27th day of April, 1953, at which time said bids will be opened.

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

Motion seconded by Commissioner Peccole and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 100-18  
Resolution Authorizing  
Call for Construction  
Bids

Commissioner Whipple introduced and moved the adoption of the following resolution authorizing the publication of notice that bids for the installation of improvements in Assessment District No. 100-18 will be opened April 27, 1953:

#### RESOLUTION

WHEREAS, the Board of Commissioners of the City of Las Vegas have taken steps to create certain public improvements all as provided for in Emergency Ordinance #512, passed, adopted and

approved the 3rd day of December, 1952, and

WHEREAS, The time is now arrived to authorize and direct the City Clerk to advertise for construction bids all in accordance with the proceedings heretofore taken to construct said improvements by special assessment.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the City of Las Vegas at a special meeting thereof held on the 6th day of April, 1953, that the City Clerk and Clerk of the Board of Commissioners be and she is hereby directed to publish notice that the Board of Commissioners will receive bids for furnishing of labor, material, transportation and service for improvements of certain streets and parts of streets in special assessment district #100-18 as created by Emergency Ordinance #512 in the City of Las Vegas, Nevada.

BE IT FURTHER RESOLVED, That the City Clerk and Clerk of the Board of Commissioners be and she hereby is directed to publish notice of the receipt of bids for said construction by publication on April 8, 15 and 22, 1953, in the Las Vegas Sun, a daily newspaper published in the City of Las Vegas; and

BE IT FURTHER RESOLVED, That the City Clerk and Clerk of the Board of Commissioners be directed to publish in said notice that the bids for said construction will be received until 8:00 P.M. On Monday the 27th day of April, 1953, at which time said bids will be opened.

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

ADOPTED AND APPROVED this 6th day of April, 1953

C.D. Baker  
Mayor

ATTEST:

Shirley Ballinger  
City Clerk

Motion seconded by Commissioner Jarrett and carried by the following vote: Commissioner Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 100-19  
Public Hearing on Creations  
of District

The Mayor announced that this was the time and place designated for the Board of Commissioners of the City of Las Vegas, Nevada, to meet and hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto, in the proposed Street Improvement Assessment District No. 100-19 in said City as provided in Emergency Ordinance No. 535, passed, adopted and approved the 25th day of March, 1953, and the notice prescribed therein. The Mayor then asked if any written objections, suggestions or comments concerning said District had been filed in the office of the City Clerk. The City Clerk answered that no objections, suggestions or comments concerning said District had been filed in her office prior to said meeting, and she filed a certificate with the Board of Commissioners to that effect.

The Mayor then publicly asked if anyone desired to make any objection suggestion or comment, or raise any question, concerning said District.

Mr. Cleveland Schultz, Jr., owner of property on the corner of 8th and Stewart Streets appeared before the Board to protest the repaving of Stewart Avenue. It was explained to Mr. Schultz and other property owners in this area, that the proposed improvements were not to be a complete paving project, but merely seal coat and chips over the existing pavement. Thereafter, they withdrew their objections to the proposed improvements.

EMERGENCY ORDINANCE  
No. 512

Commissioner Jarrett 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. 512

AN EMERGENCY ORDINANCE CREATING STREET IMPROVEMENT ASSESSMENT DISTRICT NO. 100-19; PROVIDING FOR THE IMPROVEMENT OF DESIGNATED STREETS AND PARTS OF STREETS THEREIN; PROVIDING FOR SPECIAL ASSESSMENTS ACCORDING TO BENEFITS 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 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 ASSESSMENTS 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 IMPROVING SAID STREETS AND PARTS OF STREETS 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 improve certain streets and parts of streets, hereinafter particularly described, by constructing and reconstructing drainage, making minor repairs, installing seal coat and chips wherever necessary; and

WHEREAS, said Board deems it expedient and desirable to create Street Improvement Assessment District No. 100-19 for the purpose of making said improvements, and to defray the entire cost and expense thereof by special assessments made ac-

ording 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. 535, passed, adopted and approved the 25th day of March, 1953, declared its determination to make certain public improvements as herein provided, to create Street Improvement Assessment District No. 100-19 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. 534 and by Section 57, Chapter 11, 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 Street Improvement Assessment District No. 100-19, 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 Street Improvement Assessment District No. 100-19, which shall include all the lots, premises and property within said improvement district to their full depth; and the boundaries of said district, all within the City of Las Vegas, are described as follows, to-wit:

Starting at the southerly corner of Lot 8, Block 12, of the Wardie Addition to the City of Las Vegas, thence Westerly parallel with Garces Avenue to the center line of Main Street South; thence Northerly along the center line of Main Street South to the North line of Lot 9, Block 5 of the South Addition to the City of Las Vegas, thence Easterly parallel to Bridger Avenue to the center of the alley between Main Street South and First Street South, thence Northerly along the center line of said alley to the center line of Bridger Avenue, thence Easterly along the said center line to the center line of Fifth Street South thence Southerly along said center line to the Southern line of Lot 8, Block 2 of Hawkins Addition to the City of Las Vegas, thence Easterly parallel to Lewis Avenue to the center line of the alley of Block 5 Hawkins Addition to the City of Las Vegas; thence southerly to the center line of Clark Avenue; thence Easterly along the said center line to the center line of the alley between 7th and 8th Streets South; thence Southerly to the Southerly corner of Lot 8, Block 12 of the Wardie Addition to the City of Las Vegas; the point of beginning also starting at the Southerly corner of Lot 15, Block 21, of the Wardie Addition to the City of Las Vegas; thence Westerly parallel with Gass Avenue to the center line of the alley between 8th and 9th Streets South; thence Northerly with said center line to the center line of Bonneville Avenue; thence Easterly along said center line to the center line of the alley between 9th and 10th Streets; South, thence Southerly along said center line (PROJECTED) to the point of beginning, also, starting at the Southerly corner of Lot 16, Block 5 of the Pioneer Heights Addition to the City of Las Vegas; thence Westerly parallel with Bridger Avenue to the center line of the alley between 7th and 8th Streets South; thence Northerly to the center line of Carson Avenue; thence Westerly along said center line to the center line of the alley between 6th and 7th Streets; thence Northerly along said center line (PROJECTED) to the center line of Fremont Street; thence Westerly along said center line to the center line (PROJECTED) of the alley between 5th and 6th Streets North; thence northerly along said center line to the Southerly corner of lots 25, Block 2 of Hawkins Addition to the City of Las Vegas; thence westerly parallel with Fremont Street to 5th Street and North; thence northerly along 5th Street north to the South-westerly corner of Lot 4, Block 1 of Buck's Addition to the City of Las Vegas; thence Easterly parallel with Mesquite Avenue to the center line of the alley between 5th and 6th Streets North; thence northerly to the North boundary of Buck's Addition to the City of Las Vegas; thence Easterly along the North boundary of Buck's Addition to the City of Las Vegas to the center line of the alley between 7th and 9th Streets North; thence Southerly along said center line to the South-westerly corner of Lot 13, Block 9 of Buck's Addition to the City of Las Vegas; thence Easterly parallel with Mesquite Avenue to 9th Street North; thence Southerly parallel with 9th Street North to the center line of Mesquite Avenue; thence Easterly with said center line to the center line of the alley between 8th and 9th Streets North; thence Southerly along said center line to the South-westerly corner of Lot 13 Block 17 of Buck's Addition to the City of Las Vegas; thence Easterly parallel with Stewart Avenue to the center line of the alley between 9th and 10th Streets North; thence Southerly along said alley to the center line of Fremont Street; thence Westerly along said center line to the center line of the alley between 8th and 9th Streets South; thence Southerly along said center line to the point of beginning.

Section 2. That the streets and parts of streets hereinafter described shall be improved by constructing and reconstructing drainage, making minor repairs, installing seal coat and chips on certain streets and parts of streets, wherever said improvements are missing, together with such appurtenances as may be required, as more particularly shown by the plats, diagrams and plans of the work and locality to be improved now on file in the office of the City Clerk of the City of Las Vegas.

Section 3. That the streets and parts of streets which are to be so improved, wherever said improvements are missing, are the followings:

FIRST, SECOND, THIRD, AND FOURTH STREETS, from the South right-of-way line of Garces Avenue to

the South right-of-way line of Bridger Avenue; SIXTH STREET from the North right-of-way line of Fremont Street to the North right-of-way line of Linden Avenue; SEVENTH STREET from the South right-of-way line of Garces Avenue to the South right-of-way line of Clark Avenue, from the North right-of-way line of Carson Avenue to the South right-of-way line of Fremont Street, from the North right-of-way line of Fremont Street to the North right-of-way line of Ogden Avenue, and from the South right-of-way line of Stewart Avenue to the South property line of Hall-dorado Village; EIGHTH STREET from the North right-of-way line of Bridger Avenue to the South right-of-way line of Carson Avenue, from the North right-of-way line of Carson Avenue to the South right-of-way line of Fremont Street, and from a point 100 feet North of North right-of-way line of Fremont Street to the South right-of-way line of Mesquite Avenue; NINTH STREET from the North right-of-way line of Gass Avenue to the South right-of-way line of Bonneville Avenue; from the North right-of-way line of Fremont Street to the North right-of-way line of Ogden Avenue; GARCES AVENUE from the East right-of-way line of Main Street to the West right-of-way line of Fifth Street and from the East right-of-way line of Fifth Street to the East right-of-way line of Seventh Street; BONNEVILLE AVENUE from the East right-of-way line of Main Street to the West right-of-way line of Fifth Street and from the East right-of-way line of Sixth Street to the East right-of-way line of Seventh Street; CLARK AVENUE from the East right-of-way line of Main Street to the West right-of-way line of Fifth Street and from the East right-of-way line of Fifth Street to the East right-of-way line of Sixth Street; LEMIS AVENUE from the East right-of-way line of Main Street to the East right-of-way line of Fourth Street; OGDEN AVENUE from the East right-of-way line of Fifth Street to the East right-of-way line of Ninth Street; STEWART AVENUE from the East right-of-way line of Fifth Street to the East right-of-way line of Ninth Street; MESQUITE AVENUE from the East right-of-way line of Fifth Street to the West right-of-way line of Eighth Street; LINDEN AVENUE from the West right-of-way line of Sixth Street to the East right-of-way line of Seventh Street.

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 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 \$80,334.61 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 and 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 estimated 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 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 assessment.

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 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 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 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 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 "Street Improvement Assessment District No. 100-19 Bond Interest and Redemption Fund," 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 Street Improvement Assessment District No. 100-19, 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 constructing and reconstructing drainage, making minor repairs, installing seal coat and chips and otherwise improving certain streets and parts of streets in said Street Improvement Assessment District No. 100-19, 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 be held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance so held unconstitutional and invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this ordinance, in any one or more instances shall not affect or prejudice in any way the applicability and validity of this ordinance in any other instances.

Section 21. That by reason of the fact that the streets of the City of Las Vegas are inadequate to meet the present and future needs of the City and its inhabitants and that it is necessary immediately to raise funds to improve said streets, therefore, it is hereby declared that an emergency exists, and that this ordinance is necessary for the immediate preservation of the public peace, health and safety.

Section 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.

Commissioner Whipple seconded the motion to adopt the foregoing ordinance. The question being upon the adoption of said ordinance, the roll was called with the following results:

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None      Absent: None

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

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

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

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None      Absent: None

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

Commissioner Jarrett then moved that said ordinance heretofore introduced and read in full at this meeting be now placed upon its passage. Commissioner Whipple 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  
Mayor Baker

Those voting "Nay": None      Absent: None

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

Commissioner Jarrett then moved that said ordinance be passed and adopted as read and as an emergency ordinance. Commissioner Whipple 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  
Mayor Baker

Those voting "Nay": None      Absent: 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.

Commissioner Jarrett moved this ordinance be numbered 542.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 100-19  
Resolution Authorizing  
Call for Construction  
Bids

Commissioner Bunker introduced and moved the adoption of the following resolution authorizing the publication of notice that bids for the installation of improvements in Assessment District No. 100-19 will be opened April 27, 1953:

#### RESOLUTION

WHEREAS, the Board of Commissioners of the City of Las Vegas have taken steps to create certain public improvements all as provided for in Emergency Ordinance #542, passed, adopted and approved this 6th day of April, 1953, and

WHEREAS, the time is now arrived to authorize and direct the City Clerk to advertise for construction bids all in accordance with the proceedings heretofore taken to construct said improvements by special assessment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Las Vegas at a special meeting thereof held on the 6th of April, 1953, that the City Clerk and Clerk of the Board of Commissioners be and she is hereby directed to publish notice that the Board of Commissioners will receive bids for furnishing of labor, material, transportation and service for improvements of certain streets and parts of streets in special assessment district #100-19 as created by Emergency Ordinance #542 in the City of Las Vegas, Nevada.

BE IT FURTHER RESOLVED, that the City Clerk and Clerk of the Board of Commissioners be and she hereby is directed to publish notice of the receipt of bids for said construction by publication on April 8, April 15, and April 22, 1953, in the Las Vegas Sun, a daily newspaper published in the City of Las Vegas; and

BE IT FURTHER RESOLVED; that the City Clerk and Clerk of the Board of Commissioners be directed to publish in said notice that the bids for said construction will be received until 8:00 P.M. on Monday the 27th day of April, 1953, at which time said bids will be opened.

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

Motion seconded by Commissioner Peccole and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 200-12  
Public Hearing on  
Creation of District

The Mayor announced that this was the time and place designated for the Board of Commissioners of the City of Las Vegas, Nevada, to meet and hear and consider any suggestions and objections that may be made by parties in interest to the proposed improvements, or any matters relating thereto, in the proposed Sewer Assessment District No. 200-12 in said City as provided in Emergency Ordinance No. 537 passed, adopted and approved the 25th day of March, 1953, and the notice prescribed therein. The Mayor then asked if any written objections, suggestions or comments concerning said District had been filed in the office of the City Clerk. The City Clerk answered that no objections, suggestions or comments concerning said District had been filed in her office prior to said meeting, and she filed a certificate with the Board of Commissioners to that effect.

The Mayor then publicly asked if anyone desired to make any objection suggestion or comment, or raise any question, concerning said District. There were no objections voiced.

EMERGENCY ORDINANCE  
NO. 543

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. 543

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 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.

From the manhole at the intersection of Desert Lane and Hastings North 0°06'26" East along the center line of Desert Lane 441.71 feet to a point; thence North 85°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 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 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 in and along which the Board proposes to install eight inch vitrified clay pipe, are the followings

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 \$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 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 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 endorsement 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 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.

Commissioner Peccole seconded the motion to adopt the foregoing ordinance. The question being upon the adoption of said ordinance, the roll was called with the following results:

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None Absent: 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 the rules, the roll was called with the following results:

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None Absent: 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  
Mayor Baker

Those voting "Nay": None Absent: 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 results:

Those voting "Aye": Commissioner Bunker  
Commissioner Jarrett  
Commissioner Peccole  
Commissioner Whipple  
Mayor Baker

Those voting "Nay": None Absent: 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.

Commissioner Whipple moved this ordinance be numbered 543.

Motion seconded by Commissioner Peccole and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 200-12  
Resolution Authorizing  
Call for Construction  
Bids

Commissioner Bunker introduced and moved the adoption of the following resolution authorizing the publication of notice that bids for the installation of improvements in Assessment District No. 200-12 will be opened April 27, 1953:

#### RESOLUTION

WHEREAS, the Board of Commissioners of the City of Las Vegas have taken steps to create certain public improvements all as provided for in Emergency Ordinance #543, passed, adopted and approved this 6th day of April, 1953, and

WHEREAS, the time is now arrived to authorize and direct the City Clerk to advertise for construction bids all in accordance with the proceedings heretofore taken to construct said improvements by special assessment.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the City of Las Vegas at a special meeting thereof held on the 6th of April, 1953, that the City Clerk and Clerk of the Board of Commissioners be and she is hereby directed to publish notice that the Board of Commissioners will receive bids for furnishing of labor, material, transportation and service for improvements of certain streets and parts of streets in special assessment district # 200-12 as created by Emergency Ordinance # 543 in the City of Las Vegas, Nevada.

BE IT FURTHER RESOLVED, that the City Clerk and Clerk of the Board of Commissioners be and she hereby is directed to publish notice of the receipt of bids for said construction by publication on April 8, April 15, and April 22, 1953, in the Las Vegas Sun, a daily newspaper published in the City of Las Vegas; and

BE IT FURTHER RESOLVED; that the City Clerk and Clerk of the Board of Commissioners be directed to publish in said notice that the bids for said construction will be received until 7:30 P.M. on Monday the 27th day of April, 1953, at which time said bids will be opened.

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

Motion seconded by Commissioner Peccole and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ASSESSMENT DISTRICT  
NO. 100-21  
Public Hearing  
Continued

Commissioner Jarrett moved the public hearing on the creation of Assessment District No. 100-21 be deferred until April 15, 1953, at 7:30 P.M.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

There being no further business to come before the Board at this time Commissioner Bunker moved the meeting be adjourned.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Bunker, Jarrett, Peccole, Whipple and His Honor voting aye; noes, none.

ATTEST:

Shirley Ballinger  
City Clerk

APPROVED:

C.D. Baker  
Mayor

April 10, 1953

CALL OF SPECIAL MEETING

TO: SHIRLEY BALLINGER, City Clerk  
Las Vegas, Nevada

A special meeting of the Board of Commissioners of the City of Las Vegas is hereby called to be held in the Council Chambers at the City Hall, on the 10th day of April, 1953, at the hour of 8:00 P.M., to consider the following matters:

- 1. Assessment District No. 100-20
  - a. Public Hearing on Creation of District
  - b. Resolution authorizing call for bids

s/ C.D. Baker  
Mayor

NOTICE OF SPECIAL MEETING

TO: C.D. BAKER, Mayor and to WENDELL BUNKER, REX A. JARRETT, WILLIAM PECCOLE, REED WHIPPLE, Commissioners, and C.W. SHELLEY, City Manager, DORA LORD, Assistant City Manager, HOWARD W. GANNON, City Attorney of the City of Las Vegas, Nevada.

You and each of you will please take notice that pursuant to a call this day issued by Mayor Baker, a special meeting of the Board of Commissioners of the City of Las Vegas, Nevada, will be held in the Council Chambers at the City Hall, 5th and Stewart, on the 10th day of April, 1953, at the hour of 8:00 P.M. to consider the following matters:

- 1. Assessment District No. 100-20
  - a. Public Hearing on Creation of District
  - b. Resolution authorizing call for bids

s/ Shirley Ballinger  
City Clerk

ACCEPTANCE OF NOTICE

We, the undersigned Mayor, Commissioners, City Manager, Assistant City Manager and City Attorney of the City of Las Vegas, Nevada, do hereby admit due service of the foregoing Notice of Special Meetings:

C.D. BAKER  
Mayor

WENDELL BUNKER  
Commissioner

REX A. JARRETT  
Commissioner

WILLIAM PECCOLE  
Commissioner

REED WHIPPLE  
Commissioner

C.W. SHELLEY  
City Manager

HOWARD W. GANNON  
City Attorney

DORA LORD  
Assistant City Manager