THIS MEETING CONTAINS SOME PAGE(S) THAT ARE ILLEGIBLE/POOR QUALITY

City of Las Vegas

Agenda Item No. 71

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-9 - Eliminates the inclusion of street rights-of-way and open space in the acreage used to determine allowable units per acre in residential subdivisions. Proposed by: Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The City's zoning regulations include a provision that allows street rights-of-way and open space to be included in the acreage used to determine allowable units per acre in residential subdivisions. This bill will repeal that provision. However, development within the R-PD District will continue to be able to include such property in determining number of units per gross acre.

RECOMMENDATION:

ADOPTION at 3/16/2005 City Council meeting pursuant to the 3/1/2005 Recommending Committee.

First Reading - 2/16/2005; First Publication - 3/4/2005

BACKUP DOCUMENTATION:

Bill No. 2005-9

MOTION:

REESE - STRIKE - UNANIMOUS

MINUTES:

MARGO WHEELER, Director, recommended striking this bill because the Southern Nevada Home Builders Association requested additional time to work with staff.

(11:44 - 11:45)

2-2552

BILL NO. 2005-9

ORDINANCE NO. ______

AN ORDINANCE TO ELIMINATE THE INCLUSION OF STREET RIGHTS-OF-WAY AND OPEN SPACE IN THE ACREAGE USED TO DETERMINE ALLOWABLE UNITS PER ACRE IN RESIDENTIAL SUBDIVISIONS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Margo Wheeler, Director of Planning and Development

Summary: Eliminates the inclusion of street rights-of-way and open space in the acreage used to determine allowable units per acre in residential subdivisions.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 19, Chapter 2, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.02.050: The following regulations shall apply to all zoning districts in this Title[.] :

(A) No land or building shall be used nor intended for any use other than those uses permitted in the district wherein the land or building is located.

(B) No building shall be erected, reconstructed, enlarged, structurally altered, or moved in such manner as to evade conformity with height, bulk, lot area, use and other regulations for the district wherein the building is located.

(C) No yard provided adjacent to a building for the purpose of complying with provisions of this zoning code shall be considered as providing any part of a yard for another building on the same lot or on an adjacent lot.

(D) No street or walkway shall serve as any part of a required yard or minimum lot area.[, although street rights-of-way and open space may be used in determining the number of allowable units per acre in residential subdivisions.]

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2005.

APPROVED:

By ____________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 2-3-05
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of ______________, 2005, and referred to the following committee composed of ___________________________ and ____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of ________________, 2005, which was a ________________ meeting of said Council; that at said ______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 72

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-10 - Eliminates redevelopment area status as a determinant of development standards relating to residential adjacency and certain setback requirements. Sponsored by: Councilman Lawrence Weekly

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The City's zoning regulations currently exempt property within the redevelopment area from standard residential adjacency standards and certain setback requirements for senior citizen apartments within the C-1 District. This bill will eliminate redevelopment area status as a determinant of development standards relating to those residential adjacency and setback requirements. However, the exemptions will continue to apply to property within the Downtown Overlay District.

RECOMMENDATION:

ADOPTION at 3/16/2005 City Council meeting pursuant to the 3/1/2005 Recommending Committee.

First Reading - 2/16/2005; First Publication - 3/4/2005

BACKUP DOCUMENTATION:

Bill No. 2005-10

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5754 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:45)

2-2594

BILL NO. 2005-10

ORDINANCE NO. ______

AN ORDINANCE TO ELIMINATE REDEVELOPMENT AREA STATUS AS A DETERMINANT OF DEVELOPMENT STANDARDS RELATING TO RESIDENTIAL ADJACENCY AND CERTAIN SETBACK REQUIREMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Lawrence Weekly

Summary: Eliminates redevelopment area status as a determinant of development standards relating to residential adjacency and certain setback requirements.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 19, Chapter 4, Section 50, Subsection (B), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that the subdivision entitled "Senior Citizen Apartments" reads as follows:

SENIOR CITIZEN APARTMENTS [C-1]

(1) For any development that is over three stories in height:

(a) The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

(b) Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

(2) The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor.

(3) The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street.

(4) The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and

colors.

(5) For any development that, in accordance with LVMC 19.08.045, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements<u>, and all minimum setback requirements for the C-1 District,</u> shall be met. [In addition, for any development that is not located within the Downtown Las Vegas Redevelopment Area, as established by Ordinance No. 3218 and amended from time to time, the minimum setback requirements for the C-1 District shall be met.]

SECTION 2: Title 19, Chapter 8, Section 60, Subsection (A), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(A) Applicability.

(1) Except as otherwise provided in [Subsection] <u>Paragraph</u> (3) of <u>this</u> Subsection (A), development of the following property shall conform to the residential adjacency standards set forth in this [Subsection:] <u>Section:</u>

(a) All property to be developed for nonresidential use that is located adjacent to residential property which is either developed for sale or designated for such development in the General Plan; and

(b) All property to be developed for multi-family residential use that is located adjacent to either single-family residential property or property which is designated for such development in the General Plan.

(2) For purposes of this Section:

(a) Property is "adjacent" to other property if the properties share a common property line or are separated only a street right-of-way or easement.

(b) "Property subject to the standards for this Section" means the property that is described in [Subsection] <u>Paragraph</u> (1) of this [Section] <u>Subsection</u> (A) that must conform to the residential adjacency standards of [the] <u>this</u> Section.

(c) "Protected property" means residential property that is developed for sale or designated for such development, and single-family residential property, as those types of property are described in [Subsection] <u>Paragraph</u> (1) of <u>this</u> Subsection (A).

(3) [The following property is not subject to the residential adjacency standards set forth in this Section:

(a) Property located within the boundaries of the Downtown Overlay District, as described by ordinance.

(b) Property located within the boundaries of the Las Vegas Redevelopment Area, as described by ordinance.]

Property located within the boundaries of the Downtown Overlay District, as described by ordinance, is not subject to the residential adjacency standards set forth in this Section.

SECTION 3: In Section 1 of this Ordinance, the brackets that follow the title of the subdivision being amended are not intended to indicate deleted matter, but instead are used as the means of indicating the applicable district.

SECTION 4: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.050 and 19.08.060 are deemed to be subchapters rather than sections.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases,

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sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2005.

APPROVED:

By ________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 2-3-05
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2005, and referred to the following committee composed of ____________________________ and _____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2005, which was a _________________ meeting of said Council; that at said _______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ___________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 73

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-11 - Clarifies the rules that apply to the remodeling, alteration, expansion or reuse of parking-impaired developments. Proposed by: Margo Wheeler, Director of Planning and Development

Fiscal Impact:

X	**No Impact**	**Amount:**	
	Budget Funds Available	**Dept./Division:**	
	Augmentation Required	**Funding Source:**	

PURPOSE/BACKGROUND:

The City's zoning regulations currently contain on-site parking requirements that apply to the remodeling, alteration, expansion or reuse of parking-impaired developments. This bill merely reorganizes and clarifies the requirements for purposes of interpretation and enforcement.

RECOMMENDATION:

ADOPTION at 3/16/2005 City Council meeting pursuant to the 3/1/2005 Recommending Committee.

First Reading - 2/16/2005; First Publication - 3/4/2005

BACKUP DOCUMENTATION:

Bill No. 2005-11

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5755 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.
(11:45 - 11:46)
2-2625

BILL NO. 2005-11

ORDINANCE NO. ______

AN ORDINANCE TO CLARIFY THE RULES THAT APPLY TO THE REMODELING, ALTERATION, EXPANSION OR REUSE OF PARKING-IMPAIRED DEVELOPMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Margo Wheeler, Director of Planning and Development

Summary: Clarifies the rules that apply to the remodeling, alteration, expansion or reuse of parking-impaired developments.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 19, Chapter 10, Section 10, Subsection (C), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(C) Parking-Impaired Development. A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this Section, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a "parking-impaired development." [Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this Chapter, provided that such redevelopment does not increase the building area or result in a change of use which requires an increased number of required parking spaces. If, when calculating the parking requirement of the existing or previous use utilizing the standards contained in this Chapter, the development or redevelopment of a parking-impaired development does require more parking than the previous or existing use, then only the increased number of parking spaces shall be required.] <u>The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:</u>

<u>(1) Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this Chapter, provided that such work does not increase the building area or result in a change of use that requires an increase in the number of required parking spaces.</u>

<u>(2) For any remodeling, alteration, or expansion of a parking-impaired development that</u>

requires an increase in the number of required parking spaces, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.

(3) For any change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required.

SECTION 2: For purposes of Section 2.100(3) of the City Charter, LVMC 19.10.010 is deemed to be a subchapter rather than a section.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2005.

APPROVED:

By ____________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 2-2-05
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2005, and referred to the following committee composed of ____________________________ and ____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2005, which was a _________________ meeting of said Council; that at said ________________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ___________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 74

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-13 - Annexation No. ANX-5674 - Property location: On the northeast corner of Centennial Parkway and Kevin Way; Petitioned by: Project K, LLC; Acreage: 2.52 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

X	**No Impact**	**Amount:**	
	Budget Funds Available	**Dept./Division:**	
	Augmentation Required	**Funding Source:**	

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Centennial Parkway and Kevin Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (March 25, 2005) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-13 and Location Map

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5756 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:46)

2-2651

BILL NO. 2005-13

ORDINANCE NO. ______

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-5674)

Sponsored by: Councilman Michael Mack

Summary: Annexes property described generally as located on the northeast corner of Centennial Parkway and Kevin Way.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

The Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.M., being Parcel II together with the adjacent half street right of way of CENTENNIAL PARKWAY (50.00 feet wide as measured from centerline thereof), and half street right of way of KEVIN WAY (30.00 feet wide as measured from centerline thereof) as shown on GRANT, BARGAIN, SALE DEED recorded December 10, 1981 in Book 1497 as Instrument Number 1456308 of Clark County, Nevada Records.

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

D. The City is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of the described territory shall become effective on the 25th day of March, 2005, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 25th day of March, 2005, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording shall be done prior to the 25th day of March, 2005.

SECTION 7: The described territory, which previously has been zoned R-E (County of Clark classification), is hereby classified as U (TC) (City of Las Vegas classification), which is deemed to be the City equivalent of the County classification.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

. . .

. . .

SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of ____________, 2005.

APPROVED:

By ________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 2-16-05
Date

The above and foregoing ordinance was first proposed and read by title to the Council on the _____ day of _________________, 2005, and referred to the following committee composed of ____________________ and ___________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _________________, 2005, which was a _____________ meeting of said Council; that at said _________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

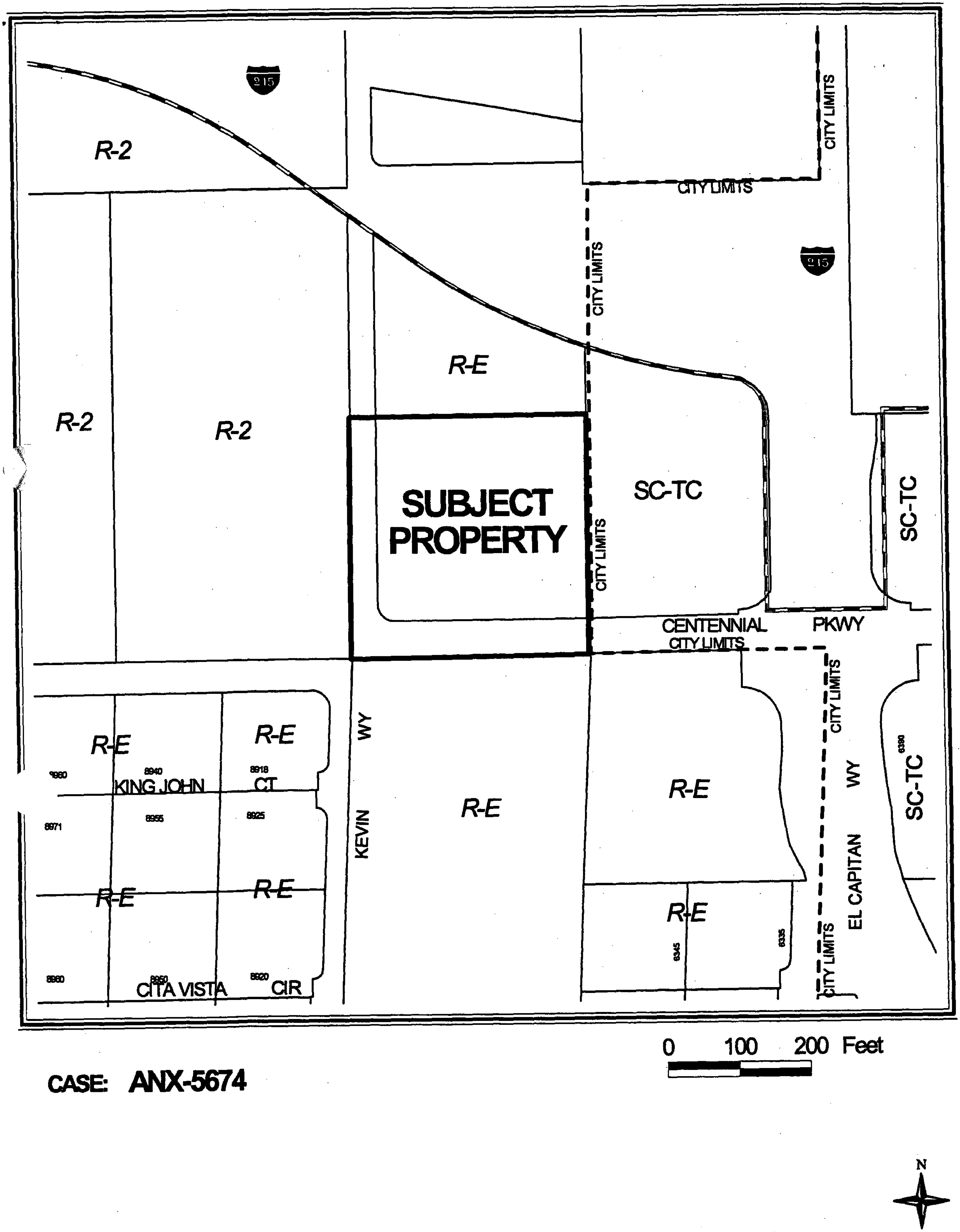
ABSENT: ____

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk



CASE: ANX-5674

City of Las Vegas

Agenda Item No. 75

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-15 - Authorizes the issuance of City of Las Vegas General Obligation (Limited Tax) Sewer Refunding Bonds, (Additionally Secured by Pledged Revenues) Series 2005A. Proposed by: Mark R. Vincent, Director of Finance and Business Services - All Wards

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

NRS 350.684 provides that the City may issue refunding bonds to refund, pay and discharge all or any part of the outstanding bonds of any one or more issues for the purpose of reducing interest costs or effecting other economies. Projections indicate that these refunding issues will net 3.7 percent savings in borrowing costs.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-15

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5757 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:46 - 11:47)

2-2674

Summary - An ordinance authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A, and providing other matters relating thereto.

BILL NO. 2005-15
ORDINANCE NO. _________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005A FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING SEWER BONDS; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY=S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas in the County of Clark and State of Nevada (the "City," the "County" and the "State," respectively) is a political subdivision of the State duly organized and operating as a city under the provisions of Nevada Revised Statutes ("NRS") chapter 268 and an act entitled "AN ACT incorporating the City of Las Vegas in Clark County, Nevada, under a charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); and

WHEREAS, the City now owns and operates a municipal sanitary sewer system (the "Sewer System"); and

WHEREAS, pursuant to the Charter, pursuant to chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being ' ' 350.500 through 350.720, NRS, and all laws amendatory thereof (the "Bond Act"), the City is authorized to borrow money and to issue general obligation bonds of the City for the purpose of refunding, paying and discharging outstanding bonds for interest rate savings or to effect other economies; and

WHEREAS, if the City Finance Director determines that it is necessary and in the best interests of the City and its citizens to refund certain of the City's outstanding City of Las Vegas, Nevada General Obligation (Limited Tax) Sewer Bonds (Additionally Secured by Pledged Revenues), Series 1997A (the "December 1997 Bonds") and/or City of Las Vegas, Nevada General Obligation (Limited Tax) Sewer and Flood Control Bonds (Additionally Secured by Pledged Revenues), Series 2001 (the "2001 Bonds"), after notice inviting bids for the purchase of the City of Las Vegas, Nevada General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A (the "Bonds" or the "2005 Bonds"), the City Finance Director, as the chief financial officer of the City, or in his absence, the City Manager, is hereby authorized to receive and publicly receive bids and sell the Bonds to the best bidder therefor (the "Purchaser"), and the City Finance Director, or in his absence, the City Manager, is hereby authorized to specify which December 1997 Bonds and/or 2001 Bonds, if any, will be refunded (the "Refunded Bonds"), accept a binding bid for the Bonds, the Bonds to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser (the "Bond Purchase Proposal") such rates not to exceed three percent over the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds, at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the Bonds plus a premium or less a discount not to exceed 9 percent of the principal amount of the Bonds, all as specified by the City Finance Director in a certificate dated on or before the date of issuance of the Bonds (the "Certificate of the Finance Director"); and

WHEREAS, the Council hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds; and

WHEREAS, the Council has determined and hereby declares:

A. It is necessary and for the best interests of the City to effect the Project and to issue the Bonds;

B. Each of the limitations and other conditions to the issuance of the Bonds in the Charter, the Bond Act, the Supplemental Bond Act, and in any other relevant act of the State or the Federal Government, has been met; and pursuant to NRS § 350.708, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion; and

C. This ordinance pertains to the sale, issuance and payment of the Bonds; this declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of NRS § 350.579(2); and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:

SECTION 1. Short Title. This Ordinance shall be known and may be cited as the "2005 Sewer Refunding Bond Ordinance."

SECTION 2. Definitions. The terms in this section and in the preambles hereof defined for all purposes of this Ordinance and of any instrument amendatory hereof or supplemental hereto, and of any other instrument or any other document relating hereto, except where the context by clear implication otherwise requires, shall have the meanings in this section and in said preambles specified:

"Bond Requirements" means the principal of, interest on and any prior redemption premiums due in connection with the Bonds.

"Bond Year" means the 12 month period commencing on April 2 of a calendar year and ending on April 1 of the following calendar year.

"Commercial Bank" means a state or national bank or trust company which is a member of the Federal Deposit Insurance Corporation, including without limitation "trust bank" as herein defined.

"Federal Government" means the United States, or any agency, instrumentality or corporation thereof.

"Federal Securities" means bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States.

"General Taxes" means general (ad valorem) taxes levied by the City against all taxable property within the boundaries of the City (unless otherwise qualified).

"Gross Revenues" means all income and revenues derived directly or indirectly by the City from the operation and use and otherwise pertaining to the Sewer System or any part thereof, whether resulting from repairs, enlargements, extensions, betterments or other improvements to the Sewer System, or otherwise, and includes all revenues received by the City from the Sewer System, including, without limitation, all fees, rates, and other charges for the use of the Sewer System, or for any service rendered by the City in the operations thereof, directly or indirectly, the availability of any such service or the sale or other disposal of any commodity derived therefrom, but excluding any moneys borrowed and used for the acquisition of capital improvements and any moneys received as grants, appropriations or gifts from the United States, the State or other sources, the use of which is limited by the grantor or donor to the construction of capital improvements for the Sewer System, except to the extent any such moneys shall be received as payments for the use of the Sewer System, services rendered thereby, the availability of any such service or the disposal of any such commodities. "Gross Revenues" shall also include all income or other gain from the investment of such income and revenues and of the proceeds of securities payable from Gross Revenues or Net Revenues. "Gross Revenues" shall not include revenues derived by the city from special assessments, or the levy thereof, against any tract of land specially benefited by any sanitary sewer project, to defray wholly or in part the cost of the sanitary sewer project.

"Net Revenues" means the Gross Revenues remaining after the deduction of Operation and Maintenance Expenses.

"Operation and Maintenance Expenses" means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the Sewer System, including, without limitation:

(a) engineering, auditing, reporting, legal and other overhead expenses relating to the administration, operation and maintenance of the Sewer System;

(b) fidelity bond and property and liability insurance premiums pertaining to the Sewer System or a reasonably allocable share of a premium of any blanket bond or policy pertaining to the Sewer System;

(c) payments to pension, retirement, health and hospitalization funds, and other insurance and to any self-insurance fund as insurance premiums not in excess of such premiums which would otherwise be required for such insurance;

(d) any general taxes, assessments, excise taxes or other charges which may be lawfully imposed upon the City, the Sewer System, revenues therefrom or the City's income from or operations of any properties under its control and pertaining to the Sewer System, or any privilege in connection with the Sewer System or its operations;

(e) the reasonable charges of any Paying Agent or Registrar and any other depository bank pertaining to the Bonds or any other securities payable from Gross Revenues or otherwise pertaining to the Sewer System;

(f) contractual services, professional services, salaries, other administrative expenses and costs of materials, supplies, repairs and labor pertaining to the Sewer System or to the issuance of the Bonds as herein defined, or any other securities relating to the Sewer System, including, without limitation, the expenses and compensation of any receiver or other fiduciary under the Bond Act;

(g) the costs incurred by the City Council in the collection and any refunds of all or any part of Gross Revenues;

(h) any costs of utility services furnished to the Sewer System;

(i) any lawful refunds of any Gross Revenues; and

(j) all other administrative, general and commercial expenses pertaining to the Sewer System including, without limitation, any payments of arbitrage rebate to the United States required by Section 148 of the Tax Code;

<u>but excluding</u>:

(i) any allowance for depreciation;

(ii) any costs of extensions, enlargements, betterments and other improvements, or any combination thereof;

(iii) any reserves for major capital replacements, other than normal repairs;

(iv) any reserves for operation, maintenance or repair of the Sewer System;

(v) any allowance for the redemption of any Bond or other security or the payment of any interest thereon or any prior redemption premium due in connection therewith;

(vi) any liabilities incurred in the acquisition or improvement of any properties comprising any project or any existing facilities, or any combination thereof, pertaining to the Sewer System, or otherwise; and

(vii) any liabilities imposed on the City for any legal liability not based on contract, including, without limitation, negligence in the operation of the Sewer System.

"Outstanding" when used with reference to the Bonds or any other designated securities payable from Net Revenues and as of any particular date means all of the Bonds in any manner theretofore and thereupon being executed and delivered:

(a) Except any bond or other security canceled by the City, the Registrar, Paying Agent, or otherwise on the City's behalf, at or before such date;

(b) Except any bond or other security for the payment or the redemption of which moneys at least equal to its Bond Requirements to the date of maturity or to any applicable Redemption Date shall have heretofore been deposited with a trust bank in escrow or in trust for that purpose, as provided in Section 55 hereof; and

(c) Except any bond or other security in lieu of or in substitution for which another Bond or other security shall have been executed and delivered.

"Parity Securities" means securities of the City pertaining to the Sewer System and payable from and secured by Net Revenues on a parity with the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof.

"Paying Agent" means the Treasurer of the City or any successor thereto as paying agent for the Bonds appointed by the City Council.

"Person" means a corporation, firm, other body corporate (including, without limitation, the Federal Government, the State or any other body corporate and politic other than the

City), partnership, association or individual, and also includes an executor, administrator, trustee, receiver or other representative appointed according to law.

"Project" means the refunding of the Refunded Bonds.

"Redemption Date" means a date fixed for the redemption prior to their respective maturities of any Bonds or other designated securities payable from any Net Revenues in any notice of prior redemption or otherwise fixed and designated by the City.

"Redemption Price" means, when used with respect to a Bond or other designated security payable from any Net Revenues, the principal amount thereof plus the applicable premium, if any, payable upon the redemption thereof prior to the stated maturity date of such Bond or other security on a Redemption Date in the manner contemplated in accordance with the security's terms.

"Registrar" means the Treasurer of the City or any successor thereto as registrar for the Bonds appointed by the City Council.

"Sewer System" means the sanitary sewer system of the City, consisting of all properties, real, personal, mixed or otherwise, now owned or hereafter acquired by the City through purchase, construction or otherwise, and used in connection with such system of the City, and in any way pertaining thereto, whether or not located within or without or both within and without the boundaries of the City, for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial waste, including, without limitation, sewage improvements, sewage purification, treatment and disposal works, appurtenant machinery, apparatus, structures, buildings and related or appurtenant furniture, fixtures and other equipment, as such system is from time to time extended, bettered or otherwise improved, or any combination thereof.

"Subordinate Securities" means securities of the City pertaining to the Sewer System and payable from and secured by Net Revenues subordinate and junior to the pledge thereof to the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof.

"Tax Code" means the Internal Revenue Code of 1986, as amended to the date of delivery of the Bonds, and the applicable regulations and rulings thereunder.

Other capitalized terms used herein shall have the meanings given to such terms in the text hereof, except where the context by clear implication otherwise requires.

SECTION 3. Ratification. All action heretofore taken by the Council and the officers of the City directed toward the Project and toward the issuance, sale and delivery of the Bonds, not inconsistent with the terms and conditions herewith, is hereby ratified, approved and confirmed.

SECTION 4. Estimated Life of Facilities. The Council, on behalf of the City, has determined and does hereby declare:

A. The estimated life or estimated period of usefulness of the improvements acquired with the proceeds of the Refunded Bonds is not less than 21 years from the date of their issuance; and

B. The Bonds shall mature at such time or times not exceeding such estimated life or estimated period of usefulness.

SECTION 5. Necessity of Project and Bonds. It is necessary and in the best interests of the Council, its officers, and the inhabitants of the City, that the City effect the Project and defray wholly or in part the cost thereof by the issuance of the Bonds therefor; and it is hereby so determined and declared.

SECTION 6. Authorization of Project and Acceptance of Bond Purchase Proposal. The Council hereby authorizes the Project, and pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to receiving a bid on the Bonds from Zions First National Bank, and this consent shall constitute a written agreement as required by NRS 350810. The Finance Director, or in his absence the City Manager, is authorized to accept the Bond Purchase Proposal submitted by the Purchase for the purchase of the Bonds as set forth herein.

SECTION 7. Ordinance to Constitute Contract. In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions hereof shall be deemed to be and shall constitute a contract between the City and the registered owners from time to time of the Bonds.

SECTION 8. Bonds Equally Secured. The covenants and agreements herein set forth to be performed shall be for the equal benefit, protection and security of the owners of any and all of the Outstanding Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction except as otherwise expressly provided in or pursuant to this Ordinance.

SECTION 9. General Obligations. All of the Bonds, as to the Bond Requirements, shall constitute general obligations of the City, which hereby pledges its full faith and credit for their payment. So far as possible, Bond Requirements shall be paid from Net Revenues of the Sewer System (the "Pledged Revenues"). However, the Bonds as to all Bond Requirements shall also be payable from general (ad valorem) taxes (the "General Taxes") (except to the extent that other moneys such as Net Revenues are available therefor) as herein provided.

SECTION 10. Limitations upon Security. The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 11. No Recourse Against Officers and Agents. No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bonds and as a part of the consideration of its issuance specially waived and released.

SECTION 12. Authorization and Sale of Bonds. For the purpose of providing funds to pay all or a portion of the cost of the Project, the City shall issue its "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A", in the aggregate principal amount necessary to effect the Project (not to exceed $40,000,000). The Bonds shall be sold to the Purchaser designated in the Certificate of the Finance Director, and the City Finance Director is authorized to execute the Bond Purchase Proposal in accordance with the provisions of NRS 350.105 to 350.185, inclusive, and in accordance with the provisions of this Ordinance.

SECTION 13. Bond Details. The Bonds shall be issued in fully registered form, i.e., registered as to both principal and interest. The Bonds shall be dated initially as of the first day of the month of the date of their delivery, and except as otherwise provided in Section 18 hereof, shall be issued in denominations of $5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on any maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall be numbered from 1 upward. The Bonds shall bear interest, calculated on the basis of a 360-day year of twelve 30-day months, from their date until their respective maturity dates (or, if redeemed prior to maturity as provided below, their redemption dates) at the respective rates set forth in the Certificate of the Finance Director, payable on April 1 and October 1 of each year commencing October 1, 2005; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth below from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds. The Bonds shall mature on the dates and in the amounts set forth in the Certificate of the Finance Director (not to exceed 21 years from the date of issuance of the Bonds).

The principal of and redemption premium, if any, on any Bond shall be payable to the registered owner thereof as shown on the registration records kept by the Treasurer of the City, in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity or prior redemption thereof and upon presentation and surrender at the office of the Treasurer of the City, in Las Vegas, Nevada, as paying agent for the Bonds (the "Paying Agent"). If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by said Bond until the principal thereof is paid in full. Except as otherwise provided in Section 18 hereof, payment of interest on any Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent, on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the registered owner thereof, at his or her address as shown on the registration records kept by the Registrar as of the close of business on the 15th day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the registration books of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date shall be fixed by the Paying Agent whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

SECTION 14. Prior Redemption; Partial Redemption.

A. Optional Redemption or Prepayment. Bonds, or portions thereof ($5,000 or any integral multiple), maturing on and after the date specified in the Certificate of the Finance Director, shall be subject to redemption prior to their respective maturities, at the option of the City, at any time on and after the date specified in the Certificate of the Finance Director, in whole or in part from any maturities selected by the City and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than $5,000), at a price equal to the principal amount of each bond, or portion thereof, so redeemed, accrued interest thereon to the redemption date, and a premium, if any, as provided in the Certificate of the Finance Director.

B. Mandatory Redemption. The Bonds set forth in the Certificate of the Finance Director, if any (the "Term Bonds"), shall be subject to mandatory sinking fund redemption at a redemption price equal to 100% of the principal amount thereof and accrued interest to the redemption date. As and for a sinking fund for the redemption of the Term Bonds, there shall be deposited into the Principal Account on or before the principal payment date, of the years set forth in the Certificate of the Finance Director, a sum which, together with other moneys available in the Principal Account, is sufficient to redeem (after credit is provided below) on the dates and in the principal amounts of the Term Bonds as set forth in the Certificate of the Finance Director plus accrued interest to the redemption date.

Not more than sixty days nor less than thirty days prior to the sinking fund payment dates for the Term Bonds, the Registrar shall proceed to select for redemption (by lot or in such other manner as the Registrar may determine) from all Outstanding Term Bonds, a principal amount of the Term Bonds equal to the aggregate principal amount of the Term Bonds redeemable with the required sinking fund payments, and shall call such Term Bonds or portions thereof for redemption from the sinking fund on the next principal payment date, and give notice of such call as provided in Section 15 of this Ordinance.

At the option of the City to be exercised by delivery of a written certificate to the Registrar not less than sixty days next preceding any sinking fund redemption date, it may (i) deliver to the Registrar for cancellation Term Bonds, or portions thereof ($5,000 or any integral multiple thereof) in an aggregate principal amount desired by the City or, (ii) specify a principal amount of Term Bonds, or portions thereof ($5,000 or any integral multiple thereof) which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and canceled by the Registrar and not theretofore applied as a credit against any sinking fund redemption obligation. Each Term Bond or portions thereof so delivered or previously redeemed shall be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on the sinking fund redemption dates and any excess shall be so credited against future sinking fund redemption obligations in such manner as the City determines. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the respective Term Bonds or portions thereof to be canceled or in the event the

Bonds are registered in the name of Cede & Co. as provided in Section 18 of this Ordinance, the certificate required by the first sentence of this paragraph shall be accompanied by such direction and evidence of ownership as is satisfactory to The Depository Trust Company.

C. Partial Redemption. In the case of Bonds in a denomination larger than $5,000, a portion of such Bond ($5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, except as otherwise provided in Section 18 hereof, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. In the case of a partial redemption of Bonds of a single maturity pursuant to Subsections A or B of this Section, the Paying Agent shall select the Bonds to be redeemed by lot at such time as directed by the City (but at least 30 days prior to the redemption date), and if such selection is more than 60 days before a redemption date, except as otherwise provided in Section 18 hereof, shall direct the Registrar to appropriately identify the Bonds so called for redemption by stamping them at the time any Bond so selected for redemption is presented to the Registrar for stamping or for transfer or exchange, or by such other method of identification as deemed adequate by the Registrar, and any Bond or Bonds issued in exchange for, or to replace, any Bond or Bonds so called for prior redemption shall likewise be stamped or otherwise identified.

SECTION 15. Notice of Redemption. Unless waived by any owner of Bonds to be redeemed for purchase, official notice of any such redemption shall be given by the Registrar, on behalf of the City, by mailing a copy of an official redemption notice by registered or certified mail so long as Cede & Co. is the registered owner of the Bonds and the Municipal Securities Rulemaking Board ("MSRB") and otherwise by first class mail, postage prepaid, at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond register or at such other address as is furnished in writing by such registered owner to the Registrar. Actual receipt of mailed notice by any owner of Bonds or the MSRB shall not be a condition precedent to redemption of such Bond or Bonds. Failure to give such notice to the MSRB or the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. A certificate by the Registrar that such notice has been given as herein provided shall be conclusive against all parties.

All official notices of redemption shall be dated and shall state:

(1) the redemption date,

(2) the purchase prices,

(3) the identification by maturity (and, in the case of partial redemption of a maturity, other appropriate identification) of the Bonds to be redeemed,

(4) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and

(5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent (accrued interest to the redemption date being payable by mail or as otherwise provided in this Ordinance).

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

Notwithstanding the provisions of this section, any notice of redemption may contain a statement that the redemption is conditional upon receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if such funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was mailed.

SECTION 16. Negotiability. The Bonds shall be fully negotiable within the meaning of and for the purpose of the Uniform Commercial Code - Investment Securities and each owner shall possess all rights enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

SECTION 17. Registration, Transfer and Exchange of Bonds. Except as otherwise provided in Section 18 hereof:

A. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the owner or his or her attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of Bonds of the same maturity of other authorized denominations, as provided in Section 13 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the owner making the exchange is entitled to receive, bearing a number or numbers not previously assigned. For every exchange or transfer of Bonds requested by the owner thereof, the Registrar may make a sufficient charge to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond. No such charge shall be levied in the case of an exchange resulting from an optional prior redemption of a bond.

B. The Registrar shall not be required to transfer or exchange (i) any Bond subject to redemption during a period beginning at the opening of business fifteen (15) days before the date of mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the date of such mailing, or (ii) any Bond, or any portion thereof, after the mailing of such notice as herein provided.

C. The person in whose name any Bond shall be registered, on the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of payment and for all other purposes (except to the extent otherwise provided in Section 13 hereof with respect to interest payments); and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the owner thereof or his or her legal representative. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

D. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it or the City may reasonably require, and upon payment of all expenses in connection therewith, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed or mutilated Bond shall have matured or shall have been called for redemption, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement.

E. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the Council, upon request.

SECTION 18. Custodial Deposit.

A. Notwithstanding the foregoing provisions of Sections 13 to 17 hereof, the Bonds shall initially be evidenced by one Bond for each year in which the Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year or, in the case of the Bonds subject to mandatory sinking fund redemption, the Bonds shall initially be evidenced by one Bond for each term in denominations equal to the aggregate principal amount of the Bonds maturing in that term. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended; or

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection A, or a determination by the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable to the depository then holding the Bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository;

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this Subsection A, or a determination by the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection A hereof or designation of a new depository pursuant to clause (2) of Subsection A hereof, upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity or, in the case of the Bonds subject to mandatory sinking fund redemption, for each term of the Bonds then Outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of Subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the Bonds as provided in clause (3) of Subsection A hereof, and upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of $5,000 or any integral multiple thereof, as provided in and subject to the limitations of Section 13 hereof, registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

C. The City, the Registrar and the Paying Agent shall be entitled to treat the registered owner of any Bond as the absolute owner thereof for all purposes hereof and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the City, the Registrar and the Paying Agent shall have no responsibility for transmitting payments or notices to the beneficial owners of the Bonds held by The Depository Trust Company or any successor or new depository named pursuant to Subsection A hereof.

D. The City, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of Subsection A hereof in effectuating payment of the Bond Requirements of the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

E. Upon any partial redemption of any maturity of the Bonds, Cede & Co. (or its successor) in its discretion may request the City to issue and authenticate a new Bond or shall make an appropriate notation on the Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case the Bond must be presented to the Paying Agent prior to payment.

SECTION 19. Execution and Authentication.

A. Prior to the execution of any Bonds by facsimile signature and pursuant to NRS § 350.638, to the act known as the Uniform Facsimile Signatures of Public Officials Act, cited as Chapter 351, NRS, and to the Supplemental Bond Act, the Mayor of the City (the "Mayor"), the City Treasurer (the "Treasurer") and the City Clerk (the "Clerk") shall each file with the Secretary of State of Nevada his or her manual signature certified by him or her under oath.

B. The Bonds shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, shall be countersigned and executed with the manual or facsimile signature of the Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the City attested with the manual or facsimile signature of the Clerk.

C. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication thereon, substantially in the form hereinafter provided, has been duly manually executed by the Registrar. By authenticating any of the Bonds initially delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

D. The Mayor, the Treasurer and the Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

SECTION 20. Incontestable Recital. Pursuant to NRS § 350.628, the Bonds shall contain a recital that they are issued pursuant to the Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

SECTION 21. State Tax Exemption. Pursuant to NRS § 350.710, the Bonds, their transfer and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation skipping transfers imposed pursuant to chapter 375B of NRS.

SECTION 22. Bond Form. Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

CITY OF LAS VEGAS, NEVADA
GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS
(ADDITIONALLY SECURED BY PLEDGED REVENUES)
SERIES 2005A

No. ____________ $__________

Interest Rate	Maturity Date	Dated As of	CUSIP
__% per annum	_______ 1, ___	_________ 1, 2005	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

The City of Las Vegas, Nevada, in Clark County, in the State of Nevada (the "City", "County", and the "State", respectively) for value received, hereby acknowledges itself to be indebted and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above (unless called for earlier redemption), and to pay interest thereon on April 1 and October 1 of each year, commencing on October 1, 2005, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for or, if such payment date is not a business day, on the next succeeding business day. This bond shall bear interest from the most recent interest payment date to which interest has been paid or, if no interest has been paid, from the date of the initial delivery of the series of bonds of which this bond is one (the "Bond"). The principal of and redemption premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds or any successor (the "Paying Agent"), presently the Treasurer of the City, in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such date is not a business day, on the next succeeding business day) by check or draft mailed to the person in whose name this Bond or any predecessor bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close of business on the 15th day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record Date shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the Ordinance of the City Council of the City (the "Council") authorizing the issuance of the Bonds and designated in Section 1 thereof as the "2005 Sewer Refunding Bond Ordinance" (the "Ordinance"), duly adopted by the Council on March 16, 2005. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar. If this Bond is not paid upon presentation at its maturity, interest at the rate specified above shall continue to be borne hereby until the principal hereof is discharged as provided in the Ordinance.

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of refunding certain outstanding bonds of the City (the "Project"), under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); pursuant to Nevada Revised Statutes ("NRS") §§ 350.500 through 350.720, and all laws amendatory thereof designated in § 350.500 thereof as the Local Government Securities Law (the "Bond Act"); pursuant to NRS § 350.105 to 350.195, inclusive; pursuant to NRS chapter 348 (the "Supplemental Bond Law"); and pursuant to NRS §§ 268.672 through 268.740, inclusive (the "City Bond Law"); pursuant to NRS § 350.628, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to NRS § 350.710, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation skipping transfers imposed pursuant to chapter 375B of NRS.

[The Bonds, or portions thereof, maturing on and after the date set forth in the Certificate of the Finance Director, are subject to redemption prior to their respective maturities, at the option of the City, on and after the date set forth in the Certificate of the Finance Director, in whole or in part at any time from any maturity or maturities selected by the Council and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than $5,000), at a price equal to the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date.]

Redemption shall be made upon not less than 30 days' prior mailed notice in the manner and upon the conditions provided in the Ordinance. If this Bond is called for redemption and payment is duly provided for as specified in the Ordinance, interest shall cease to accrue hereon from and after the date fixed for redemption.

Certain of the Bonds shall be subject to mandatory sinking fund redemption.

It is hereby certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this Bond; that the total indebtedness of the City, including that of this Bond does not exceed any limit of indebtedness prescribed by the Constitution or by the laws of the State or the Charter of the City; that provision has been made for the levy and collection of annual general (ad valorem) taxes ("General Taxes") against all the taxable property within the City sufficient to pay the principal of, interest on, and any prior redemption premiums due on this Bond (the "Bond Requirements") when the same become due (except to the extent other revenues are available therefor), subject to the limitations imposed by the Constitution and by the statutes of the State; and that the full faith and credit of the City are hereby irrevocably pledged to the punctual payment of Bond Requirements of this Bond according to its terms.

Payment of the principal of and interest on the Bonds are additionally secured by a pledge of the net revenues (herein called the "Net Revenues") derived by the City from the operation and use of, and otherwise pertaining to, the sanitary sewer system of the City, consisting of all properties, real, personal, mixed or otherwise, now owned or hereafter acquired by the City, through purchase, construction or otherwise, and in any way pertaining thereto, whether or not located within or without or both within and without the boundaries of the City, for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes, including, without limitation, sewerage improvements, sewage purification, treatment and disposal works, and appurtenant machinery, apparatus, structures, and buildings, and related or appurtenant furniture, fixtures and other equipment or any combination thereof (herein called the "Sewer System"), whether resulting from extensions, enlargements, repairs, betterments or other improvements to the Sewer System, or otherwise, but excluding (1) moneys raised for capital improvements, and (2) grants, appropriations or gifts for limited uses, and after provision is made for the payment of all necessary and reasonable operation and maintenance expenses of the Sewer System, which Net Revenues are so pledged as more specifically provided in the Ordinance.

The Bonds are equally and ratably secured by such pledge of the Net Revenues, and such pledge constitutes an irrevocable lien (but not necessarily an exclusively lien) upon the Net Revenues. Additional securities may be issued and made payable from the Net Revenues of the Sewer System and having a lien thereon subordinate to or on a parity with such pledge, in each case subject to the conditions of and in accordance with the Ordinance.

Reference is made to the Ordinance and to the Bond Act, for an additional description of the nature and extent of the security for the Bonds, the accounts, funds, or revenues pledged, the nature and extent and manner of enforcement of the pledge, the rights and remedies of the registered owners of the Bonds with respect thereto, the terms and conditions upon which the Bonds are issued, and a statement of rights, duties, immunities, and obligations of the City, and other rights and remedies of the owners of the Bonds.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance may be amended or otherwise modified by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance. The pledge of Net Revenues under the Ordinance may be discharged at or prior to the respective maturities or prior redemption of the Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Ordinance.

This Bond shall not be entitled to any benefit under the Ordinance, or be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication hereon.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest.

The Bonds shall not be transferable or exchangeable except as set forth in the Ordinance. Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the District or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co., (or in such other name as is requested by an authorized representative of DTC) ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Upon any partial prior redemption of the Bond, Cede & Co., in its discretion may request the Registrar to authenticate a new Bond or shall make an appropriate notation on this Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to prepayment.

No transfer of this Bond shall be valid unless made on the registration records maintained at the principal office of the Registrar by the registered owner or his or her attorney duly authorized in writing.

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise in respect to the Ordinance or other instrument pertaining thereto against any individual member of the Council, or any officer or other agent of the City, past, present, or future, either directly or indirectly through the Council or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Bond and as a part of the consideration of its issuance specially waived and released.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, in the County of Clark and State of Nevada has caused this Bond to be executed in the name and on behalf of the City with the manual or facsimile signature of the Mayor, to be attested, signed and executed with a manual or facsimile signature of the City Clerk, has caused a manual or facsimile impression of the seal of the City to be affixed hereon, and has caused this Bond to be countersigned with the manual or facsimile signature of the City Treasurer, all as of ___________ 1, 2005.

CITY OF LAS VEGAS, NEVADA

By: (Manual or Facsimile Signature)
Mayor
Las Vegas, Nevada

Countersigned:

(Manual or Facsimile Signature)
City Treasurer
Las Vegas, Nevada

(MANUAL OR FACSIMILE CITY SEAL)

Attest:

(Manual or Facsimile Signature)
City Clerk
Las Vegas, Nevada

* Insert only if Certificate of Finance Director designates any of the Bonds as term Bonds.

(End of Form of Bond)

(Form of Registrar's Certificate of Authentication for Bonds)

Date of authentication
and registration ______________________________

This is one of the Bonds described in the within-mentioned Ordinance, and this Bond has been duly registered on the registration records kept by the undersigned as Registrar for such Bonds.

CITY OF LAS VEGAS, NEVADA
CITY TREASURER,
as Registrar

By Manual Signature
Authorized Officer or Employee

(End of Form of Registrar's Certificate of Authentication for Bonds)

(Form of Prepayment Panel)

The following installments of principal (or portions thereof) of this Bond have been prepaid by the City of Las Vegas, Nevada, in accordance with the terms of the Ordinance authorizing the issuance of this Bond.

Date of Prepayment	Principal Amount Prepaid	Signature of Authorized Representative of DTC

(End of Form of Prepayment Panel)

(Form of Assignment for Bonds)

For value received, the undersigned hereby sells, assigns and transfers unto ______________________________ the within Bond and hereby irrevocably constitutes and appoints ___________________________ attorney, to transfer the same on the records kept for registration of the within Bond, with full power of substitution in the premises.

Dated: ________________________

____

Signature Guaranteed:

____

Name of Transferee:

____

Address of Transferee:

____

____

____

Social Security or other tax
identification number of
Transferee:

____

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

(End of Form of Assignment for Bonds)

SECTION 23. Use of Predecessor's Signature. The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding obligations of the City, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Mayor, the City Treasurer, and the City Clerk at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

SECTION 24. Deposit of Proceeds. The City Treasurer shall cause the proceeds of the Bonds to be applied as follows:

A. First, pursuant to NRS § 350.648, the Bond proceeds received from the sale of the Bonds as accrued interest on the Bonds and as any premium, if not needed for the cost of the Project, shall be deposited into the Interest Account, hereinafter created.

B. Second, an amount sufficient from the proceeds of the Bonds, together with other available moneys of the City, shall be deposited into a special account (the "Escrow Account") to be held by The Bank of New York Western Trust Company, N.A. (the "Escrow Bank") pursuant to the agreement between the City and the Escrow Bank (the "Escrow Agreement") and shall be applied solely to the Project as set forth in the Escrow Agreement. After completion of the Project, or after adequate provision is made therefore, any unexpended balance of Bond proceeds in the Escrow Account shall be deposited into the Principal Account or the Interest Account to be used to pay the principal of and interest on the Bonds.

C. Third, the balance of the proceeds received from the sale of the Bonds shall be deposited into a special account hereby created and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A, Cost of Issuance Account"(the "Cost of Issuance Account") to be held by the City. Moneys in the Cost of Issuance Account shall be used solely to defray wholly or in part the cost of issuance of the Bonds. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, pursuant to NRS § 350.650, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Cost of Issuance Account shall be deposited into the Principal Account or Interest Account hereinafter created to be used to pay the principal of and interest on the Bonds.

SECTION 25. Completion of Project. The City, with the proceeds derived from the sale of the Bonds, shall proceed to complete the Project with due diligence to the best of the City's ability hereinabove provided.

SECTION 26. Use of Investment Gain. Pursuant to NRS § 350.658, and except as may otherwise be required herein, any gain from any investment and any reinvestment of any proceeds of the Bonds (except gain from any investment or reinvestment of proceeds of the Bonds deposited in the Escrow Account) shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Cost of Issuance Account to the extent necessary to pay the cost of issuance of the Bonds, and thereafter, shall be deposited to the Principal Account or Interest Account, hereinafter created, for the payment of the principal of or interest on the Bonds or any combination thereof.

SECTION 27. Purchaser Not Responsible. The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the Project, or any part thereof, or to the completion of the Project. Neither the Purchaser, any associate thereof, nor any subsequent owner of any Bond shall in any manner be responsible for the application or disposal by the City or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys referred to in this Ordinance.

SECTION 28. General Tax Levies. So far as possible, the Bond Requirements of the Bonds shall be paid from Net Revenues of the Sewer System. However, pursuant to NRS § 350.596, the principal and interest falling due on the Bonds at any time when there are not on hand sufficient funds to pay same shall be paid out of a general fund of the City or out of any other funds that may be available for such purpose, including, without limitation, any proceeds of General Taxes. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there are hereby created separate accounts designated respectively as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A, Principal Account" (the "Principal Account") and the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A, Interest Account" (the "Interest Account"; collectively, the "Bond Fund"). Pursuant to NRS §§ 350.592 and 350.594, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installments of principal and interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay, retire and redeem the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to such separate accounts for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the Council shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitation imposed by NRS § 361.453 and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all the revenues received by the City.

SECTION 29. Priorities for Bonds. As provided in NRS § 361.463, in any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City exceeds the limitation imposed by NRS § 361.453, or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in General Taxes levied by such unit or units (including, without limitation, the City and the State) for purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitation of NRS § 361.453.

SECTION 30. Correlation of Levies. Such General Taxes shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof for the Bonds herein authorized shall be kept in the Principal Account and in the Interest Account, which accounts shall be used for no other purpose than the payment of principal and interest, respectively, as the same fall due.

SECTION 31. Use of General Fund. Any sums becoming due on the Bonds at any time when there are on hand from such General Taxes (and any other available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the City, reimbursement to be made for such general funds in the amounts so advanced when the General Taxes herein provided for have been collected, pursuant to NRS § 350.596.

SECTION 32. Use of Other Funds. Nothing in this Ordinance prevents the City from applying any funds (other than General Taxes but including Net Revenues as herein defined) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, fall due, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to NRS § 350.598.

SECTION 33. Legislative Duties. In accordance with NRS § 350.592, it shall be the duty of the Council annually, at the time and in the manner provided by law for levying other General Taxes of the City, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of General Taxes; and the Council shall require the officers of the City to levy, extend and collect such General Taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and the interest thereon. Such General Taxes when collected shall be kept for and applied only to the payment of the principal of and the interest on the Bonds as hereinbefore specified.

SECTION 34. Appropriation of General Taxes. In accordance with NRS § 350.602, there is hereby specially appropriated the proceeds of such General Taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements for the Bonds have been wholly paid.

SECTION 35. Pledge of Net Revenues. Subject only to the provisions of this Ordinance permitting the application thereof for or to the purposes and on the terms and conditions set forth herein, there are hereby additionally pledged to secure the payment of principal of and interest on the Bonds in accordance with their terms and the provisions of this Ordinance, all of the Net Revenues of the Sewer System. This pledge shall be valid and binding from and after the date of the delivery of the Bonds to the Purchaser; and the Net Revenues, as received by the City shall immediately be subject to the lien of this pledge without any physical delivery thereof, any filing or further act; and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City (except as herein otherwise provided) irrespective of whether such parties have notice thereof. The lien of this pledge and the obligation to perform the contractual provisions hereby made shall have priority over any and all other obligations and liabilities of the City payable from the Net Revenues, except as herein otherwise provided.

SECTION 36. Revenue Fund. So long as any of the Bonds shall be Outstanding, the entire Gross Revenues (as herein defined), upon their receipt from time to time by the City, shall be set aside and credited immediately to a separate account heretofore created in the treasury of the City and designated as the "City of Las Vegas Sanitary Sewer System Gross Revenues Fund" (the "Revenue Fund"). So long as any of the Bonds hereby authorized shall be Outstanding, the Revenue Fund shall be administered and the moneys on deposit therein shall be applied in the order of priority specified in Sections 37 through 42.

SECTION 37. Operation and Maintenance Fund. First, from time to time there shall be transferred and credited to a separate account heretofore created in the treasury of the City and designated as the "City of Las Vegas Sanitary Sewer System Operation and Maintenance Fund" (the "Operation and Maintenance Fund"), moneys sufficient to pay Operation and Maintenance Expenses (as hereinafter defined), as budgeted and approved in accordance with law, as such expenses become due and payable, and thereupon they shall be promptly paid. Any surplus remaining in the Operation and Maintenance Fund at the end of the fiscal year of the City and not needed for Operation and Maintenance Expenses shall be transferred to the Revenue Fund.

SECTION 38. Interest Account. Second, from any moneys thereafter remaining in the Revenue Fund, i.e., from the Net Revenues, there shall be transferred and credited to the Interest Account, the Interest Account created for the payment of the bonds (the "January 1997 Bonds") authorized by Ordinance No. 4047 of the City, the Interest Account created for the payment of the bonds (the "December 1997 Bonds") authorized by Ordinance No. 5027 of the City, the Interest Account created for the payment of the bonds (the "2001 Bonds") authorized by Ordinance No. 5298 of the City, the Interest Account created for the payment of the bonds (the "2002 Bonds") authorized by Ordinance No. 5531 of the City, the Interest Account created for the payment of the bonds (the "2004 Bonds") authorized by Ordinance No. 5691 of the City, and to any other fund or account established for the payment of interest on any other Parity Securities monthly, commencing the first day of the month immediately succeeding the delivery to the Purchaser of the Bonds, the amount necessary to accumulate by substantially equal monthly installments (together with any other moneys from time to time available therefor from whatever sources) the amount necessary to pay the installment of interest next due on the Bonds and such Parity Securities.

SECTION 39. Principal Account. Third, from any moneys thereafter remaining in the Revenue Fund, there shall be transferred and credited to the Principal Account, the Principal Account created for the payment of the January 1997 Bonds, the Principal Account created for the payment of the December 1997 Bonds, the Principal Account created for the payment of the 2001 Bonds, the Principal Account created for the payment of the 2002 Bonds, the Principal Account created for the payment of the 2004 Bonds, and to any other fund or account established for the payment of principal or sinking fund installments on any other Parity Securities monthly, commencing on the first day of the month immediately succeeding the delivery of the Bonds to the Purchaser, the amount necessary to accumulate by substantially equal monthly installments (together with any other moneys from time to time available therefor from whatever sources) to pay the installment of principal next due on the Bonds and such Parity Securities.

SECTION 40. Rebate Fund. Fourth, from any money thereafter remaining in the Revenue Fund, there shall be transferred and credited to the rebate funds created by ordinances authorizing the issuance of the Outstanding Parity Securities the amounts required to be deposited therein, and concurrently with such transfers, there shall be transferred and credited to a special and separate account hereby created and designated as the "City of Las Vegas, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005A, Rebate Fund" (the "2005 Rebate Fund") and to any other fund or account hereafter established for payment of amounts due the United States under § 148(f) of the Tax Code in connection with any future Parity Securities such amounts as are required to be deposited therein to meet the City's obligations under the covenant contained in § 54 hereof, in accordance with § 148(f) of the Tax Code. Such deposits shall be made at such times as are required by § 148(f) of the Tax Code and such covenant and amounts in the 2005 Rebate Fund shall be used for the purpose of making the payments to the United States required by such covenant and § 148(f) of the Tax Code. Any amounts in the 2005 Rebate Fund in excess of those required to be on deposit therein may be withdrawn therefrom and deposited into the Revenue Fund.

SECTION 41. Payment of Subordinate Securities. Fifth, any moneys thereafter remaining in the Revenue Fund may be used by the City for the payment of the principal of and interest on Subordinate Securities; and may be used to create reasonable reserves and to pay rebate for such securities.

SECTION 42. Surplus Revenues. Sixth, any moneys thereafter remaining in the Revenue Fund may be used by the City at the end of any fiscal year of the City, or whenever there shall have been credited all amounts required to be deposited in the respective foregoing separate accounts for all of that fiscal year, for any lawful purposes of the City, as the City Council may from time to time determine, including, without limitation, for the creation of operation and maintenance reserves and capital reserves, the payment of capital costs and major maintenance costs of the Sewer System, to pay any other obligations pertaining to the System or otherwise.

SECTION 43. Termination of Deposits. No payment need be made into the Interest Account or Principal Account if the amounts in those funds total a sum at least equal to the entire amount of the Outstanding Bonds as to all Bond Requirements to their respective maturities both accrued and not accrued, in which case moneys in such account in an amount, except for any interest or other gain to accrue from any investment of moneys in Federal Securities (as herein defined) from the time of any such investment to the time or respective times the proceeds of any such investment or deposit shall be needed for such payment, at least equal to such Bond Requirements, shall be used, together with any such gain from such investments, solely to pay such Bond Requirements as the same become due.

SECTION 44. Equal Security. The Bonds and any Parity Securities from time to time Outstanding shall be equally and ratably secured by the pledge of Net Revenues hereunder and shall not be entitled to any priority one over the other in the application of the Net Revenues regardless of the time or times of the issuance of the Bonds and any such Parity Securities.

SECTION 45. Defraying Delinquencies. If at any time the City shall for any reason fail to pay into the Interest Account, the Principal Account, or the 2005 Rebate Fund the full amount above stipulated from the Net Revenues, then an amount shall be paid first into the Interest Account and Principal Account and second into the 2005 Rebate Fund at such time equal to the difference between that paid from the Net Revenues and the full amount so stipulated. If securities (other than the Bonds) are Outstanding, the payment of which are secured by a lien on the Net Pledged Revenues which lien is on a parity with the lien hereon of the Bonds, and if the proceedings authorizing issuance of those securities require the replacement of moneys in a Interest Account, Principal Account, reserve fund or rebate fund therefor, then the moneys replaced in such funds shall be replaced on a pro rata basis related to the principal amount of the then Outstanding Bonds and the then Outstanding other Parity Securities, as moneys become available therefor, first into all of such interest, principal, and reserve funds and second into all such rebate funds.

SECTION 46. Conditions to Additional Parity Securities.

A. Nothing herein, except as expressly hereinafter provided, shall prevent the issuance by the City of additional securities payable from Net Revenues and constituting a lien thereon on a parity with, but not prior or superior to, the lien thereon of the Bonds, provided, however, that the following are express conditions to the authorization and issuance of any such Parity Securities:

(1) At the time of adoption of the instrument authorizing the issuance of the additional Parity Securities, the City shall not be in default in the payment of principal of or interest on the Bonds.

(2) The Net Revenues (subject to adjustments as hereinafter provided) projected by the City Finance Director, the Director of Public Works or an independent accountant or consulting engineer to be derived in the later of (i) the Fiscal Year immediately following the Fiscal Year in which the facilities to be financed with the proceeds of the additional Parity Securities are projected to be completed or (ii) the first Fiscal Year for which no interest has been capitalized for the payment of any Parity Securities, including the Parity Securities proposed to be issued, will be sufficient to pay at least an amount equal to the principal (or redemption price) and interest requirements (to be paid during that Fiscal Year) of the Outstanding Bonds, any other Outstanding Parity Securities of the City and the Parity Securities proposed to be issued (excluding any reserves therefor).

B. In any determination of whether or not additional Parity Securities may be issued in accordance with the foregoing earnings test, consideration shall be given to any probable estimated increase or reduction in Operation and Maintenance expenses that will result from the expenditure of the funds proposed to be derived from the issuance and sale of the additional Parity Securities.

C. In any determination of whether or not additional Parity Securities may be issued in accordance with the foregoing earnings test, the respective annual principal (or redemption price) and interest requirements shall be reduced to the extent such requirements are scheduled to be paid with moneys held in trust or in escrow for that purpose by any trust bank within or without the State, including the known minimum yield from any investment in Federal Securities (as herein defined).

D. A written certificate or written opinion by the City's Finance Director, the City's Director of Public Works, or an independent accountant or consulting engineer that the foregoing earnings test is met, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver additional Parity Securities.

E. In connection with the authorization of any such additional securities the Council may on behalf of the City adopt any additional covenants or agreements with the holders of such additional securities; provided, however, that no such covenant or agreement may be in conflict with the covenants and agreements of the City herein and no such covenant or agreement may be materially adverse to the interests of the holders of the Bonds. Any finding of the Council to the effect that the foregoing requirements are met shall, if made in good faith, conclusively establish that the foregoing requirements have been met for purposes of this Ordinance.

F. Nothing herein permits the issuance of securities having a lien on the Net Revenues superior to the lien thereon of the Bonds.

SECTION 47. Subordinate Securities for the Sewer System. Nothing herein, except as expressly hereinafter provided, shall prevent the City from issuing additional securities payable from Net Revenues and constituting a lien thereon subordinate to the lien thereon of the Bonds and any Outstanding Parity Securities; provided, however, that the proceeds of any such Subordinate Securities shall be used only to pay the cost (including, without limitation, incidental expenses) of a project for the betterment, enlargement, extension, other improvement or equipment of the Sewer System, or any combination thereof.

SECTION 48. Issuance of Refunding Bonds.

A. At any time after the Bonds, or any part thereof, are issued and remain Outstanding, if the City shall find it desirable to refund any Outstanding Bonds or other Outstanding Parity or Subordinate Securities payable from and constituting a lien upon any Gross Revenues, such Bonds or other securities, or any part thereof, may be refunded only if the Bonds or other securities at the time or times of their required surrender for payment shall then mature or shall be then callable for prior redemption for the purpose of refunding them at the City's option upon proper call, unless the owner or owners of all such Outstanding securities consent to such surrender and payment, regardless of whether the priority of the lien for the payment of the refunding securities on the Pledged Revenues is changed (except as provided in Section 46F hereof).

B. The refunding bonds or other refunding securities so issued shall enjoy complete equality of lien with the portion of any securities of the same issue which is not refunded, if there is any; and the owner or owners of the refunding securities shall be subrogated to all of the rights and privileges enjoyed by the owner or owners of the unrefunded securities of the same issue partially refunded by the refunding securities.

C. Any refunding bonds or other refunding securities payable from any Gross Revenues shall be issued with such details as the Council may by ordinance provide, subject to the provisions of this section but without any impairment of any contractual obligation imposed upon the City by any proceedings authorizing the issuance of any unrefunded portion of the Outstanding securities of any one or more issues (including, without limitation, the Bonds).

D. If only a part of the Outstanding Bonds and other Outstanding securities of any issue or issues payable from the Gross Revenues is refunded, then such securities may not be refunded without the consent of the owner or owners of the unrefunded portion of such securities:

(1) Unless the refunding bonds or other refunding securities do not increase for any Bond Year the aggregate principal and interest requirements evidenced by the refunding securities and by the Outstanding securities not refunded on and before the last maturity date or last Redemption Date, if any, whichever is later, of the unrefunded securities, and unless the lien of any refunding bonds or other refunding securities on the Net Revenues is not raised to a higher priority than the lien thereon of the Bonds or other securities thereby refunded; or

(2) Unless the lien on any Gross Revenues for the payment of the refunding securities is subordinate to each such lien for the payment of any securities not refunded; or

(3) Unless the refunding bonds or other refunding securities are issued in compliance with Section 46 hereof.

SECTION 49. Operation of the System. The City shall at all times operate the Sewer System properly and in a sound and economical manner and shall maintain, preserve and keep the Sewer System properly, or cause the same so to be maintained, preserved and kept, in good repair, working order and condition. The City also shall from time to time make or cause to be made all necessary and proper repairs, replacements and renewals so that at all times the operation of the Sewer System may be properly and advantageously conducted in conformity with standards customarily followed by municipalities operating sanitary sewer facilities of like size and character.

Except for the use of the Sewer System or services pertaining thereto in the normal course of business, neither all nor a substantial part of the Sewer System shall be sold, leased, mortgaged, pledged, encumbered, alienated or otherwise disposed of until all the Bonds have been paid in full, or unless provision has been made therefor as hereinafter provided.

SECTION 50. Payment of Taxes, Etc. The City shall pay or cause to be paid all taxes, assessments and other municipal or governmental charges, if any, lawfully levied or assessed upon or in respect of the Sewer System or any part thereof, or upon any portion of the Gross Revenues, when the same shall become due. The City shall duly observe and comply with all valid requirements of any municipal or governmental authority relative to the Sewer System or any part thereof, except for any period during which the validity of the same is being contested in good faith by proper legal proceedings. The City shall not create or suffer to be created any lien or charge on the Sewer System or any part thereof, or upon the Gross Revenues, except the pledge and lien created by this Ordinance for the payment of the Bonds and any other outstanding Parity or Subordinate Securities issued in accordance herewith, and except as herein otherwise permitted. The City shall pay or cause to be discharged or shall make adequate provision to satisfy and to discharge within 60 days after the same shall become payable, all lawful claims and demands for labor, materials, supplies or other objects which, if unpaid, might by law become a lien upon the Sewer System or any part thereof, or upon the Gross Revenues. Nothing herein contained requires the City to pay or cause to be discharged or to make provision for any such tax, assessment, lien, charge or demand before the time when payment thereon shall be due, or so long as the validity thereof shall be contested in good faith by appropriate legal proceedings.

SECTION 51. No Competing Facilities. The City shall neither construct nor permit to be constructed other facilities or structures to be operated by the City separate from the Sewer System and competing for Gross Revenues otherwise available for the payment of the Bonds or any other securities payable from Net Revenues; provided, however, that nothing herein contained shall impair the police powers of the City or otherwise cause the City to violate any applicable law.

SECTION 52. Rate Covenant. The City shall charge against users or against purchasers of services or commodities pertaining to the Sewer System such fees, rates and other charges as shall be sufficient to produce Gross Revenues annually which, together with any other funds available therefor, will be in each fiscal year of the City at least equal to the sum of:

(a) an amount equal to the annual Operation and Maintenance Expenses for such fiscal year;

(b) an amount equal to the Bond Requirements and other debt service due in such fiscal year on the then Outstanding Bonds and any Outstanding Parity Securities; and

(c) any other amounts payable from the Net Revenues and pertaining to the Sewer System, including, without limitation, debt service on any Subordinate Securities and any other securities pertaining to the Sewer System, operation and maintenance reserves, capital reserves and prior deficiencies pertaining to any account relating to Gross Revenues.

The foregoing rate covenant is subject to compliance by the City with any legislation of the United States of America, the State or other governmental body, or any regulation or other action taken by the United States, the State or any agency or political subdivision of the State pursuant to such legislation, in the exercise of the police power thereof for the public welfare, which legislation, regulation or action limits or otherwise inhibits the amounts of fees, rates and other charges collectible by the City for the use of or otherwise pertaining to, and all services rendered by, the Sewer System.

Subject to the foregoing, the City shall cause all fees, rates and other charges pertaining to the Sewer System to be collected as soon as reasonable and shall provide methods of collection and penalties to the end that the Gross Revenues shall be adequate to meet the requirements hereof.

SECTION 53. Records and Accounts. So long as any of the Bonds remain Outstanding, proper records and accounts shall be kept by the City, separate and apart from all other records and accounts, showing complete and correct entries of all transactions relating to the Sewer System and to all moneys pertaining thereto, including, without limitation, the Gross Revenues.

SECTION 54. Tax Covenant. The City covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any facilities refinanced with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under § 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in § 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under § 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

SECTION 55. Defeasance. When all Bond Requirements of any Bond have been duly paid, the pledge, the lien, and all obligations hereunder as to that Bond shall thereby be discharged and the Bond shall no longer be deemed to be Outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from direct obligations of, or obligations the principal of or interest on which are unconditionally guaranteed by, the United States of America (the "Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due to the final maturity of the Bond, or upon any redemption date as of which the City shall have exercised or shall have obligated itself to exercise its prior redemption option by a call of Bond for payment then. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof. When such defeasance is accomplished the Paying Agent shall mail written notice of the defeasance to the registered owner of the Bond at the address last shown on the registration records for the Bonds maintained by the Registrar.

SECTION 56. Amendments. This Ordinance may be amended or supplemented by instruments adopted by the City, without receipt by the City of any additional consideration, but with the written consent of the insurer of the Bonds, if any, or the owners of 66% in aggregate principal amount of the Bonds Outstanding at the time of the adoption of the amendatory or supplemental instrument, excluding Bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the Bonds if the refunding securities are not owned by the City. No such instrument shall permit without the consent of the insurer of the Bonds, if any, or all of the bondowners adversely affected thereby:

(a) A change in the maturity or in the terms of redemption of the principal or any installment thereof of any Outstanding Bond or any installment of interest thereon;

(b) A reduction in the principal amount of any bond or the rate of interest thereon, without the consent of the owner of the Bond; or

(c) A reduction of the principal amount or percentages or otherwise affecting the description of Bonds the consent of the owners of which is required for any modification or amendment; or

(d) The establishment of priorities as between Bonds issued and Outstanding under the provisions of this Ordinance; or

(e) The modification of, or other action which materially and prejudicially affects the rights or privileges of the owners of less than all of the Bonds then Outstanding.

Whenever the City proposes to amend or modify this Ordinance under the provisions hereof, it shall cause notice of the proposed amendment (i) to be published one time in each of a newspaper published and of general circulation in Clark County, in the State of Nevada, and a financial newspaper or journal published in the City of New York, in the State of New York, as determined by the Council; and (ii) to be mailed by first class mail within 30 days to the insurer of the Bonds, if any, or each registered owner of each registered Bond. The notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory instrument is on file in the office of the City Clerk for public inspection.

Whenever at any time within one year from the date of such notice there shall be filed in the office of the City Clerk an instrument or instruments executed by the insurer of the Bonds, if any, or the owners of at least 66% in aggregate principal amount of the Bonds then Outstanding, which instrument or instruments shall refer to the proposed amendatory instrument described in the notice and shall specifically consent to and approve the adoption of the instrument; thereupon, but not otherwise, the Council may adopt the amendatory instrument and the instrument shall become effective.

If the insurer of the Bonds, if any, or the owners of at least 66% in aggregate principal amount of the Bonds Outstanding, at the time of the adoption of the amendatory instrument, or the predecessors in title of such owners, shall have consented to and approved the adoption thereof as herein provided, no insurer or owner of any Bond, whether or not the insurer or owner shall have consented thereto, shall have any right or interest to object to the adoption of the amendatory instrument or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin the City from taking any action pursuant to the provisions thereof. Any consent given by the insurer of the Bonds, if any, or the owner of a Bond pursuant to the provisions hereof shall be irrevocable.

Bonds authenticated and delivered after the effective date of any action taken as provided in this Section 56 may bear a notation by endorsement or otherwise in form approved by the City as to the action; and if any Bond so authenticated and delivered shall bear such notation, then upon demand of the owner of any Bond Outstanding at such effective date and upon presentation of his bond, suitable notation shall be made on the Bond as to any such action. If the City so determines, new bonds so modified as in the opinion of the City to conform to such action shall be prepared, registered and delivered; and upon demand of the owner of any Bond then Outstanding, shall be exchanged without cost to the owner for Bonds then Outstanding upon surrender of such Bonds.

SECTION 57. Replacement of Registrar or Paying Agent. If the Registrar or Paying Agent shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, or if for any other reason the City determines to retain a successor Registrar or Paying Agent, the Council may, upon notice mailed to each owner of any Bond at his address last shown on the registration records, appoint a successor Registrar or Paying Agent. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same person or institution serve as Registrar and Paying Agent thereunder, but the City shall have the right to have the same person or institution serve as Registrar and Paying Agent. Any successor Registrar and Paying Agent must be an officer or employee of the City or a commercial bank authorized to execute trust powers.

SECTION 58. Maintenance and Use of Escrow Account.

A. The Escrow Account shall be maintained by the City in an amount at the time of those initial deposits therein and at all times subsequently at least sufficient, together with the known minimum yield to be derived from the initial investment and any temporary reinvestment of the deposits therein or any part thereof in Federal Securities, to pay the interest due in connection with the Refunded Bonds, both accrued and not accrued, as the same become due up to and including the respective redemption dates for the Refunded Bonds set forth in the Escrow Agreement (the "Refunded Bonds Redemption Dates"), and to redeem on the respective Refunded Bonds Redemption Dates all of the applicable Refunded Bonds at a redemption price equal to the principal amount thereof, accrued interest to the redemption date and any premium required by the ordinances authorizing the issuance of the Refunded Bonds.

B. Moneys shall be withdrawn by the Escrow Bank from the Escrow Account in sufficient amounts and at such times to permit the payment of the principal and interest requirements of the Refunded Bonds on and before the Refunded Bonds Redemption Dates and on the Refunded Bonds Redemption Dates, the City shall call for prior redemption of all the applicable Refunded Bonds. Any moneys remaining in the Escrow Account after provision shall have been made for the redemption in full of the Refunded Bonds shall be applied to any lawful purpose of the City as the Council may hereafter determine.

C. If for any reason the amount in the Escrow Account shall at any time be insufficient for the purposes of effecting the Project, the City shall forthwith from the first moneys available therefor deposit in such account such additional moneys as shall be necessary to permit the payment in full of the principal, interest and redemption premium due in connection with the Refunded Bonds as herein provided.

SECTION 59. Exercise of Option; Notice of Redemption.

A. The Council has elected and does hereby declare its intent to exercise on the behalf and in the name of the City its option to redeem on each of the Refunded Bonds Redemption Dates all of the applicable Refunded Bonds. The Council is hereby obligated so to exercise such option, which option shall be deemed to have been exercised when notice is duly given and completed forthwith after the issuance of the Bonds as herein provided.

B. The Treasurer, forthwith upon issuance of the Bonds, is authorized and directed to give forthwith upon the issuance of the Bonds notices of prior redemption and defeasance of the Refunded Bonds as set forth herein, in accordance with the provisions of the ordinances authorizing the issuance of the Refunded Bonds.

C. The notices of prior redemption and defeasance shall be given as required by the ordinances authorizing the issuance of the Refunded Bonds.

SECTION 60. Delegated Powers. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. The printing of the Bonds, including, without limitation, and if appropriate, a statement of insurance, if any;

B. The execution of the certificates as may be reasonably required by the purchaser, relating, inter alia,

(1) to the signing of the Bonds,

(2) to the tenure and identity of the officials of the City,

(3) to the assessed valuation of the taxable property in and the indebtedness of the City,

(4) to the rate of taxes levied against the taxable property within the City,

(5) to the exemption of interest on the Bonds from federal income taxation,

(6) to the delivery of the Bonds to The Depository Trust Company and the receipt of the Bond purchase price,

(7) to the completeness and accuracy of any information provided the Purchaser in connection with the Bonds as of the date of delivery of the Bonds, and

(8) if it is in accordance with the fact, to the absence of litigation, pending or threatened, affecting the validity of the Bonds;

C. The execution of the Escrow Agreement by the City's Finance Director, on behalf of the City, as issuer, of the Bonds;

D. The execution by the City's Finance Director of the Bond Purchase Proposal for the sale of the bonds with the Purchaser thereof;

E. The completion and execution by the City's Finance Director of the Certificate of the Finance Director; and

F. The assembly and dissemination of financial and other information concerning the City and the Bonds.

SECTION 61. Continuing Disclosure Undertaking and Certificate. The City covenants for the benefit of the holders and beneficial owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate in substantially the form now on file with the City Clerk to be executed and delivered in connection with the delivery of the Bonds and the City Finance Director is authorized to execute and deliver such certificate on behalf of the City.

SECTION 62. Publication of Proposed Ordinance. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this

Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

BILL NO. _______

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005A FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING SEWER BONDS; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on March 2, 2005, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on March 16, 2005.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

SECTION 63. Publication of Ordinance and Effective Date. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published by title only, together with the names of the members of the Council who voted for or against its adoption. This Ordinance shall be in effect on and after the publication of adoption of this Ordinance. Such publication of adoption of this Ordinance shall be made at least once in a newspaper published and having general circulation in the City and such publication shall be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

BILL NO._____

ORDINANCE NO.

(of Las Vegas, Nevada)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005A FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING SEWER BONDS; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above-numbered and entitled ordinance are available for public examination and distribution upon request at the office of the City Clerk of the City of Las Vegas, Nevada, at her office at 400 East Stewart Avenue, Las Vegas, Nevada; and that the above-numbered and entitled Ordinance was passed and adopted at a regular meeting of the City Council of the City of Las Vegas on March 16, 2005, by the following vote of the City Council:

Those Voting Aye:	Oscar Goodman Gary Reese Larry Brown Lawrence Weekly Michael Mack Steve Wolfson Lois Tarkanian
Those Voting Nay:	____________________
Those Absent:	____________________

This Ordinance shall be in full force and effect on and after the ____ day of March, 2005.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this March 16, 2005.

/s/ Oscar Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

SECTION 64. Ordinance Irrepealable. This Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

SECTION 65. Implied Repealer. All resolutions and ordinances, bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance, bylaw, order, or part thereof, heretofore repealed.

SECTION 66. Severability. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

(SEAL)

Attest:

____
Mayor

Approved as to form:

____
City Clerk

Val Steed 2-18-05
Date

This Ordinance shall be in force and effect on and after the ____ day of March, 2005.

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

I, Barbara Jo Ronemus, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on March 2, 2005 and finally adopted and approved on March 16, 2005.

2. The following members of the Council were present at the March 2, 2005 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

3. The foregoing Ordinance was first proposed and read by title to the City Council on March 2, 2005, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on March 16, 2005, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the March 16, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

Those Voting Nay: ____________________
Those Absent: ____________________

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on March 2, 2005, and March 16, 2005. Pursuant to ' 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings on the City's website, at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(i) City Clerk's Bulletin Board
City Hall Plaza, 2nd Floor Skybridge
Las Vegas, Nevada

(ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(iii) Las Vegas Library District
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on March 2, 2005, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on March 16, 2005, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this March 16, 2005.

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of March 2, 2005 Meeting)

EXHIBIT B

(Attach Copy of Notice of March 16, 2005 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Notice of Deposit of the Bond Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

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City of Las Vegas

Agenda Item No. 76

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-16 - Authorizes the issuance of City of Las Vegas General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues) Series 2005B. Proposed by: Mark R. Vincent, Director of Finance and Business Services - All Wards

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

NRS 350.684 provides that the City may issue refunding bonds to refund, pay and discharge all or any part of the outstanding bonds of any one or more issues for the purpose of reducing interest costs or effecting other economies. Projections indicate that these refunding issues will net 4.7 percent savings in borrowing costs.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-16

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5758 - UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(11:47 - 11:48)

2-2715

Summary - an ordinance authorizing the issuance of the City of Las Vegas, Nevada General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B.

BILL NO. 2005-16

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Las Vegas in the County of Clark and State of Nevada (the "City," the "County" and the "State," respectively) is a political subdivision of the State duly organized and operating as a city under the provisions of Nevada Revised Statutes ("NRS") chapter 268 and an act entitled "AN ACT incorporating the City of Las Vegas in Clark County, Nevada, under a charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); and

WHEREAS, the City Council of the City (the "Council") has determined and does hereby declare pursuant to Nevada Revised Statutes ("NRS") Chapter 377 and ' ' 2.350 and 7.020 of its Charter (collectively the "Project Act"), the City is authorized and empowered to pledge the Pledged Revenues (as defined herein) to pay bonds; and

WHEREAS, there remain unpaid and outstanding certain bonds previously issued by the City designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured with Pledged Revenues), Series 1997B" (the "1997 Bonds"), the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues), Series November 1, 1998A" (the "1998A Bonds"), the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Redevelopment Projects Bonds

(Additionally Secured by Pledged Revenues), Series November 1, 1998B" (the "1998B Bonds"), the "City of Las Vegas, Nevada General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series October 1, 1999" (the "1999 Bonds"), the "City of Las Vegas, Nevada General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A" (the "2002 Bonds") and the "City of Las Vegas, Nevada General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues), Series 2003A" (the "2003 Bonds") which 1997 Bonds, the 1998A Bonds, the 1998B Bonds, the 1999 Bonds, the 2002 Bonds and the 2003 Bonds (collectively, the "Prior Bonds") are secured by the Pledged Revenues on a parity basis with the bonds (the "Bonds") authorized to be issued by this Ordinance; and

WHEREAS, there are no outstanding obligations other than the Prior Bonds which are secured in whole or in part by the Pledged Revenues; and

WHEREAS, the City has never pledged nor in any way hypothecated the Pledged Revenues to the payment of any bonds, other than the Prior Bonds or for any other purpose; and

WHEREAS, pursuant to the provisions of NRS § 350.500 through § 350.720, and all laws amendatory thereof, cited in § 350.500 thereof by the short title "Local Government Securities Law" (the "Bond Act"), the City is authorized to refund certain of the 1998B Bonds, the 1999 Bonds and the 2002 Bonds (the "Refunded Bonds") designated in the Certificate of the Finance Director (as defined below) for the purpose of reducing interest costs or effecting other economies (the "Project"); and

WHEREAS, the City has determined and hereby determines that it is necessary and in the best interests of the City and its citizens to finance the Project; and

WHEREAS, the City has determined and does hereby determine that, based upon studies and reports pertaining thereto, the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and principal of the Bonds proposed to be issued pursuant to this Ordinance, without regard to any option reserved by the City for early redemption; and

WHEREAS, after notice inviting bids for their purchase, the City's Director of Finance and Business Services, as the chief financial officer of the City (the "Finance Director"), or the City Manager, as the chief administrative officer of the City (the "City Manager"), is hereby authorized to receive and publicly open bids and sell the Bonds to the best bidder therefor (the "Purchaser") and the Finance Director or the City Manager is hereby authorized to accept a binding bid for the Bonds, the Bonds to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser (the "Bond Purchase Proposal"), such rates not to exceed 3 percent over the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds, at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the Bonds plus a premium or less a discount not to exceed 9 percent of the principal amount of the Bonds, all as specified by the Finance Director or the City Manager in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the Finance Director"); and

WHEREAS, the City hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds.

WHEREAS, the Council has found and determined and hereby declares:

A. It is necessary and for the best interests of the City to effect the Project and to issue the Bonds; and

B. Each of the limitations and other conditions to the issuance of the Bonds in the Charter, the Project Act, the Bond Act, the Supplemental Bond Act, and in any other relevant act of the State or the Federal Government, has been met; and pursuant to § 350.708, Bond Act, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:

ARTICLE I

SHORT TITLE, DEFINITIONS, INTERPRETATION, RATIFICATION, TRANSMITTAL, AND EFFECTIVE DATE

Section 101. Short Title. This ordinance shall be known as and may be designated by the short title "2005B Various Purpose Refunding Bond Ordinance" (this "Ordinance").

Section 102. Meanings and Construction.

A. Definitions. The terms in this section defined for all purposes of this Ordinance and of any instrument amendatory hereof or supplemental hereto, and of any other instrument or any other document relating hereto, except where the context by clear implication otherwise requires, shall have the meanings herein specified:

"acquire" or "acquisition" means the opening, laying out, establishment, purchase, construction, securing, installation, reconstruction, lease, gift, grant from the Federal Government, the State, any body corporate and politic therein, or any other Person, the endowment, bequest, devise, transfer, assignment, option to purchase, other contract, or any combination thereof, of any properties relating to the Project, or an interest therein, or any other properties herein designated.

"annual principal and interest requirements" means the sum of the principal of and interest on the Outstanding Bonds and any other Outstanding designated securities payable from the Pledged Revenues having a lien thereon superior to or on a parity with the lien thereon of the Bonds, including the Outstanding Prior Bonds to be paid during any Bond Year, but excluding any reserve requirements to secure such payments unless otherwise expressly provided and excluding any amount payable from capitalized interest. In calculating this amount, the principal amount of bonds required to be redeemed prior to maturity pursuant to a mandatory redemption schedule contained in the ordinance or other instrument authorizing the issuance of such bonds shall be treated as maturing in the Bond Year in which such bonds are so required to be redeemed, rather than in the Bond Year in which the stated maturity of such bonds occurs.

"Bond Act" means NRS 350.500 through 350.720, and all laws amendatory thereof, designated in § 350.500 thereof as the Local Government Securities Law.

"Bond Fund" or "2005B Bond Fund" means the special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Pledged Revenues, Interest and Principal Retirement Fund," created in § 401A hereof, and required to be accumulated and maintained in § 604 hereof which shall be held separate and apart from the Income Fund.

"Bond Requirements" means the principal of, any prior redemption premiums due in connection with, and the interest on the Bonds and any additional bonds or other additional securities payable from the Pledged Revenues and hereafter issued, or such part of such securities or such other securities relating to the Project as may be designated, as such principal, premiums and interest become due at maturity or on a Redemption Date designated in a mandatory redemption schedule, in a notice of prior redemption, or otherwise.

"Bonds" means the securities issued hereunder and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B".

"Bond Year" means the 12 months commencing on June 2 of any calendar year and ending on June 1 of the next succeeding calendar year.

"Budget Act" means NRS 354.470 to 354.626, inclusive, and all laws amendatory thereof, designated in § 354.470 thereof as the Local Government Budget Act.

"City" means the City of Las Vegas in the County of Clark in the State of Nevada, and constituting a political subdivision thereof, or any successor municipal corporation.

"City Clerk" means the de jure or de facto city clerk of the City and designated as such by the City, or his or her successor in functions, if any.

"City Treasurer" means the de jure or de facto city treasurer of the City and designated as such by the City.

"combined maximum annual principal and interest requirements" means the greatest of the annual principal and interest requirements to be paid during any Bond Year for the period beginning with the Bond Year in which such computation is made and ending with the Bond Year in which any bond last becomes due at maturity or on a Redemption Date on which any bond thereafter maturing is called for prior redemption. If any outstanding bonds are subject to variable interest rates, for the purpose of such computation, such interest rates shall be estimated by an Independent Accountant, an independent feasibility consultant or the Finance Director and the rate so estimated shall be used for the purpose of such computation. Any such computation shall be adjusted as provided in § 803C hereof, and shall be made by an Independent Accountant, an independent feasibility consultant or the Finance Director if expressly so required.

"commercial bank" means a state or national bank or trust company which is a member of the Federal Deposit Insurance Corporation and which is located within the United States; and such term includes, without limitation, any "trust bank" as herein defined.

"Cost of the Project" means all or any part designated by the City of the cost of the Project, which cost, at the option of the City, except as limited by law, may include all or any part of the incidental costs relating to the Project, including, without limitation:

(a) Preliminary expenses advanced by the City from funds available for use therefor or from any other source, or advanced with the approval of the City from funds available therefor or from any other source by the State, the Federal Government, or by any other Person with the approval of the City (or any combination thereof);

(b) The costs of appraising, printing, estimates, advice, of engineers, architects, accountants, financial consultants, attorneys at law, clerical help, or other agents or employees;

(c) The costs of making, publishing, posting, mailing and otherwise giving any notice in connection with the Project, the filing or recordation of instruments, the taking of options, the issuance of the Bonds and any other securities relating to the Project, and bank fees and expenses;

(d) The costs of contingencies;

(e) The costs of the capitalization with the proceeds of the Bonds of any interest on the bonds or other securities for any period not exceeding the period estimated by the City to effect the Project plus one year, of any discount on the bonds or other securities, and of any reserves for the payment of the principal of and interest on the Bonds or other securities, of any replacement expenses, and of any other cost of the issuance of the Bonds or other securities relating to the Project;

(f) The costs of amending any ordinance, resolution or other instrument authorizing the issuance of or otherwise relating to the Outstanding Bonds or other securities relating to the Project;

(g) The costs of funding any emergency loans, construction loans and other temporary loans of not exceeding 5 years relating to the Project and of the incidental expenses incurred in connection with such loans;

(h) The costs of any properties, rights, easements or other interests in properties, or any licenses, privileges, agreements and franchises;

(i) All other expenses necessary or desirable and relating to the Project, as estimated or otherwise ascertained by the City.

"Council" means the City Council of the City of Las Vegas, in the State of Nevada, including any successor to the Council.

"Escrow Account" means the special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Escrow Account" created herein.

"Escrow Agreement" means the agreement between the City and the Escrow Agent regarding the redemption of the Refunded Bonds.

"Escrow Agent " means The Bank of New York Trust Company, N.A. or any successor thereto.

"Events of Default" means the events stated in § 1103 hereof.

"Federal Government" means the United States, or any agency, instrumentality or corporation thereof.

"Federal Securities" means bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States.

"Fiscal Year" means the 12 months commencing on July 1 of any calendar year and ending on June 30 of the next succeeding calendar year; but if the Nevada legislature changes the statutory fiscal year relating to the City, the Fiscal Year shall conform to such modified statutory fiscal year from the time of each such modification, if any.

"General Tax Interest Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Interest Fund," created in § 501 hereof.

"General Tax Principal Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Principal Fund," created in § 501 hereof.

"General Taxes" or "Taxes" means general (ad valorem) taxes levied by the City against all taxable property within the boundaries of the City (unless otherwise qualified).

"hereby," "herein," "hereinabove," "hereinafter," "hereinbefore," "hereof," and any similar term refer to this Ordinance and not solely to the particular portion thereof in which the word is used; "heretofore" means before the adoption of this Ordinance; and "hereafter" means after the adoption of this Ordinance.

"Income Fund" means the special account designated as the "City of Las Vegas, Nevada, SCCRT Pledged Revenues Income Fund, Series 1993" created in § 602 of the Ordinance authorizing the issuance of the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Multifamily Housing Bonds (Additional Secured by Pledged Revenues), Series November 1, 1993" (the "1993 Bonds") and continued herein which shall be held separate and apart from the Bond Fund.

"Independent Accountant" means any certified public accountant, or any firm of certified public accountants, duly licensed to practice and practicing as such under the laws of the State, as from time to time appointed and compensated by the City:

(a) Who or which is, in fact, independent and not under the domination of the City;

(b) Who or which does not have any substantial interest, direct or indirect, with the City, and

(c) Who or which is not connected with the City as an officer or employee thereof, but who may be regularly retained to make annual or similar audits of any books or records of the City.

"Mayor" means the de jure or de facto Mayor of the City, or his or her successor in functions, if any.

"NRS" means Nevada Revised Statutes.

"newspaper" means a newspaper printed in the English language, published at least once each calendar week.

"Outstanding" when used with reference to the Bonds or any other designated securities and as of any particular date means all the Bonds or any such other securities payable from the Pledged Revenues or otherwise relating to the Project, as the case may be, in any manner theretofore and thereupon being executed and delivered:

(a) Except any Bond or other security canceled by the City, by the Paying Agent or otherwise on the City's behalf, at or before such date;

(b) Except any Bond or other security the payment of which is then due or past due and moneys fully sufficient to pay the same are on deposit with the Paying Agent;

(c) Except any Bond or other security for the payment or the redemption of which moneys at least equal to the City's Bond Requirements to the date of maturity or to any Redemption Date, shall have heretofore been deposited with a trust bank in escrow or in trust for that purpose, as provided in § 1001 hereof; and

(d) Except any Bond or other security in lieu of or in substitution for which another bond or other security shall have been executed and delivered pursuant to §§ 306 or 1209 hereof.

"owner" or any similar term, when used in conjunction with any Bonds, or any other designated securities, means the registered owner of any Bonds or other security which is registrable for payment if it shall at the time be registered for payment otherwise than to bearer.

"parity bonds" or securities" means the Outstanding Prior Bonds which are not refunded as part of the Project and any other bonds or securities which have a lien on the Pledged Revenues that is on a parity with the lien thereon of the Bonds.

"Paying Agent" means the City Treasurer, or any successor paying agent for the Bonds which may be appointed by the Council.

"Person" means a corporation, firm, other body corporate (including, without limitation, the Federal Government, the State, or any other body corporate and politic other than the City), partnership, association or individual, and also includes an executor, administrator, trustee, receiver or other representative appointed according to law.

"Pledged Distributed Local Tax Act" means, collectively, NRS § 377.080, and each Act which authorizes or imposes one or more of the taxes or other impositions that generate revenues distributed to the City pursuant to NRS 360.680, 360.690 or 360.700 and authorized to be pledged to the Bonds by NRS § 377.080, as amended from time to time.

"Pledged Revenues" means a 15% portion of all income and revenue derived by the City from the Pledged Distributed Local Tax Act and distributed thereto pursuant to NRS 377.080. The Pledged Revenues means all or a portion of the Pledged Revenues. The designated term indicates sources of revenues and does not necessarily indicate all or any portion or other part of such revenues in the absence of further qualification. "Pledged Revenues" includes income derived from any additional sources if the Council is authorized to include and elects to include the additional sources in "Pledged Revenues" for the remaining term of the Bonds.

"Prior Bonds" means the Outstanding 1997 Bonds, the 1998A Bonds, the 1998B Bonds, the 1999 Bonds, the 2002 Bonds and the 2003 Bonds.

"Project" means the cost of refunding the Refunded Bonds.

"Project Act" means NRS Chapter 377 and §§ 2.350 and 7.020 of the City's Charter, as amended from time to time.

"Rebate Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Rebate Fund" created in § 607 hereof.

"Redemption Date" means a date fixed for the redemption prior to their respective maturities of any Bonds or other designated securities payable from any Pledged Revenues in any mandatory redemption schedules, or in any notice of prior redemption or otherwise fixed and designated by the City.

"Redemption Price" means, when used with respect to a Bond or other designated security payable from any Pledged Revenues, the principal amount thereof plus the applicable premium, if any, payable upon the redemption thereof prior to the stated maturity date of such Bond or other security on a Redemption Date in the manner contemplated in accordance with the security's terms.

"Registrar" means the City Treasurer, or any successor paying agent for the Bonds which may be appointed by the Council.

"Regular Record Date" means the 15th day of the calendar month next preceding each interest payment date.

"Special Record Date" means a special date fixed by the Paying Agent to determine the names and addresses of owners of the Bonds for the payment of any defaulted interest on any of the Bonds, as further provided in § 302 hereof. At least 10 days' notice will be given by the Paying Agent by first-class regular mail to each owner of a Bond as stated on the Registrar's registration list at the close of business on a date fixed by the Paying Agent, stating the date of the Special Record Date and the due date fixed for the payment of such defaulted interest.

"State" means the State of Nevada, in the United States.

"subordinate bonds" or "subordinate securities" means bonds or securities which have a lien on the Pledged Revenues that is subordinate and junior to the lien thereon of the Bonds.

"superior bonds" or "superior securities" means bonds or securities which have a lien on the Pledged Revenues that is superior to the lien thereon of the Bonds.

"Tax Code" means the Internal Revenue Code of 1986, as amended, to the date of delivery of the Bonds.

"Taxes" means General Taxes.

"trust bank" means a "commercial bank," as defined herein, which bank is authorized to exercise and is exercising trust powers, and also means any branch of the Federal Reserve Bank.

E. Construction. This Ordinance, except where the context by clear implication herein otherwise requires, shall be construed as follows:

(1) Words in the singular number include the plural, and words in the plural include the singular.

(2) Words in the masculine gender include the feminine and the neuter, and when the sense so indicates words of the neuter gender refer to any gender.

(3) The titles and leadlines applied to articles, sections, subsections and paragraphs of this Ordinance are inserted only as a matter of convenience and ease in reference and in no way define, limit or describe the scope or intent of any provisions of this Ordinance.

(4) Any securities payable from any Pledged Revenues and held by the City shall not be deemed to be Outstanding for the purpose of redemption nor

Outstanding for the purpose of consents hereunder or for other purposes provided herein.

Section 103. Successors. Whenever herein the City is named or is referred to, such provision shall be deemed to include any successors of the City, respectively, whether so expressed or not. All of the covenants, stipulations, obligations and agreements by or on behalf of and other provisions for the benefit of the City contained herein shall bind and inure to the benefit of any officer, board, district, commission, authority, agent or instrumentality to whom or to which there shall be transferred by or in accordance with law any right, power or duty of the City or of their respective successors, if any, the possession of which is necessary or appropriate in order to comply with any such covenants, stipulations, obligations, agreements or other provisions hereof.

Section 104. Parties Interested Herein. Except as herein otherwise expressly provided, nothing herein expressed or implied confers upon or gives to any Person (other than the Paying Agent, the owners from time to time of the Bonds, and the owners of any other securities payable from Pledged Revenues when reference is expressly made thereto, as well as the City) any right, remedy or claim under or by reason hereof or any covenant, condition or stipulation hereof. All the covenants, stipulations, promises and agreements herein contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent, any owner of any Bonds and any owner of any such other security in the event of such a reference.

Section 105. Ratification. All action heretofore taken (not inconsistent with the provisions of this Ordinance) by the City, the officers of the City, and otherwise by the City directed toward the Project and toward the sale of the Bonds to the Purchaser for that purpose, hereby is ratified, approved and confirmed.

Section 106. Ordinance Irrepealable. After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owner or owners of the Bonds; and this Ordinance (subject to the provisions of § 1001 and of Article XII hereof), if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, except as herein otherwise expressly provided.

Section 107. Repealer. All bylaws, orders and other instruments, or parts thereof, inconsistent herewith are hereby repealed to the extent only of the inconsistency. This repealer shall not be construed to revive any bylaw, order or other instrument, or part thereof, heretofore repealed.

Section 108. Severability. If any section, subsection, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Section 109. Publication of Proposed Ordinance. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

BILL NO.

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed March 2, 2005, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on March 16, 2005.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 110. Publication After Adoption of Ordinance; Effective Date. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO.

(of Las Vegas, Nevada)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on March 2, 2005, and was passed at the meeting held on March 16, 2005, by the following vote of the City Council:

Those Voting Aye:

Oscar Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Steve Wolfson
Lois Tarkanian

Those Voting Nay: ____________________
Those Absent: ____________________

This Ordinance shall be in full force and effect from and after the ____ day of ____, 2005.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this March 16, 2005.

/s/ Oscar Goodman
Mayor

Attest:
/s/ Barbara Jo Ronemus
City Clerk

ARTICLE II

CITY'S DETERMINATIONS, AUTHORITY FOR AND AUTHORIZATION OF PROJECT, NECESSITY OF PROJECT AND BONDS, PROJECT COST, AND OBLIGATION OF CITY

Section 201. Authorization for this Ordinance. This Ordinance is adopted by virtue of the Project Act and the Bond Act and pursuant to their provisions; and the City has ascertained and hereby determines that each and every matter and thing as to which provision is made herein is necessary in order to carry out and to effectuate the purposes of the City in accordance with the Project Act and the Bond Act, and as provided in NRS 350.708 all limitations in the Bond Act imposed upon the issuance of bonds or other securities thereunder have been met and the total cost of the Project has been and hereby is approved.

Section 202. Life of the Project. The City has determined and does hereby declare:

A. Estimated Life. The estimated life or estimated period of usefulness of the Project to be acquired with the proceeds of the Bonds is not less than 10 years; and

B. Bond Term. The Bonds shall mature at times not exceeding such estimated life or estimated period of usefulness.

Section 203. Necessity of Project and Bonds. It is necessary and for the best interests of the City and the inhabitants thereof that the City effect the Project and defray the cost thereof by issuing the Bonds therefor; and it is hereby so determined and declared.

Section 204. Authorization of Use of Preliminary and Final Official Statements. The distribution and use of a Preliminary Official Statement for the Bonds is hereby authorized. The distribution, use of and execution of the Final Official Statement for the Bonds in substantially the form of the Preliminary Official Statement, with such amendments, additions and deletions as are consistent with the facts and not inconsistent herewith as may be approved by the Finance Director, is hereby authorized. The Finance Director is authorized to deem the Preliminary Official Statement to be "final" for the purposes of Rule 15c2-12 of the United States Securities Exchange Commission.

Section 205. Authorization of Project and Escrow Agreement. The City does hereby determine to proceed with the Project and the Project is hereby so authorized. The Finance Director is hereby authorized to execute and deliver on behalf of the City the Escrow Agreement between the City and the Escrow Agent in substantially the form now on file with the Finance Director, with such changes as designated by the Finance Director which are consistent with the provisions of this Ordinance.

Section 206. Bonds Equally Secured. The covenants and agreements herein set forth to be performed on behalf of the City shall be for the equal benefit, protection and security of the owners of any and all of the Outstanding Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof, except as otherwise expressly provided in or pursuant to this Ordinance.

Section 207. General Obligations. The full faith and credit of the City are hereby pledged to the payment of the Bond Requirements of the Bonds. The Bonds shall constitute general obligations of the City and shall be payable from General Taxes on all taxable property within the City (except to the extent any Pledged Revenues or other moneys are available therefor), subject to the limitations imposed by the Constitution and statutes of the State.

Section 208. Additional Security. The payment of the Bond Requirements of the Bonds is additionally secured by an irrevocable pledge of and by a lien (but not necessarily an exclusive lien) on the Pledged Revenues, subject to and after any superior liens upon such Pledged Revenues of any superior bonds or superior securities.

Section 209. No Pledge of Property. The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except the proceeds of General Taxes, the Pledged Revenues, and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exceptions, shall be liable to be forfeited or taken in payment of the Bonds.

Section 210. No Recourse Against Officers and Agents. No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the City or any officer or other agent of the City, past, present or future, either directly or indirectly through the City or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bonds and as a part of the consideration of their issuance specially waived and released.

Section 211. Sale of Bonds; Bid by Financial Advisor. The Finance Director is authorized to sell the Bonds and sign a binding contract therefor with the Purchaser. The City hereby consents to any affiliate of Nevada State Bank Public Finance, the City's financial advisor, submitting a bid for the Bonds at their public sale.

ARTICLE III

AUTHORIZATION, TERMS, EXECUTION AND ISSUANCE OF BONDS

Section 301. Authorization of Bonds. The "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B," in the aggregate principal amount designated in the Certificate of the Finance Director (not to exceed the aggregate principal amount necessary to effect the Project), are hereby authorized to be issued, pursuant to the Project Act and the Bond Act. The City pledges irrevocably, but not necessarily exclusively, the Pledged Revenues to the payment of the Bond Requirements of the Bonds, the proceeds of the Bonds to be used solely to defray wholly or in part the cost of the Project.

Section 302. Bond Details. The Bonds shall be issued payable in fully registered form, i.e., registered as to both principal and interest and shall be dated as of the first day of the month of the date of delivery of the Bonds. Except as provided in § 307 hereof, the Bonds shall be issued in the denominations of $5,000 and any integral multiples thereof (but no Bond may be in a denomination which exceeds the principal coming due on any maturity date, and no individual Bond will be issued for more than one maturity). The Bonds shall bear interest from their date until their respective maturity dates (or, if redeemed prior to maturity as provided below, their redemption dates) at the respective rates set forth in the Certificate of the Finance Director, and payable semiannually on June 1 and December 1 of each year commencing on December 1, 2005; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid, or if no interest has been paid, from the date of the Bonds. The

Bonds shall mature in each of the designated amounts of principal and designated dates in the Certificate of the Finance Director.

Section 303. Bond Details. The principal of and redemption premium, if any, on any Bond, shall be payable to the registered owner thereof as shown on the registration records kept by the Registrar, upon maturity or prior redemption thereof and upon presentation and surrender at the Paying Agent or at such other office as designated by the Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by the Bond until the principal thereof is paid in full. Except as provided in ' 307 hereof, payment of interest on any Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof at his or her address as shown on the registration records kept by the Registrar at the close of business on the Regular Record Date for such interest payment date. Any such interest which not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner thereof at the close of business on the Regular Record Date and shall be payable to the person who is the registered owner thereof at the close of business on a Special Record Date for the payment of any such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever money becomes available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the Bonds not less than 10 days prior thereto by first-class mail to each such registered owner as shown on the Registrar's registration records on a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed upon between the owner of such Bond and the Paying Agent. All such payments shall be made in lawful money of the United States of America.

Section 304. Prior Redemption or Prepayment.

A. Optional Redemption or Prepayment. Bonds, or portions thereof ($5,000 or any integral multiple), maturing on and after the date specified in the Certificate of the Finance Director, shall be subject to redemption prior to their respective maturities, at the option of the City, at any time on and after the date specified in the Certificate of the Finance Director, in whole or in part from any maturities selected by the City and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than $5,000), at a price equal to the principal amount of each bond, or portion thereof, so redeemed, accrued interest thereon to the redemption date, and a premium, if any, as provided in the Certificate of the Finance Director.

B. Mandatory Redemption. The Bonds set forth in the Certificate of the Finance Director, if any (the "Term Bonds"), shall be subject to mandatory sinking fund redemption at a redemption price equal to 100% of the principal amount thereof and accrued interest to the redemption date. As and for a sinking fund for the redemption of the Term Bonds, there shall be deposited into the Principal Account on or before the principal payment date, of the years set forth in the Certificate of the Finance Director, a sum which, together with other moneys available in the Principal Account, is sufficient to redeem (after credit is provided below) on the dates and in the principal amounts of the Term Bonds as set forth in the Certificate of the Finance Director plus accrued interest to the redemption date.

Not more than sixty days nor less than thirty days prior to the sinking fund payment dates for the Term Bonds, the Registrar shall proceed to select for redemption (by lot or in such other manner as the Registrar may determine) from all Outstanding Term Bonds, a principal amount of the Term Bonds equal to the aggregate principal amount of the Term Bonds redeemable with the required sinking fund payments, and shall call such Term Bonds or portions thereof for redemption from the sinking fund on the next principal payment date, and give notice of such call as provided in subsection D of this Section.

At the option of the City to be exercised by delivery of a written certificate to the Registrar not less than sixty days next preceding any sinking fund redemption date, it may (i) deliver to the Registrar for cancellation Term Bonds, or portions thereof ($5,000 or any integral multiple thereof) in an aggregate principal amount desired by the City or, (ii) specify a principal amount of Term Bonds, or portions thereof ($5,000 or any integral multiple thereof) which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and canceled by the Registrar and not theretofore applied as a credit against any sinking fund redemption obligation. Each Term Bond or portions thereof so delivered or previously redeemed shall be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on the sinking fund redemption dates and any excess shall be so credited against future sinking fund redemption obligations in such manner as the City determines. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the respective Term Bonds or portions thereof to be canceled or in the event the Bonds are registered in the name of Cede & Co. as provided in Section 307 of this Ordinance, the certificate required by the first sentence of this paragraph shall be accompanied by such direction and evidence of ownership as is satisfactory to The Depository Trust Company.

C. Partial Redemption. In the case of Bonds in a denomination larger than $5,000, a portion of such Bond ($5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, except as otherwise provided in Section 18 hereof, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. In the case of a partial redemption of Bonds of a single maturity pursuant to Subsections A or B of this Section, the Paying Agent shall select the Bonds to be redeemed by lot at such time as directed by the City (but at least 30 days prior to the redemption date), and if such selection is more than 60 days before a redemption date, except as otherwise provided in Section 307 hereof, shall direct the Registrar to appropriately identify the Bonds so called for redemption by stamping them at the time any Bond so selected for redemption is presented to the Registrar for stamping or for transfer or exchange, or by such other method of identification as deemed adequate by the Registrar, and any Bond or Bonds issued in exchange for, or to replace, any Bond or Bonds so called for prior redemption shall likewise be stamped or otherwise identified.

D. <u>Notice of Redemption</u>. Unless waived by any owner of Bonds to be redeemed for purchase, official notice of any such redemption shall be given by the Registrar, on behalf of the City, by mailing a copy of an official redemption notice by registered or certified mail so long as Cede & Co. is the registered owner of the Bonds and the Municipal Securities Rulemaking Board ("MSRB") and otherwise by first class mail, postage prepaid, at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond register or at such other address as is furnished in writing by such registered owner to the Registrar. Actual receipt of mailed notice by any owner of Bonds or the MSRB shall not be a condition precedent to redemption of such Bond or Bonds. Failure to give such notice to the MSRB or the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. A certificate by the Registrar that such notice has been given as herein provided shall be conclusive against all parties.

All official notices of redemption shall be dated and shall state:

1. the redemption date,

2. the purchase prices,

3. the identification by maturity (and, in the case of partial redemption of a maturity, other appropriate identification) of the Bonds to be redeemed,

4. that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and

5. the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent (accrued interest to the redemption date being payable by mail or as otherwise provided in this Ordinance).

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

Notwithstanding the provisions of this section, any notice of redemption may contain a statement that the redemption is conditional upon receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if such funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was mailed.

Section 305. Negotiability. Subject to § 307 hereof and to the registration provisions provided herein, the Bonds shall be fully negotiable within the meaning of and for the purposes of the Uniform Commercial Code--Investment Securities, and each owner shall possess all rights enjoyed by owners of negotiable instruments under the Uniform Commercial Code--Investment Securities.

Section 306. Registration, Transfer and Exchange of Bonds. Except as otherwise provided in § 307 hereof:

A. Registration and Transfer. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender for transfer of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount and of the same maturity bearing a number or numbers not previously assigned. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of

Bonds of the same maturity of other authorized denominations, as provided in § 302 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the registered owner making the exchange is entitled to receive, bearing a number or numbers not previously assigned. For every exchange or transfer of Bonds requested by the owner thereof, the City or the Registrar may make a sufficient charge to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer, and may charge a sum sufficient to pay the cost of preparing and authenticating each new Bond. No such charge shall be levied in the case of an exchange resulting from an optional or mandatory prior redemption of a Bond.

B. Limitations upon Registration. The Registrar shall not be required to transfer or exchange (i) any Bond subject to redemption during a period beginning at the opening of business 15 days before the day of the mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the day of such mailing, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption as herein provided.

C. Effect of Registration. The person in whose name any Bond shall be registered, in the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of making payments thereof (except to the extent otherwise provided in § 302 hereof with respect to interest payments) and for all other purposes; and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such Bond in the manner and subject to the conditions and limitation provided herein. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

D. Replacement of Bond. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it, the Registrar or the City, may reasonably require, and upon payment of all expenses in connection therewith, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed or mutilated Bond shall have matured or shall have been called for redemption, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement.

E. Cancellation of Bond upon Payment or Reissuance. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the City Treasurer and the City.

Section 307. Custodial Deposit.

A. Notwithstanding the foregoing provisions of §§ 302 to 306 hereof, the Bonds shall initially be evidenced by one Bond for each year in which the Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended; or

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this subsection A, or a determination by the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable to the City and to the depository then holding the Bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository; or

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this subsection A, or a

determination of the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of subsection A hereof or designation of a new depository pursuant to clause (2) of subsection A hereof, upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity of the Bonds then Outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the Bonds as provided in clause (3) of subsection A hereof, and upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of $5,000 or any integral multiple thereof, as provided in and subject to the limitations of § 302 hereof, registered in the names of such Persons, and in such denominations as are requested in such written transfer instructions: however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

C. The City, the Registrar and the Paying Agent shall be entitled to treat the registered owner of any Bond as the absolute owner thereof for all purposes hereof and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the City, the Registrar and the Paying Agent shall have no responsibility for transmitting payments to the beneficial owners (the "Beneficial Owners") of the Bonds held by The Depository Trust Company or any successor or new depository named pursuant to subsection A hereof.

D. The City, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of subsection A hereof in effectuating payment of the Bond Requirements of the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

E. Upon any partial redemption of any maturity of the Bonds, Cede & Co. (or its successor), in its discretion may request the City to issue and authenticate a new Bond or shall make an appropriate notation on the Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case the Bond must be presented to the Paying Agent prior to payment.

Section 308. Execution of Bonds. The Bonds shall be executed as follows:

A. Filings with Secretary of State. Pursuant to the Bond Act, and to the act cited as the Uniform Facsimile Signatures of Public Officials Act, cited as chapter 351 of NRS, and prior to the execution of any Bonds, the Mayor, the City Clerk and the City Treasurer shall each file with the Secretary of State of the State his or her manual signature certified by him or her under oath.

B. Manner of Execution. Each Bond shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile of the signature of the Mayor shall be countersigned and executed with the manual or facsimile of the signatures of the City Treasurer and shall be authenticated with the manual or facsimile impression of the official seal of the City; and shall be signed, executed, and attested with such a manual or facsimile signature of the City Clerk.

C. Authentication. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication thereon, substantially in the form hereinafter provided has been duly manually executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by an authorized officer or employee of the Registrar, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds issued hereunder. By authenticating any of the Bonds delivered pursuant to the Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

Section 309. Use of Predecessor's Signature. The Bonds bearing the signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the City, notwithstanding that before the delivery thereof and the payment therefor any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Each of the

Mayor, the City Treasurer and City Clerk, at the time of the execution of the Bonds and of a signature certificate pertaining thereto by the Mayor, the City Treasurer and the City Clerk, respectively, may adopt as and for his or her own facsimile signature the facsimile signature of his or her predecessor in office if such facsimile signature appears upon any of the Bonds.

Section 310. Incontestable Recital in Bonds. Pursuant to § 350.628, Bond Act, each Bond shall recite that it is issued pursuant to the Project Act, to the Bond Act, and to the Supplemental Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

Section 311. State Tax Exemption. Pursuant to § 350.710, Bond Act, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to chapter 375B of NRS.

Section 312. Bond Execution. The Mayor, the City Treasurer, and the City Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

Section 313. Bond Delivery. After registration of the Bonds by the City Treasurer and Registrar pursuant to § 306 and after their execution and authentication pursuant to § 308 and other provisions herein supplemental thereto, the City Treasurer shall cause the Bonds to be delivered to the Purchaser thereof, upon payment being made therefor on the terms of the sale of the Bonds.

Section 314. Bond Form. Subject to the provisions of this Ordinance, each Bond shall be in substantially the following form with such omissions, insertions, endorsements, and variations as to any recitals of fact or other provisions as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

CITY OF LAS VEGAS, NEVADA
GENERAL OBLIGATION (LIMITED TAX)
VARIOUS PURPOSE REFUNDING BOND
(ADDITIONALLY SECURED BY PLEDGED REVENUES)
SERIES 2005B

NO.__________ $____________

Interest Rate	Maturity Date	Dated As Of	CUSIP
__% per annum	________ 1, __	_______,2005	

REGISTERED OWNER: **CEDE & CO.**

PRINCIPAL AMOUNT: DOLLARS

The City of Las Vegas in the County of Clark and in the State of Nevada (the "City" the "County," and the "State", respectively), for value received hereby acknowledges itself to be indebted and promises to pay to the Registered Owner specified above the Principal Amount specified above, on the Maturity Date specified above (unless called for earlier redemption), and to pay interest thereon on June 1 and December 1 of each year commencing on December 1, 2005, at the Interest Rate per annum specified above, until the principal sum is paid or payment has been provided therefor. This Bond will bear interest from the most recent interest payment date to which interest has been paid or provided for, or, if no interest has been paid, from the date of this Bond. The principal of and redemption premium, if any, on this Bond are payable to the Registered Owner hereof upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds or any successor (the "Paying Agent"), presently the Treasurer of the City of Las Vegas, Nevada, which is also now acting as the City's registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), by check or draft mailed to the person in whose name this Bond is registered (the "Registered Owner") in the registration records of the City maintained by the Registrar and at the address appearing thereon at the close of business on the 15th day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of any defaulted interest. Such Special Record Date shall be fixed by the Paying Agent for the Bonds whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the Registered Owners of the Bonds of the series of which this is one (the "Bonds") not less than ten days prior thereto. All payments of the principal of, interest on and redemption premiums, if any, due in connection with this Bond (the "Bond Requirements") shall be made in lawful money of the United States of America without deduction for the services of the Paying Agent, as provided in the City's ordinance designated by the short title "2005B Various Purpose Refunding Bond Ordinance," adopted and approved on ___________, 2005 authorizing the issuance of the Bonds (the "Ordinance") and the Certificate of the Director of Finance pertaining thereto (the "Certificate").

The Bonds are issuable solely as fully registered Bonds in denominations of $5,000 each or any integral multiple thereof. The Bonds are exchangeable for fully registered Bonds of the same maturity in equal aggregate principal amounts and in authorized denominations at the aforesaid office of the Paying Agent and Registrar but only in the manner, subject to the limitations, and on payment of the charges provided in the Ordinance.

The Registrar will not be required to transfer or exchange (i) any Bond subject to redemption during a period beginning at the opening of business 15 days before the day of the mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the day of such mailing, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for prior redemption.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

The Bonds shall not be transferable or exchangeable, except as set forth in the Ordinance.

In the case of Bonds of a denomination larger than $5,000, a portion of such Bond ($5,000 of the principal amount thereof, or any integral multiple thereof) may be redeemed, in which case the Registrar shall, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. Redemption shall be made upon not less than thirty (30) days' prior notice as provided in the Ordinance.

Upon any partial prior redemption of this Bond, Cede & Co., in its discretion, may request the Registrar to authenticate a new Bond or shall make an appropriate notation on this Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to payment.

This Bond must be registered in the name of the Registered Owner as to both principal and interest on the registration records kept by the Registrar in conformity with the provisions stated herein and endorsed hereon and subject to the terms and conditions set forth in the Ordinance. No transfer of this Bond shall be valid unless made on the registration records maintained at the principal office of the Registrar by the Registered Owner or his attorney duly authorized in writing.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of making payment (except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest) and for all other purposes and the City, and Paying Agent and Registrar shall be not affected by notice to the contrary.

The Bonds are issued by the City and upon the credit thereof, for the purpose of refunding certain outstanding bonds of the City, under the authority of and in full conformity with the Constitution and laws of the State and the City and pursuant to the Ordinance.

It is hereby certified, recited and warranted that the total indebtedness of the City, including that of this Bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State; that provision has been made for the levy and collection of annual general (ad valorem) taxes ("General Taxes") sufficient to pay the Bond Requirements of this Bond when the same become due (except to the extent other moneys are available therefor), subject to the limitations imposed by the Constitution and statutes of the State; and that the full faith and credit of the City are hereby irrevocably pledged to the punctual payment of the Bond Requirements according to the terms of this Bond.

The payment of the Bonds, as to all Bond Requirements, is additionally secured by an irrevocable pledge of revenues derived by the City from the Pledged Revenues (as defined in the Ordinance).

Payment of the Bond Requirements due in connection with the Bonds may be made from and as security for such payment there is irrevocably and exclusively pledged, pursuant to the Ordinance, a special account thereby created and identified as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Pledged Revenues, Interest and Principal Retirement Fund," into which account the City covenants to pay from the revenues derived from the Pledged Revenues sums sufficient to pay when due the Bond Requirements of the Bonds, except to the extent other moneys are available therefor.

The Bonds are equitably and ratably secured by a lien on the Pledged Revenues and the Bonds constitute an irrevocable lien (but not necessarily an exclusive lien) upon the Pledged Revenues, on a parity with the lien on the Pledged Revenues of the parity securities and subject to and after any superior liens upon such Pledged Revenues of any superior bonds or superior securities. Bonds and other securities, in addition to the Bonds, subject to expressed conditions, may be issued and made payable from the Pledged Revenues having a lien thereon subordinate and junior to the lien or, subject to additional expressed conditions, having a lien thereon superior to or on a parity with the lien, of the Bonds, in accordance with the provisions of the Ordinance.

The City covenants and agrees with the owner of this Bond and with each and every person who may become the owner hereof that it will keep and will perform all of the covenants of the Ordinance.

Reference is made to the Ordinance, NRS Chapter 377, as amended from time to time, to the City Charter, as amended from time to time, to an act cited as NRS 350.500 through 350.720, and all laws amendatory thereof, designated in section 350.500 thereof as the Local Government Securities Law, to Chapter 348 of NRS (the "Supplemental Bond Act"), and to all laws supplemental thereto, for an additional description of the nature and extent of the security for the Bonds, the General Taxes, accounts, funds and revenues pledged, the nature and extent and manner of enforcement of the pledge, the rights and remedies of the owners of the Bonds with respect thereto, the terms and conditions upon which the Bonds are issued, and a statement of rights and remedies of the owners of the Bonds.

The Bonds are issued pursuant to the Project Act, the Local Government Securities Law, and the Supplemental Bond Act, and pursuant to NRS 350.628, Local Government Securities Law, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to NRS 350.710, Local Government Securities Law, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to chapter 375B of NRS.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance or any instrument amendatory thereof or supplemental thereto may be modified or amended by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance. The pledge of revenues and other obligations of the City under the Ordinance may be discharged at or prior to the respective maturities of the Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Ordinance.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this Bond; that it is issued pursuant to and in strict conformity with the Constitution and laws of the State, particularly under the terms and provisions of the Project Act, the Local Government Securities Law, the Supplemental Bond Act, and all laws supplemental thereto, and with the Ordinance; and that this Bond does not contravene any constitutional or statutory limitation.

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise upon the Ordinance or other instrument relating thereto, against any individual member of the City Council of the City, any individual member of the City, or any officer or other agent of the City, past, present or future, either directly or indirectly through such board or the City, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Bond and as a part of the consideration of its issuance specially waived and released.

This Bond shall not be valid or obligatory for any purpose until a manual signature of a duly authorized officer of the Registrar has been affixed on the certificate of authentication hereon.

IN WITNESS WHEREOF, the City has caused this Bond to be signed and executed in its name and upon its behalf with the manual or facsimile signature of the Mayor, to be countersigned and executed with the manual or facsimile signature of the City Treasurer and has caused a manual impression or a facsimile of the seal of the City to be affixed hereon; and has caused this Bond to be signed, executed and attested with the manual or facsimile signature of the City Clerk, all as of the date written above.

CITY OF LAS VEGAS, NEVADA

(Manual or Facsimile Signature)
Mayor
Las Vegas, Nevada

Countersigned:

(Manual or Facsimile Seal)

(Manual or Facsimile Signature)
City Treasurer

Attest:

(Manual or Facsimile Signature)
City Clerk

* Insert only if Bonds are delivered pursuant to Section 307(A)(3) of this Ordinance.

** Insert only if Bonds are initially delivered to the Depository Trust Company pursuant to Section 307(A) of this Ordinance.

(End of Form of Bond)

(Form of Certificate of Authentication for Bonds)

Date of authentication
and registration: ____________________

This is one of the Bonds described in the within-mentioned Ordinance, and this Bond has been duly registered on the registration records kept by the undersigned as Registrar for such Bonds.

CITY OF LAS VEGAS, NEVADA,
CITY TREASURER
as Registrar

By:____(Manual Signature)
Authorized Officer

(End of Form of Certificate of Authentication for Bonds)

[insert statement of insurance, if any]

*(Form of Assignment for Bonds)

For value received, the undersigned hereby sells, assigns and transfer unto ____________________________ the within Bond and hereby irrevocably constitutes and appoints __________________ attorney, to transfer the same on the books kept for registration of the within Bond, with full power of substitution in the premises.

____

Dated: _____________

Signature Guaranteed:

____

Name and address of transferee:

____
____
____

Social Security or other tax
identification number of
transferee:

____

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever. Signature(s) must be guaranteed by an eligible guarantor institution as defined in 17 CFR § 240.17Ad-15(a)(2).

(End of Form of Assignment for Bonds)*

ARTICLE IV

USE OF BOND PROCEEDS

Section 401. Disposition of Bond Proceeds. The proceeds of the Bonds upon the receipt thereof at any time or from time to time, shall be accounted for in the following manner and priority and are hereby pledged therefor:

A. Bond Fund. First, if not needed for the Cost of the Project, there shall be credited to a separate and special account hereby created and to be known as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Pledged Revenues, Interest and Principal Retirement Fund," all moneys, if any, received as accrued interest and premium, if any, on the Bonds from their sale by the City from the date of the Bonds to the date of their delivery to the Purchaser, to apply to the payment of interest on the Bonds as the same becomes due after their delivery, in accordance with § 604 hereof. Such Bond Fund shall be maintained by the City Treasurer separate and apart from all other City funds, including the Income Fund.

A. Escrow Account. Second, Bond proceeds, together with other available monies, if any, in an amount sufficient to effect the refunding of the Refunded Bonds shall be deposited in the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Escrow Account" to be held by the Escrow Agent an amount fully sufficient to establish, together with any other moneys therein (including any monies deposited therein from the debt service fund for the Refunded Bonds), any initial cash balance remaining uninvested and to buy the Federal Securities designated in the Escrow Agreement for credit to the Escrow Account, to be used solely for the purpose of paying the Bond Requirements of the Refunded Bonds as provided in the Escrow Agreement.

B. Cost of Issuance Account. Third, the balance remaining after the deposit into the Escrow Account and Bond Fund as provided above shall be set aside in a special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B Cost of Issuance Account" (the "Cost of Issuance Account"), to be used to pay the incidental costs of the Project. After all incidental expenses have been paid, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Cost of Issuance Account shall be deposited into the Bond Fund for the respective payment of the principal of or interest on the Bonds as the same become due.

Section 402. Maintenance of the Escrow Account.

A. The Escrow Account shall be maintained by the City in an amount at the time of those initial deposits therein and at all times subsequently at least sufficient, together with the known minimum yield to be derived from the initial investment and any temporary reinvestment of the deposits therein or any part thereof in Federal Securities, to pay the interest due in connection with the Refunded Bonds, both accrued and not accrued, as the same become due up to and including the redemption date for the Refunded Bonds; and to redeem, on such date (as set forth in the Escrow Agreement), the Refunded Bonds then outstanding, in accordance with the resolution of the Board authorizing the issuance of the Refunded Bonds.

B. Moneys shall be withdrawn by the Escrow Agent from the Escrow Account in sufficient amounts and at such times to permit the payment without default of interest due in connection with the Refunded Bonds, and in accordance with the provisions of the Escrow Agreement. The Escrow Agent shall cause the notices of defeasance and calls for prior redemption of the then outstanding Refunded Bonds to be effected. Any moneys remaining in the Escrow Account after provision shall have been made for the redemption in full of the Refunded Bonds shall be applied to any lawful purpose of the City as the Board may hereafter determine.

C. If for any reason the amount in the Escrow Account shall at any time be insufficient for its purpose, the City shall forthwith from the first moneys available therefor deposit in such account such additional moneys as shall be necessary to permit the payment in full of the principal, interest and redemption premiums due in connection with the Refunded Bonds as herein provided.

Section 403. Redemption of Refunded Bonds. The City hereby irrevocably elects to call for prior redemption the Refunded Bonds on the redemption date, at the price and premium, if any, all as set forth in the Escrow Agreement in accordance with the Certificate of the Finance Director. The registrars for the Refunded Bonds are authorized to give notices of prior redemption and defeasance of the Refunded Bonds in accordance with the terms of the Escrow Agreement, this Resolution and the bond ordinance authorizing the issuance of the Refunded Bonds.

Section 404. Prevention of Bond Default. The City Treasurer shall use any Bond proceeds credited to the Cost of Issuance Account without further order or warrant, to pay the Bond Requirements of the Bonds as the same become due whenever and to the extent moneys in the Bond Fund or otherwise available therefor are insufficient for that purpose, unless the Bond proceeds shall be needed to defray obligations accrued and to accrue under any contracts then existing and relating to the Project. The City Treasurer shall promptly notify the Finance Director of any such use. Any moneys so used shall be restored to the Cost of Issuance Account, from the first Pledged Revenues thereafter received and not needed to meet the requirements provided in §§ 603 through 607 hereof.

Section 405. Completion of Project. When any amounts in the Cost of Issuance Account are no longer needed to pay the Cost of the Project, the Finance Director shall cause to be transferred to the Bond Fund all surplus moneys remaining in the Cost of Issuance Account, if any, except for any moneys designated by the Finance Director to be retained to pay any unpaid accrued costs or contingent obligations and the sums so transferred shall be applied to the payment of the principal and interest due on the Bonds.

Section 406. Purchaser Not Responsible. The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the acquisition of the improvements, or any part thereof, or to the completion of the Project. The Purchaser, any associate thereof, and any subsequent owner of any Bonds shall in no manner be responsible for the application or disposal by the City or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys herein designated.

Section 407. Lien on Bond Proceeds. Until proceeds of the Bonds are applied as hereinabove provided the Bond proceeds (except Bond proceeds in the Escrow Account) shall be subject to a lien thereon and pledge thereof for the benefit of the owners of the Bonds from time to time as provided in § 601 hereof.

ARTICLE V

GENERAL TAXES

Section 501. General Tax Levies. Pursuant to § 350.596, Bond Act, the Bond Requirements of the Bonds falling due at any time when there are not on hand from General Tax levies sufficient funds to pay the same, shall be paid out of the general fund of the City or out of any other funds that may be available for such purpose. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available for the payment of such Bond Requirements on other than a temporary basis) and for the purpose of the payment thereafter of the Bonds and the interest thereon, there are hereby created the separate and special accounts known respectively as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Principal Fund" (the "2005B General Tax Principal Fund" or the "General Tax Principal Fund") and as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Interest Fund" (the "2005B General Tax Interest Fund" or the "General Tax Interest Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, there shall be levied immediately after the issuance of the Bonds, and annually thereafter (if necessary to implement this Ordinance), until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City fully sufficient to reimburse such funds for such installments of Bond Requirements, together with the revenue which will result from application of the rate to the net proceeds of minerals, to pay the interest on the Bonds, and to pay and retire the same as hereinabove provided, and after there are made due allowances for probable delinquencies. The proceeds of the annual levies shall be duly credited to such separate accounts for the payment of the Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the City shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitations imposed by NRS 361.453 and § 2, Article. 10, Nevada Constitution, and the amount of money necessary for this purpose shall be a first charge against all the revenues received by the City.

Section 502. Priorities for Bonds. As provided in NRS 361.463 in any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City may exceed the limitation of $3.64 on each $100 of assessed valuation, or a lesser or greater amount fixed by the State board of examiners if the State board of examiners is directed by law to fix a lesser or greater amount for that Fiscal Year as provided in NRS 361.453, and it shall become necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in General Taxes levied by such unit or units (including, without limitation, the City and the State) for purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitation of NRS 361.453.

Section 503. Correlation of Levies. Such General Taxes shall be levied and collected in the same manner and at the same time as other General Taxes are levied and collected, and the proceeds thereof for the Bonds shall be kept by the City Treasurer in the General Tax Principal Fund and in the General Tax Interest Fund, which shall be used for no other purpose than the payment of principal of and interest on the Bonds, and any other parity securities hereinafter issued in accordance with § 910 hereof, respectively, as the same fall due.

Section 504. Use of General Fund. Any sums becoming due on the Bonds at any time when there are on hand from such tax levy or levies (and any other available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the City, reimbursement to be made for such general funds in the amounts so advanced when the Taxes herein provided for have been collected, pursuant to § 350.596, Bond Act.

Section 505. Use of Other Funds. Nothing herein prevents the City from applying any funds (other than General Taxes) that may be available for that purpose to the payment of such interest or principal, as the same, respectively, mature, including, without limitation, the payment of the Bonds as provided in § 604 hereof and elsewhere herein, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to § 350.598, Bond Act.

Section 506. Legislative Duties. In accordance with § 350.592, Bond Act, and NRS 361.463, it shall be the duty of the City annually, at the time and in the manner provided by law for levying other General Taxes of the City, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of General Taxes; and the City shall require the officers of the City to levy, extend and collect such General Taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and interest thereon. Such General Taxes when collected shall be kept for and applied only to the payment of the principal of and the interest on the Bonds as hereinbefore provided.

Section 507. Appropriation of General Taxes. In accordance with § 350.602, Bond Act, there is hereby specially appropriated the proceeds of the General Taxes to the payment of such principal and interest; and such appropriations shall not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the principal of and interest on the Bonds have been wholly paid.

ARTICLE VI

ADMINISTRATION OF AND ACCOUNTING FOR PLEDGED REVENUES

Section 601. Pledge Securing Bonds. Subject only to the right of the City to cause amounts to be withdrawn to pay the Cost of the Project as provided herein, all of the Pledged Revenues and all moneys and securities paid or to be paid to or held or to be held in any account under this article or under § 401 hereof, excluding, however, all amounts held in the Escrow Account and the Rebate Fund, are hereby pledged to secure the payment of the Bond Requirements of the Bonds. This pledge shall be valid and binding from and after the date of the first delivery of any Bonds, and the moneys, as received by the City and hereby pledged, shall immediately be subject to the lien of this pledge without any physical delivery thereof, any filing, or further act, and the lien of this pledge and the obligation to perform the contractual provisions hereby made shall have priority over any or all other obligations and liabilities of the City and, except for the Outstanding Prior Bonds and any Outstanding securities hereafter authorized the liens of which on the Pledged Revenues are superior to or on a parity with the lien thereon of the Bonds; and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City (except as herein otherwise provided) irrespective of whether such parties have notice thereof.

Section 602. Income Fund Deposits. So long as any of the Bonds shall be Outstanding, as to any Bond Requirements, the entire Pledged Revenues, upon their receipt from time to time by the City, shall continue to be set aside and credited immediately to a special fund heretofore created and designated as the "City of Las Vegas, Nevada, SCCRT Pledged Revenues Income Fund, Series 1993" (the "Income Fund"). Such Income Fund shall be maintained by the City Treasurer separate and apart from all other City funds, including the Bond Fund.

Section 603. Administration of Income Fund. So long as any of the Bonds hereby authorized shall be Outstanding, as to any Bond Requirements, each Fiscal Year the Income Fund shall be administered, and the moneys on deposit therein shall be applied in the following order of priority, all as provided in §§ 604 through 608 hereof.

Section 604. Superior Bond Fund and Bond Fund Payments.

A. First, from any moneys in the Income Fund, i.e., from the Pledged Revenues, there shall be credited to any bond fund created to pay the principal of, interest on and prior redemption premiums, if any, due on any superior bonds or superior securities issued in accordance with the provisions of this Ordinance:

1. Monthly, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, to pay the next maturing installment of interest on the superior bonds or superior securities, and monthly thereafter, commencing on each interest payment date, one-sixth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next

maturing installment of interest on the superior bonds or superior securities then outstanding.

2. Monthly, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, to pay the next installment of principal of the superior bonds or superior securities coming due at maturity, and monthly thereafter, commencing on each principal payment date, one-twelfth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next installment of principal of the superior bonds or superior securities coming due at maturity, or, if any, an amount sufficient to pay the principal of, interest on and any prior redemption premiums due on the outstanding superior bonds or superior securities.

B. Second, subject to the provisions of § 606 hereof, the following transfers shall be credited to the Bond Fund concurrently with the payments required for any Outstanding parity securities into the bond funds therefor, as required by the Ordinances authorizing those bonds:

1. Monthly, commencing on the first day of the month following the date of delivery of the Bonds, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, including, without limitation, the moneys, if any, provided in § 401A hereof, to pay the next maturing installment of interest on the Bonds, and monthly thereafter, commencing on each interest payment date, one-sixth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next maturing installment of interest on the Bonds then Outstanding.

2. Monthly, commencing one year before the first principal maturity date of the Bonds, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, to pay the next installment of principal of the Bonds coming due at maturity, and monthly

thereafter, commencing on each principal payment date, one-twelfth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next installment of principal of the Bonds coming due at maturity, or pursuant to § 303B hereof, if any.

The moneys credited to the Bond Fund shall be used to pay the Bond Requirements of the Bonds as the Bond Requirements become due, including any mandatory sinking fund payments pursuant to § 303B hereof, if any.

Section 605. Termination of Deposits. No payment need be made into the Bond Fund, if the amount in the Bond Fund totals a sum at least equal to the entire amount of the Outstanding Bonds as to all Bond Requirements, to their respective maturities, and both accrued and not accrued, in which case moneys in that account in an amount at least equal to such Bond Requirements shall be used solely to pay such Bond Requirements as the same become due; and any moneys in excess thereof in those two accounts and any other moneys derived from the Pledged Revenues shall be applied as hereafter provided.

Section 606. Payment of Additional Securities. Third, and subject to the provisions hereinabove in this Article, but either prior to, concurrently with or subsequent to the payments required by § 604 hereof, as provided in Article VIII hereof, any moneys remaining in the Income Fund may be used by the City for the payment of Bond Requirements of the Outstanding parity securities, additional bonds or other additional securities payable from the Pledged Revenues and hereafter authorized to be issued in accordance with Article VIII and any other provisions herein supplemental thereto, including reasonable reserves for such securities, as the same accrue. The lien of such additional bonds or other additional securities on the Pledged Revenues and the pledge thereof for the payment of such additional securities shall be superior to, on a parity with or subordinate to the lien and pledge of the Bonds as herein provided. Payments for bond and reserve funds for any superior securities shall be made concurrently with the payments for superior securities required by § 604 hereof. Payments for bond and reserve funds for the Outstanding parity securities and additional parity securities shall be made concurrently with the payments for the Bonds required by § 604 hereof, but payments for bond and reserve funds for additional subordinate securities shall be made after the payments required by §§ 604 and 607 hereof.

Section 607. Payment of Rebate. Fourth, and subject to the provisions hereinabove in this Article, there shall be transferred into the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Rebate Fund," hereby created, after making in full the monthly deposits required by §§ 604 and 606, but prior to the transfer of any Pledged Revenues to the payment of subordinate securities, such amounts as are required to be deposited therein to meet the City's obligations under the covenant contained in § 920 hereof, in accordance with Section 148(f) of the Tax Code. Amounts in the Rebate Fund shall be used for the purpose of making the payments to the United States required by such covenant and Section 148(f) of the Tax Code. Any amounts in the Rebate Fund in excess of those required to be on deposit therein by § 920 hereof and Section 148(f) of the Tax Code may be withdrawn therefrom and used for any lawful purpose relating to the Project.

Section 608. Use of Remaining Revenues. After the payments hereinabove required to be made in this Article VI are made, any remaining Pledged Revenues in the Income Fund may be used at any time during any Fiscal Year whenever in the Fiscal Year there shall have been credited to the Bond Fund, to the Rebate Fund and to each other bond fund and reserve fund, if any, for the payment of any other securities payable from the Pledged Revenues, all amounts required to be deposited in those special accounts for such portion of the Fiscal Year, as hereinabove provided in this Article, for any one or any combination of lawful purposes relating to the Project, or otherwise, as the City may from time to time determine.

ARTICLE VII

GENERAL ADMINISTRATION

Section 701. Administration of Accounts. The special accounts designated in Articles IV and VI hereof shall be administered as provided in this Article, except the Escrow Account which shall be administered as provided in the Escrow Agreement.

Section 702. Places and Times of Deposits. Each of the special accounts hereinabove designated in Articles IV and VI hereof (except the Escrow Account) shall be maintained as a book account and kept separate from all other accounts as a trust account solely for the purposes herein designated therefor, and the moneys accounted for in such special book accounts shall be deposited in one bank account or more in a commercial bank or commercial banks as determined and designated by the City (except as otherwise expressly stated herein). Nothing herein prevents the commingling of moneys accounted for in any two or more book accounts relating to the Project or any other City accounts in any bank account or any investment in securities hereunder. Each bank account shall be continuously secured to the fullest extent required or permitted by the laws of the State for the securing of public funds and shall be irrevocable and not withdrawable by anyone for any purpose other than the respective designated purposes. Each periodic payment shall be credited to the proper book account not later than the date therefor herein designated, except that when any such date shall be a Saturday, a Sunday or a legal holiday, then the payment shall be made on or before the next preceding secular day. Notwithstanding any other provision herein to the contrary, moneys sufficient to pay the Bond Requirements then coming due on the Outstanding Bonds shall be deposited with the Paying Agents at least on the day of each interest payment date herein designated and, in any event, in sufficient time to make timely payment of such Bond Requirements.

Section 703. Investment of Moneys. Any moneys in any account designated in Articles IV and VI hereof (except the Escrow Account), and not needed for immediate use, may be invested or reinvested by the City Treasurer in any investments permitted under the laws of the State. For the purpose of any such investment or reinvestment, the securities shall be deemed to mature at the earliest date on which the obligor is, on demand, obligated to pay a fixed sum in discharge of the whole of such obligations.

Section 704. Required and Permissive Investments. The City Treasurer shall not have any obligation to make any investment or reinvestment hereunder, unless any moneys on hand and accounted for in any one account exceeds $5,000 and at least $5,000 therein will not be needed for a period of not less than 60 days. In that event the City Treasurer shall invest or reinvest in securities to the extent practicable not less than substantially all the amount which will not be needed during such 60-day period, except for any moneys on deposit in an interest-bearing account in any commercial bank, regardless of whether such moneys are evidenced by a certificate of deposit or otherwise, pursuant to § 707 hereof. The City Treasurer may invest or reinvest any moneys on hand at any time as provided in § 703 hereof even though he is not obligated to do so.

Section 705. Accounting for Investments. The securities purchased as an investment or reinvestment of moneys in any such account shall be deemed at all times to be a part of the account and held in trust therefor. Except as herein otherwise provided, any interest or other gain in any account resulting from any such investments and reinvestments in securities and from any deposits of moneys in any commercial bank pursuant to this Article shall be credited to that Fund, and any loss in any account resulting from any such investments and reinvestments in securities and from any such deposits in any commercial bank shall be charged or debited to that Fund. No loss or profit in any account on any investments or reinvestments in securities or any certificates of deposit shall be deemed to take place as a result of fluctuations in the market quotations of the investments, reinvestments or certificates before the sale or maturity thereof. In the computation of the amount in any account for any purpose hereunder, except as herein otherwise expressly provided, securities and certificates of deposit shall be valued at the cost thereof (including any amount paid as accrued interest at the time of purchase of the obligation) and other bank deposits shall be valued at the amounts deposited, exclusive of any accrued interest or any other gain to the City until such gain is realized. The expenses of purchase, safekeeping, sale and all other expenses incident to any investment or reinvestment of moneys pursuant to this Article shall be accounted for as an expense of the Project and charged to the Cost of Issuance Account.

Section 706. Redemption or Sale of Investment Securities. The City Treasurer having jurisdiction over moneys designated herein shall present for redemption at maturity or sale on the prevailing market at the best price obtainable any securities and certificates of deposit so purchased as an investment or reinvestment of moneys in any account whenever it shall be necessary to do so in order to provide moneys to meet any withdrawal, payment or transfer from such account.

The City Treasurer and each other officer of the City shall not be liable or responsible for any loss resulting from any such investment or reinvestment made in accordance with this Ordinance.

Section 707. Character of Funds. The moneys in any account herein authorized shall consist either of lawful money of the United States or permitted securities, or both. Moneys deposited in a demand or time deposit account in or evidenced by a certificate of deposit of any commercial bank pursuant to § 703 hereof, appropriately secured according to the laws of the State, shall be deemed lawful money of the United States.

Section 708. Accelerated Payments. Nothing contained in Article VI hereof prevents the accumulation in any account herein designated of any monetary requirements at a faster rate than the rate or minimum rate provided in Article VI therefor, as the case may be; but no payment shall be so accelerated if such acceleration shall cause the City to default in the payment of any obligation of the City relating to the Pledged Revenues or the Project. Nothing contained herein, in connection with the Pledged Revenues received in any Fiscal Year, requires the accumulation in any account for the payment of Bond Requirements due in connection with any series of bonds or other securities payable from the Pledged Revenues and heretofore, herein or hereafter authorized, in excess of the Bond Requirements required to be accumulated in that fiscal year, and of any reserves required to be accumulated and maintained therefor, and of any existing deficiencies, and payable from such account, as the case may be, except as may be otherwise provided in § 604 or elsewhere herein.

Section 709. Payment of Securities Requirements. The moneys credited to any account designated in Article VI hereof for the payment of the Bond Requirements due in connection with any series of bonds or other securities payable from the Pledged Revenues and heretofore, herein or hereafter authorized shall be used, without requisition, voucher, warrant or further order or authority (other than is contained herein), or any other preliminaries, to pay promptly the Bond Requirements payable from such account as such bonds or other securities become due, upon the respective interest payment dates and Redemption Dates, if any, on which the City is obligated to pay the bonds or other securities, or upon the respective interest payment and maturity dates of such bonds or other securities, as provided therefor herein or otherwise, except to the extent any other moneys are available therefor, including, without limitation, moneys accounted for in the Bond Fund.

Section 710. Payment of Redemption Premiums. Notwithstanding any other provision herein, this Ordinance requires the accumulation in any account designated in Article VI hereof for the payment of any series of bonds or other securities payable from the Pledged Revenues of amounts sufficient to pay not only the principal thereof and interest thereon payable from such account but also the prior redemption premiums due in connection therewith, if any, as the same become due, whenever the City shall have exercised or shall have obligated itself to exercise a prior redemption option relating thereto, except to the extent provision is otherwise made therefor, if any prior redemption premium is due in connection therewith. In that event moneys shall be deposited into such account in due season for the payment of all such Bond Requirements without default as the same become due.

ARTICLE VIII

SECURITIES LIENS AND ADDITIONAL SECURITIES

Section 801. Lien of Bonds. The Bonds authorized herein constitute an irrevocable lien (but not necessarily an exclusive lien) upon the Pledged Revenues, subject to and after any superior liens upon such Pledged Revenues of any superior bonds or superior securities.

Section 802. Equality of Bonds. The Bonds, the Outstanding parity securities and any parity securities hereafter authorized to be issued and from time to time Outstanding are equally and ratably secured by a lien on the Pledged Revenues and shall not be entitled to any priority one over the other in the application of the Pledged Revenues, regardless of the time or times of the issuance of the Bonds and any other such securities, it being the intention of the City that there shall be no priority among the Bonds and any such parity securities, regardless of the fact that they may be actually issued and delivered at different times.

Section 803. Issuance of Superior or Parity Securities. Nothing herein, subject to the limitations stated in §§ 811 and 812 hereof, prevents the issuance by the City of additional bonds or other additional securities payable from the Pledged Revenues and constituting a lien thereon superior to or on a parity with, the lien thereon of the Bonds, nor prevents the issuance of bonds or other securities refunding all or a part of the Bonds (or funding or refunding any other then Outstanding securities payable from Pledged Revenues), except as provided in §§ 807 through 812 hereof; but before any such additional superior or parity bonds or other additional superior or parity securities are authorized or actually issued (excluding any superior or parity refunding securities other than any securities refunding subordinate bonds or other subordinate securities, as permitted in § 810C hereof):

A. Absence of Default. At the time of the adoption of the supplemental instrument authorizing the issuance of the additional securities, the City shall not be in default in making any payments required by §§ 604, 606 or 607 hereof with respect to any superior or parity securities.

B. Earnings Test. Except as hereinafter otherwise provided: (1) the Pledged Revenues derived in the Fiscal Year immediately preceding the date of the issuance of the additional superior or parity securities shall have been at least sufficient to pay an amount equal to the combined maximum annual principal and interest requirements (to be paid during any one Bond Year, commencing with the Bond Year in which the additional superior or parity securities are issued and ending on the first day of the Bond Year in which any then Outstanding Bonds last mature) of the Outstanding parity securities, Outstanding Bonds and any other Outstanding superior or parity securities of the City and the bonds or other securities proposed to be issued (excluding the reserves therefor); or, (2) the Pledged Revenues estimated by the Finance Director, independent feasibility consultant or an Independent Accountant to be derived in the first five Fiscal Years immediately succeeding the issuance of the other additional superior or parity securities proposed to be issued, shall be at least equal to such annual principal and interest requirements to be paid during such Fiscal Years.

C. Adjustment of Pledged Revenues. In any computation of such earnings test as to whether or not additional superior or parity securities may be issued as provided in subsection B of this Section, the amount of the Pledged Revenues for the next preceding Fiscal Year shall be decreased and may be increased by the amount of any loss or gain conservatively estimated by the

Finance Director, independent feasibility consultant or Independent Accountant making the computations under this Section, which loss or gain results from any change in rate of levy of the taxes and impositions provided in the Pledged Tax Acts which will result in a change in the amount of Pledged Revenues which change took effect during the next preceding Fiscal Year or thereafter prior to the issuance of such superior or parity securities, as if such modified rate shall have been in effect during the entire next preceding Fiscal Year, if such change shall have been made before the computation of the designated earnings test but made in the same Fiscal Year as the computation is made or in the next preceding Fiscal Year.

Section 804. Certification of Revenues. A written certification or written opinion by the Finance Director, an independent feasibility consultant or an Independent Accountant, based upon estimates thereby as provided in § 803B and § 803C hereof, that the annual revenues when adjusted as hereinabove provided in § 803C hereof, are sufficient to pay such amounts as provided in § 803B hereof, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver additional bonds or additional securities superior to or on a parity with the Bonds.

Section 805. Subordinate Securities Permitted. Nothing herein, subject to the limitations stated in §§ 811 and 812 hereof, prevents the City from issuing additional bonds or other additional securities payable from the Pledged Revenues having a lien thereon subordinate, inferior and junior to the lien thereon of the Bonds.

Section 806. Superior Securities Permitted. Nothing herein, subject to the requirements stated in this Article VIII hereof, prevents the City from issuing additional bonds or other additional securities payable from the Pledged Revenues having a lien thereon prior and superior to the lien thereon of the Bonds; however, such additional superior bonds or other additional superior securities shall not be issued as general obligations of the City.

Section 807. Issuance of Refunding Securities. At any time after the Bonds, or any part thereof, are issued and remain Outstanding, if the City shall find it desirable to refund any Outstanding Bonds or other Outstanding securities payable from and constituting a lien upon any Pledged Revenues, such Bonds or other securities, or any part thereof, may be refunded only if the

Bonds or other securities at the time or times of their required surrender for payment shall then mature or shall be then callable for prior redemption for the purpose of refunding them at the City's option upon proper call, unless the owner or owners of all such Outstanding Bonds or other securities consent to such surrender and payment, regardless of whether the priority of the lien for the payment of the refunding securities on the Pledged Revenues is changed (except as provided in §§ 806 and 808 through 812 hereof).

Section 808. Partial Refundings. The refunding bonds or other refunding securities so issued, unless issued as subordinate securities, shall enjoy complete equality of lien with the portion of any securities of the same issue which is not refunded, if there is any; and the owner or owners of the refunding securities shall be subrogated to all of the rights and privileges enjoyed by the owner or owners of the unrefunded securities of the same issue partially refunded by the refunding securities.

Section 809. Limitations Upon Refundings. Any refunding bonds or other refunding securities payable from any Pledged Revenues shall be issued with such details as the City may by instrument provide, subject to the provisions of §§ 811 and 812 hereof, and subject to the inclusion of any such rights and privileges designated in § 808 hereof, but without any impairment of any contractual obligation imposed upon the City by any proceedings authorizing the issuance of any unrefunded portion of the Outstanding securities of any one or more issues (including, without limitation, the Bonds).

Section 810. Protection of Securities Not Refunded. If only a part of the Outstanding Bonds and other Outstanding securities of any issue or issues payable from the Pledged Revenues is refunded, then such securities may not be refunded without the consent of the owner or owners of the unrefunded portion of such securities:

A. Requirements Not Increased. Unless the refunding securities do not increase for any Bond Year the annual principal and interest requirements evidenced by the refunding securities and by the Outstanding securities not refunded on and before the last maturity date or last Redemption Date, if any, whichever is later, if any, of the unrefunded securities, and unless the lien of any refunding bonds or other refunding securities on the Pledged Revenues is not raised to a higher priority than the lien thereon of the bonds or other securities thereby refunded; or

B. Subordinate Lien. Unless the lien on any Pledged Revenues for the payment of the refunding securities is subordinate to each such lien for the payment of any securities not refunded; or

C. Default and Earnings Test. Unless the refunding bonds or other refunding securities are issued in compliance with § 803 hereof (including subsections A through C thereof) and § 804 hereof.

Section 811. Payment Dates of Additional Securities. Any additional superior, parity or subordinate bonds or other additional superior, parity or subordinate securities (including, without limitation, any funding or refunding securities) issued in compliance with the terms hereof shall bear interest payable at the times and shall mature on the dates designated by the City in the Supplemental Ordinance authorizing such securities as provided in § 812 hereof.

Section 812. Supplemental Ordinance. Additional bonds or other additional securities payable from the Pledged Revenues shall be issued only after authorization thereof by a supplemental instrument of the City stating the purpose or purposes of the issuance of the additional bonds or other additional securities, directing the application of the proceeds thereof to such purpose or purposes, directing the execution thereof, and fixing and determining the date, principal amount, maturity or maturities, designation and numbers thereof, the maximum rate or rates of interest to be borne thereby, any prior redemption privileges of the City with respect thereto and other provisions thereof not in conflict with this Ordinance. All additional bonds or other additional securities shall bear such date, shall bear such numbers and series designation, letters or symbols prefixed to their numbers distinguishing them from each other security, shall be payable at such place or places at such times, may be subject to redemption prior to maturity on such terms and conditions, and shall bear interest at such rate or at such different and varying rates per annum, as may be fixed by instrument or other document of the City.

ARTICLE IX

MISCELLANEOUS PROTECTIVE COVENANTS

Section 901. General. The City hereby particularly covenants and agrees with the owners of the Bonds and makes provisions which shall be a part of its contract with such owners to the effect and with the purposes set forth in the following provisions and sections of this article.

Section 902. Performance of Duties. The City shall faithfully and punctually perform or cause to be performed all duties with respect to the Pledged Revenues and the Project required by the Constitution and laws of the State and the various resolutions, ordinances and other instruments of the City, including, without limitation, the proper segregation of the proceeds of the Bonds and the Pledged Revenues and their application from time to time to the respective accounts provided therefor.

Section 903. Further Assurances. At any and all times the City, except when otherwise required by law, shall, so far as it may be authorized by law, pass, make, do, execute, acknowledge, deliver and file or record all and every such further instruments, acts, deeds, conveyances, assignments, transfers, other documents and assurances as may be necessary or desirable for the better assuring, conveying, granting, assigning and confirming all and singular the rights, the Pledged Revenues, and other moneys and accounts hereby pledged or assigned, or which the City may hereafter become bound to pledge or to assign, or as may be reasonable and required to carry out the purposes of this Ordinance and to comply with the Project Act, the Bond Act and all laws supplemental thereto. The City shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of the Pledged Revenues and other moneys and accounts pledged hereunder and all the rights of every owner of any Bonds against all claims and demands of all Persons whomsoever.

Section 904. Conditions Precedent. Upon the date of issuance of any Bonds, all conditions, acts and things required by the Constitution or statutes of the State, including without limitation, the Project Act and the Bond Act, or this Ordinance, to exist, to have happened, and to have been performed precedent to or in the issuance of the Bonds shall exist, have happened, and have been performed; and the Bonds, together with all other obligations of the City, shall not contravene any debt or other limitation prescribed by the State Constitution or statutes.

Section 905. Covenant to Perform. The City shall observe and perform all of the terms and conditions contained in this Ordinance and the Project Act, the Bond Act and all laws supplemental thereto and shall comply with all valid acts, rules, regulations, orders and directives of any legislative, executive, administrative of judicial body applicable to the Project, to any such other facilities, or to the City.

Section 906. Protective Security. The City and the officers, agents and employees of the City shall not take any action in such manner or to such extent as might prejudice the security for the payment of the Bond Requirements of the Bonds and any other securities payable from the Pledged Revenues according to the terms thereof. No contract shall be entered into nor any other action taken by which the rights of any owner of any Bond or other security payable from the Pledged Revenues might be prejudicially and materially impaired or diminished.

Section 907. Accumulation of Interest Claims. In order to prevent any accumulation of coupons or claims for interest after maturity, the City shall not directly or indirectly extend or assent to the extension of the time for the payment of any coupon or claim for interest on any of the Bonds or any other securities payable from the Pledged Revenues; and the City shall not directly or indirectly be a party to or approve any arrangements for any such extension or for the purpose of keeping alive any of such coupons or other claims for interest. If the time for the payment of any such coupons or of any other such installment of interest shall be extended in contravention of the foregoing provisions, such coupon or installment or installments of interest after such extension or arrangement shall not be entitled in case of default hereunder to the benefit or the security of this Ordinance, except upon the prior payment in full of the principal of all Bonds and any such other securities then Outstanding and of all matured interest on such securities the payment of which has not been extended.

Section 908. Prompt Payment of Bonds. The City shall promptly pay the Bond Requirements of every Bond issued hereunder and secured hereby at the places, on the dates, and in the manner specified herein and in the Bonds according to the true intent and meaning hereof.

Section 909. Use of Bond Fund. The Bond Fund shall be used solely, and the moneys credited to such account are hereby pledged, for the purpose of paying the Bond Requirements of the Bonds, subject to the provisions concerning surplus moneys in §§ 605, 608 and 1001 hereof.

Section 910. Additional Securities. Any other securities hereafter authorized to be issued and payable from the Pledged Revenues shall not hereafter be issued, unless the additional securities are also issued in conformance with the provisions of Articles VI and VIII hereof.

Section 911. Other Liens. Other than as provided herein, there are no liens or encumbrances of any nature whatsoever on or against the Project, or any part thereof, or on or against the Pledged Revenues derived or to be derived.

Section 912. Corporate Existence. The City shall maintain its corporate identity and existence so long as any of the Bonds remain Outstanding, unless another body corporate and politic by operation of law succeeds to the powers, privileges, rights, liabilities, disabilities, duties and immunities of the City and is obligated by law to fix and collect the Pledged Revenues as herein provided without adversely affecting to any substantial degree at any time the privileges and rights of any owner of any Outstanding Bond.

Section 913. City Treasurer's Report. If the City defaults in paying promptly the Bond Requirements of the Bonds and any other securities payable from the Pledged Revenues as the same fall due, or in the keeping of any covenants herein contained, and if such default continues for a period of 60 days, or if the Pledged Revenues in any Fiscal Year fail to equal at least the amount of the Bond Requirements of the Outstanding Bonds and any other securities (including all reserves therefor specified in the authorizing proceedings) payable from the Pledged Revenues in any such Bond Year, the City Treasurer shall (a) submit to the Council a report on such deficiency and a proposal setting forth a plan to produce Pledged Revenues in the following Fiscal Year sufficient to pay such amounts, to the extent practicable and (b) submit to the Council quarterly reports on the progress made in implementing the plan so long as such default continues or so long as the Pledged Revenues are less than the amount hereinabove designated in this Section.

Section 914. Budgets. The City and officials of the City shall annually and at such other times as may be provided by law prepare and adopt a budget relating to the Project.

Section 915. Amendments of Pledged Distributed Local Tax Act. The City shall not consent to any amendment of the Pledged Distributed Local Tax Act which would materially adversely affect the owners of the Bonds.

Section 916. Records. So long as any of the Bonds and any other securities payable from the Pledged Revenues remain Outstanding, proper books of record and account shall be kept by the City, separate and apart from all other records and accounts, showing complete and correct entries of all transactions relating to the Project or the Pledged Revenues, or to both. Such books shall include (but not necessarily be limited to) monthly records showing:

A. Receipts. The revenues received from the Pledged Revenues, and

B. Expenses. A detailed statement of the expenditures from the Pledged Revenues.

Section 917. Maintenance and Inspection of Records. All requisitions, requests, certificates, opinions and other documents received by any individual on behalf of the City in connection with the Project under the provisions of this Ordinance shall be retained in the City's official records. Any owner of any of the Bonds or any other securities payable from the Pledged Revenues, or any duly authorized agent or agents of such owner, or the Purchaser, shall have the right at all reasonable times to inspect all records, accounts and data relating thereto, concerning the Project and the Pledged Revenues, to make copies of such records, accounts and data.

Section 918. Tax Levies. The City annually shall levy, or cause to be levied, General Taxes on all taxable property in the City fully sufficient to pay the Bond Requirements of Outstanding Bonds (and any other indebtedness or other obligations of the City), except to the extent other revenues are available therefor, including, without limitation, the Pledged Revenues pledged for the payment of the Bonds, as the Bond Requirements accrue, reasonable allowance being made for delinquent tax collections anticipated at the time of each levy, at the time and in the manner provided by law for levying other Taxes; and the City and the Council shall require the officers of the City to levy, extend, and collect General Taxes in the manner provided by law for the purpose of creating funds for the payment of the Bond Requirements of the Bonds, other indebtedness, or general obligations. General Taxes for the Bonds, when collected, shall be kept for and applied only to the payment of the Bond Requirements of the Bonds, as herein provided.

Section 919. Completion of Project. The City, with the proceeds derived from the sale of the Bonds and any other available moneys, shall proceed to cause the Project to be effected without delay to the best of the City's ability and with due diligence, as herein provided.

Section 920. Tax Covenant. The City covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any project financed or refinanced with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

ARTICLE X

MISCELLANEOUS

Section 1001. Defeasance. When all Bond Requirements of any of the Bonds have been duly paid, the pledge and lien and all obligations hereunder shall thereby be discharged and such Bonds shall no longer be deemed to be Outstanding within the meaning of this Ordinance. There shall be deemed to be due payment of any Outstanding Bonds or other securities when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from Federal Securities in which such amount wholly or in part may be initially invested) to meet all Bond Requirements of any of the Bonds or other securities, as the same become due to the final maturities of the Bonds or other securities, or upon any Redemption Date as of which the City shall have exercised or shall have obligated itself to exercise its prior redemption option by a call of Bonds or other securities for payment then. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the owners thereof to assure availability as so needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

Section 1002. Delegated Powers. The Mayor, the City Clerk and City Treasurer, and other officers and agents of the City hereby are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. Printing Bonds. The printing of the Bonds including, if applicable, a statement of insurance pertaining to the Bonds; and

B. Final Certificates. The execution of such certificates as may be reasonably required by the Purchaser, and the insurer, if any, relating, inter alia, to

(1) The signing of the Bonds,

(2) The tenure and identity of the officials of the City,

(3) The delivery of the Bonds and the receipt of the bond purchase price,

(4) The exclusion of the interest on the Bonds from gross income for federal income tax purposes,

(5) If it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity therefor,

(6) The accuracy and completeness of the statements made in the Final Official Statement, and

(7) The execution and delivery of the Certificate of the Finance Director, the Escrow Agreement and the Continuing Disclosure Certificate.

Section 1003. Statute of Limitations. No action or suit based upon the Bonds or other obligation of the City shall be commenced after it is barred by any statute of limitations relating thereto. Any trust or fiduciary relationship between the City and the owner of any Bonds or other obligee regarding any such other obligation shall be conclusively presumed to have been repudiated on the maturity date or other due date thereof unless the Bonds are presented for payment or demand for payment of any such other obligation is otherwise made before the expiration of the applicable limitation period. Any moneys from whatever source derived remaining in any account reserved, pledged or otherwise held for the payment of any such obligation, action or suit for the collection of which has been barred, shall revert to the Income Fund, unless the City shall otherwise provide by instrument of the City. Nothing herein prevents the payment of any such obligation after any action or suit for its collection has been barred if the City deems it in the best interests of the public to do so and orders such payment to be made.

Section 1004. Evidence of Ownership. Any request, consent or other instrument which this Ordinance may require or may permit to be signed and to be executed by the owner of any Bonds or other securities may be in one or more instruments of similar tenor and shall be signed or shall be executed by each such owner in person or by his or her attorney appointed in writing. Proof of the execution of any such instrument or of an instrument appointing any such attorney, or the holding by any Person of the securities, shall be sufficient for any purpose of this Ordinance (except as otherwise herein expressly provided) if made in the following manner, but the City may, nevertheless, in its discretion require further or other proof in cases when it deems the same desirable:

A. Proof of Execution. The fact and the date of the execution by any owner of any Bonds or other securities or his or her attorney of such instrument may be provided by the certificate, which need not be acknowledged or verified, of an officer of a bank or trust company satisfactory to the Paying Agent and Registrar or of and notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the individual signing such request or other instrument acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before the notary public or other officer; the authority of the individual or individuals executing any such instrument on behalf of a corporate owner of any securities may be established without further proof if the instrument is signed by an individual purporting to be the president or a vice president of the corporation with a corporate seal affixed and attested by an individual purporting to be its secretary or an assistant secretary; and the authority of any Person or Persons executing any such instrument in any fiduciary or representative capacity may be established without further proof if the instrument is signed by a Person or Persons purporting to act in such fiduciary or representative capacity; and

B. Proof of Ownership. The ownership of any of the Bonds or other securities held by any Persons executing any instrument as a holder of securities, and the numbers, date and other identification thereof, together with the date of his or her holding the securities, shall be proved by the registration records at the City kept by the Registrar.

Section 1005. Warranty upon Issuance of Bonds. Any Bonds authorized as herein provided, when duly executed and delivered for the purpose provided for in this Ordinance shall constitute a warranty by and on behalf of the City for the benefit of each and every future holder of any of the Bonds that the Bonds have been issued for a valuable consideration in full conformity with law.

Section 1006. Immunities of Purchaser. The Purchaser and any associate thereof are under no obligation to any holder of the Bonds for any action that they may or may not take or in respect of anything that they may or may not do by reason of any information contained in any reports or other documents received by them under the provisions of this Ordinance. The immunities and exemptions from liability of the Purchaser and any associate thereof hereunder extend to their partners, directors, successors, employees and agents.

Section 1007. Police Power. Nothing herein prohibits or otherwise limits or inhibits the exercise by the Federal Government, the State, any agency thereof or any public body thereof, including, without limitation, the City, of the police power, i.e., essential governmental powers for the public welfare. The provisions hereof are subject to any proper exercise hereafter of the police power thereby. The City cannot contract away the police power thereof nor limit or inhibit by contract the proper exercise of the police power thereby, and this Ordinance does not purport to do so.

Section 1008. Replacement of Registrar or Paying Agent. If the Registrar or Paying Agent so appointed shall resign, or if the City shall reasonably determine that the Registrar or Paying Agent has become incapable of performing its duties hereunder, the City may, upon notice mailed to each owner of any Bond at his or her address last shown on the registration records, appoint a successor Registrar or Paying Agent or both. Every such successor Registrar or Paying Agent shall be a trust bank. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder. No resignation or dismissal of the Registrar or the Paying Agent may take effect until a successor is appointed. It shall not be required that the same person or institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same person or institution serve as both Registrar and Paying Agent. Any successor by merger with the Registrar and Paying Agent is automatically appointed as Registrar and Paying Agent hereunder without any further action of the Council, as long as the successor otherwise is qualified to act as Registrar and Paying Agent pursuant to this section. Any bank, trust company or national banking association into which the Registrar and/or Paying Agent or its successor may be converted, merged or with which it may be consolidated, or to which it may sell or otherwise transfer all or substantially all of its corporate trust business shall be the successor of the Registrar and/or Paying Agent under this Ordinance with the same rights, powers, duties and obligations and subject to the same restrictions, limitations, and liabilities as its predecessor, all without the execution or filing of any papers or any further act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 1009. Continuing Disclosure Undertaking. The City covenants for the benefit of the holders and Beneficial Owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate substantially in the form on file with the City Clerk to be executed and delivered by the Finance Director and the Finance Director is hereby authorized to execute such Certificate.

ARTICLE XI

PRIVILEGES, RIGHTS AND REMEDIES

Section 1101. Bondowner's Remedies. Each owner of any Bond issued hereunder shall be entitled to all of the privileges, rights and remedies provided or permitted in the Project Act and the Bond Act, and as otherwise provided or permitted by law or in equity or by other statutes, except as provided in §§ 207 through 211 hereof, but subject to the provisions herein concerning the pledge of and the covenants and the other contractual provisions concerning the Pledged Revenues and the proceeds of the Bonds.

Section 1102. Right to Enforce Payment. Nothing in this article affects or impairs the right of any owner of any Bond to enforce the payment of the Bond Requirements due in connection with his Bond or the obligation of the City to pay the Bond Requirements of each Bond to the owner thereof at the time and the place expressed in the Bond.

Section 1103. Events of Default. Each of the following events is hereby declared an "event of default":

A. Nonpayment of Principal and Premium. Payment of the principal of any of the Bonds, or any prior redemption premium due in connection therewith, or both, is not made when the same becomes due and payable, at maturity, on the mandatory redemption dates specified in § 303B hereof, or by proceedings for optional prior redemption, or otherwise;

B. Nonpayment of Interest. Payment of any installment of interest on the Bonds is not made when the same becomes due and payable;

C. Incapable to Perform. The City for any reason is rendered incapable of fulfilling its obligations hereunder, excluding, however, any obligations pursuant to Section 1009 of this Ordinance;

D. Nonperformance of Duties. The City fails to carry out and to perform (or in good faith to begin the performance of) all acts and things lawfully required to be carried out or to be performed by it under any contract relating to the Pledged Revenues, or otherwise, including, without limitation, this Ordinance, excluding, however, the provisions of Section 1009 of this Ordinance, and such failure continues for 60 days after receipt of notice from the owners of 10% in principal amount of the Bonds then Outstanding;

E. Appointment of Receiver. An order or decree is entered by a court of competent jurisdiction with the consent or acquiescence of the City appointing a receiver or receivers for the Pledged Revenues and any other moneys subject to the lien to secure the payment of the Bonds, or if an order or decree having been entered without the consent or acquiescence of the City is not vacated or discharged or stayed on appeal within 60 days after entry; and

F. Default of Any Provision. The City makes any default in the due and punctual performance of any other of the representations, covenants, conditions, agreements and other provisions contained in the Bonds or in this Ordinance on its part to be performed, except with respect to the provisions of Section 1009 of this Ordinance, and if the default continues for 60 days after written notice specifying the default and requiring the same to be remedied is given to the City by the owners of 10% in principal amount of the Bonds then Outstanding or the Purchaser of the Bonds.

Section 1104. Remedies for Default. Upon the happening and continuance of any of the events of default, as provided in § 1103 hereof, then and in every case the owner or owners or not less than 10% in principal amount of the Bonds then Outstanding, including, without limitation, a trustee or trustees therefor, may proceed against the City and its agents, officers and employees to protect and to enforce the rights of any owner of Bonds under this Ordinance by mandamus or by other suit, action or special proceedings in equity or at law, in any court of competent jurisdiction, either for the appointment of a receiver or for the specific performance of any covenant or agreement contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as the owner or owners may deem most effectual to protect and to enforce the rights aforesaid, or thereby to enjoin any act or thing which may be unlawful or in violation of any right of any owner of any Bond, or to require the City to act as it if were the trustee of an express trust, or any combination of such remedies. All proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds and any parity securities then Outstanding.

Section 1105. Receiver's Rights and Privileges. Any receiver appointed in any proceedings to protect the rights of owners hereunder, the consent to any such appointment being hereby expressly granted by the City, receive and apply all Pledged Revenues arising after the appointment of the receiver in the same manner as the City itself might do.

Section 1106. Rights and Privileges Cumulative. The failure of any owner of any Outstanding bond to proceed in any manner herein provided shall not relieve the City or any officers, agents or employees thereof of any liability for failure to perform or carry out any duty, obligation or other commitment. Each right or privilege of any owner (or trustee thereof) is in addition and is cumulative to any other right or privilege, and the exercise of any right or privilege by or on behalf of any owner shall not be deemed a waiver of any other right or privilege thereof.

Section 1107. Duties upon Defaults. Upon the happening of any of the events of default as provided in § 1103 hereof, the City, in addition, shall do and perform all proper acts on behalf of and for the owners of the Bonds to protect and to preserve the security created for the payment of their Bonds and to insure the payment of the Bond Requirements promptly as the same become due. During any period of default, so long as any of the Bonds issued hereunder, as to any Bond Requirements, are Outstanding, except to the extent it may be unlawful to do so, all Pledged Revenues shall be paid into the 2005 Bond Fund, or, in the event of securities heretofore and hereafter issued and Outstanding during that period of time on a parity with the Bonds, shall be paid into the bond accounts for all parity securities on an equitable and prorated basis, and used for the purposes therein provided. If the City fails or refuses to proceed as in this Section provided, the owner or owners of not less than 10% in principal amount of the Bonds then Outstanding, after demand in writing, may proceed to protect and to enforce the rights of the owners of the Bonds as hereinabove provided; and to that end any such owners of Outstanding Bonds shall be subrogated to all rights of the City under any agreement, lease or other contract the Pledged Revenues entered into before the effective date of this Ordinance or thereafter while any of the Bonds are Outstanding.

Section 1108. Prejudicial Action Unnecessary. Nothing in this article requires the City to proceed as provided therein if the City determines in good faith and without any gross abuse of its discretion that if the City so proceeds it is more likely than not to incur a net loss rather than a net gain, or the action is otherwise likely to affect materially and prejudicially the owners of the Outstanding Bonds and any Outstanding parity securities.

ARTICLE XII

AMENDMENT OF ORDINANCE

Section 1201. Privilege of Amendments. This Ordinance may be amended or supplemented by instruments adopted by the City in accordance with the laws of the State, without receipt by the City of any additional consideration, but with the written consent of the bond insurer, if any, or the owners of at least a majority in aggregate principal amount of the Bonds authorized by this Ordinance and Outstanding at the time of the adoption of the amendatory or supplemental instrument, excluding, pursuant to paragraph (4) of § 102B hereof, any Bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the Bonds if the refunding securities are not owned by the City.

Section 1202. Limitations upon Amendments. No such instrument shall permit without the written consent of all owners of the Bonds adversely and materially affected thereby:

A. Changing Payment. A change in the maturity or in the terms of redemption of the principal of any Outstanding Bond or any installment of interest thereon; or

B. Reducing Return. A reduction in the principal amount of any Bond, the rate of interest thereon, or any prior redemption premium payable in connection therewith, without the consent of the owner of the bond; or

C. Modifying Any Bond. A reduction of the percentages or otherwise affecting the description of Bonds the consent of the owners of which is required for any modification or amendment; or

D. Priorities between Bonds. The establishment of priorities as between Bonds issued and Outstanding under the provisions of this Ordinance; or

E. Partial Modification. The modifications of or otherwise materially and prejudicially affecting the rights or privileges of the owners of less than all of the Bonds then Outstanding.

Section 1203. Notice of Amendment. Whenever the City proposes to amend or modify this Ordinance under the provisions of this Article, it shall cause notice of the proposed amendment to be given not later than 30 days prior to the date of the proposed enactment of the amendment by mailing to each:

(1) The Paying Agent,

(3) The Registrar, and

(4) The owner of each of the Bonds Outstanding.

The notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory instrument is on file in the office of the City Clerk for public inspection.

Section 1204. Time for Amendment. Whenever at any time within one year from the date of the mailing of such notice there shall be filed in the office of the City Clerk an instrument or instruments executed by the owners of at least a majority in aggregate principal amount of the Bonds then Outstanding, which instrument or instruments shall refer to the proposed amendatory instrument described in the notice and shall specifically consent to and approve the adoption of the instrument, thereupon, but not otherwise, the City may adopt the amendatory instrument and the instrument shall become effective.

Section 1205. Binding Consent to Amendment. If the owners of at least a majority in aggregate principal amount of the Bonds Outstanding, at the time of the adoption of the amendatory instrument, or the predecessors in title of such owners shall have consented to and approved the adoption thereof as herein provided, no owner of any Bond, whether or not the owner shall have consented to or shall have revoked any consent as in this article provided, shall have any right or interest to object to the adoption of the amendatory instrument or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin the City from taking any action pursuant to the provisions thereof.

Section 1206. Time Consent Binding. Any consent given by the owner of a Bond pursuant to the provisions of this Article shall be irrevocable for a period of 6 months from the date of the mailing of the notice above provided for in § 1203 hereof, and shall be conclusive and binding upon all future owners of the same Bond during that period. The consent may be revoked at any time after 6 months from the date of the mailing of the notice, by the owner who gave the consent or by a successor in title by filing notice of the revocation with the City Clerk, but the revocation shall not be effective if the owners of a majority in aggregate principal amount of the Bonds Outstanding, before the attempted revocation, consented to and approved the amendatory instrument referred to in the revocation.

Section 1207. Unanimous Consent. Notwithstanding anything contained in the foregoing provisions of this Article, the terms and the provisions of this Ordinance or of any instrument amendatory hereof or supplemental hereto and the rights and the obligations of the City and of the owners of the Bonds hereunder may be modified or amended in any respect upon the adoption by the City and upon the filing with the City Clerk of an instrument to that effect and with the consent of the owners of all the then Outstanding Bonds, the consent to be given as provided in § 1004 hereof; and no notice to owners of Bonds, by mailing shall be required as provided in § 1203 hereof, nor shall the time of consent be limited except as may be provided in the consent.

Section 1208. Exclusion of City's Bonds. At the time of any consent or of other action taken under this Article, the City shall furnish to the City Clerk a certificate of the City Treasurer, upon which the City may rely, describing all Bonds to be excluded, for the purpose of consent or of other action or of any calculation of Outstanding Bonds provided for in this Article, and the City shall not be entitled with respect to such Bonds to give any consent or to take any other action provided for in this Article, pursuant to paragraph (4) of § 102B hereof.

Section 1209. Notation on Bonds. Bonds authenticated and delivered after the effective date of any action taken as in this Article provided may bear a notation by endorsement or otherwise in form approved by the City as to the action; and if any Bond so authenticated and delivered shall bear such notation, then upon demand of the owner of any Bond Outstanding at such effective date and upon presentation of his or her Bond for the purpose at the principal office of the Secretary, suitable notation shall be made on the Bond by the Secretary as to any such action. If the City so determines, new Bonds so modified as in the opinion of the City to conform to such action shall be prepared, authenticated and delivered; and upon demand of the owner of any Bond then Outstanding, shall be exchanged without cost to the owner for Bonds then Outstanding upon surrender of the Bonds.

Section 1210. Proof of Ordinances and Bonds. The fact and date of execution of any instrument under the provisions of this Article, the amount and number of the Bonds held by any Person executing the instrument, and the date of his holding the same may be proved as provided by § 1004 hereof.

Mayor

(SEAL)

Attest:

Approved as to form:

Val Steed 2-18-05
Date

City Clerk

This Ordinance shall be in full force and effect from and after March __, 2005.

STATE OF NEVADA)
)
COUNTY OF CLARK) ss.
)
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on March 2, 2005 and finally adopted and approved on March 16, 2005.

2. The following members of the Council were present at the March 2, 2005 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

3. The foregoing Ordinance was first proposed and read by title to the City Council on March 2, 2005, and referred to a committee composed for recommendation; thereafter the said committee reported favorably on said Ordinance on March 16, 2005, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the March 16, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

Those Voting Nay: ____________________
Those Absent: ____________________

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on March 2 and March 16, 2005. Pursuant to ' 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(i) City Clerk's Bulletin Board
City Hall Plaza, 2nd Floor Skybridge
Las Vegas, Nevada

(ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(iii) Las Vegas Library District
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555. E. Washington Avenue
Las Vegas, Nevada

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on March 2, 2005 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on March 16, 2005 is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this March 16, 2005.

____

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of March 2, 2005 Meeting)

EXHIBIT B

(Attach Copy of Notice of March 16, 2005 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Notice of Deposit of the Bond Ordinance)

EXHIBIT D
(Attach Affidavit of Publication of Adoption of Bond Ordinance)

H:\02204\2005 REFUNDING BONDS\CTAX REF\BOND ORDINANCE V2.DOC

City of Las Vegas

Agenda Item No. 77

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-12 - Annexation No. ANX-5656 - Property location: On the west side of Al Carrison Street, 50 feet south of McNamee Avenue; Petitioned by: Michael E. Burke; Acreage: 2.08 acres; Zoned: R-A (County zoning), R-A (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Al Carrison Street, 50 feet south of McNamee Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 15, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 4/6/2005 City Council meeting pursuant to the 3/15/2005 Recommending Committee.

First Reading - 3/2/2005; First Publication - 3/25/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

4/6/2005 Council Agenda

City of Las Vegas

Agenda Item No. 78

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ CONSENT ☒ DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-14 - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilman Larry Brown

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The City's zoning regulations generally require a distance separation between taverns, but allow the distance separation requirement to be waived in certain limited circumstances. This bill would add another such circumstance, namely, when a proposed tavern will be located within a regional mall.

RECOMMENDATION:

ADOPTION at 4/6/2005 City Council meeting pursuant to the 3/15/2005 Recommending Committee.

First Reading - 3/2/2005; First Publication - 3/25/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

4/6/2005 Council Agenda

City of Las Vegas

Agenda Item No. 79

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. Z-2005-1 - Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

This bill will amend the zoning map to change the zoning designations of approximately 80 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. Z-2005-1

MOTION:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS WOLFSON and TARKANIAN

4/5/2005 Recommending Committee
4/6/2005 Council Agenda

There was no discussion.
(11:48 - 11:49)
2-2757

BILL NO. Z-2005-1

ORDINANCE NO. ______

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ATLAS OF THE CITY OF LAS VEGAS BY CHANGING THE ZONING DESIGNATIONS OF CERTAIN PARCELS OF LAND, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Margo Wheeler, Director of Planning and Development

Summary: Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential).

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Official Zoning Map Atlas of the City of Las Vegas, as adopted in Title 19, Chapter 2, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by changing the zoning designations for the parcels of land listed in the attached document. The parcels of land have been approved for rezoning by vote of the City Council or by means of a resolution of intent to rezone pursuant to applicable zoning regulations. In each case the conditions of rezoning have been fulfilled, and changing the corresponding zoning designations on the Official Zoning Map Atlas is now indicated. On the attached document, the parcels are listed by Assessor's Parcel Number. The attached document shows, for each parcel, the zoning designation currently shown on the Official Zoning Map Atlas (indicated as "Current Zoning") and the new zoning designation to be shown for the parcel (indicated as "New Zoning").

SECTION 2: The Planning and Development Department is authorized and directed to make such changes to the Official Zoning Map Atlas as are necessary to reflect the amendments described in Section 1 of this Ordinance. In accordance with LVMC 19.02.010, the Official Zoning Map Atlas is stored and maintained in the offices of the Planning and Development Department.

SECTION 3: Of the parcels referred to in Section 1 of this Ordinance whose rezoning was approved by means of a resolution of intent to rezone, few if any of those resolutions have been reduced to writing–as was the practice previously. All actions and proceedings by the City concerning the rezoning of those parcels are hereby ratified, approved and confirmed as if the resolutions of intent had been reduced to writing, and the City Council deems that no additional action in that regard is necessary.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2005.

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 3-3-05
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2005, and referred to the following committee composed of ____________________________ and ____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2005, which was a _________________ meeting of said Council; that at said ________________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ____________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

Z-2005-1 Attachment
Nonresidential Rezonings

PARCEL	Current Zoning	New Zoning
12513501009	R-E	C-V
12515101002	U(PF)	C-V
12525101032	R-E	C-V
12534116001	C-2	C-2
12534116001	R-E	C-2
13801301013	R-E	C-1
13801312003	R-E	C-1
13801312005	R-E	C-1
13801312006	R-E	C-1
13807401012	R-CL	C-1
13808416001	U(O)	P-R
13811804024	U(SC)	C-1
13813512001	R-E	C-M
13813512001	R-E	O
13813512002	C-2	C-M
13813512002	R-E	C-M
13822803001	U(SC)	C-1
13823201003	U(SC)	C-1
13823201008	U(SC)	C-1
13823401002	U(PF)	C-V
13823402002	R-PD20	C-V
13823402003	U(PF)	C-V
13823719004	R-E	C-1
13825310002	R-1	P-R
13825310003	R-1	P-R
13827101005	U(SC)	C-1
13827301014	U(SC)	C-1
13827301020	U(SC)	C-1
13827301020	U(SC)	C-1
13828301005	U(PR)	C-V
13831210004	U(PF)	C-V
13831210007	U(SC)	C-1
13831210009	U(PF)	C-V
13835804001	R-1	P-R
13836408010	R-1	C-1
13836803012	R-1	C-1
13920710001	C-1	C-V
13922301003	R-3	M
13927210010	R-3	C-V
13927812039	R-3	C-V
13927812040	R-3	C-V
13927812043	C-2	C-V

PARCEL	Current Zoning	New Zoning
13928301025	R-E	C-1
13928401024	C-2	C-M
13928503014	C-1	C-1
13928503016	C-1	C-1
13928503024	C-1	C-1
13934310031	R-4	C-2
13934810083	R-1	P-R
13935212022	R-3	C-V
13935212053	R-3	C-V
13935212054	R-3	C-V
13935310057	R-3	C-V
13936210013	R-E	C-1
14030102006	R-1	N-S
14031401033	R-1	C-M
14031401042	C-1	C-M
14031401042	R-1	C-M
14031401043	C-1	C-M
14031401043	R-1	C-M
14031401043	R-2	C-M
14031803005	R-3	C-1
16202410096	R-2	N-S
16204117002	R-E	P-R
16204117003	R-E	P-R
16204401007	C-1	C-1
16204401007	C-1	C-1
16204401007	P-R	C-1
16204401007	R-3	C-1
16204710004	R-4	C-2
16204710145	R-4	C-2
16204710146	R-4	C-2
16205110014	R-1	C-D
16208401004	M	C-1
16208702002	M	C-1
16208801001	M	C-1
16301102022	R-E	C-1
16301110002	R-PD4	P-R
16301110003	R-PD4	P-R
16301110004	R-PD4	P-R
16301110005	R-PD4	P-R
16301404006	R-E	P-R
16301404007	P-R	C-2

City of Las Vegas

Agenda Item No. 80

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ CONSENT ☒ DISCUSSION

SUBJECT:
NEW BILL:

Bill No. Z-2005-2 - Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Margo Wheeler, Director of Planning and Development

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
This bill will amend the zoning map to change the zoning designations of approximately 1530 parcels. The rezoning of these parcels has already been approved by the City Council. This bill merely formalizes the rezoning by ordinance.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. Z-2005-2

MOTION:
None required.

MINUTES:
First Reading - Referred - COUNCILMEMBERS WOLFSON and TARKANIAN

4/5/2005 Recommending Committee
4/6/2005 Council Agenda

There was no discussion.
(11:48 - 11:49)
2-2757

THE MORNING SESSION RECESSED AT 11:49 A.M.

BILL NO. Z-2005-2

ORDINANCE NO. ______

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ATLAS OF THE CITY OF LAS VEGAS BY CHANGING THE ZONING DESIGNATIONS OF CERTAIN PARCELS OF LAND, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Margo Wheeler, Director of Planning and Development

Summary: Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential).

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Official Zoning Map Atlas of the City of Las Vegas, as adopted in Title 19, Chapter 2, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by changing the zoning designations for the parcels of land listed in the attached document. The parcels of land have been approved for rezoning by vote of the City Council or by means of a resolution of intent to rezone pursuant to applicable zoning regulations. In each case the conditions of rezoning have been fulfilled, and changing the corresponding zoning designations on the Official Zoning Map Atlas is now indicated. On the attached document, the parcels are listed by Assessor's Parcel Number. The attached document shows, for each parcel, the zoning designation currently shown on the Official Zoning Map Atlas (indicated as "Current Zoning") and the new zoning designation to be shown for the parcel (indicated as "New Zoning").

SECTION 2: The Planning and Development Department is authorized and directed to make such changes to the Official Zoning Map Atlas as are necessary to reflect the amendments described in Section 1 of this Ordinance. In accordance with LVMC 19.02.010, the Official Zoning Map Atlas is stored and maintained in the offices of the Planning and Development Department.

SECTION 3: Of the parcels referred to in Section 1 of this Ordinance whose rezoning was approved by means of a resolution of intent to rezone, few if any of those resolutions have been reduced to writing–as was the practice previously. All actions and proceedings by the City concerning the rezoning of those parcels are hereby ratified, approved and confirmed as if the resolutions of intent had been reduced to writing, and the City Council deems that no additional action in that regard is necessary.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2005.

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 3-3-05
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2005, and referred to the following committee composed of ____________________________ and _____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2005, which was a _________________ meeting of said Council; that at said _______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ___________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

Z-2001-2 Attachment
Residential Rezonings

PARCEL	Current Zoning	New Zoning
12501310001	R-E	R-PD3
12501310002	R-E	R-PD3
12501310003	R-E	R-PD3
12501310004	R-E	R-PD3
12501310005	R-E	R-PD3
12501310006	R-E	R-PD3
12501310007	R-E	R-PD3
12501310008	R-E	R-PD3
12501310009	R-E	R-PD3
12501310010	R-E	R-PD3
12501310011	R-E	R-PD3
12501310012	R-E	R-PD3
12501310013	R-E	R-PD3
12501310014	R-E	R-PD3
12501310015	R-E	R-PD3
12501310016	R-E	R-PD3
12501310017	R-E	R-PD3
12501310018	R-E	R-PD3
12501310019	R-E	R-PD3
12501310020	R-E	R-PD3
12501310021	R-E	R-PD3
12501310022	R-E	R-PD3
12501310023	R-E	R-PD3
12501310024	R-E	R-PD3
12501310025	R-E	R-PD3
12501310026	R-E	R-PD3
12501310027	R-E	R-PD3
12501310028	R-E	R-PD3
12501310029	R-E	R-PD3
12501310030	R-E	R-PD3
12501310031	R-E	R-PD3
12501310032	R-E	R-PD3
12501310033	R-E	R-PD3
12501310034	R-E	R-PD3
12501310035	R-E	R-PD3
12501310036	R-E	R-PD3
12501310037	R-E	R-PD3
12501310038	R-E	R-PD3
12501310039	R-E	R-PD3
12501310040	R-E	R-PD3
12501310041	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12501310042	R-E	R-PD3
12501310043	R-E	R-PD3
12501310044	R-E	R-PD3
12501310045	R-E	R-PD3
12501310046	R-E	R-PD3
12501310047	R-E	R-PD3
12501310048	R-E	R-PD3
12501310049	R-E	R-PD3
12501310050	R-E	R-PD3
12501310051	R-E	R-PD3
12501310052	R-E	R-PD3
12501310053	R-E	R-PD3
12501310054	R-E	R-PD3
12501310055	R-E	R-PD3
12501310056	R-E	R-PD3
12501310057	R-E	R-PD3
12501310058	R-E	R-PD3
12501310059	R-E	R-PD3
12501310060	R-E	R-PD3
12501310061	R-E	R-PD3
12501310062	R-E	R-PD3
12501310063	R-E	R-PD3
12501310064	R-E	R-PD3
12501310065	R-E	R-PD3
12501310066	R-E	R-PD3
12501310067	R-E	R-PD3
12501310068	R-E	R-PD3
12501310069	R-E	R-PD3
12501311001	R-E	R-PD3
12501311002	R-E	R-PD3
12501311003	R-E	R-PD3
12501311004	R-E	R-PD3
12501311005	R-E	R-PD3
12501311006	R-E	R-PD3
12501311007	R-E	R-PD3
12501311008	R-E	R-PD3
12501311009	R-E	R-PD3
12501311010	R-E	R-PD3
12501311011	R-E	R-PD3
12501311012	R-E	R-PD3
12501311013	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12501311014	R-E	R-PD3
12501311015	R-E	R-PD3
12501311016	R-E	R-PD3
12501311017	R-E	R-PD3
12501311018	R-E	R-PD3
12501311019	R-E	R-PD3
12501311020	R-E	R-PD3
12501311021	R-E	R-PD3
12501311022	C-V	R-PD3
12501311023	C-V	R-PD3
12501311024	C-V	R-PD3
12501311025	C-V	R-PD3
12501311026	C-V	R-PD3
12501311027	C-V	R-PD3
12501311028	R-E	R-PD3
12501311029	R-E	R-PD3
12501311030	R-E	R-PD3
12501311031	R-E	R-PD3
12501311032	R-E	R-PD3
12501311033	R-E	R-PD3
12501311034	R-E	R-PD3
12501311035	R-E	R-PD3
12501311036	R-E	R-PD3
12501311037	R-E	R-PD3
12501311038	R-E	R-PD3
12501311039	R-E	R-PD3
12501311040	R-E	R-PD3
12501311041	R-E	R-PD3
12501311042	R-E	R-PD3
12501311043	R-E	R-PD3
12501311044	R-E	R-PD3
12501311045	R-E	R-PD3
12501311046	R-E	R-PD3
12501311047	R-E	R-PD3
12501311048	R-E	R-PD3
12501311049	R-E	R-PD3
12501311050	R-E	R-PD3
12501311051	R-E	R-PD3
12501311052	R-E	R-PD3
12501311053	R-E	R-PD3
12501311054	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12501311055	R-E	R-PD3
12501311056	R-E	R-PD3
12501311057	R-E	R-PD3
12501311058	C-V	R-PD3
12501311059	R-E	R-PD3
12501311060	R-E	R-PD3
12501311061	R-E	R-PD3
12501311062	R-E	R-PD3
12501312001	C-V	R-PD3
12501312002	C-V	R-PD3
12501312003	C-V	R-PD3
12501312004	C-V	R-PD3
12501312005	C-V	R-PD3
12501312006	C-V	R-PD3
12501312007	C-V	R-PD3
12501312008	C-V	R-PD3
12501312009	C-V	R-PD3
12501312010	C-V	R-PD3
12501312011	C-V	R-PD3
12501312012	C-V	R-PD3
12501312013	C-V	R-PD3
12501312014	C-V	R-PD3
12501312015	C-V	R-PD3
12501312016	C-V	R-PD3
12501312017	C-V	R-PD3
12501312018	C-V	R-PD3
12501312019	C-V	R-PD3
12501312020	C-V	R-PD3
12501312021	C-V	R-PD3
12501312022	C-V	R-PD3
12501312023	C-V	R-PD3
12501312024	C-V	R-PD3
12501312025	C-V	R-PD3
12501312026	C-V	R-PD3
12501312027	C-V	R-PD3
12501312028	C-V	R-PD3
12501312029	C-V	R-PD3
12501312030	C-V	R-PD3
12501312031	C-V	R-PD3
12501312032	C-V	R-PD3
12501312033	C-V	R-PD3
12501312034	C-V	R-PD3
12501312035	C-V	R-PD3
12501312036	C-V	R-PD3
12501397001	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12501397002	R-E	R-PD3
12501397003	R-E	R-PD3
12501397004	R-E	R-PD3
12501397005	R-E	R-PD3
12501397006	R-E	R-PD3
12501397007	R-E	R-PD3
12501397008	R-E	R-PD3
12501397009	R-E	R-PD3
12501397010	R-E	R-PD3
12501397011	R-E	R-PD3
12501397012	R-E	R-PD3
12501397013	R-E	R-PD3
12501397014	R-E	R-PD3
12501397015	R-E	R-PD3
12501397016	R-E	R-PD3
12501397017	R-E	R-PD3
12501397018	R-E	R-PD3
12501397019	C-V	R-PD3
12501397020	C-V	R-PD3
12501397021	C-V	R-PD3
12501397022	C-V	R-PD3
12501397023	C-V	R-PD3
12501397024	C-V	R-PD3
12501397025	C-V	R-PD3
12501397026	C-V	R-PD3
12501412001	R-E	R-PD3
12501412002	R-E	R-PD3
12501412003	R-E	R-PD3
12501412004	R-E	R-PD3
12501412005	R-E	R-PD3
12501412006	R-E	R-PD3
12501412007	R-E	R-PD3
12501412008	R-E	R-PD3
12501412009	R-E	R-PD3
12501412010	R-E	R-PD3
12501412011	R-E	R-PD3
12501412012	R-E	R-PD3
12501412013	R-E	R-PD3
12501412014	R-E	R-PD3
12501412015	R-E	R-PD3
12501412016	R-E	R-PD3
12501412017	R-E	R-PD3
12501412018	R-E	R-PD3
12501412019	R-E	R-PD3
12501412020	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12501412021	R-E	R-PD3
12501412022	R-E	R-PD3
12501412023	R-E	R-PD3
12501412024	R-E	R-PD3
12501412025	R-E	R-PD3
12501412026	R-E	R-PD3
12501412027	R-E	R-PD3
12501412028	R-E	R-PD3
12501412029	R-E	R-PD3
12501412030	R-E	R-PD3
12501412031	R-E	R-PD3
12501413001	R-E	R-PD3
12501413002	R-E	R-PD3
12501413003	R-E	R-PD3
12501413004	R-E	R-PD3
12501413005	R-E	R-PD3
12501413006	R-E	R-PD3
12501413007	R-E	R-PD3
12501413008	R-E	R-PD3
12501413009	R-E	R-PD3
12501413010	R-E	R-PD3
12501413011	R-E	R-PD3
12501413012	R-E	R-PD3
12501413013	R-E	R-PD3
12501413014	R-E	R-PD3
12501413015	R-E	R-PD3
12501413016	R-E	R-PD3
12501413017	R-E	R-PD3
12501413018	R-E	R-PD3
12501413019	R-E	R-PD3
12501413020	R-E	R-PD3
12501413021	R-E	R-PD3
12501413022	R-E	R-PD3
12501413023	R-E	R-PD3
12501413024	R-E	R-PD3
12501413025	R-E	R-PD3
12501413026	R-E	R-PD3
12501413027	R-E	R-PD3
12501413028	R-E	R-PD3
12501413029	R-E	R-PD3
12501413030	R-E	R-PD3
12501413031	R-E	R-PD3
12501413032	R-E	R-PD3
12501413033	R-E	R-PD3
12501413034	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12501413035	R-E	R-PD3
12501497012	R-E	R-PD3
12501497013	R-E	R-PD3
12501497014	R-E	R-PD3
12501497015	R-E	R-PD3
12501497016	R-E	R-PD3
12501497017	R-E	R-PD3
12501497018	R-E	R-PD3
12509411001	U(PCD)	R-PD4
12509411002	U(PCD)	R-PD4
12509411003	U(PCD)	R-PD4
12509411004	U(PCD)	R-PD4
12509411005	U(PCD)	R-PD4
12509411006	U(PCD)	R-PD4
12509411007	U(PCD)	R-PD4
12509411008	U(PCD)	R-PD4
12509411009	U(PCD)	R-PD4
12509411010	U(PCD)	R-PD4
12509411011	U(PCD)	R-PD4
12509411012	U(PCD)	R-PD4
12509411013	U(PCD)	R-PD4
12509411014	U(PCD)	R-PD4
12509411015	U(PCD)	R-PD4
12509411016	U(PCD)	R-PD4
12509411017	R-A	R-PD4
12509411018	R-A	R-PD4
12509411019	R-A	R-PD4
12509411020	R-A	R-PD4
12509411021	R-A	R-PD4
12509411022	R-A	R-PD4
12509411023	R-A	R-PD4
12509411024	R-A	R-PD4
12509411025	U(PCD)	R-PD4
12509411026	U(PCD)	R-PD4
12509411027	U(PCD)	R-PD4
12509411028	U(PCD)	R-PD4
12509411029	U(PCD)	R-PD4
12509411030	U(PCD)	R-PD4
12509411031	U(PCD)	R-PD4
12509411032	U(PCD)	R-PD4
12509411033	U(PCD)	R-PD4
12509411034	U(PCD)	R-PD4
12509411035	U(PCD)	R-PD4
12509411036	U(PCD)	R-PD4
12509411037	U(PCD)	R-PD4

PARCEL	Current Zoning	New Zoning
12509411038	R-A	R-PD4
12509411039	R-A	R-PD4
12509411040	R-A	R-PD4
12509411041	R-A	R-PD4
12509411042	R-A	R-PD4
12509411043	U(PCD)	R-PD4
12509411044	U(PCD)	R-PD4
12509411045	U(PCD)	R-PD4
12509411046	U(PCD)	R-PD4
12509411047	U(PCD)	R-PD4
12509411048	U(PCD)	R-PD4
12509411049	U(PCD)	R-PD4
12509411050	U(PCD)	R-PD4
12509411051	U(PCD)	R-PD4
12509411052	U(PCD)	R-PD4
12509411053	U(PCD)	R-PD4
12509411054	U(PCD)	R-PD4
12509411055	U(PCD)	R-PD4
12509411056	U(PCD)	R-PD4
12509411057	U(PCD)	R-PD4
12509411058	U(PCD)	R-PD4
12509411059	U(PCD)	R-PD4
12509411060	U(PCD)	R-PD4
12509411061	U(PCD)	R-PD4
12509411062	U(PCD)	R-PD4
12509411063	U(PCD)	R-PD4
12509411064	U(PCD)	R-PD4
12509411065	U(PCD)	R-PD4
12509411066	U(PCD)	R-PD4
12509411067	U(PCD)	R-PD4
12509411068	U(PCD)	R-PD4
12509411069	U(PCD)	R-PD4
12509411070	U(PCD)	R-PD4
12509411071	U(PCD)	R-PD4
12509411072	U(PCD)	R-PD4
12509411073	U(PCD)	R-PD4
12509412001	U(PCD)	R-PD6
12509412002	U(PCD)	R-PD6
12509412003	U(PCD)	R-PD6
12509412004	U(PCD)	R-PD6
12509412005	U(PCD)	R-PD6
12509412006	U(PCD)	R-PD6
12509412007	U(PCD)	R-PD6
12509412008	U(PCD)	R-PD6
12509412009	U(PCD)	R-PD6

PARCEL	Current Zoning	New Zoning
12509412010	U(PCD)	R-PD6
12509412011	U(PCD)	R-PD6
12509412012	U(PCD)	R-PD6
12509412013	U(PCD)	R-PD6
12509412014	U(PCD)	R-PD6
12509412015	U(PCD)	R-PD6
12509412016	U(PCD)	R-PD6
12509412017	U(PCD)	R-PD6
12509412018	U(PCD)	R-PD6
12509412019	U(PCD)	R-PD6
12509412020	U(PCD)	R-PD6
12509412021	U(PCD)	R-PD6
12509412022	U(PCD)	R-PD6
12509412023	U(PCD)	R-PD6
12509412024	U(PCD)	R-PD6
12509412025	U(PCD)	R-PD6
12509412026	U(PCD)	R-PD6
12509412027	U(PCD)	R-PD6
12509412028	U(PCD)	R-PD6
12509412029	U(PCD)	R-PD6
12509412030	U(PCD)	R-PD6
12509412031	U(PCD)	R-PD6
12509412032	U(PCD)	R-PD6
12509412033	U(PCD)	R-PD6
12509412034	U(PCD)	R-PD6
12509412035	U(PCD)	R-PD6
12509412036	U(PCD)	R-PD6
12509412037	U(PCD)	R-PD6
12509412038	U(PCD)	R-PD6
12509412039	U(PCD)	R-PD6
12509412040	U(PCD)	R-PD6
12509412041	U(PCD)	R-PD6
12509412042	U(PCD)	R-PD6
12509412043	U(PCD)	R-PD6
12509412044	U(PCD)	R-PD6
12509412045	U(PCD)	R-PD6
12509412046	U(PCD)	R-PD6
12509412047	U(PCD)	R-PD6
12509412048	U(PCD)	R-PD6
12509412049	U(PCD)	R-PD6
12509497015	U(PCD)	R-PD4
12509497016	U(PCD)	R-PD4
12509497017	U(PCD)	R-PD4
12509497018	U(PCD)	R-PD4
12509497019	U(PCD)	R-PD4

PARCEL	Current Zoning	New Zoning
12509497020	R-A	R-PD4
12509497021	U(PCD)	R-PD4
12509497022	U(PCD)	R-PD4
12509497023	U(PCD)	R-PD6
12509497024	U(PCD)	R-PD6
12509497025	U(PCD)	R-PD6
12509497026	U(PCD)	R-PD6
12509497027	U(PCD)	R-PD6
12509497028	U(PCD)	R-PD6
12509497029	U(PCD)	R-PD6
12509497030	U(PCD)	R-PD6
12509497031	U(PCD)	R-PD6
12509497032	U(PCD)	R-PD6
12509816001	R-E	R-PD4
12509816002	R-E	R-PD4
12509816003	R-E	R-PD4
12509816004	R-E	R-PD4
12509816005	R-E	R-PD4
12509816006	R-E	R-PD4
12509816007	R-E	R-PD4
12509816008	R-E	R-PD4
12509816009	R-E	R-PD4
12509816010	R-E	R-PD4
12509816011	R-E	R-PD4
12509816012	R-E	R-PD4
12509816013	R-E	R-PD4
12509816014	R-E	R-PD4
12509816015	R-E	R-PD4
12509816016	R-E	R-PD4
12509816017	R-E	R-PD4
12509816018	R-E	R-PD4
12509816019	R-E	R-PD4
12509816020	R-E	R-PD4
12509816021	R-E	R-PD4
12509816022	R-E	R-PD4
12509816023	R-E	R-PD4
12509816024	R-E	R-PD4
12509816025	R-E	R-PD4
12509816026	R-E	R-PD4
12509816027	R-E	R-PD4
12509816028	R-E	R-PD4
12509816029	R-E	R-PD4
12509816030	R-E	R-PD4
12509816031	R-E	R-PD4
12509816032	R-E	R-PD4

PARCEL	Current Zoning	New Zoning
12509816033	R-E	R-PD4
12509816034	R-E	R-PD4
12509816035	R-E	R-PD4
12509816036	R-E	R-PD4
12509816037	R-E	R-PD4
12509816038	R-E	R-PD4
12509816039	R-E	R-PD4
12509816040	R-E	R-PD4
12509816041	R-E	R-PD4
12509816042	R-E	R-PD4
12509816043	R-E	R-PD4
12509816044	R-E	R-PD4
12509816045	R-E	R-PD4
12509816046	R-E	R-PD4
12509816047	R-E	R-PD4
12509816048	R-E	R-PD4
12509816049	R-E	R-PD4
12509816050	R-E	R-PD4
12509816051	R-E	R-PD4
12509816052	R-E	R-PD4
12509816053	R-E	R-PD4
12509816054	R-E	R-PD4
12509816055	R-E	R-PD4
12509816056	R-E	R-PD4
12509816057	R-E	R-PD4
12509816058	R-E	R-PD4
12509816059	R-E	R-PD4
12509897014	R-E	R-PD4
12509897015	R-E	R-PD4
12512113001	U(R)	R-PD3
12512113002	U(R)	R-PD3
12512113003	U(R)	R-PD3
12512113004	U(R)	R-PD3
12512113005	U(R)	R-PD3
12512113006	U(R)	R-PD3
12512113007	U(R)	R-PD3
12512113008	U(R)	R-PD3
12512113009	U(R)	R-PD3
12512113010	U(R)	R-PD3
12512113011	U(R)	R-PD3
12512113012	U(R)	R-PD3
12512113013	U(R)	R-PD3
12512113014	U(R)	R-PD3
12512113015	U(R)	R-PD3
12512113016	U(R)	R-PD3

PARCEL	Current Zoning	New Zoning
12512113017	U(R)	R-PD3
12512113018	U(R)	R-PD3
12512113019	U(R)	R-PD3
12512113020	U(R)	R-PD3
12512113021	U(R)	R-PD3
12512113022	U(R)	R-PD3
12512113023	U(R)	R-PD3
12512113024	U(R)	R-PD3
12512113025	U(R)	R-PD3
12512113026	U(R)	R-PD3
12512113027	U(R)	R-PD3
12512113028	U(R)	R-PD3
12512113029	U(R)	R-PD3
12512113030	U(R)	R-PD3
12512113031	U(R)	R-PD3
12512113032	U(R)	R-PD3
12512113033	U(R)	R-PD3
12512113034	U(R)	R-PD3
12512113035	U(R)	R-PD3
12512113036	U(R)	R-PD3
12512113037	U(R)	R-PD3
12512113038	U(R)	R-PD3
12512113039	U(R)	R-PD3
12512113040	U(R)	R-PD3
12512113041	U(R)	R-PD3
12512113042	U(R)	R-PD3
12512113043	U(R)	R-PD3
12512113044	U(R)	R-PD3
12512113045	U(R)	R-PD3
12512113046	U(R)	R-PD3
12512113047	U(R)	R-PD3
12512113048	U(R)	R-PD3
12512113049	U(R)	R-PD3
12512113050	U(R)	R-PD3
12512113051	U(R)	R-PD3
12512113052	U(R)	R-PD3
12512113053	U(R)	R-PD3
12512113054	U(R)	R-PD3
12512113055	U(R)	R-PD3
12512113056	U(R)	R-PD3
12512113057	U(R)	R-PD3
12512113058	U(R)	R-PD3
12512113059	U(R)	R-PD3
12512113060	U(R)	R-PD3
12512113061	U(R)	R-PD3

PARCEL	Current Zoning	New Zoning
12512113062	U(R)	R-PD3
12512113063	U(R)	R-PD3
12512113064	U(R)	R-PD3
12512113065	U(R)	R-PD3
12512113066	U(R)	R-PD3
12512113067	U(R)	R-PD3
12512113068	U(R)	R-PD3
12512113069	U(R)	R-PD3
12512113070	U(R)	R-PD3
12512113071	U(R)	R-PD3
12512197025	R-E	R-PD4
12512197033	U(R)	R-PD3
12512197034	U(R)	R-PD3
12512197035	U(R)	R-PD3
12512197036	U(R)	R-PD3
12512197037	U(R)	R-PD3
12512197038	U(R)	R-PD3
12512197039	U(R)	R-PD3
12512197040	U(R)	R-PD3
12512197041	U(R)	R-PD3
12512197042	U(R)	R-PD3
12512197043	U(R)	R-PD3
12512512001	R-E	R-PD7
12512512002	R-E	R-PD7
12512512003	R-E	R-PD7
12512512004	R-E	R-PD7
12512512005	R-E	R-PD7
12512512006	R-E	R-PD7
12512512007	R-E	R-PD7
12512512008	R-E	R-PD7
12512512009	R-E	R-PD7
12512512010	R-E	R-PD7
12512512011	R-E	R-PD7
12512512012	R-E	R-PD7
12512512013	R-E	R-PD7
12512512014	R-E	R-PD7
12512512015	R-E	R-PD7
12512512016	R-E	R-PD7
12512512017	R-E	R-PD7
12512512018	R-E	R-PD7
12512512019	R-E	R-PD7
12512512020	R-E	R-PD7
12512512021	R-E	R-PD7
12512512022	R-E	R-PD7
12512512023	R-E	R-PD7

PARCEL	Current Zoning	New Zoning
12512512024	R-E	R-PD7
12512512025	R-E	R-PD7
12512512026	R-E	R-PD7
12512512027	R-E	R-PD7
12512512028	R-E	R-PD7
12512512029	R-E	R-PD7
12512512030	R-E	R-PD7
12512512031	R-E	R-PD7
12512512032	R-E	R-PD7
12512512033	R-E	R-PD7
12512512034	R-E	R-PD7
12512512035	R-E	R-PD7
12512512036	R-E	R-PD7
12512512037	R-E	R-PD7
12512512038	R-E	R-PD7
12512512039	R-E	R-PD7
12512512040	R-E	R-PD7
12512512041	R-E	R-PD7
12512512042	R-E	R-PD7
12512512043	R-E	R-PD7
12512512044	R-E	R-PD7
12512512045	R-E	R-PD7
12512512046	R-E	R-PD7
12512512047	R-E	R-PD7
12512512048	R-E	R-PD7
12512512049	R-E	R-PD7
12512512050	R-E	R-PD7
12512512051	R-E	R-PD7
12512512052	R-E	R-PD7
12512512053	R-E	R-PD7
12512512054	R-E	R-PD7
12512512055	R-E	R-PD7
12512512056	R-E	R-PD7
12512512057	R-E	R-PD7
12512512058	R-E	R-PD7
12512512059	R-E	R-PD7
12512512060	R-E	R-PD7
12512512061	R-E	R-PD7
12512512062	R-E	R-PD7
12512512063	R-E	R-PD7
12512512064	R-E	R-PD7
12512512065	R-E	R-PD7
12512512066	R-E	R-PD7
12512512067	R-E	R-PD7
12512512068	R-E	R-PD7

PARCEL	Current Zoning	New Zoning
12512512069	R-E	R-PD7
12512512070	R-E	R-PD7
12512512071	R-E	R-PD7
12512512072	R-E	R-PD7
12512512073	R-E	R-PD7
12512512074	R-E	R-PD7
12512512075	R-E	R-PD7
12512512076	R-E	R-PD7
12512512077	R-E	R-PD7
12512512078	R-E	R-PD7
12512512079	R-E	R-PD7
12512512080	R-E	R-PD7
12512512081	R-E	R-PD7
12512597013	R-E	R-PD7
12512597014	R-E	R-PD7
12512597015	R-E	R-PD7
12512597016	R-E	R-PD7
12512597017	R-E	R-PD7
12512597018	R-E	R-PD7
12512597019	R-E	R-PD7
12512597020	R-E	R-PD7
12512597021	R-E	R-PD7
12512613001	R-E	R-PD2
12512613002	R-E	R-PD2
12512613003	R-E	R-PD2
12512613004	R-E	R-PD2
12512613005	R-E	R-PD2
12512613006	R-E	R-PD2
12512613007	R-E	R-PD2
12512613008	R-E	R-PD2
12512613009	R-E	R-PD2
12512613010	R-E	R-PD2
12512613011	R-E	R-PD2
12512613012	R-E	R-PD2
12512613013	R-E	R-PD2
12512613014	R-E	R-PD2
12512613015	R-E	R-PD2
12512613016	R-E	R-PD2
12512613017	R-E	R-PD2
12512613018	R-E	R-PD2
12512613019	R-E	R-PD2
12512613020	R-E	R-PD2
12512613021	R-E	R-PD2
12512613022	R-E	R-PD2
12512613023	R-E	R-PD2

PARCEL	Current Zoning	New Zoning
12512613024	R-E	R-PD2
12512613025	R-E	R-PD2
12512613026	R-E	R-PD2
12512613027	R-E	R-PD2
12512697012	R-E	R-PD2
12512697013	R-E	R-PD2
12512697014	R-E	R-PD2
12512697015	R-E	R-PD2
12512697016	R-E	R-PD2
12513215001	R-E	R-1
12513215002	R-E	R-1
12513215003	R-E	R-1
12513215004	R-E	R-1
12513215005	R-E	R-1
12513215006	R-E	R-1
12513297010	R-E	R-1
12513297011	R-E	R-1
12513297012	R-E	R-1
12516301017	R-E	R-CL
12518211001	U(PCD)	PD
12518211002	U(PCD)	PD
12518211003	U(PCD)	PD
12518211004	U(PCD)	PD
12518211005	U(PCD)	PD
12518211006	U(PCD)	PD
12518211007	U(PCD)	PD
12518211008	U(PCD)	PD
12518211009	U(PCD)	PD
12518211010	U(PCD)	PD
12518211011	U(PCD)	PD
12518211012	U(PCD)	PD
12518211013	U(PCD)	PD
12518211014	U(PCD)	PD
12518211015	U(PCD)	PD
12518211016	U(PCD)	PD
12518211017	U(PCD)	PD
12518211018	U(PCD)	PD
12518211019	U(PCD)	PD
12518211020	U(PCD)	PD
12518211021	U(PCD)	PD
12518211022	U(PCD)	PD
12518211023	U(PCD)	PD
12518211024	U(PCD)	PD
12518211025	U(PCD)	PD
12518211026	U(PCD)	PD

PARCEL	Current Zoning	New Zoning
12518211027	U(PCD)	PD
12518211028	U(PCD)	PD
12518211029	U(PCD)	PD
12518211030	U(PCD)	PD
12518211031	U(PCD)	PD
12518211032	U(PCD)	PD
12518211033	U(PCD)	PD
12518211034	U(PCD)	PD
12518211035	U(PCD)	PD
12518211036	U(PCD)	PD
12518211037	U(PCD)	PD
12518211038	U(PCD)	PD
12518211039	U(PCD)	PD
12518211040	U(PCD)	PD
12518211041	U(PCD)	PD
12518211042	U(PCD)	PD
12518211043	U(PCD)	PD
12518211044	U(PCD)	PD
12518211045	U(PCD)	PD
12518211046	U(PCD)	PD
12518211047	U(PCD)	PD
12518211048	U(PCD)	PD
12518211049	U(PCD)	PD
12518211050	U(PCD)	PD
12518211051	U(PCD)	PD
12518211052	U(PCD)	PD
12518211053	U(PCD)	PD
12518211054	U(PCD)	PD
12518211055	U(PCD)	PD
12518211056	U(PCD)	PD
12518211057	U(PCD)	PD
12518211058	U(PCD)	PD
12518211059	U(PCD)	PD
12518211060	U(PCD)	PD
12518297022	U(PCD)	PD
12518297023	U(PCD)	PD
12518297024	U(PCD)	PD
12518297025	U(PCD)	PD
12518297026	U(PCD)	PD
12518297027	U(PCD)	PD
12518297028	U(PCD)	PD
12518297029	U(PCD)	PD
12518297030	U(PCD)	PD
12518714001	U(L)	R-PD5
12518714002	U(L)	R-PD5

PARCEL	Current Zoning	New Zoning
12518714003	U(L)	R-PD5
12518714004	U(L)	R-PD5
12518714005	U(L)	R-PD5
12518714006	U(L)	R-PD5
12518714007	U(L)	R-PD5
12518714008	U(L)	R-PD5
12518714009	U(L)	R-PD5
12518714010	U(L)	R-PD5
12518714011	U(L)	R-PD5
12518714012	U(L)	R-PD5
12518714013	U(L)	R-PD5
12518714014	U(L)	R-PD5
12518714015	U(L)	R-PD5
12518714016	U(L)	R-PD5
12518714017	U(L)	R-PD5
12518714018	U(L)	R-PD5
12518714019	U(L)	R-PD5
12518714020	U(L)	R-PD5
12518714021	U(L)	R-PD5
12518714022	U(L)	R-PD5
12518714023	U(L)	R-PD5
12518714024	U(L)	R-PD5
12518714025	U(L)	R-PD5
12518714026	U(L)	R-PD5
12518714027	U(L)	R-PD5
12518714028	U(L)	R-PD5
12518714029	U(L)	R-PD5
12518714030	U(L)	R-PD5
12518714031	U(L)	R-PD5
12518714032	U(L)	R-PD5
12518714033	U(L)	R-PD5
12518714034	U(L)	R-PD5
12518714035	U(L)	R-PD5
12518714036	U(L)	R-PD5
12518714037	U(L)	R-PD5
12518714038	U(L)	R-PD5
12518714039	U(L)	R-PD5
12518714040	U(L)	R-PD5
12518714041	U(L)	R-PD5
12518714042	U(L)	R-PD5
12518714043	U(L)	R-PD5
12518714044	U(L)	R-PD5
12518714045	U(L)	R-PD5
12518714046	U(L)	R-PD5
12518714047	U(L)	R-PD5

PARCEL	Current Zoning	New Zoning
12518714048	U(L)	R-PD5
12518714049	U(L)	R-PD5
12518714050	U(L)	R-PD5
12518714051	U(L)	R-PD5
12518714052	U(L)	R-PD5
12518714053	U(L)	R-PD5
12518714054	U(L)	R-PD5
12518714055	U(L)	R-PD5
12518714056	U(L)	R-PD5
12518714057	U(L)	R-PD5
12518714058	U(L)	R-PD5
12518714059	U(L)	R-PD5
12518714060	U(L)	R-PD5
12518714061	U(L)	R-PD5
12518714062	U(L)	R-PD5
12518797021	U(L)	R-PD5
12518797022	U(L)	R-PD5
12519710001	U(R)	R-PD3
12519710002	U(R)	R-PD3
12519710003	U(R)	R-PD3
12519710004	U(R)	R-PD3
12519710005	U(R)	R-PD3
12519710006	U(R)	R-PD3
12519710007	U(R)	R-PD3
12519710008	U(R)	R-PD3
12519710009	U(R)	R-PD3
12519710010	U(R)	R-PD3
12519710011	U(R)	R-PD3
12519710012	U(R)	R-PD3
12519710013	U(R)	R-PD3
12519710014	U(L)	R-PD4
12519710015	U(L)	R-PD4
12519710016	U(L)	R-PD4
12519710017	U(L)	R-PD4
12519710018	U(L)	R-PD4
12519710019	U(L)	R-PD4
12519710020	U(L)	R-PD4
12519710021	U(L)	R-PD4
12519710022	U(L)	R-PD4
12519710023	U(L)	R-PD4
12519710024	U(L)	R-PD4
12519710025	U(L)	R-PD4
12519710026	U(L)	R-PD4
12519710027	U(L)	R-PD4
12519710028	U(L)	R-PD4

PARCEL	Current Zoning	New Zoning
12519710029	U(L)	R-PD4
12519710030	U(L)	R-PD4
12519710031	U(L)	R-PD4
12519710032	U(L)	R-PD4
12519710033	U(L)	R-PD4
12519710034	U(L)	R-PD4
12519710035	U(L)	R-PD4
12519710036	U(L)	R-PD4
12519710037	U(L)	R-PD4
12519710038	U(L)	R-PD4
12519710039	U(R)	R-PD3
12519710040	U(L)	R-PD4
12519710041	U(L)	R-PD4
12519710042	U(L)	R-PD4
12519710043	U(L)	R-PD4
12519710044	U(L)	R-PD4
12519710045	U(L)	R-PD4
12519710046	U(L)	R-PD4
12519710047	U(L)	R-PD4
12519710048	U(L)	R-PD4
12519710049	U(L)	R-PD4
12519710050	U(L)	R-PD4
12519710051	U(R)	R-PD3
12519710052	U(R)	R-PD3
12519710053	U(R)	R-PD3
12519710054	U(R)	R-PD3
12519710055	U(R)	R-PD3
12519710056	U(R)	R-PD3
12519710057	U(L)	R-PD4
12519710058	U(L)	R-PD4
12519710059	U(L)	R-PD4
12519710060	U(L)	R-PD4
12519710061	U(L)	R-PD4
12519710062	U(L)	R-PD4
12519710063	U(L)	R-PD4
12519710064	U(L)	R-PD4
12519797001	U(R)	R-PD3
12519797002	U(L)	R-PD4
12519797003	U(R)	R-PD3
12519797004	U(L)	R-PD4
12519797005	U(L)	R-PD4
12519797006	U(R)	R-PD3
12519797007	U(L)	R-PD4
12519797008	U(L)	R-PD4
12520214001	U(TC)	T-C

PARCEL	Current Zoning	New Zoning
12520214002	U(TC)	T-C
12520214003	U(TC)	T-C
12520214004	U(TC)	T-C
12520214005	U(TC)	T-C
12520214006	U(TC)	T-C
12520214007	U(TC)	T-C
12520214008	U(TC)	T-C
12520214009	U(TC)	T-C
12520214010	U(TC)	T-C
12520214011	U(TC)	T-C
12520214012	U(TC)	T-C
12520214013	U(TC)	T-C
12520214014	U(TC)	T-C
12520214015	U(TC)	T-C
12520214016	U(TC)	T-C
12520214017	U(TC)	T-C
12520214018	U(TC)	T-C
12520214019	U(TC)	T-C
12520214020	U(TC)	T-C
12520214021	U(TC)	T-C
12520214022	U(TC)	T-C
12520214023	U(TC)	T-C
12520214024	U(TC)	T-C
12520214025	U(TC)	T-C
12520214026	U(TC)	T-C
12520214027	U(TC)	T-C
12520214028	U(TC)	T-C
12520214029	U(TC)	T-C
12520214030	U(TC)	T-C
12520214031	U(TC)	T-C
12520214032	U(TC)	T-C
12520214033	U(TC)	T-C
12520214034	U(TC)	T-C
12520214035	U(TC)	T-C
12520214036	U(TC)	T-C
12520214037	U(TC)	T-C
12520214038	U(TC)	T-C
12520214039	U(TC)	T-C
12520214040	U(TC)	T-C
12520214041	U(TC)	T-C
12520214042	U(TC)	T-C
12520214043	U(TC)	T-C
12520214044	U(TC)	T-C
12520214045	U(TC)	T-C
12520214046	U(TC)	T-C

PARCEL	Current Zoning	New Zoning
12520214047	U(TC)	T-C
12520214048	U(TC)	T-C
12520214049	U(TC)	T-C
12520214050	U(TC)	T-C
12520214051	U(TC)	T-C
12520214052	U(TC)	T-C
12520214053	U(TC)	T-C
12520214054	U(TC)	T-C
12520214055	U(TC)	T-C
12520214056	U(TC)	T-C
12520214057	U(TC)	T-C
12520214058	U(TC)	T-C
12520214059	U(TC)	T-C
12520214060	U(TC)	T-C
12520214061	U(TC)	T-C
12520214062	U(TC)	T-C
12520214063	U(TC)	T-C
12520214064	U(TC)	T-C
12520214065	U(TC)	T-C
12520214066	U(TC)	T-C
12520214067	U(TC)	T-C
12520214068	U(TC)	T-C
12520214069	U(TC)	T-C
12520214070	U(TC)	T-C
12520214071	U(TC)	T-C
12520214072	U(TC)	T-C
12520214073	U(TC)	T-C
12520214074	U(TC)	T-C
12520214075	U(TC)	T-C
12520214076	U(TC)	T-C
12520214077	U(TC)	T-C
12520214078	U(TC)	T-C
12520214079	U(TC)	T-C
12520214080	U(TC)	T-C
12520214081	U(TC)	T-C
12520214082	U(TC)	T-C
12520214083	U(TC)	T-C
12520214084	U(TC)	T-C
12520214085	U(TC)	T-C
12520214086	U(TC)	T-C
12520214087	U(TC)	T-C
12520214088	U(TC)	T-C
12520214089	U(TC)	T-C
12520214090	U(TC)	T-C
12520297017	U(TC)	T-C

PARCEL	Current Zoning	New Zoning
12520297018	U(TC)	T-C
12524612095	R-E	R-PD6
12526311001	U(DR)	R-PD2
12526311002	U(DR)	R-PD2
12526311003	U(DR)	R-PD2
12526311004	U(DR)	R-PD2
12526311005	U(DR)	R-PD2
12526311006	U(DR)	R-PD2
12526311007	U(DR)	R-PD2
12526311008	U(DR)	R-PD2
12526311009	U(DR)	R-PD2
12526311010	U(DR)	R-PD2
12526311011	U(DR)	R-PD2
12526311012	U(DR)	R-PD2
12526311013	U(DR)	R-PD2
12526311014	U(DR)	R-PD2
12526311015	U(DR)	R-PD2
12526311016	U(DR)	R-PD2
12526397001	U(DR)	R-PD2
12526397002	U(DR)	R-PD2
12526397003	U(DR)	R-PD2
12526397004	U(DR)	R-PD2
12526397005	U(DR)	R-PD2
12526397006	U(DR)	R-PD2
12526611001	R-E	R-PD3
12526611002	R-E	R-PD3
12526611003	R-E	R-PD3
12526611004	R-E	R-PD3
12526611005	R-E	R-PD3
12526611006	R-E	R-PD3
12526611007	R-E	R-PD3
12526611008	R-E	R-PD3
12526611009	R-E	R-PD3
12526611010	R-E	R-PD3
12526611011	R-E	R-PD3
12526611012	R-E	R-PD3
12526611013	R-E	R-PD3
12526611014	R-E	R-PD3
12526611015	R-E	R-PD3
12526611016	R-E	R-PD3
12526611017	R-E	R-PD3
12526611018	R-E	R-PD3
12526611019	R-E	R-PD3
12526611020	R-E	R-PD3
12526611021	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12526611022	R-E	R-PD3
12526611023	R-E	R-PD3
12526611024	R-E	R-PD3
12526611025	R-E	R-PD3
12526611026	R-E	R-PD3
12526611027	R-E	R-PD3
12526611028	R-E	R-PD3
12526611029	R-E	R-PD3
12526611030	R-E	R-PD3
12526611031	R-E	R-PD3
12526611032	R-E	R-PD3
12526611033	R-E	R-PD3
12526611034	R-E	R-PD3
12526611035	R-E	R-PD3
12526611036	R-E	R-PD3
12526611037	R-E	R-PD3
12526611038	R-E	R-PD3
12526611039	R-E	R-PD3
12526611040	R-E	R-PD3
12526611041	R-E	R-PD3
12526611042	R-E	R-PD3
12526611043	R-E	R-PD3
12526611044	R-E	R-PD3
12526611045	R-E	R-PD3
12526611046	R-E	R-PD3
12526611047	R-E	R-PD3
12526611048	R-E	R-PD3
12526611049	R-E	R-PD3
12526611050	R-E	R-PD3
12526611051	R-E	R-PD3
12526611052	R-E	R-PD3
12526611053	R-E	R-PD3
12526611054	R-E	R-PD3
12526611055	R-E	R-PD3
12526611056	R-E	R-PD3
12526611057	R-E	R-PD3
12526611058	R-E	R-PD3
12526611059	R-E	R-PD3
12526611060	R-E	R-PD3
12526611061	R-E	R-PD3
12526611062	R-E	R-PD3
12526611063	R-E	R-PD3
12526611064	R-E	R-PD3
12526611065	R-E	R-PD3
12526611066	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12526611067	R-E	R-PD3
12526611068	R-E	R-PD3
12526611069	R-E	R-PD3
12526611070	R-E	R-PD3
12526611071	R-E	R-PD3
12526611072	R-E	R-PD3
12526611073	R-E	R-PD3
12526611074	R-E	R-PD3
12526611075	R-E	R-PD3
12526611076	R-E	R-PD3
12526611077	R-E	R-PD3
12526611078	R-E	R-PD3
12526611079	R-E	R-PD3
12526611080	R-E	R-PD3
12526611081	R-E	R-PD3
12526611082	R-E	R-PD3
12526611083	R-E	R-PD3
12526611084	R-E	R-PD3
12526611085	R-E	R-PD3
12526611086	R-E	R-PD3
12526611087	R-E	R-PD3
12526611088	R-E	R-PD3
12526611089	R-E	R-PD3
12526611090	R-E	R-PD3
12526611091	R-E	R-PD3
12526611092	R-E	R-PD3
12526611093	R-E	R-PD3
12526611094	R-E	R-PD3
12526611095	R-E	R-PD3
12526611096	R-E	R-PD3
12526611097	R-E	R-PD3
12526611098	R-E	R-PD3
12526697008	R-E	R-PD3
12526697009	R-E	R-PD3
12526697010	R-E	R-PD3
12526697011	R-E	R-PD3
12527511001	R-E	R-PD3
12527511002	R-E	R-PD3
12527511003	R-E	R-PD3
12527511004	R-E	R-PD3
12527511005	R-E	R-PD3
12527511006	R-E	R-PD3
12527511007	R-E	R-PD3
12527511008	R-E	R-PD3
12527511009	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12527511010	R-E	R-PD3
12527511011	R-E	R-PD3
12527511012	R-E	R-PD3
12527511013	R-E	R-PD3
12527511014	R-E	R-PD3
12527511015	R-E	R-PD3
12527511016	R-E	R-PD3
12527511017	R-E	R-PD3
12527511018	R-E	R-PD3
12527511019	R-E	R-PD3
12527511020	R-E	R-PD3
12527511021	R-E	R-PD3
12527511022	R-E	R-PD3
12527511023	R-E	R-PD3
12527511024	R-E	R-PD3
12527511025	R-E	R-PD3
12527511026	R-E	R-PD3
12527511027	R-E	R-PD3
12527511028	R-E	R-PD3
12527511029	R-E	R-PD3
12527511030	R-E	R-PD3
12527597006	R-E	R-PD3
12527597007	R-E	R-PD3
12527597008	R-E	R-PD3
12533311001	R-E	R-PD3
12533311002	R-E	R-PD3
12533311003	R-E	R-PD3
12533311004	R-E	R-PD3
12533311005	R-E	R-PD3
12533311006	R-E	R-PD3
12533311007	R-E	R-PD3
12533311008	R-E	R-PD3
12533311009	R-E	R-PD3
12533311010	R-E	R-PD3
12533311011	R-E	R-PD3
12533311012	R-E	R-PD3
12533311013	R-E	R-PD3
12533311014	R-E	R-PD3
12533311015	R-E	R-PD3
12533311016	R-E	R-PD3
12533311017	R-E	R-PD3
12533311018	R-E	R-PD3
12533311019	R-E	R-PD3
12533311020	R-E	R-PD3
12533311021	R-E	R-PD3

PARCEL	Current Zoning	New Zoning
12533397006	R-E	R-PD3
12533397007	R-E	R-PD3
12533397008	R-E	R-PD3
12535713001	U(R)	R-PD3
12535713002	U(R)	R-PD3
12535713003	U(R)	R-PD3
12535713004	U(R)	R-PD3
12535713005	U(R)	R-PD3
12535713006	U(R)	R-PD3
12535713007	U(R)	R-PD3
12535713008	U(R)	R-PD3
12535713009	U(R)	R-PD3
12535713010	U(R)	R-PD3
12535713011	U(R)	R-PD3
12535713012	U(R)	R-PD3
12535713013	U(R)	R-PD3
12535713014	U(R)	R-PD3
12535713015	U(R)	R-PD3
12535713016	U(R)	R-PD3
12535713017	U(R)	R-PD3
12535713018	U(R)	R-PD3
12535713019	U(R)	R-PD3
12535713020	U(R)	R-PD3
12535713021	U(R)	R-PD3
12535797001	U(R)	R-PD3
12535797002	U(R)	R-PD3
13712110001	U(PCD)	PD
13712110002	U(PCD)	PD
13712110003	U(PCD)	PD
13712110004	U(PCD)	PD
13712110005	U(PCD)	PD
13712110006	U(PCD)	PD
13712110007	U(PCD)	PD
13712110008	U(PCD)	PD
13712110009	U(PCD)	PD
13712110010	U(PCD)	PD
13712110011	U(PCD)	PD
13712110012	U(PCD)	PD
13712110013	U(PCD)	PD
13712110014	U(PCD)	PD
13712110015	U(PCD)	PD
13712110016	U(PCD)	PD
13712110017	U(PCD)	PD
13712110018	U(PCD)	PD
13712110019	U(PCD)	PD

PARCEL	Current Zoning	New Zoning
13712110020	U(PCD)	PD
13712110021	U(PCD)	PD
13712110022	U(PCD)	PD
13712110023	U(PCD)	PD
13712110024	U(PCD)	PD
13712110025	U(PCD)	PD
13712110026	U(PCD)	PD
13712110027	U(PCD)	PD
13712110028	U(PCD)	PD
13712110029	U(PCD)	PD
13712110030	U(PCD)	PD
13712110031	U(PCD)	PD
13712110032	U(PCD)	PD
13712197001	U(PCD)	PD
13712197002	U(PCD)	PD
13712197003	U(PCD)	PD
13712197004	U(PCD)	PD
13712212063	U(PCD)	PD
13712212064	U(PCD)	PD
13712212065	U(PCD)	PD
13712212066	U(PCD)	PD
13712212067	U(PCD)	PD
13712212068	U(PCD)	PD
13712212069	U(PCD)	PD
13712212070	U(PCD)	PD
13712212071	U(PCD)	PD
13712212072	U(PCD)	PD
13712212073	U(PCD)	PD
13712212074	U(PCD)	PD
13712212075	U(PCD)	PD
13712212076	U(PCD)	PD
13712212077	U(PCD)	PD
13712212078	U(PCD)	PD
13712212079	U(PCD)	PD
13712212080	U(PCD)	PD
13712212253	U(PCD)	PD
13712212254	U(PCD)	PD
13712212255	U(PCD)	PD
13712212256	U(PCD)	PD
13712212257	U(PCD)	PD
13712212258	U(PCD)	PD
13712212259	U(PCD)	PD
13712212260	U(PCD)	PD
13712212261	U(PCD)	PD
13712212262	U(PCD)	PD

PARCEL	Current Zoning	New Zoning
13712212263	U(PCD)	PD
13712212264	U(PCD)	PD
13712212265	U(PCD)	PD
13712212266	U(PCD)	PD
13712212267	U(PCD)	PD
13712212268	U(PCD)	PD
13712212269	U(PCD)	PD
13712212270	U(PCD)	PD
13712212271	U(PCD)	PD
13712212272	U(PCD)	PD
13712212273	U(PCD)	PD
13712212274	U(PCD)	PD
13712212275	U(PCD)	PD
13712212276	U(PCD)	PD
13712212277	U(PCD)	PD
13712212278	U(PCD)	PD
13712212279	U(PCD)	PD
13712212280	U(PCD)	PD
13712212281	U(PCD)	PD
13712212282	U(PCD)	PD
13712297012	U(PCD)	PD
13712297025	U(PCD)	PD
13712297026	U(PCD)	PD
13712501015	U(PF)	PD
13712514000	U(PCD)	PD
13803316001	U(ML)	R-PD8
13803316002	U(ML)	R-PD8
13803316003	U(ML)	R-PD8
13803316004	U(ML)	R-PD8
13803316005	U(ML)	R-PD8
13803316006	U(ML)	R-PD8
13803316007	U(ML)	R-PD8
13803316008	U(ML)	R-PD8
13803316009	U(ML)	R-PD8
13803316010	U(ML)	R-PD8
13803316011	U(ML)	R-PD8
13803316012	U(ML)	R-PD8
13803316013	U(ML)	R-PD8
13803316014	U(ML)	R-PD8
13803316015	U(ML)	R-PD8
13803316016	U(ML)	R-PD8
13803316017	U(ML)	R-PD8
13803397020	U(ML)	R-PD8
13803397021	U(ML)	R-PD8
13803397022	U(ML)	R-PD8

PARCEL	Current Zoning	New Zoning
13804411001	R-E	R-1
13804411002	R-E	R-1
13804411003	R-E	R-1
13804411004	R-E	R-1
13804411005	R-E	R-1
13804411006	R-E	R-1
13804411007	R-E	R-1
13804411008	R-E	R-1
13804411009	R-E	R-1
13804411010	U(L)	R-1
13804411011	U(L)	R-1
13804411012	U(L)	R-1
13804411013	U(L)	R-1
13804411014	U(L)	R-1
13804411015	U(L)	R-1
13804411016	U(L)	R-1
13804411017	U(L)	R-1
13804411018	R-E	R-1
13804411019	R-E	R-1
13804411020	R-E	R-1
13804411021	R-E	R-1
13804411022	R-E	R-1
13804411023	R-E	R-1
13804411024	R-E	R-1
13804411025	R-E	R-1
13804411026	R-E	R-1
13804497001	R-E	R-1
13804497002	R-E	R-1
13804497003	R-E	R-1
13804497004	U(L)	R-1
13808115001	U(L)	R-PD5
13808115002	U(L)	R-PD5
13808115003	U(L)	R-PD5
13808115004	U(L)	R-PD5
13808115005	U(L)	R-PD5
13808115006	U(L)	R-PD5
13808115007	U(L)	R-PD5
13808115008	U(L)	R-PD5
13808115009	U(L)	R-PD5
13808115010	U(L)	R-PD5
13808115011	U(L)	R-PD5
13808115012	U(L)	R-PD5
13808115013	U(L)	R-PD5
13808115014	U(L)	R-PD5
13808115015	U(L)	R-PD5

PARCEL	Current Zoning	New Zoning
13808115016	U(L)	R-PD5
13808115017	U(L)	R-PD5
13808115018	U(L)	R-PD5
13808115019	U(L)	R-PD5
13808115020	U(L)	R-PD5
13808115021	U(L)	R-PD5
13808115022	U(L)	R-PD5
13808115023	U(L)	R-PD5
13808115024	U(L)	R-PD5
13808115025	U(L)	R-PD5
13808115026	U(L)	R-PD5
13808115027	U(L)	R-PD5
13808115028	U(L)	R-PD5
13808115029	U(L)	R-PD5
13808115030	U(L)	R-PD5
13808115031	U(L)	R-PD5
13808115032	U(L)	R-PD5
13808115033	U(L)	R-PD5
13808115034	U(L)	R-PD5
13808115035	U(L)	R-PD5
13808115036	U(L)	R-PD5
13808115037	U(L)	R-PD5
13808115038	U(L)	R-PD5
13808115039	U(L)	R-PD5
13808115040	U(L)	R-PD5
13808115041	U(L)	R-PD5
13808115042	U(L)	R-PD5
13808115043	U(L)	R-PD5
13808115044	U(L)	R-PD5
13808115045	U(L)	R-PD5
13808115046	U(L)	R-PD5
13808115047	U(L)	R-PD5
13808115048	U(L)	R-PD5
13808115049	U(L)	R-PD5
13808115050	U(L)	R-PD5
13808115051	U(L)	R-PD5
13808115052	U(L)	R-PD5
13808115053	U(L)	R-PD5
13808115054	U(L)	R-PD5
13808115055	U(L)	R-PD5
13808115056	U(L)	R-PD5
13808115057	U(L)	R-PD5
13808197004	U(L)	R-PD5
13808197005	U(L)	R-PD5
13808197006	U(L)	R-PD5

PARCEL	Current Zoning	New Zoning
13808197007	U(L)	R-PD5
13808197008	U(L)	R-PD5
13808197009	U(L)	R-PD5
13808197010	U(L)	R-PD5
13809127001	U(ML)	R-PD5
13809127002	U(ML)	R-PD5
13809127003	U(ML)	R-PD5
13809127004	U(ML)	R-PD5
13809127005	U(ML)	R-PD5
13809127006	U(ML)	R-PD5
13809127007	U(ML)	R-PD5
13809127008	U(ML)	R-PD5
13809127009	U(ML)	R-PD5
13809127010	U(ML)	R-PD5
13809127011	U(ML)	R-PD5
13809127012	U(ML)	R-PD5
13809127013	U(ML)	R-PD5
13809197014	U(ML)	R-PD5
13809619001	U(L)	R-PD5
13809619002	U(L)	R-PD5
13809619003	U(L)	R-PD5
13809619004	U(L)	R-PD5
13809619005	U(L)	R-PD5
13809619006	U(L)	R-PD5
13809619007	U(L)	R-PD5
13809619008	U(L)	R-PD5
13809619009	U(L)	R-PD5
13809619010	U(L)	R-PD5
13809619011	U(L)	R-PD5
13809619012	U(L)	R-PD5
13809619013	U(L)	R-PD5
13809619014	U(L)	R-PD5
13809620002	U(L)	R-PD5
13809620003	U(L)	R-PD5
13809620004	U(L)	R-PD5
13809620005	U(L)	R-PD5
13809620006	U(L)	R-PD5
13809620007	U(L)	R-PD5
13809620008	U(L)	R-PD5
13809620009	U(L)	R-PD5
13809620010	U(L)	R-PD5
13809620011	U(L)	R-PD5
13809620012	U(L)	R-PD5
13809620013	U(L)	R-PD5
13809620014	U(L)	R-PD5

PARCEL	Current Zoning	New Zoning
13809697006	U(L)	R-PD5
13809697007	U(L)	R-PD5
13809697008	U(L)	R-PD5
13823201005	U(M)	R-3
13828501013	U(M)	R-2
13919113001	C-2	R-3
13919611004	C-2	R-3
13919612000	C-2	R-3
13920802007	U(M)	R-2
13925407005	R-E	R-3
13929704028	R-1	R-4
13929704028	R-E	R-4
13929704029	R-1	R-4
13929704029	R-E	R-4
13929704036	R-1	R-4
13929704037	C-1	R-4
13932405024	R-A	R-E
13933212001	R-1	R-PD7
13933212002	R-1	R-PD7
13933212003	R-1	R-PD7
13933212004	R-1	R-PD7
13933212005	R-1	R-PD7
13933212006	R-1	R-PD7
13933212007	R-1	R-PD7
13933212008	R-1	R-PD7
13933212009	R-1	R-PD7
13933212010	R-1	R-PD7
13933212011	R-1	R-PD7
13933212012	R-1	R-PD7
13933212013	R-1	R-PD7
13933212014	R-1	R-PD7
13933212015	R-1	R-PD7
13933212016	R-1	R-PD7
13933212017	R-1	R-PD7
13933212018	R-1	R-PD7
13933212019	R-1	R-PD7
13933212020	R-1	R-PD7
13933212021	R-1	R-PD7
13933212022	R-1	R-PD7
13933212023	R-1	R-PD7
13933212024	R-1	R-PD7
13933212025	R-1	R-PD7
13933212026	R-1	R-PD7
13933212027	R-1	R-PD7
13933212028	R-1	R-PD7

PARCEL	Current Zoning	New Zoning
13933212029	R-1	R-PD7
13933212030	R-1	R-PD7
13933212031	R-1	R-PD7
13933212032	R-1	R-PD7
13933212033	R-1	R-PD7
13933212034	R-1	R-PD7
13933212035	R-1	R-PD7
13933212036	R-1	R-PD7
13933212037	R-1	R-PD7
13933212038	R-1	R-PD7
13933212039	R-1	R-PD7
13933212040	R-1	R-PD7
13933212041	R-1	R-PD7
13933212042	R-1	R-PD7
13933212043	R-1	R-PD7
13933212044	R-1	R-PD7
13933212045	R-1	R-PD7
13933212046	R-1	R-PD7
13933212047	R-1	R-PD7
13933212048	R-1	R-PD7

PARCEL	Current Zoning	New Zoning
13933212049	R-1	R-PD7
13933212050	R-1	R-PD7
13933212051	R-1	R-PD7
13933212052	R-1	R-PD7
13933212053	R-1	R-PD7
13933212054	R-1	R-PD7
13933212055	R-1	R-PD7
13933212056	R-1	R-PD7
13933212057	R-1	R-PD7
13933212058	R-1	R-PD7
13933212059	R-1	R-PD7
13933212060	R-1	R-PD7
13933212061	R-1	R-PD7
13933212062	R-1	R-PD7
13933212063	R-1	R-PD7
13933212064	R-1	R-PD7
13933212065	R-1	R-PD7
13933212066	R-1	R-PD7
13933212067	R-1	R-PD7
13933212068	R-1	R-PD7

PARCEL	Current Zoning	New Zoning
13933212069	R-1	R-PD7
13933212070	R-1	R-PD7
13933212071	R-1	R-PD7
13933212072	R-1	R-PD7
13933212073	R-1	R-PD7
13933212074	R-1	R-PD7
13933212075	R-1	R-PD7
13933297001	R-1	R-PD7
13933297002	R-1	R-PD7
13933297003	R-1	R-PD7
13933297004	R-1	R-PD7
13933297005	R-1	R-PD7
13933297006	R-1	R-PD7
13935201001	R-4	R-4
14030802006	R-E	R-PD25
16303501004	U(M)	R-PD19
16303501005	U(M)	R-PD19
21509897016	R-E	R-PD4

City of Las Vegas

Agenda Item No. 81

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

MARGO WHEELER, Director of Planning and Development Department, clarified that a letter was received from the applicant requesting an abeyance for Item 98 [ROC-6081].

(1:04 - 1:09)

3-1

City of Las Vegas

Agenda Item No. 82

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 601 S. Casino Center Boulevard. PROPERTY OWNERS: CLUB RENAISSANCE PARTNERS LLC - Ward 1 (Tarkanian)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$3,048.15
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired K.O. Construction to board and secure all doors, windows, and openings, remove the two junk/inoperable vehicles (Chevrolet truck and Oldsmobile four-door) from the property, remove all bags, buckets, appliances, trash cans, boxes, tarps, etc from the property, remove all litter and vagrant material from all yards, and post "No Trespassing, No Dumping and No Vehicles" signs.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $3,048.15 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

TARKANIAN - APPROVED the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and read the purpose/background regarding the condition of the property as a public hazard and an attractive nuisance requiring the described abatement. MR. SANCHEZ recommended the City Council

MINUTES - Continued:

approve the report of expenses in the amount of $3,048.15; $2,367.96 to K.O. Construction, $325 boarding fee, and a 15 percent administrative fee of $355.19. He recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

MAYOR GOODMAN was surprised to see that this abatement was for a Railroad Cottage. This historical building was probably built before 1915 and was intended to be moved as part of the Centennial Celebration from that location over to the Las Vegas Springs Preserve. He was amazed the owner allowed the home to get into that kind of condition. He directed MR. SANCHEZ to contact Club Renaissance to make them aware that these cottages need to be treated delicately. He does not want to see these Railroad Cottages disturbed.

MARGO WHEELER, Director of Planning and Development Department, confirmed that staff is working with the owner on these cottages. Those cottages that cannot be moved will be salvaged for their parts and will be used to reconstruct the cottages at the Las Vegas Springs Preserve. She will work with MR. SANCHEZ'S staff to help coordinate such move.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:09 - 1:11)
3-98

City of Las Vegas

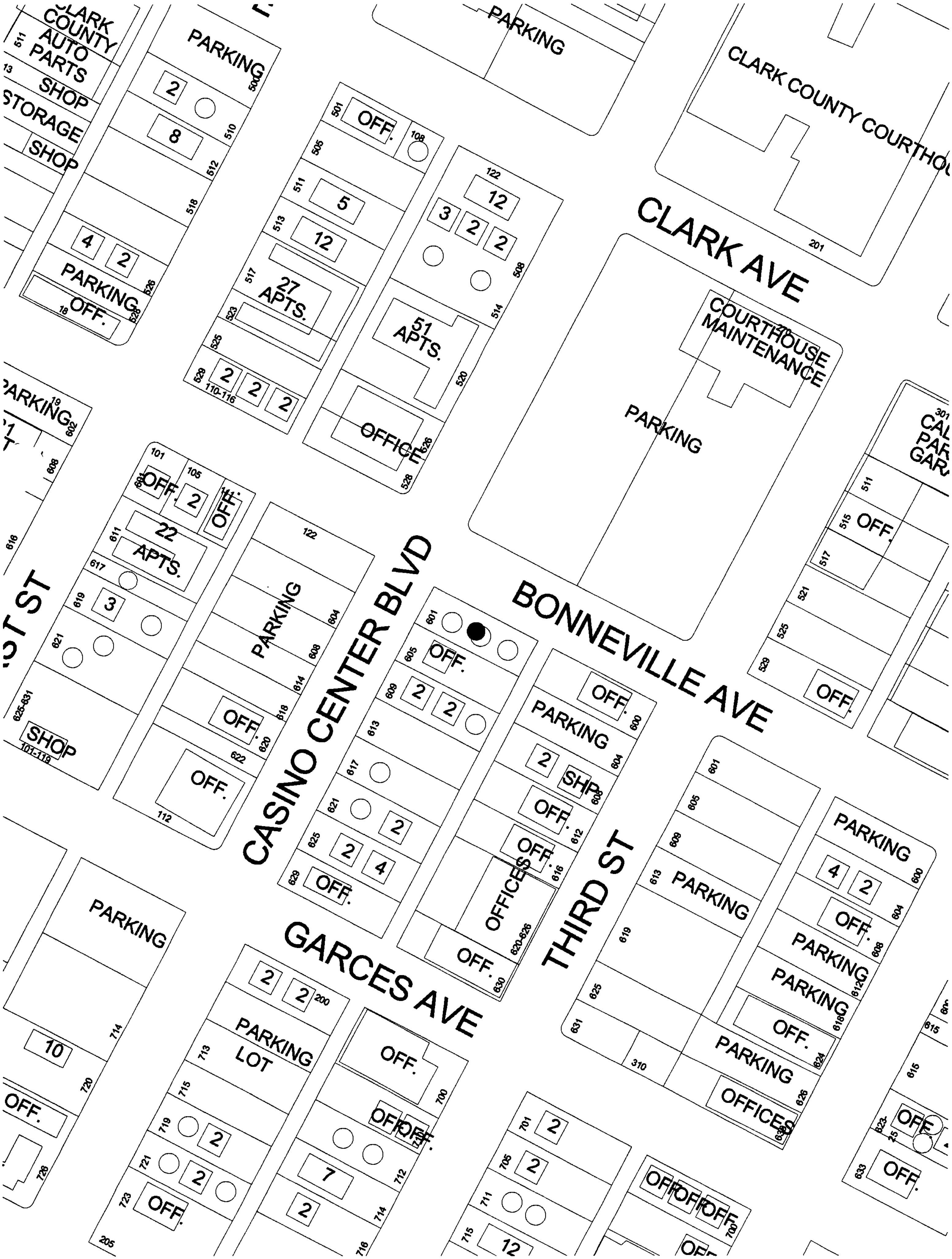
AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 601 S. Casino Center Boulevard. PROPERTY OWNERS: CLUB RENAISSANCE PARTNERS LLC – Ward 1 (Tarkanian)

K.O. Construction completed work on January 30, 2005 at a cost of $2,367.96, a boarding fee of $325.00, plus a 15% administrative fee, for a total of $3,048.15.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Dangerous Building", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


CLARK COUNTY COURTHOUSE
CLARK AVE
COURTHOUSE MAINTENANCE
PARKING
BONNEVILLE AVE
CASINO CENTER BLVD
THIRD ST
GARCES AVE
CLARK COUNTY AUTO PARTS
SHOP
STORAGE
27 APTS.
51 APTS.
22 APTS.
OFFICE
OFFICES
OFF.
SHP
PARKING LOT

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: February 25, 2005

Re: Report of Expenses for the abatement of Nuisance/Litter located at 601 S. Casino Center Boulevard - Ward 1 (Tarkanian)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by boarding and securing all doors, windows, and openings, removing the two junk/inoperable vehicles (Chevrolet truck and Oldsmobile four-door) from the property, removing all bags, buckets, appliances, trash cans, boxes, tarps, etc from the property, removing all litter and vagrant material from all yards, and posting "No Trespassing, No Dumping and No Vehicles" signs. K.O. Construction completed work on January 30, 2005 at a cost of $2,367.96, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Board/Secure (Doors, Windows and All other openings)	$800.00
Refuse/Waste/Trash/Debris Removal	$800.00
Vegetation Removal	$249.00
Posting Signs	$100.00
Additional Dumpster	$218.96
Additional Labor	$200.00
AMOUNT DUE	**$2,367.96**
Administrative Processing Fee:	$355.19
Boarded Building Certificate:	$325.00
TOTAL AMOUNT DUE:	**$3,048.15**
OWNER OF RECORD:	CLUB RENAISSANCE PARTNERS LLC
PROPERTY ABATED:	601 S. Casino Center Blvd
ASSESSOR PARCEL:	139-34-311-058
LEGAL DESCRIPTION:	CLARKS LAS VEGAS TOWNSITE
	PLAT BOOK 1 PAGE 37
	LOT 1 BLOCK 24 & LOT 2

DSS:jl

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of [Contracting Entity] K.O. CONSTRUCTION INC and all persons and entities holding more than a 1% interest in [Contracting Entity] K.O. CONST INC or any principal of [Contracting Entity] K.O. CONSTRUCTION INC are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. CHRIS HARRISON	4855 W. MAULDING AVE	702-361-4221
2. EDWARD KOPF	LAS VEGAS NV 89139	
3. ROSE KOPF		
4.		
5.		
6.		

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

[Contracting Entity] K.O. CONSTRUCTION INC

By: [signature]

Subscribed and sworn to before me this 28 Day of October 1999.

[signature] Nancy Nickle

Notary Public

NANCY NICKLE
Notary Public - Nevada
No. 88-1453-1
My appt. exp. May 15, 2002

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
IICHAEL MACK
TEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
MARCH 16, 2005

Pursuant to Section 302 of the Uniform Code for the Abatement of Dangerous Buildings, adopted as Section 16.08.010 of the Las Vegas Municipal Code. NOTICE IS HEREBY GIVEN THAT ON **Wednesday, March 16, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the dangerous building by securing all doors, windows, and openings, removing the two junk/inoperable vehicles (Chevrolet truck and Oldsmobile four-door) from the property, removing all bags, buckets, appliances, trash cans, boxes, tarps, etc. from the property, removing all litter and vagrant material from all yards, and posting "No Trespassing No Dumping and No Vehicles" signs on property located at **601 S. CASINO CENTER BOULEVARD** legally described as **CLARKS LAS VEGAS TOWNSITE, PLAT BOOK 1 PAGE 37, LOT 1, BLOCK 24 & LOT 2.** Owner of record at time of abatement: **CLUB RENAISSANCE PARTNERS LLC- Ward 1 (TARKANIAN)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $3,048.15 was expended ($2,367.96 to K. O. Construction for cleaning the property; $325.00 Boarded Building Certificate; and $355.19 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

CASENO 24709 CODEENF **02425-63**

Address: **601 S CASINO CENTER BLVD** **CLV**

TRASH/DEBRIS AND JUNK VEHICLE ON PROPERTY

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13934311058	0.16 ACRE	CLARKS LAS VEGAS TOWNSITE

Owner Information:

10-Aug-02	30-Jun-04	KAUFMAN JERRY J 8380 TURTLE CREEK CIR; LAS VEGAS, NV 89113-0130
30-Jun-04	29-Sep-04	CASINO CENTER DEVELOPMENT L L C 7251 W LAKE MEAD BLVD; LAS VEGAS, NV 89128-8351
29-Sep-04	06-Oct-04	CLUB RENAISSANCE PARTNERS L L C 112 GARCES AVE. STE 130; LAS VEGAS, NV 89101
06-Oct-04		CLUB RENAISSANCE PARTNERS L L C 7251 W LAKE MEAD BLVD #300; LAS VEGAS, NV 89128-8380

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
970581	Failed		12/23/2004	12/20/2004 10:40	12/20/2004 11:00	20
970581	Passed	Partial	12/27/2004	12/24/2004 8:05	12/24/2004 8:10	5
970581	Failed		12/27/2004	12/27/2004 10:10	12/27/2004 10:50	40
860034	Passed	Partial	1/10/2005	12/29/2004 8:43	12/29/2004 8:50	7
970581	Passed	Partial	1/10/2005	01/10/2005 9:31	01/10/2005 9:50	19
870076	Passed	Partial	1/26/2005	01/26/2005 7:40	01/26/2005 7:45	5
870076	Passed	Partial	1/31/2005	01/25/2005 9:45	01/25/2005 10:00	15
870076	Passed	Partial	2/11/2005	01/26/2005 9:15	01/26/2005 10:07	52
870076	Passed		2/11/2005	01/31/2005 9:30	01/31/2005 9:45	15
					Time in Minutes:	**178**

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-VEHICLE	12/20/2004	1/31/2005	ON PROPERTY
REMOVE ALL JUNK/INOPERABLE VEHS FROM PROPERTY			
A-STORAGE	12/20/2004	1/31/2005	ON PROPERTY
REMOVE ALL OUTSIDE STORAGE FROM PROPERTY			
A-REFUSE/WST	12/20/2004	1/31/2005	ON PROPETY
REMOVE ALL REFUSE AND WASTE FROM PROPERTY.			

Log

Type:	*Date:*	*Employee:*	*Min:*
MEET	2/11/2005 8:46:00 AM	JESSICA LARRAMENDY	0
JL) Prepared to go before Council on 3/16/05			
MISC	2/7/2005 7:15:00 AM	KATHY STEWART	0
ks) Sent Invoice ($2,367.96) from KO Construction to Finance for payment. Gave file to Jessica Larramendy for Council.			

VIDPST	1/31/2005 9:30:00 AM	KATHY STEWART	15
24) Post Video Inspection. Secure, clean, painted, vehicles removed, refuse & wate removed, signs posted. Looks great.			
MISC	1/31/2005 7:07:00 AM	KATHY STEWART	0
ks) Received Invoice ($2,367.96) from K O Construction for completion of abatement. E-mailed Pam Hines this information.			
PHONE	1/26/2005 9:40:00 AM	KATHY STEWART	0
Per #24, K O Construction will add an additional cost to bid due to needing another dumpster to remove trash/debris from middle building, interior. Devin Smith okayed additional charges.			
VIDPRE	1/26/2005 9:15:00 AM	KATHY STEWART	52
24) Pre video inspection attached in OLE			
INSP	1/26/2005 7:40:00 AM	KATHY STEWART	5
24) It's raining so I called Chris to see if work still beginning this a.m.. He said yes, @ 9 a.m. He also stated he towed the boat & the van yesterday p.m.			
INSP	1/25/2005 9:45:00 AM	KATHY STEWART	15
24) Walked the property with Chris/KO Const. The 601 building & the middle structure will be secured & the junk, refuse, vehicle & boat are to be removed. Vagrants are in & out of 601 so Metro will be assisting. This paperwork to KS for file & data entry			
INSP	1/25/2005 9:45:00 AM	KATHY STEWART .	15
CONT'D)24) Work to begin 1/26 @ 9 a.m.. Will video (pre) at that time.			
BIDA	1/20/2005 8:10:00 AM	KATHY STEWART	0
ks) Faxed Award letter to KO Construction. Contractor must call within 5 day with a start date. (E-mailed Pam Hines this information)			
DIRECT	1/19/2005 9:02:00 AM	KATHY STEWART	0
Per Devin Smith, Award bid to K.O. Construction.			
BIDR	1/19/2005 6:53:00 AM	KATHY STEWART	0
ks) Received bids from contractors (1) K.O. Construction-$1,949; (2) Weaver, Inc.-$2,330. Sent e-mail to Devin Smith & Pam Hines.			
RESEAR	1/18/2005 10:04:00 AM	PAMELA HINES	13
CONT)12/20 INDICATES HE SPOKE TO A TENANT. IT IS NOT CLEAR FROM THE NOTES IF 26 MEANT FOR MORE THAN 601 TO BE BOARDED SO PHYLLIS WAS ADVISED TO BID 601 ONLY. WE WILL GET IT CLARIFIED ON FRI WHEN 26 RTNS TO WORK.			
RESEAR	1/18/2005 10:04:00 AM	PAMELA HINES	13
24)PHYLLIS @ WEAVER CONST ASKED IF ONLY 601 IS TO BE BOARDED AS THERE ARE 2 OTHER BLDGS ONSITE. THE OTHER BLDGS HAVE BONNEVILLE ADDR'S. THE MIDDLE BLDG IS BOARDED BUT NOT TO SPEC, THE REAR BLDG MAY BE OCCUPIED AS THERE IS REFERENCE IN 26'S NARRATIVE ON			
BIDS	1/12/2005 1:51:00 PM	KATHY STEWART	0
ks) Sent Invitation to Bid to contractors. Bid due by COB 1/18. Invitation to Bid attached in OLE.			
DIRECT	1/11/2005 8:00:00 AM	KATHY STEWART	5
24) Refer to office for bids please.			
INSP	1/10/2005 9:31:00 AM	KATHY STEWART	19
CONT'D)26) Continue abatement to reboard building properly & remove remaining outside storage, trash/debris & refuse/waste.			
INSP	1/10/2005 9:31:00 AM	KATHY STEWART	19
26) Building boarded but not properly; someone has broken in & bldg is now open & accessible again. Junk vehicles & outside storage, refuse/waste has been removed from North & East sides of property, but remain on south side of main bldg. Took PIXs.			
MISC	1/3/2005 7:24:00 AM	KATHY STEWART	0
ks) Sent recorded letter to #26 for filing.			
INSP	12/30/2004 8:43:00 AM	LYNN NIHIPALI	7
27)NO CHANGE			
NOPOST	12/30/2004 8:43:00 AM	LYNN NIHIPALI	7
27)POSTED N&O ON FRONT WINDOW. CB 1/10			
RECORD	12/30/2004 7:16:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated, December 29, 2004 at Clark County. Book: 20041230 Inst: 02499			
NOTICE	12/29/2004 10:30:00 AM	KATHY STEWART	20
ks) Sent Notice & Order to Abate Dangerous Building letter to owner, Club Renaissance Partners, LLC. POST: 12/30. C/B 1/10. Sent file to #26. N&O letter attached in OLE			

NOREQ	12/29/2004 7:49:00 AM	VICTORIA ROSEMORE	0

16) APPROVED N&O AS REQUESTED BY 26. REFERRED TO OFFICE FOR PROCESSING.

INSP	12/27/2004 10:10:00 AM	KATHY STEWART	40

26) Went to property & observed middle bldg open & accessible. Trash/debris & refuse/waste in all yards; 2 junk vehicles on yard & stealing power. Spoke w/Amy @ 112 Garces & she to contact Robert Shumay, is property manager. Prepared N&O & forwarded to

INSP	12/27/2004 10:10:00 AM	KATHY STEWART	40

CONT'D)26) #16. Called NV Power because stealing power & vagrants in building.

INSP	12/24/2004 8:05:00 AM	KATHY STEWART	5

26) They are working on it now. Told them I would be back Monday morning. I will go by 112 Garces Ave., #130. C/B 12/27.

INSP	12/20/2004 10:40:00 AM	MARIA VIGIL	20

26) OBSERVED T/D AND JUNK VEHICLE ON PROPERTY. SPOKE TO TENANT AT 208 AND MAINT MAN CLAYTON. TOLD THEM TO REMOVE ALL VISIBLE O/S, R/W AND JUNK VEHICLES. SENT C/N TO ADDR ON W LAKE MEAD. C/B 12/27

Time in minutes: **310**

APN 139-34-311-058
Ref # - 24709

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: CLUB RENAISSANCE PARTNERS LLC
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**APN 139-34-311-058**
Commonly known as:	**601 S. CASINO CENTER BLVD.**
Legal Description:	**CLARKS LAS VEGAS TOWSNSITE**
	PLAT BOOK 1 PAGE 37
	LOT 1 BLOCK 24 & LOT 2

On **January 30, 2005**, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$3,048.15** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **March 16, 2005**, ordered the above charges in the amount of **$3,048.15**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 21st day of March, 2005

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 83

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4300 Beth Avenue. PROPERTY OWNER: PAMELA C. MILLER TRUST - PAMELA C. MILLER TRS - Ward 5 (Weekly)

Fiscal Impact:

☐	**No Impact**	**Amount:**	$1,397.25
☒	**Budget Funds Available**	**Dept./Division:**	Neigh. Services/Response
☐	**Augmentation Required**	**Funding Source:**	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Construction, Inc. to remove all the water from the swimming pool, remove all refuse/waste/trash/debris from the front of the property and swimming pool. To trim, cut, and remove all weeds and turf grass exceeding eight (8) inches in height from all yards, and posting "No Trespassing, No Dumping and No Vehicles" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of $1,397.25 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

WEEKLY - APPROVED the action of Neighborhood Services - UNANIMOUS

MINUTES:

NOTE: Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and read the purpose/background regarding the condition of the property as a public hazard and an attractive nuisance requiring the described abatement. MR. SANCHEZ recommended the City Council

MINUTES - Continued:

approve the report of expenses in the amount of $1,397.25; $1,215 to Weaver Construction, and a 15 percent administrative fee of $185.25. He recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:11 - 1:13)
3-216

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4300 Beth Avenue. PROPERTY OWNER: PAMELA C. MILLER TRUST - PAMELA C. MILLER TRS – Ward 5 (Weekly)

Weaver Construction, Inc. completed work on February 1, 2005 at a cost of $1,215.00, plus a 15% administrative fee, for a total of $1,397.25.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.


EDWARD AVE
VALLEY DR
WANDA CT
BETH AVE
SAWYER AVE
RUTH DR
CORAN LN

Memorandum

City of Las Vegas
Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: February 25, 2005

Re: Report of Expenses for the abatement of Nuisance/Litter located at 4300 Beth Avenue - Ward 5 (Weekly)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all the water from the swimming pool, removing all refuse/waste/trash/debris from the front of the property and swimming pool. Trimming, cutting, and removing all weeds and turf grass exceeding eight (8) inches in height from all yards, and posting "No Trespassing, No Dumping and No Vehicles" signs on site. Weaver Construction, Inc. completed work on February 1, 2005 at a cost of $1,215.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Refuse/Waste/Trash/Debris Removal	$560.00
Vegetation Removal	$280.00
Swimming Pool: Remove water, trash & debris	$350.00
Posting Signs	$25.00
AMOUNT DUE	**$1,215.00**
Administrative Processing Fee:	$182.25
TOTAL AMOUNT DUE:	**$1,397.25**
OWNER OF RECORD:	PAMELA C. MILLER TRUST
	PAMELA C. MILLER TRS
PROPERTY ABATED:	4300 Beth Avenue
ASSESSOR PARCEL:	139-19-215-070
LEGAL DESCRIPTION:	COLLEGE HGTS #1
	PLAT BOOK 8 PAGE 39
	LOT 162 BLOCK 5

DSS:jl

WEAVER CONSTRUCTION
"GENERAL ENGINEERING"
2590 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA 89115

EXHIBIT A

DISCLOSURE OF PRINCIPALS

The principals and partners of Weaver Construction and all persons and entities holding more than a 1% interest in Weaver Construction or any principal of Weaver Construction are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Phil Weaver	2590 N. Nellis Blvd. LV, NV	644-1088
2.		
3.		
4.		
5.		
6.		

Continue list until full and complete disclosure is made

I certify under penalty of perjury, that the foregoing list is full and complete.

Weaver Construction

BY: Phyllis Weaver

Phyllis Weaver, Office Mgr.

Subscribed and sworn to before me this 28 day of October, 1999.

Stephanie D. Dunn

Notary Public

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
STEPHANIE D. DUNN
Appt. No. 91-2737-1
My Appointment Expires March 1, 2000

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

· ·WRENCE WEEKLY

ICHAEL MACK

, EVE WOLFSON

LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

NOTICE OF PUBLIC HEARING
MARCH 16, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, March 16, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

> Abatement of the property by removing all the water from the swimming pool, removing all refuse/waste/trash/debris from the front of the property and swimming pool; trimming, cutting, and removing all weeds and turf grass exceeding eight (8) inches in height from all yards and posting "No Trespassing No Dumping, and No Vehicles" signs on property located at **4300 BETH AVENUE** legally described as **COLLEGE HGTS #1, PLAT BOOK 8 PAGE 39 LOT 162 BLOCK 5** Owner of record at time of abatement: **PAMELA C. MILLER TRUST, PAMELA C. MILLER TRS. – WARD 5 (WEEKLY)**
>
> The Director of Neighborhood Services certifies in the report that the sum of $1,397.25 was expended ($1,215.00 to Weaver Construction, Inc. for cleaning the property; and $182.25 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

CASENO 24422 CODEENF **02222-44**

Address: **4300 BETH AVE** **CLV**

Swimming pool has green water and 80% empty. Vector Control treated this pool on July 30. At that time the water level was low and the house was vacant. (Per e-mail from Pam Hines)

Parcel(s)

Parcel:	*Size:*	*Subdivision Name:*
13919215070	0.16 ACRE	COLLEGE HGTS #1

Owner Information:

10-Aug-02	MILLER PAMELA C TRUST MILLER PAMELA C TRS 4300 BETH AVE; LAS VEGAS, NV 89108-2804

Inspection Summary

Inspector:	*Status:*		*Scheduled DT:*	*Start Dt:*	*Comp DT:*	*Min:*
940274	Failed		12/14/2004	12/14/2004 9:40	12/14/2004 9:50	10
760052	Passed	Partial	12/31/2004	12/21/2004 13:06	12/21/2004 13:11	5
940274	Passed	Partial	12/31/2004	01/04/2005 12:36	01/04/2005 12:45	9
870076	Passed	Partial	2/4/2005	01/31/2005 7:30	01/31/2005 7:45	15
870076	Passed		2/14/2005	02/08/2005 7:45	02/08/2005 8:05	20
					Time in Minutes:	59

Violation Details

Violation	*Violation DT*	*Resolve DT*	*Location:*
A-WEEDS	12/14/2004	2/8/2005	PROPERTY
REMOVE ALL HIGH/DRY VEGETATION			
A-WATER	12/14/2004	2/8/2005	POOL
DRAIN OR CLEAN POOL WATER AND KEEP MAINTAINED IN SANITARY MANNER			

,og

Type:	*Date:*	*Employee:*	*Min:*
MEET	2/11/2005 8:42:00 AM	JESSICA LARRAMENDY	0
JL) Prepared for Council meeting on 3/16/05.			
MISC	2/8/2005 8:31:00 AM	KATHY STEWART	0
ks) Sent invoice ($1,215) from Weaver, Inc. to Finance for payment. Gave file to Jessica Larramendy for Council.			
VIDPST	2/8/2005 7:45:00 AM	KATHY STEWART	20
24) Post video completed. High bushes cut up to 4 feet from ground so that someone can't hide in them. Pool clean. All vegetation trimmed & small amount of litter gone. Looks good.			
MISC	2/4/2005 1:24:00 PM	KATHY STEWART	0
Received Invoice ($1,215) from Weaver, Inc. for completion of abatement. Sent e-mail to Pam Hines.			
VIDPRE	1/31/2005 7:30:00 AM	KATHY STEWART	15
24) Pre-video Inspection. The weeds in front yard were whacked flat but not removed. Overgrown bushes on east side of house, with litter from kids or vagrants hanging out in a hole in the bushes. The rear yard still has high weeds & litter; black pool			
VIDPRE	1/31/2005 7:30:00 AM	KATHY STEWART	15
CONT'D)24) about 3 foot deep, needs pumping. Second floor window is open (screen is one). The patio cover could be used for access to the 2nd floor window, even though there is chicken wire from the chain link fence to the edge of the patio cover.			
VIDPRE	1/31/2005 7:30:00 AM	KATHY STEWART	15
CONT'D)24) We need to monitor after clean-up to see if this becomes dangerous building.			

PHONE	1/28/2005 3:51:00 PM	PAMELA HINES	0

24)PER TELCON W/PHYLLIS @ WEAVER CONST, THEY WILL BEGIN ABATEMENT ON MONDAY MORNING @ 9AM. I WILL VIDEO MONDAY MORNING @ 0730, (IT'S RAINING TODAY & THIS WOULD BE THE 48 HOURS PRIOR TO THE START DATE).

BIDA	1/24/2005 1:42:00 PM	KATHY STEWART	0

ks) Faxed Award letter to Weaver, Inc. Contractor to call within 5 days with a start date. Award letter attached in OLE.

DIRECT	1/24/2005 10:27:00 AM	KATHY STEWART	0

Per Devin Smith, award bid to Weaver, Inc.

BIDR	1/24/2005 7:00:00 AM	KATHY STEWART	0

ks) Received bid from only one contractor: Weaver, Inc., $1,215. E-mailed Devin Smith with the results.

BIDS	1/18/2005 7:21:00 AM	KATHY STEWART	0

ks) Faxed Invitation to Bid to contractors. Bids due by COB 1/18. E-mailed Pam Hines & #19 this information. Invitation to Bid attached in OLE

DIRECT	1/14/2005 12:39:00 PM	VICTORIA ROSEMORE	0

16) REFERRED FILE TO KATHY IN OFFICE TO OBTAIN BIDS. CONTINUE ABATEMENT PROCESS. NO CHANGE IN OWNERSHIP ON ASSESSOR'S RECORDS.

INSP	1/4/2005 12:36:00 PM	KATHY STEWART	9

19) No change, water still remains in pool. Gate locked, trash/debris remain. No contact from owner. Refer for abatement.

MISC	12/29/2004 1:12:00 PM	KATHY STEWART	1

Received Certified Card from owner signed. Sent card to #19 for filing.

MISC	12/29/2004 1:12:00 PM	KATHY STEWART	0

ks) Sent recorded letter to #19 for filing.

RECORD	12/28/2004 1:59:00 PM	JESSICA LARRAMENDY	0

JL) Recorded N&O dated December 17, 2004 at Clark County. Book: 20041228 Inst: 02428.

PHONE	12/23/2004 11:21:00 AM	KATHY STEWART	0

ks) Received telephone call from Margaret Pringle, 248-9319, who is care taker for owner, Pamela Miller, who is in an assisted living facility. House is in foreclosure by Wells Fargo Bank. E-mailed information to #19 & #24.

INSP	12/21/2004 1:06:00 PM	KATHY STEWART	5

29) Pool has been drained, lock on gate. Refer back to #19. C/B 12/31

NOPOST	12/21/2004 1:06:00 PM	KATHY STEWART	5

29) N&O posted.

NOTICE	12/17/2004 11:15:00 AM	KATHY STEWART	30

ks) Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Pamela C. Miller Trust. POST: 12/20. C/B: 12/31. Sent file to #19. N&O letter attached in OLE.

NOREQ	12/17/2004 8:01:00 AM	JULIE ABSHIRE	10

29) N/O SUBMITTED FOR PROCESSING AS REQUESTED BY 19. CB 12/28

RESEAR	12/17/2004 8:00:00 AM	JULIE ABSHIRE	10

29) RESEARCHED MORT. INFO, AND ATTACHED TO FILE.

REFER	12/17/2004 7:34:00 AM	VICTORIA ROSEMORE	0

16) APPROVED N&O AS REQEUSTED BY 19. REFER TO 29 FOR RESEARCH.

INSP	12/14/2004 9:40:00 AM	LYNN NIHIPALI	10

19)POOL IS GREEN W/ABOUT 1 1/2 TO 3 FT OF WATER, HIGH WEEDS, HOUSE APPEARS TO BE VACANT. SENDING NOTICE AND ORDER, REFERRED TO OFFICE FOR PROCESSING, PICTURES TAKEN

Time in minutes: 145

APN 139-19-215-070
Ref # - 24422

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **PAMELA C. MILLER TRUST**
PAMELA C. MILLER, TRS.

(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.:	**139-19-215-070**
Commonly known as:	**4300 BETH AVENUE**
Legal Description:	**COLLEGE HGTS #1**
	PLAT BOOK 8 PAGE 39
	LOT 162 BLOCK 5

On **February 1, 2005**, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **$1,397.25** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **March 16, 2005**, ordered the above charges in the amount of **$1,397.25**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 21st day of March, 2005

NOTARY PUBLIC, in and for said County and State

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

City of Las Vegas

Agenda Item No. 84

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ CONSENT ☒ DISCUSSION

SUBJECT:

Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply located at 2740 Harris Avenue. PROPERTY OWNER: DOROTHE REEVES - Ward 3 (Reese)

Fiscal Impact:

☒	No Impact	Amount:
☐	Budget Funds Available	Dept./Division:
☐	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Nuisance/Litter Abatement Notice and Order to Comply was mailed to the property owners to correct the nuisance per 9.04 Refuse & Waste; Weeds/Turf; Litter; per 16.04 Building/Permits Required; and Title 19 Zoning (other than vehicles & signs). Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Dorothe Reeves, owner and responsible party of the property.

RECOMMENDATION:

That the City Council approve the Nuisance/Litter Abatement Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance/Litter Abatement Notice and Orders to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - ABEYANCE to 4/6/2005 - UNANIMOUS

MINUTES:

NOTE: Videos shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

ORLANDO SANCHEZ, Director of Neighborhood Services, presented a video of the subject property and indicated the vacant abandoned property has numerous violations. The Notice and Order was sent to the property owner on February 1, 2005. The owner is appealing the Notice of Order.

ATTORNEY JOSEPH REIFF appeared on behalf of the property owner, DOROTHY REEVES. ATTORNEY REIFF indicated the owner has a videotape showing the compliance with the alleged abatement. However, his client brought the wrong videotape and he asked the City Council consider trailing the item to give his client the opportunity to obtain the correct video from her vehicle.

COUNCILMAN REESE verified with MR. SANCHEZ that the video presented by staff depicted what was taped on February 28th, 2005. The City has not yet abated the property. COUNCILMAN REESE

MINUTES - Continued:

granted ATTORNEY REIFF'S client the opportunity for his client to produce the video showing that the nuisance has been ameliorated.

When the item was recalled, the correct video was shown. COUNCILMAN REESE indicated that the property is located across from two elementary schools and a day care center. He travels this area quite often to get to work. There are many problems in this particular neighborhood. He appreciates the property owner cleaning the property, but if Code Enforcement has to issue citations for cars parked illegally, he asked that the property owner take care of the problem as soon as possible. ATTORNEY REIFF replied he would advise his client accordingly. He added that at the time of the notice the property was vacant but now the property is occupyied.

MR. SANCHEZ explained that the Notice and Order also required the property owner to obtain building permits for the rehabilitation of the property. He has not had the opportunity to verify whether the permits were obtained, and therefore asked that the item be held in abeyance to 4/6/2005. He also asked that the illegally parked car shown on the video be removed. If everything is in compliance, the item will be stricken at that time.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(1:13 - 1:15/1:43 - 1:48)
3-264/1280

City of Las Vegas

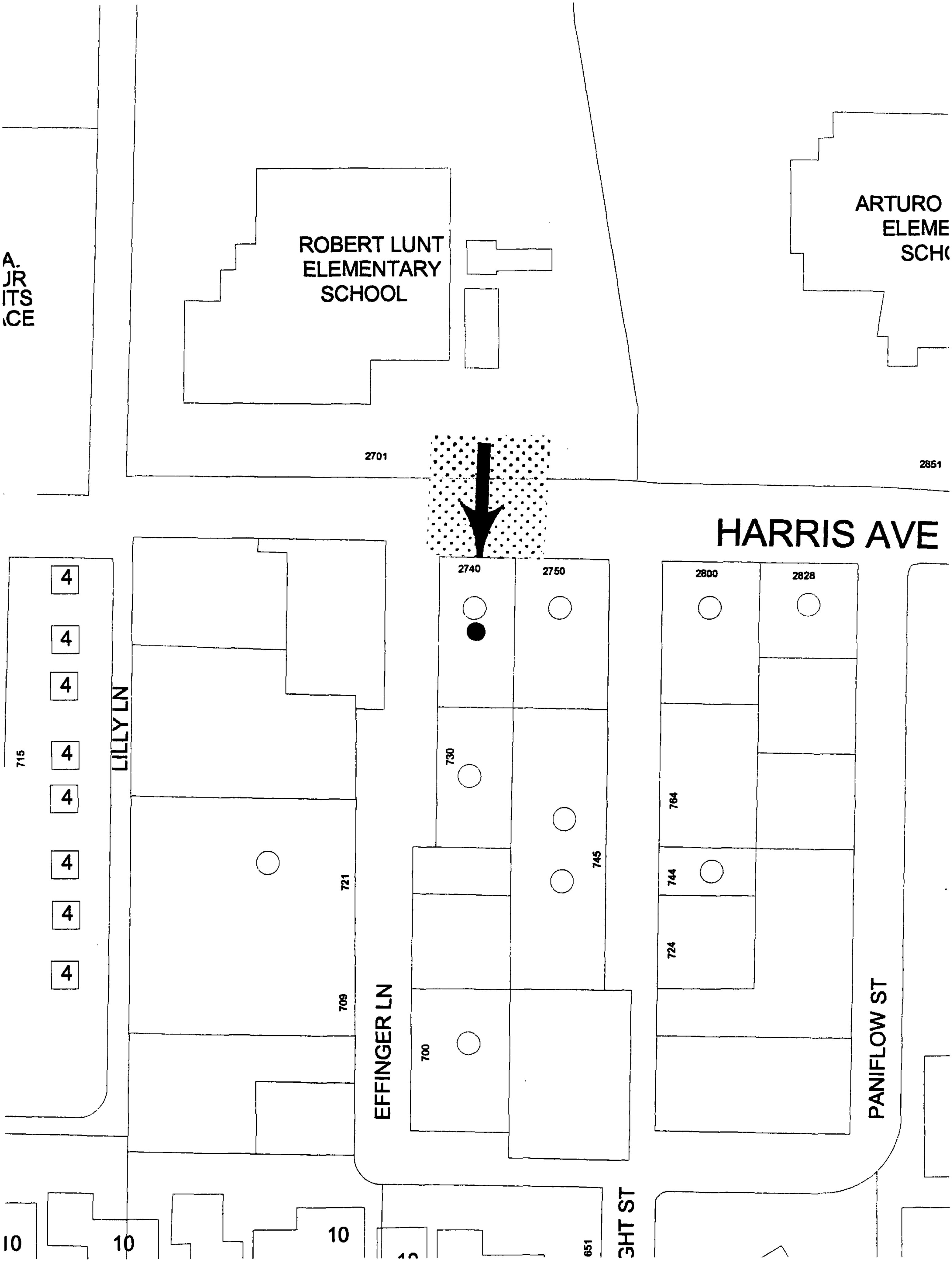
AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply located at 2740 Harris Avenue. PROPERTY OWNER: DOROTHE REEVES - Ward 3 (Reese)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Nuisance/Litter Abatement Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per 9.04 Refuse & Waste; Weeds/Turf; Litter; per 16.04 Building/Permits Required; and Title 19 Zoning (other than vehicles & signs). A copy of the notice was also posted on the property.

Today's hearing is to consider the Appeal to the Nuisance/Litter Abatement Notice and Order to Comply filed by Dorothe Reeves, owner and responsible party of the property.



ROBERT LUNT
ELEMENTARY
SCHOOL
ARTURO
ELEME
SCH
2701
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HARRIS AVE
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LILLY LN
EFFINGER LN
PANIFLOW ST
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651

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
02/03/2005 12:06:05 T20050021831
Book/Instr: 20050203-0001430
Notice Page Count: 2
Fees: $15.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-25-410-010

February 1, 2005

CASE #24976
Certified/Regular Mail
Return Receipt Requested

Dorothe Reeves
2740 Harris Avenue
Las Vegas, NV 89101-2305

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **2740 Harris Avenue, Las Vegas, NV, Parcel #139-25-410-010**, that you are in violation of **Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.**

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

Per 9.04 – Refuse & Waste: Remove all tree trimmings, branches, debris, and miscellaneous items from the property. Maintain the property at all times.

Per 9.04 – Weeds/Turf: Trim, cut, and remove all weeds and turf grass exceeding eight (8) inches in height from all yards.

Per 9.04 – Litter: Remove all scattered blown litter from the property.

Per 16.04 – Building/Permits Required: Obtain rehabilitation permit from the Building Department before any construction activities are conducted; and obtain the required inspections before the structure is occupied.

Title 19 – Zoning (other than vehicles & signs): Remove all vehicles located on this lot area, as accessory use is prohibited on this unoccupied residence in a R-E zone.

Post "No Trespassing" (per NRS 207.200), "No Dumping" (per NRS 444.630), and "No Vehicles" (per CLVMC 10.78.020 & 11.24.020) signs on-site to deter illegal activity and prevent future violations. All trespassers, squatters, and anyone unable to prove occupancy must vacant premises within ten (10) days of posting of this notice.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact the area Code Enforcement Officer #31, Drake Cherry, by telephone at (702) 229-4916 to supply your current phone number, e-mail address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ks

c: Dorothe Reeves, 330 South Decatur Blvd, #265, Las Vegas, NV 89107

RECEIVED
CITY CLERK

2005 FEB 11 P 1:45

2-10-2005

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

RE: 2740 Harris Avenue, Las Vegas, NV 89101
Nuisance/Litter Abatement Notice

Ladies and Gentlemen,

I disagree with the assessment of Neighborhood Response and I am appealing the above notice. At this time please send all correspondence to me at:

Dorothe Reeves
330 S. Decatur Blvd.
P.O. Box # 265
Las Vegas, NV 89107

Sincerely

Dorothe Reeves

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

February 28, 2005 CERTIFIED & REGULAR MAIL

Dorothe Reeves
330 S. Decatur Boulevard
P. O. Box #265
Las Vegas, Nevada 89107

Re: Appeal of the Nuisance/Litter Abatement Notice and Order to Comply for property located at 2740 Harris Avenue

Dear Ms. Reeves:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 16th day of March, 2005, at the hour of 1:00 p.m. This hearing is in response to the letter dated February 10, 2005, from requesting the same, concerning the Nuisance/Litter Abatement Notice and Order to Comply for property located at 2740 Harris Avenue.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Susie Martinez, Ward 3 Liaison

Certified Mail

7004-1160-005-5215 3141

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov
18112-001-1-05
CLV 7009

City of Las Vegas

Agenda Item No. 85

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5801 W. Craig Road (APN: 138-01-312-002). PROPERTY OWNERS: REGAL PLAZA LLC - C/O TOWER REALTY & DEV - Ward 6 (Mack)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Zoning Violations/Nuisance Notice and Order to Comply was mailed to the property owners to correct the nuisance per Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances and Title 19.04.040 - Zoning Conditional Uses. Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Jeffrey R. Albregts, Esq., Cotkin, Collins, and Ginsburg, representing Regal Plaza, LLC and Tower Realty & Development.

RECOMMENDATION:

That the City Council approve the Zoning Violations/Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Zoning Violations/Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.

(1:04 - 1:09)

3-1

City of Las Vegas

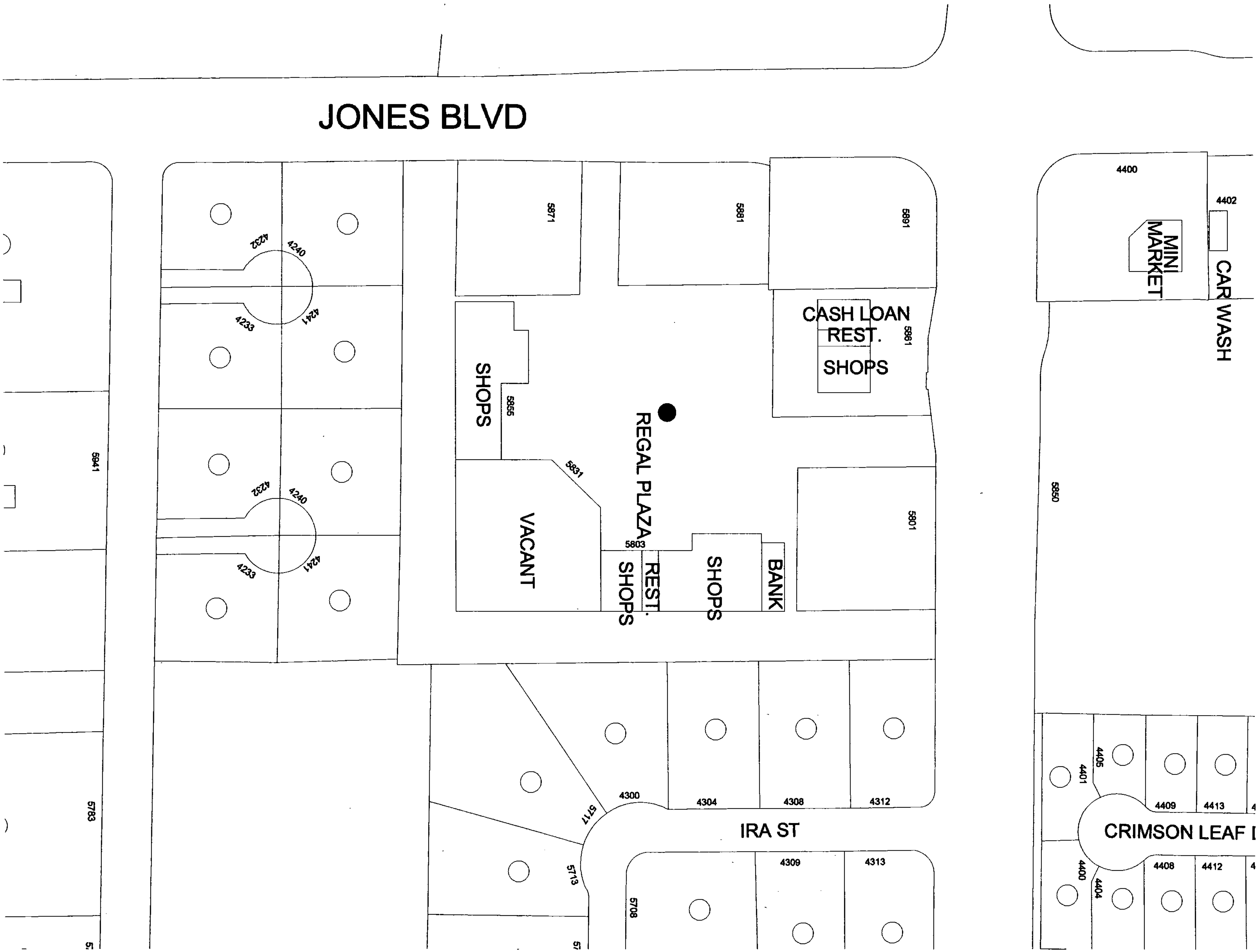
AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5801 W. Craig Road (APN: 138-01-312-002). PROPERTY OWNERS: REGAL PLAZA LLC - C/O TOWER REALTY & DEV - Ward 6 (Mack)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Zoning Violations/Nuisance Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per Title 19.04.040 Zoning Conditional Uses. A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from Zoning Violations/Nuisance Notice and Order to Comply filed by Jeffrey R. Albregts, Esq., Cotkin, Collins, and Ginsburg, representing Regal Plaza, LLC and Tower Realty & Development, Inc.


JONES BLVD
4400
4402
MINI MARKET
CAR WASH
5871
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5891
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4233
4241
CASH LOAN
REST.
SHOPS
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REGAL PLAZA
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VACANT
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IRA ST
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4413
CRIMSON LEAF
4309
4313
5713
5708
4400
4404
4408
4412

NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 138-01-312-002

January 21, 2005

CASE #25257
Certified/Regular Mail
Return Receipt Requested

Regal Plaza LLC
% Tower Realty & Development
701 Bridger Avenue, #550
Las Vegas, NV 89101-8940

ZONING VIOLATIONS/NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **5801 West Craig Road, Las Vegas, NV, Parcel #138-01-312-002**, that you are in violation of **Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.**

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

Per Title 19.04.040 – Zoning Conditional Uses: You are in violation of your Tentative Map – TM-61-98 Regal Plaza Commercial Subdivision which was approve by the Planning Commission on December 3, 1998, for the following condition:

5. Coordinate with the owner/developer of the Not-A-Part parcel (138-01-301-015) on the southeast corner of Jones Boulevard and Craig Road to establish reciprocal driveway access rights between these two parcels. If such is established, provide the City with a copy of a recorded agreement prior to the issuance of permits for this site as required by the Department of Public Works. **(CONDITION HAS NOT BEEN MET)**

You are in violation of your Final Map – Regal Plaza Commercial Subdivision – FM-24-99, which was approved by the Planning Commission on April 22, 1999, for the following condition:

1. Site development to comply with all previous Conditions of Approval for the Regal Plaza Commercial Subdivision Tentative Map. **(CONDITION HAS NOT BEEN MET)**

You must meet all zoning conditions and requirements preventing enforcement action. Contact Eddie Dichter, Current Planning Supervisor at (702) 229-6893, 731 South 4th Street, Las Vegas, NV to apply for a site plan review or a review of condition immediately. If compliance is not met, fines, fees, and a criminal citation may be issued.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. CONTACT THE AREA CODE ENFORCEMENT OFFICER #16 BY TELEPHONE AT (702) 229-4918 TO SUPPLY YOUR CURRENT PHONE NUMBER, E-MAIL ADDRESS, FAX NUMBER, OR ADDITIONAL MAILING ADDRESS.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal.

The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive.

An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

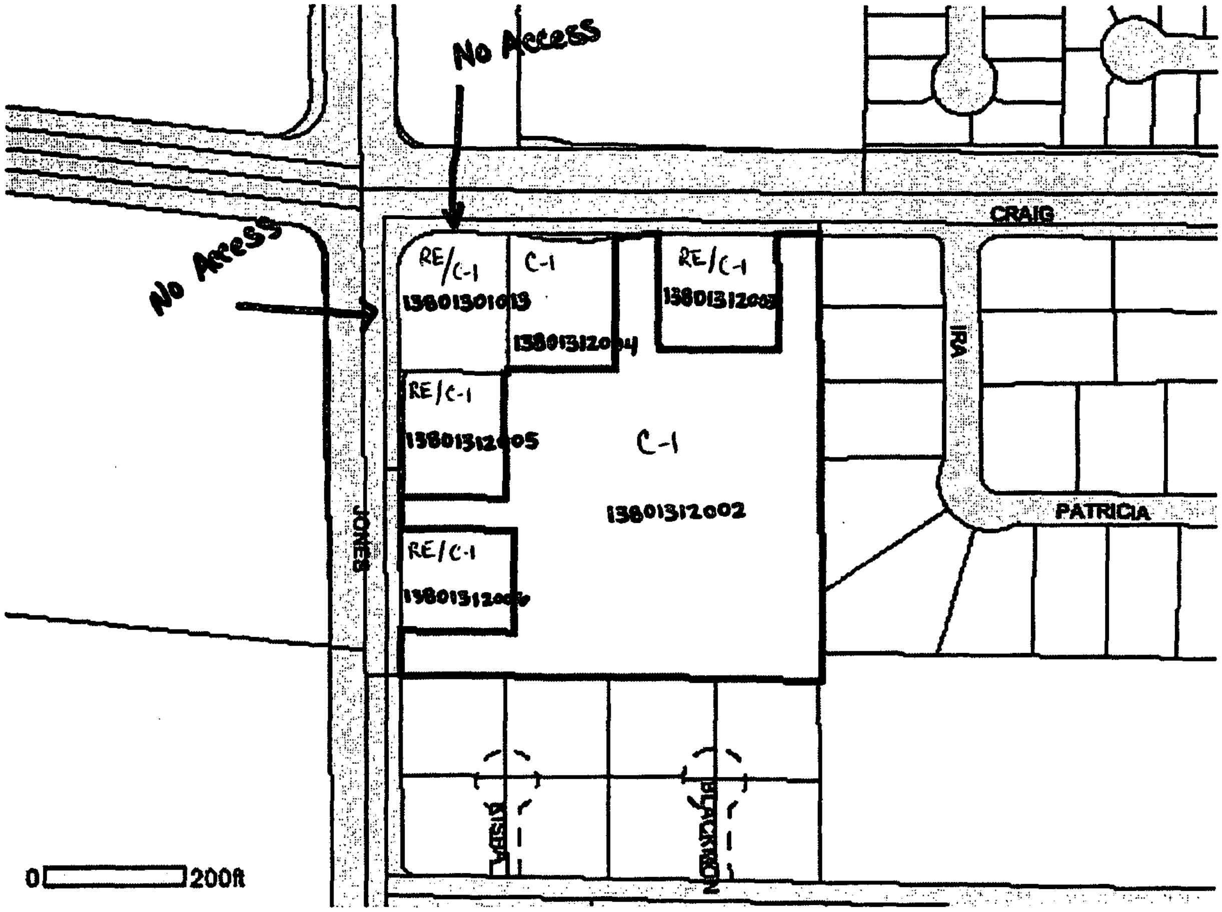
Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ks

c: 2100, LLC, Jeffrey R. Albregts, 2100 Pinto Lane, Las Vegas, NV 89106
2100, LLC, Jeffrey R. Albregts, 1701 West Charleston Blvd., #550, Las Vegas, NV 89102
Regal Plaza, LLC, 2100 LLC, 2100 Pinto Lane, Las Vegas, NV 89106
Regal Plaza, LLC, Delta Point, LLC, 1701 West Charleston Blvd, #625, Las Vegas, NV 89102

Attachment: Map

Southern Nevada GIS ~ OpenWeb Info Mapper



1/19/2005

Property Information

Parcel Number:	13801312002
Owner Name(s):	REGAL PLAZA L L C
Site Address:	5801 W CRAIG RD
Jurisdiction:	Las Vegas - 89130
Zoning Classification:	Limited Commercial District (C-1)

Miscellaneous Information

Subdivision Name: REGAL PLAZA COML SUB
Construction Year: 2000
Last Sales Date: 09/2004 **T-R-S:** 20-60-01
Last Sales Price: $7,720,000 **Census Tract:** 3414
Recorded Doc Number: 2004093003674

Elected Officials

Commission District:	B - TOM COLLINS	**City Ward:**	6 - MICHAEL MACK
U.S. Senate:	JOHN ENSIGN, HARRY REID	**U.S. Congress:**	01 - SHELLEY BERKLEY
State Senate:	4 - STEVEN A. HORSFORD	**State Assembly:**	1 - MARILYN K. KIRKPATRICK
School District:	C - SHIRLEY BARBER	**University Regent:**	1 - LINDA C. HOWARD

RAPHAEL COTKIN
JAMES P. COLLINS, JR.
WILLIAM H. GINSBURG
STEVEN L. PAINE
WILLIAM D. NAEVE*
TERRY C. LEUIN
ROGER W. SIMPSON
JOAN M. COTKIN
ROBERT G. WILSON
DAVID A. WINKLE
KAREN C. FREITAS**
BRIAN R. HILL
JEFFREY R. ALBREGTS†
DOUGLAS A. GREER
KEVIN A. DUFFIS*
CAROLE H. COHEN**
C. EDWARD LANGHAMMER, JR.
GREGORY A. SARGENTI
TERRY L. KESINGER
ELLEN M. TIPPING*
DAVID W. JOHNSON, JR.
COOPER W. COLLINS
MARIA K. PLEŠE
PATRICIA L. BLANTON
KRISTIE M. MACKEY
DINA L. TAULLI
DANIA YOUNESS
CORALIA A. LESIN
JAMES R. CARTY
MARIE ELLERTON†
ETHAN A. HORN
MICHAEL H. HAMILTON†
TERRY KINNALLY†

*ADMITTED TO PRACTICE IN CALIFORNIA AND NEVADA

**FAMILY LAW CERTIFIED SPECIALIST THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

†NOT ADMITTED IN CALIFORNIA

Cotkin, Collins & Ginsburg

A Professional Corporation

ATTORNEYS AT LAW

COUNSEL TO THE FIRM
NAIDA L. BROWN

Las Vegas Office
1701 West Charleston Blvd.
Suite 550
Las Vegas, NV 89102
(702) 384-1722
Facsimile (702) 384-2534

Los Angeles Office
300 South Grand Avenue, 24th Floor
Los Angeles, CA 90071-3134
(213) 688-9350
Facsimile (213) 688-9351

Santa Ana Office
200 West Santa Ana Blvd., Suite 800
Santa Ana, CA 92701-4155

Mailing Address:
Post Office Box 22005
Santa Ana, CA 92702-2005
(714) 835-2330
Facsimile (714) 835-2209

www.ccglaw.cc

February 1, 2005

Department of Neighborhood Services
Neighborhood Response Division
c/o City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: Case No.: 25257
APN.: 138-01-312-002
My Clients: Regal Plaza, LLC and Tower Realty & Development

APPEAL OF ZONING VIOLATIONS/NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified that Regal Plaza, LLC and Tower Realty & Development, Inc., by and through their attorneys Cotkin, Collins & Ginsburg, hereby appeal that Zoning Violations/Nuisance Notice And Order To Comply dated January 21, 2005, issued and served by the Department of Neighborhood Services of the City of Las Vegas as referenced above (re: Case No. 25257, APN 138-01-312-002). The grounds for this appeal include, but are not limited to, the following:

1. My clients do not own this parcel (which is referenced as Pad #2 on the Tentative Map approved by the City of Las Vegas Planning Commission on December 3, 1998). In fact, we believe that Pad #2 is owned by the person or entity who filed the Tentative Map.

2. There is already ingress and egress between both of those pads. (On the Tentative Map the corner parcel is referenced as "not a part" and pad #2 is referenced as above).

3. Requiring my clients to provide ingress and egress to this corner parcel would impose a substantial economic and physical hardship on them and, in fact, effectively constitute a taking of their property without just compensation.

For these reasons, my clients hereby appeal said Notice And Order To Comply for further review of conditions and proceedings before the Las Vegas City Council.

Very truly yours,

Jeffrey R. Albregts, Esq.

JRA/cm

cc: Regal Plaza, LLC
Tower Realty & Development, Inc.
John Carnesale
Louis Carnesale
Eddie Dichter, Planning Supervisor
Bryan Scott, City Attorney
Victoria Rosemore, Senior Code Enforcement Officer

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
'RENCE WEEKLY
/CHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

February 28, 2005 CERTIFIED & REGULAR MAIL

Jeffrey R. Albregts. Esq.
Cotkin, Collins & Ginsburg
1701 West Charleston Boulevard, Ste. 550
Las Vegas, Nevada 89102

Re: Appeal of the Nuisance/Litter Abatement Notice and Order to Comply for property located at 5801 W. Craig Road (APN 138-01-312-002)

Dear Mr. Albregts:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 16th day of March, 2005, at the hour of 1:00 p.m. This hearing is in response to your letter dated February 1, 2005, on behalf of Regal Plaza, LLC and Tower Realty & Development, requesting the same, concerning the Nuisance/Litter Abatement Notice and Order to Comply for property located at 5801 W. Craig Road (APN 138-01-312-002).

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Leni Skaar, Ward 6 Liaison

Certified
7004-116-0005-5215-3158

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

City of Las Vegas

Agenda Item No. 86

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5861 W. Craig Road (APN: 138-01-312-004). PROPERTY OWNERS: CONSTRUCTION GROUP INC - Ward 6 (Mack)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Zoning Violations/Nuisance Notice and Order to Comply was mailed to the property owners to correct the nuisance per Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances and Title 19.04.040 - Zoning Conditional Uses. Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Fred Shakib, President, representing Construction Group, Inc.

RECOMMENDATION:

That the City Council approve the Zoning Violations/Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Zoning Violations/Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.

(1:04 - 1:09)

3-1

City of Las Vegas

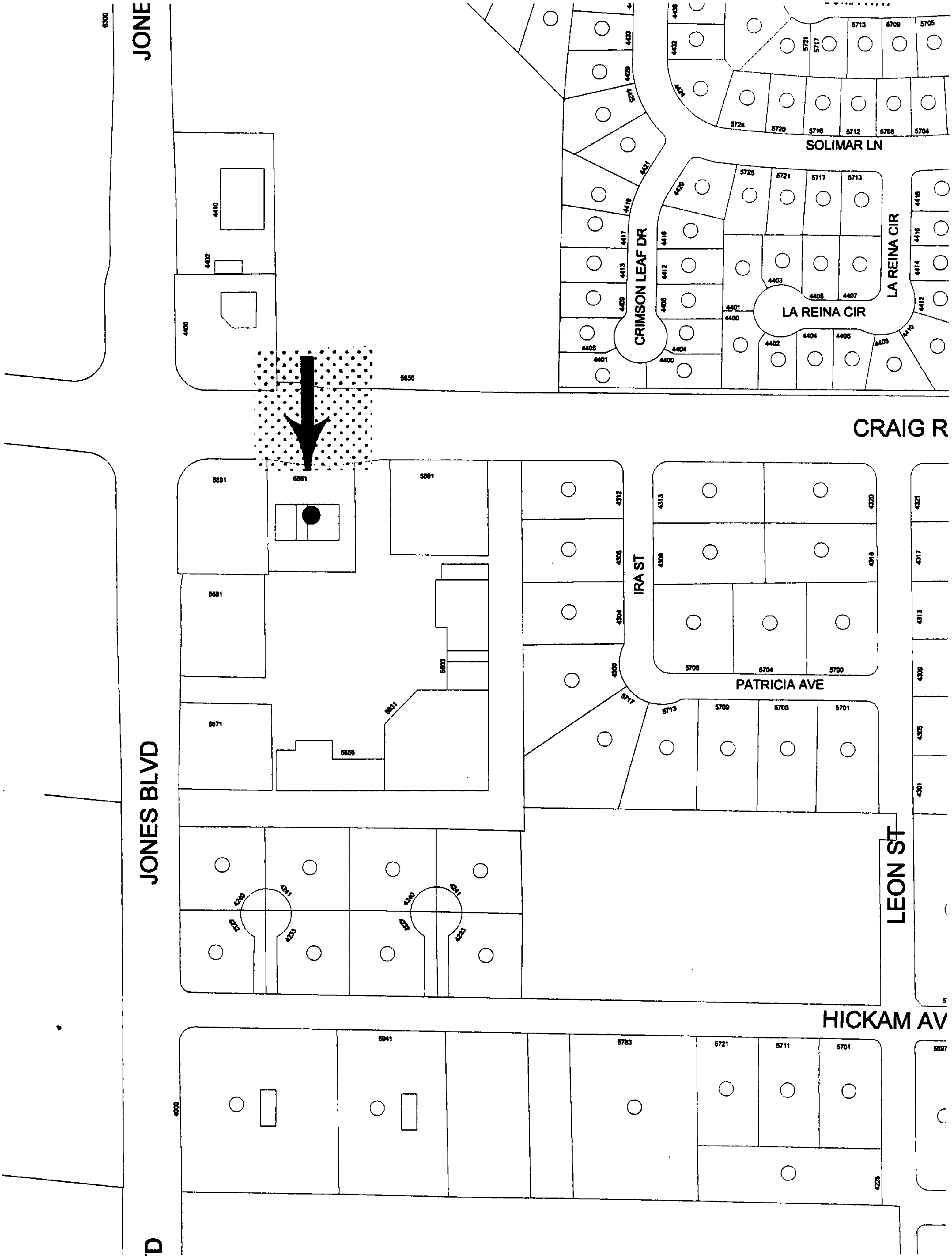
AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5861 W. Craig Road (APN: 138-01-312-004). PROPERTY OWNERS: CONSTRUCTION GROUP INC. - Ward 6 (Mack)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Zoning Violations/Nuisance Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per Title 19.04.040 Zoning Conditional Uses. A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from Zoning Violations/Nuisance Notice and Order to Comply filed by Fred Shakib, President, representing Construction Group, Inc



JONES BLVD
CRAIG R
SOLIMAR LN
CRIMSON LEAF DR
LA REINA CIR
IRA ST
PATRICIA AVE
LEON ST
HICKAM AV

Receipt/Conformed Copy

Requestor:
LAS VEGAS CITY
02/08/2005 12:32:40 T20050024576
Book/Instr: 20050208-0001818
Notice Page Count: 3
Fees: $16.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 138-01-312-004

February 3, 2005
CASE #25695
Certified/Regular Mail
Return Receipt Requested

Construction Group, Inc.
4405 Medley place
Encino, CA 91316-4344

ZONING VIOLATIONS/NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **5861 West Craig Road, Las Vegas, NV, Parcel #138-01-312-004**, that you are in violation of **Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.**

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation.

Per Title 19.04.040 – ZONING – CONDITIONAL USES: You are in violation of your Tentative Map – TM-61-98 Regal Plaza Commercial Subdivision which was approved by the Planning Commission on December 3, 1998, for the following condition:

5. Coordinate with the owner/developer of the Not-A-Part parcel (138-01-301-015) on the southeast corner of Jones Boulevard and Craig Road to establish reciprocal driveway access rights between these two parcels. If such is established, provide the City with a copy of a recorded agreement prior to the issuance of permits for this site as required by the Department of Public Works. **(CONDITION HAS NOT BEEN MET)**

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3045 • TTY 702.386.9108 • www.lasvegasnevada.gov

You are in violation of your Final Map - Regal Plaza Commercial Subdivision - FM-24-99 that was approved by the Planning Commission on April 22, 1999, for the following condition:

1. Site development to comply with all previous Conditions of Approval for the Regal Plaza Commercial Subdivision Tentative Map. **(CONDITION HAS NOT BEEN MET)**

You must meet all zoning conditions and requirements preventing enforcement action. Contact Eddie Dichter, Current Planning Supervisor, at 731 South 4th Street, Las Vegas, NV, (702) 229-6893, to apply for a site plan review or a review of condition immediately. If compliance is not met, fines, fees, and a criminal citation may be issued.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact the area Code Enforcement Officer #16 by telephone at (702) 229-4918 to supply your current phone number, e-mail address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

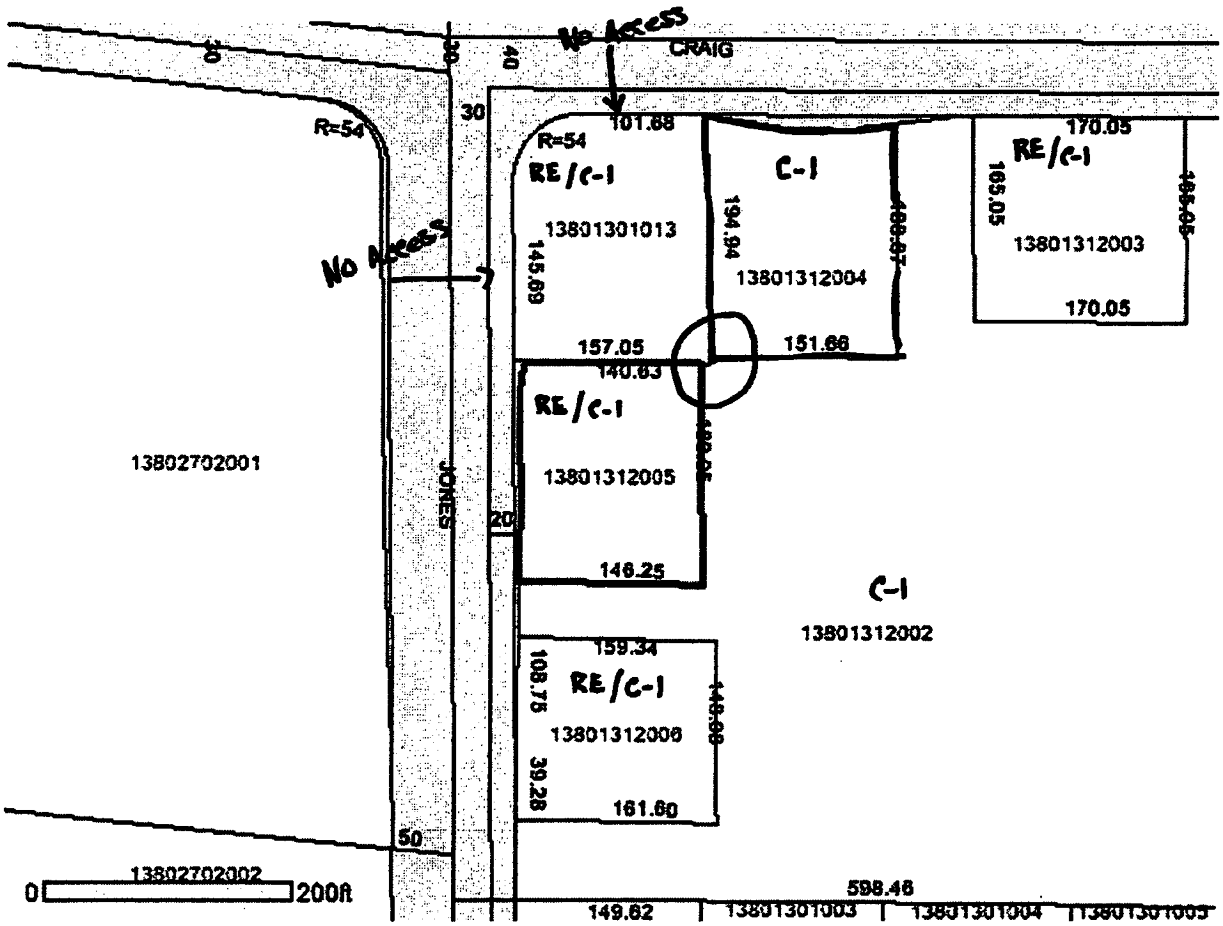
Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ks

Attachment: Map

c: Nevada Business Services, 675 Fairview Drive, #246, Carson City, NV 89701
Fred Shakib, Construction Group, Inc., 16861 Ventura Blvd., Suite #303, Encino, CA 91436
Phung H. Jefferson, Nevada Business Services, Inc., 803 South Sixth Street, Las Vegas, NV 89101
Lynette Boyd, Nevada Business Services, Inc., 930 West Owens, Las Vegas, NV 89106
Jimmie Gantt, Nevada Business Services, Inc., 930 West Owens, Las Vegas, NV 89106
Gordon Wadsworth, Nevada Business Services, Inc., 930 West Owens, Las Vegas, NV 89106

Map Click: Select Property Zoom In Zoom Out Pan Measure



To display a Clark County Assessor's Parcel **Page** Map for the selected parcel:
13801312005 **Click Here**

To **mail a link** of selected parcel# **13801312005**, **Click Here** or, Copy / Paste the following hyperlink:
http://gisgate.co.clark.nv.us/openweb/asp/openweb.asp?getParcel=13801312005

Construction
Group Inc.

2005 FEB 11 A 10: 48

RECEIVED
CITY CLERK

February 8, 2005

City Clerk Office
First Floor
400 Stewart Ave.
Las Vegas, Nevada 89101
VIA MAIL & FACSIMILE (702) 382-4803

RE:	Zoning Violations/Nuisance Notice And Order To Comply	
	Case #	25695
	NOTICE AND ORDER DATE:	February 3, 2005
	Property Address:	5861 W Craig Rd

To Whom It May Concern;

Construction Group, Inc hereby disagree with the assessment of Neighborhood Response. We respectfully request an appeal to City Council.

Sincerely,

Fred Shakib
President
Construction Group, Inc.

cc, file

4405 Medley Place Encino, California, 91316
Tel: (818) 326-6766 , Fax: (818) 343-0606

CITY OF LAS VEGAS
NEVADA

February 28, 2005

CERTIFIED & REGULAR MAIL

Fred Shakib
Construction Group, Inc.
4405 Medley Place
Encino, California 91316

Re: Notice of Appeal Hearing – Notice and Order on property located at 5861 W. Craig Road

Dear Mr. Shakib:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 16th day of March, 2005, at the hour of 1:00 p.m. This hearing is in response to your letter dated February 8, 2005 requesting the same, concerning the Notice and Order on property located at 5861 W. Craig Road.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Barbara Jo Ronemus

Barbara Jo Ronemus, CMC
City Clerk

BJR/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response, Neighborhood Services
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Leni Skaar, Ward 6 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov
18112-001-1-05
CLV 7009

Certified

7004-116-0005-5215-3165

City of Las Vegas

Agenda Item No. 87

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5881 W. Craig Road (APN: 138-01-312-005). PROPERTY OWNERS: REGAL PLAZA LLC - C/O TOWER REALTY & DEV - Ward 6 (Mack)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Zoning Violations/Nuisance Notice and Order to Comply was mailed to the property owners to correct the nuisance per Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances and Title 19.04.040 - Zoning Conditional Uses. Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Jeffrey R. Albregts, Esq., Cotkin, Collins, and Ginsburg, representing Regal Plaza, LLC and Tower Realty & Development.

RECOMMENDATION:

That the City Council approve the Zoning Violations/Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Zoning Violations/Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.

(1:04 - 1:09)

3-1

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5881 W. Craig Road (APN: 138-01-312-005). PROPERTY OWNERS: REGAL PLAZA LLC - C/O TOWER REALTY & DEV - Ward 6 (Mack)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Zoning Violations/Nuisance Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per Title 19.04.040 Zoning Conditional Uses. A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from Zoning Violations/Nuisance Notice and Order to Comply filed by Jeffrey R. Albregts, Esq., Cotkin, Collins, and Ginsburg, representing Regal Plaza, LLC and Tower Realty & Development, Inc.

JONES BLVD
CRAIG RD
HICKAM AVE
LEON ST
IRA ST
PATRICIA AVE
CRIMSON LEAF DR
LA REINA CIR
SOLIMAR LN

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
02/08/2005 12:32:40 T20050024576
Book/Instr: 20050208-0001817
Notice Page Count: 3
Fees: $16.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 138-01-312-005

February 4, 2005
CASE #25700
Certified/Regular Mail
Return Receipt Requested

Regal Plaza, LLC
% Tower Realty & Development
701 Bridger Avenue, #550
Las Vegas, NV 89101-8940

ZONING VIOLATIONS/NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **5881 West Craig Road, Las Vegas, NV, Parcel #138-01-312-005**, that you are in violation of **Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.**

Las Vegas Municipal Code 9.04.045 authorizes the City of Las Vegas to access and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation.

Per Title 19.04.040 – ZONING – CONDITIONAL USES: You are in violation of your Tentative Map – TM-61-98 Regal Plaza Commercial Subdivision which was approved by the Planning Commission on December 3, 1998, for the following condition:

5. Coordinate with the owner/developer of the Not-A-Part parcel (138-01-301-015) on the southeast corner of Jones Boulevard and Craig Road to establish reciprocal driveway access rights between these two parcels. If such is established, provide the City with a copy of a recorded agreement prior to the issuance of permits for this site as required by the Department of Public Works. **(CONDITION HAS NOT BEEN MET)**

You are in violation of your Final Map - Regal Plaza Commercial Subdivision - FM-24-99 that was approved by the Planning Commission on April 22, 1999, for the following condition:

1. Site development to comply with all previous Conditions of Approval for the Regal Plaza Commercial Subdivision Tentative Map. **(CONDITION HAS NOT BEEN MET)**

You must meet all zoning conditions and requirements preventing enforcement action. Contact Eddie Dichter, Current Planning Supervisor, at 731 South 4th Street, Las Vegas, NV, (702) 229-6893, to apply for a site plan review or a review of condition immediately. If compliance is not met, fines, fees, and a criminal citation may be issued.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. <u>Contact the area Code Enforcement Officer #16 by telephone at (702) 229-4918 to supply your current phone number, e-mail address, fax number, or additional mailing address.</u>

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

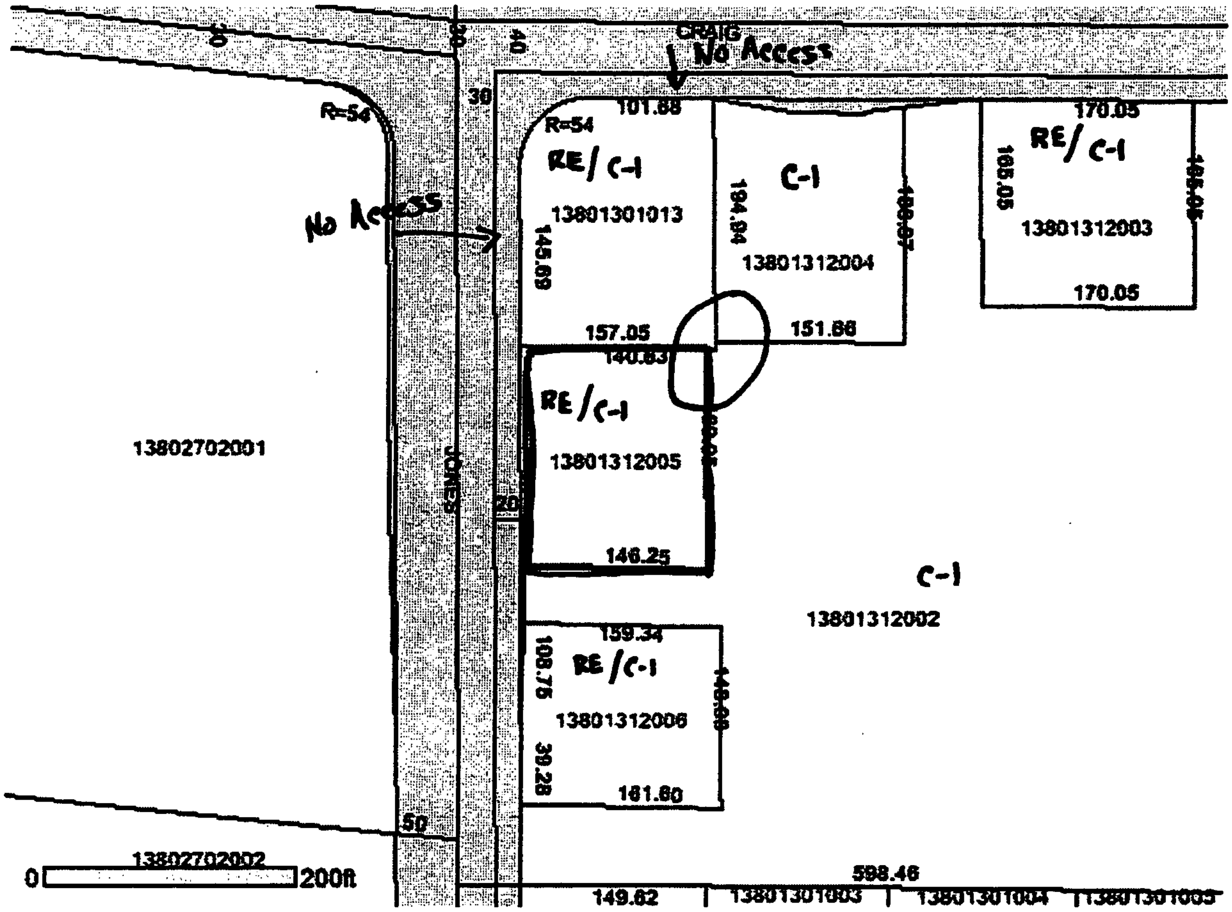
Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:ks

Attachment: Map

c: Regal Plaza, LLC, 2100 LLC, 2100 Pinto Lane, Las Vegas, NV 89106
Regal Plaza, LLC, Delta Point, LLC, 1701 West Charleston Blvd., Suite 625, Las Vegas, NV 89102
Delta Point, LLC, 2100 LLC, 2100 Pinto Lane, Las Vegas, NV 89106
Louis Carnesale, Delta Point, LLC, 1701 West Charleston Blvd., Las Vegas, NV 89102
Jeffrey R. Albregts, 2100, LLC, 2100 Pinto Lane, Las Vegas, NV 89106
Jeffrey R. Albregts, 2100, LLC, 1701 West Charleston Blvd., Suite #550, Las Vegas, NV 89102

Map Click: Select Property Zoom In Zoom Out Pan Measure



To display a Clark County Assessor's Parcel **Page** Map for the selected parcel:
13801312005 Click Here

To **mail a link** of selected parcel# **13801312005**, Click Here or, Copy / Paste the following hyperlink:
http://gisgate.co.clark.nv.us/openweb/asp/openweb.asp?getParcel=13801312005

RAPHAEL COTKIN
JAMES P. COLLINS, JR.
WILLIAM H. GINSBURG
STEVEN L. PAINE
WILLIAM D. NAEVE*
TERRY C. LEUIN
ROGER W. SIMPSON
JOAN M. COTKIN
ROBERT G. WILSON
DAVID A. WINKLE
KAREN C. FREITAS**
BRIAN R. HILL
JEFFREY R. ALBREGTS†
DOUGLAS A. GREER
KEVIN A. DUFFIS*
CAROLE H. COHEN**
C. EDWARD LANGHAMMER, JR.
GREGORY A. SARGENTI
TERRY L. KESINGER
ELLEN M. TIPPING*
DAVID W. JOHNSON, JR.
COOPER W. COLLINS
MARIA K. PLEŠE
PATRICIA L. BLANTON
KRISTIE M. MACKEY
DINA L. TAULLI
DANIA YOUNESS
CORALIA A. LESIN
JAMES R. CARTY
MARIE ELLERTON†
ETHAN A. HORN
MICHAEL H. HAMILTON†
TERRY KINNALLY†

*ADMITTED TO PRACTICE IN CALIFORNIA AND NEVADA

**FAMILY LAW CERTIFIED SPECIALIST THE STATE BAR OF CALIFORNIA BOARD OF LEGAL SPECIALIZATION

†NOT ADMITTED IN CALIFORNIA

Cotkin, Collins & Ginsburg

A Professional Corporation

ATTORNEYS AT LAW

COUNSEL TO THE FIRM
NAIDA L. BROWN

Las Vegas Office
701 Bridger Avenue, Suite 700
Las Vegas, NV 89101
(702) 384-1722
Facsimile (702) 384-2534

Los Angeles Office
300 South Grand Avenue, 24th Floor
Los Angeles, CA 90071-3134
(213) 688-9350
Facsimile (213) 688-9351

Santa Ana Office
200 West Santa Ana Blvd., Suite 800
Santa Ana, CA 92701-4155

Mailing Address:
Post Office Box 22005
Santa Ana, CA 92702-2005
(714) 835-2330
Facsimile (714) 835-2209

www.ccglaw.cc

February 10, 2005

2005 FEB 24 P 3: 38
RECEIVED
CITY CLERK

Department of Neighborhood Services
Neighborhood Response Division
c/o City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: Case No.: 25700
APN.: 138-01-312-005
My Clients: Regal Plaza, LLC and Tower Realty & Development

APPEAL OF ZONING VIOLATIONS/NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified that Regal Plaza, LLC and Tower Realty & Development, Inc., by and through their attorneys Cotkin, Collins & Ginsburg, hereby appeal that Zoning Violations/Nuisance Notice And Order To Comply dated February 4, 2005, issued and served by the Department of Neighborhood Services of the City of Las Vegas as referenced above (re: Case No. 25700, APN 138-01-312-005).

The grounds for this Appeal, in addition to those set forth in our Appeal dated February 1, 2005 for related case (Case No. 25257) and parcel (APN 138-01-312-002), are that requiring my clients to provide ingress and egress to this corner parcel would impose a substantial economic and physical hardship on them and, in fact, effectively constitute a taking of their property without just compensation. Further, there is already an ingress and egress between both of the pads or parcels in question.

For these reasons, my clients hereby appeal said notice and order to comply for further review of conditions and proceedings for the Las Vegas City Council.

Very truly yours,

Jeffrey R. Albregts, Esq.

JRA/cm

cc: Regal Plaza, LLC
Tower Realty & Development, Inc.
John Carnesale
Louis Carnesale
Eddie Dichter, Planning Supervisor
Bryan Scott, City Attorney
Victoria Rosemore, Senior Code Enforcement Officer

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
'RENCE WEEKLY
.ICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

February 28, 2005 CERTIFIED & REGULAR MAIL

Jeffrey R. Albregts. Esq.
Cotkin, Collins & Ginsburg
1701 West Charleston Boulevard, Ste. 550
Las Vegas, Nevada 89102

Re: Appeal of the Nuisance/Litter Abatement Notice and Order to Comply for property located at 5881 W. Craig Road (APN 138-01-312-005)

Dear Mr. Albregts:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 16th day of March, 2005, at the hour of 1:00 p.m. This hearing is in response to your letter dated February 1, 2005, on behalf of Regal Plaza, LLC and Tower Realty & Development, requesting the same, concerning the Nuisance/Litter Abatement Notice and Order to Comply for property located at 5881 W. Craig Road (APN 138-01-312-005).

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Barbara Jo Ronemus
Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Leni Skaar, Ward 6 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov
18112-001-1-05
CLV 7009

7004-1160-005-5215-3172

City of Las Vegas

Agenda Item No. 88

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☐ CONSENT ☒ DISCUSSION

SUBJECT:

ABEYANCE ITEM - Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply regarding 230 N. 8th Street (Units 230, 232, 234, 236, 238, and 240). PROPERTY OWNERS: A GRACE II INC - C/O R. KENNEDY - Ward 5 (Weekly)

Fiscal Impact:

☒	**No Impact**	**Amount:**
☐	**Budget Funds Available**	**Dept./Division:**
☐	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Nuisance/Litter Abatement Notice and Order to Comply was mailed to the property owners to correct the nuisance per 9.04 Weeds/Turf; 9.12 Outside Storage; and 16.20 Housing Codes: Roof, Foundation, Windows, Premises and Common Areas, Air Conditioning - Heating Equipment, Hot Water Heater, Electrical System, Plumbing Pipes, Entry Doors, Interior Walls and Ceilings, Bathrooms, Kitchen, General Sanitary Condition and Other Items. Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Ruth Kennedy, representing A GRACE II Inc.

RECOMMENDATION:

That the City Council approve the Nuisance/Litter Abatement Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance/Litter Abatement Notice and Orders to Comply
4. Appeal Letter from Appellant
5. Letter of Intent from Appellant
6. Notice of Appeal
7. Submitted after final agenda - Justification letter from Ruthjean Kennedy, A GRACE II, Inc.

MOTION:

REESE - Motion to STRIKE Item 85 [5801 West Craig Road], Item 86 [5861 West Craig Road], Item 87 [5881 West Craig Road] and Item 88 [230 North 8th Street]; HOLD IN ABEYANCE Item 95 [ROC-6073] and Item 96 [ROC-6074] to 4/6/2005 and Item 98 [ROC-6081] to 4/20/2005; accept the WITHDRAWAL WITH PREJUDICE of Item 97 [ROC-6076] and TABLE Item 127 [GPA-5597], Item 128 [ZON-5598], Item 129 [SUP-5600] and Item 130 [SDR-5599] - UNANIMOUS with BROWN excused

MINUTES:

There was no related discussion.

(1:04 - 1:09)

3-1

City of Las Vegas

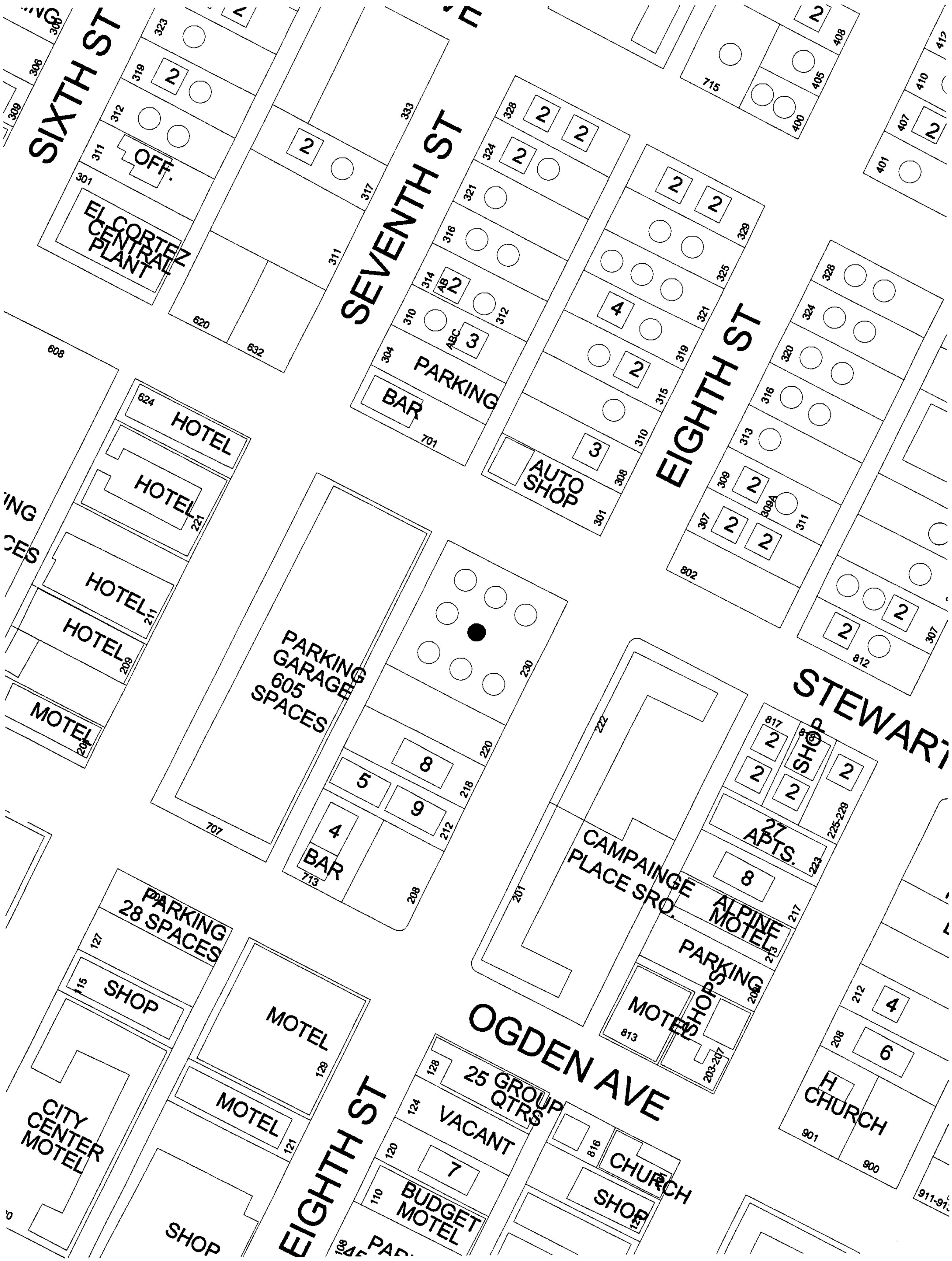
AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: ABEYANCE ITEM: Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply located at 230 N. 8th Street (Units, 230, 232, 234, 236, 238, and 240). PROPERTY OWNERS: A GRACE II INC - C/O R. KENNEDY - Ward 5 (Weekly)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Nuisance/Litter Abatement Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per 9.04 Weeds/Turf; 9.12 Outside Storage; and 16.20 Housing Codes: Roof, Foundation, Windows, Premises and Common Areas, Air Conditioning - Heating Equipment, Hot Water Heater, Electrical System, Plumbing Pipes, Entry Doors, Interior Walls and Ceilings, Bathrooms, Kitchen, General Sanitary Condition and Other Items. A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from Nuisance/Litter Abatement Notice and Order to Comply filed by Ruth Kennedy, representing A GRACE II Inc.


SIXTH ST
SEVENTH ST
EIGHTH ST
STEWART
OGDEN AVE
EIGHTH ST
EL CORTEZ CENTRAL PLANT
OFF.
PARKING
BAR
AUTO SHOP
HOTEL
HOTEL
HOTEL
HOTEL
MOTEL
PARKING GARAGE 605 SPACES
BAR
CAMPAINGE PLACE SRO.
27 APTS.
ALPINE MOTEL
PARKING
SHOPS
MOTEL
SHOP
PARKING 28 SPACES
SHOP
MOTEL
MOTEL
CITY CENTER MOTEL
SHOP
25 GROUP QTRS
VACANT
BUDGET MOTEL
CHURCH
SHOP
H CHURCH

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
01/20/2005 12:43:46 T20050013041
Book/Instr: 20050120-0002511
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-34-612-011

Case #23649
January 12, 2005
Certified/Regular Mail
Return Receipt Requested

A Grace II Inc
c/o R. Kennedy
5155 Palmyra Ave.
Las Vegas, NV 89146-7029

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **230 N 8th St, Unit 230, Las Vegas, NV, Parcel #139-34-612-011**, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

This violation must be corrected by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

You are hereby ordered to correct the nuisance **Per 9.04 Weeds/Turf: Trim, cut, and remove all weeds/turf grass exceeding eight (8) inches in height in all yards.**

Per 9.12 Outside Storage: Remove furniture, plastic containers, lumber, discarded water heater, pallets, wood, tarps, and household items.

Per 16.20 Housing Codes:

Roof
1. Leaking or deteriorated roof/roof covering. Repair or replace roof/roof covering.
2. Damaged or deteriorated roof overhang. Repair to code.
3. Damaged/inoperable evaporative cooler. Repair or replace evaporative cooler.

Foundation
*Foundation wall vent screens missing. Install vent screens for air circulation.

Structure Exterior Walls
*Damaged and/or deteriorated exterior stucco. Repair/Rewire/Re-stucco/Repaint.

Windows
*1. Broken and/or missing window glass (No Plexiglas). Install window glass with proper materials.
*2. Damaged and/or deteriorated window frames/sashes. Replace frames/sashes properly.
*3. Windows sashes/frames not operable and/or painted over. Make window sashes/frames operable.
*4. Missing/damaged window operator hardware. Install/repair window operator.

Premises and Common Areas
*1. Walkway/upper walkways cracked, broken, upheaving. Repair or replace walkway
*2. Inadequate marking/condition of parking area. Re-strip/resurface parking area to code.
*3. Damaged, deteriorated or missing parking barriers. Repair and/or replace parking barriers.
*4. Inadequate trash receptacles. Provide adequate approved trash receptacles.
5. Premises covered with high weeds and overgrowth/overgrown trees. Cut and remove high weeds and overgrowth.
6. Inadequate/deteriorated landscaping. Install/rehabilitate landscaping per zoning.
7. Missing or incorrect assigned house numbers. Replace/install correct numbers per UBC/UFC.
8. General dilapidation or improper maintenance. Repair and maintain per codes.

Air Conditioning – Heating Equipment
*1. Inoperative air conditioning unit/cooler/weatherproof. Repair or replace to code.
*2. Inoperative/inadequate heating equipment. Repair or replace heating equipment.

Hot Water Heater
*1. Inoperative or missing hot water heater (gas). Install, repair or replace hot water heater.
*2. Water heater flue pipe installed wrong/hazardous. Repair/replace to code.
*3. Combustion air vent for infiltration air required. Install upper/lower air vents – minimum 100 square inches.
*4. Install weatherproof water heater enclosure to code.
*5. Water heater improperly installed. Install to code.

Electrical System
*1. Defective electrical switches/outlets/no covers. Repair or replace switches to code.
*2. Defective light fixtures or missing covers. Repair or replace fixtures or covers.
*3. Damaged electrical fuse/breaker panel. Repair or replace panel or dead front.
*4. Hazardous, missing and damaged electrical wiring. Repair or replace electrical wiring.
*5. Illegal use of extension cord. Remove extension cords per UFC.

Plumbing Pipes
*1. Clogged or stopped up drains. Clean out drain lines.
*2. Leaking plumbing pipes. Repair or replace leaking pipes.

Entry Doors.
*1. Damaged and/or deteriorated entry door. Repair or replace entry door.
*2. Improper exterior door type. Install solid core exterior door.
*3. Damaged or missing view hole. Install/repair 190 ° eye viewer.
*4. Damaged/deteriorated doorsill (threshold) and/or door frame. Replace or repair doorsill and/or frame.
*5. Door not weather tight or door sweep missing. Make door weather tight.
*6. Damaged and/or deteriorated security door/frame. Repair or replace door frame.

Interior Walls and Ceilings
*1. Damaged and/or deteriorated ceiling/moldy. Repair ceiling surfaces (no green board)/remove mold.
*2. Damaged and/or deteriorated walls/dry wall/moldy. Repair wall surfaces/dry wall/remove mold.

Bathrooms
*1. Defective deteriorated water closet. Repair or replace water closet.
*2. Leaking flush water closet/lavatory basin/bathtub/shower. Repair to prevent leaks.
*3. Bathroom floor deteriorated. Install moisture proof covering.
*4. Bathroom wall deteriorated. Replace.
*5. Surfaces are soiled, unsanitary and/or moldy. Clean and apply protective covering.
*6. Damaged and/or deteriorated bathroom ceiling. Repair bathroom ceiling (no green board).
*7. Damaged or missing bathroom door lock. Install locking door hardware.
*8. No electrical GFI outlet by lavatory. Install electrical GFI outlet.

Kitchen
*1. Improper/deteriorated sink. Repair or replace sink.
*2. Damaged, deteriorated, unsanitary countertops. Repair or replace countertops.
*3. Inoperative or missing range exhaust hood or fan – Dirty Filter. Install and/or bring range exhaust to code.
*4. No electrical GFI receptacle by sink. Install electrical GFI receptacle by sink.
*5. Missing, damaged and/or deteriorated cabinets. Install/repair cabinet base.
*6. Damaged/inoperative/unsanitary kitchen appliances. Repair or replace.

General Sanitary Condition
*1. Dwelling unit infested with insects/rodents. Exterminate by licensed pest control.
*2. Dwelling unit contains mold/trash. Properly remove all mold/trash.

Other
***1. Insufficient or missing unit identification or address number. Provide ID per LVMC 13.28.060.**
***2. Inadequate fire protection in hallway or sleeping room. Repair/replace or install smoke detector.**
***3. Unsanitary/missing/damaged carpet/padding/floor covering. Replace carpet/pad/vinyl.**

Because of the conditions, the Building Official or his designee does hereby order *A. Grace II Inc*, owners of the property to:

1. **Vacate unit (30 day notice).**
2. **Obtain licensed contractors, building, electrical, plumbing, mechanical (starred (*) items require a permit and/or a licensed contractor).**
3. **Pull all permits required.**
4. **Call Building & Safety at 229-6251 for inspections.**
5. **Contact Officer 26/23 when completed at 229-4917/229-4921.**

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #26 at 229-4921 to supply your current phone number, email address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

Receipt/Conformed Copy

Requestor:
LAS VEGAS CITY
01/20/2005 12:43:46 T20050013041
Book/Instr: 20050120-0002512
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-34-612-011

Case #23649
January 12, 2005
Certified/Regular Mail
Return Receipt Requested

A Grace II Inc
c/o R. Kennedy
5155 Palmyra Ave.
Las Vegas, NV 89146-7029

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **230 N 8th St, Unit 232, Las Vegas, NV, Parcel #139-34-612-011**, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

This violation must be corrected by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

You are hereby ordered to correct the nuisance Per 9.04 Weeds/Turf: **Trim, cut, and remove all weeds/turf grass exceeding eight (8) inches in height in all yards.**

Per 9.12 Outside Storage: **Remove furniture, plastic containers, lumber, discarded water heater, pallets, wood, tarps, and household items.**

RETURN TO: CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3045 • TTY 702.386.9108 • www.lasvegasnevada.gov

Per 16.20 Housing Codes:

Roof
1. Leaking or deteriorated roof/roof covering. Repair or replace roof/roof covering.
2. Damaged or deteriorated roof overhang. Repair to code.
3. Damaged/inoperable evaporative cooler. Repair or replace evaporative cooler.

Foundation
*Foundation wall vent screens missing. Install vent screens for air circulation.

Structure Exterior Walls
*Damaged and/or deteriorated exterior stucco. Repair/Rewire/Re-stucco/Repaint.

Windows
*1. Broken and/or missing window glass (No Plexiglas). Install window glass with proper materials.
*2. Damaged and/or deteriorated window frames/sashes. Replace frames/sashes properly.
*3. Windows sashes/frames not operable and/or painted over. Make window sashes/frames operable.
*4. Missing/damaged window operator hardware. Install/repair window operator.

Premises and Common Areas
*1. Walkway/upper walkways cracked, broken, upheaving. Repair or replace walkway
*2. Inadequate marking/condition of parking area. Re-strip/resurface parking area to code.
*3. Damaged, deteriorated or missing parking barriers. Repair and/or replace parking barriers.
*4. Inadequate trash receptacles. Provide adequate approved trash receptacles.
5. Premises covered with high weeds and overgrowth/overgrown trees. Cut and remove high weeds and overgrowth.
6. Inadequate/deteriorated landscaping. Install/rehabilitate landscaping per zoning.
7. Missing or incorrect assigned house numbers. Replace/install correct numbers per UBC/UFC.
8. General dilapidation or improper maintenance. Repair and maintain per codes.

Air Conditioning – Heating Equipment
*1. Inoperative air conditioning unit/cooler/weatherproof. Repair or replace to code.
*2. Inoperative/inadequate heating equipment. Repair or replace heating equipment.

Hot Water Heater
*1. Inoperative or missing hot water heater (gas). Install, repair or replace hot water heater.
*2. Water heater flue pipe installed wrong/hazardous. Repair/replace to code.
*3. Combustion air vent for infiltration air required. Install upper/lower air vents – minimum 100 square inches.
*4. Install weatherproof water heater enclosure to code.
*5. Water heater improperly installed. Install to code.

Electrical System
*1. Defective electrical switches/outlets/no covers. Repair or replace switches to code.
*2. Defective light fixtures or missing covers. Repair or replace fixtures or covers.
*3. Damaged electrical fuse/breaker panel. Repair or replace panel or dead front.
*4. Hazardous, missing and damaged electrical wiring. Repair or replace electrical wiring.
*5. Illegal use of extension cord. Remove extension cords per UFC.

Plumbing Pipes
*1. Clogged or stopped up drains. Clean out drain lines.
*2. Leaking plumbing pipes. Repair or replace leaking pipes.

Entry Doors.
*1. Damaged and/or deteriorated entry door. Repair or replace entry door.
*2. Improper exterior door type. Install solid core exterior door.
*3. Damaged or missing view hole. Install/repair 190 ° eye viewer.
*4. Damaged/deteriorated doorsill (threshold) and/or door frame. Replace or repair doorsill and/or frame.
*5. Door not weather tight or door sweep missing. Make door weather tight.
*6. Damaged and/or deteriorated security door/frame. Repair or replace door frame.

Interior Walls and Ceilings
*1. Damaged and/or deteriorated ceiling/moldy. Repair ceiling surfaces (no green board)/remove mold.
*2. Damaged and/or deteriorated walls/dry wall/moldy. Repair wall surfaces/dry wall/remove mold.

Bathrooms
*1. Defective deteriorated water closet. Repair or replace water closet.
*2. Leaking flush water closet/lavatory basin/bathtub/shower. Repair to prevent leaks.
*3. Bathroom floor deteriorated. Install moisture proof covering.
*4. Bathroom wall deteriorated. Replace.
*5. Surfaces are soiled, unsanitary and/or moldy. Clean and apply protective covering.
*6. Damaged and/or deteriorated bathroom ceiling. Repair bathroom ceiling (no green board).
*7. Damaged or missing bathroom door lock. Install locking door hardware.
*8. No electrical GFI outlet by lavatory. Install electrical GFI outlet.

Kitchen
*1. Improper/deteriorated sink. Repair or replace sink.
*2. Damaged, deteriorated, unsanitary countertops. Repair or replace countertops.
*3. Inoperative or missing range exhaust hood or fan – Dirty Filter. Install and/or bring range exhaust to code.
*4. No electrical GFI receptacle by sink. Install electrical GFI receptacle by sink.
*5. Missing, damaged and/or deteriorated cabinets. Install/repair cabinet base.
*6. Damaged/inoperative/unsanitary kitchen appliances. Repair or replace.

General Sanitary Condition
*1. Dwelling unit infested with insects/rodents. Exterminate by licensed pest control.
*2. Dwelling unit contains mold/trash. Properly remove all mold/trash.

<u>Other</u>
***1. Insufficient or missing unit identification or address number. Provide ID per LVMC 13.28.060.**
***2. Inadequate fire protection in hallway or sleeping room. Repair/replace or install smoke detector.**
***3. Unsanitary/missing/damaged carpet/padding/floor covering. Replace carpet/pad/vinyl.**

Because of the conditions, the Building Official or his designee does hereby order *A. Grace II Inc*, owners of the property to:

1. **Vacate unit (30 day notice).**
2. **Obtain licensed contractors, building, electrical, plumbing, mechanical (starred (*) items require a permit and/or a licensed contractor).**
3. **Pull all permits required.**
4. **Call Building & Safety at 229-6251 for inspections.**
5. **Contact Officer 26/23 when completed at 229-4917/229-4921.**

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #26 at 229-4921 to supply your current phone number, email address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
01/20/2005 12:43:46 T20050013041
Book/Instr: 20050120-0002513
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-34-612-011

Case #23649
January 12, 2005
Certified/Regular Mail
Return Receipt Requested

A Grace II Inc
c/o R. Kennedy
5155 Palmyra Ave.
Las Vegas, NV 89146-7029

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **230 N 8th St, Unit 234, Las Vegas, NV, Parcel #139-34-612-011**, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

This violation must be corrected by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

You are hereby ordered to correct the nuisance **Per 9.04 Weeds/Turf: Trim, cut, and remove all weeds/turf grass exceeding eight (8) inches in height in all yards.**

Per 9.12 Outside Storage: Remove furniture, plastic containers, lumber, discarded water heater, pallets, wood, tarps, and household items.

<u>Per 16.20 Housing Codes</u>:

<u>Roof</u>
1. Leaking or deteriorated roof/roof covering. Repair or replace roof/roof covering.
2. Damaged or deteriorated roof overhang. Repair to code.
3. Damaged/inoperable evaporative cooler. Repair or replace evaporative cooler.

Foundation
*Foundation wall vent screens missing. Install vent screens for air circulation.

Structure Exterior Walls
*Damaged and/or deteriorated exterior stucco. Repair/Rewire/Re-stucco/Repaint.

<u>Windows</u>
*1. Broken and/or missing window glass (No Plexiglas). Install window glass with proper materials.
*2. Damaged and/or deteriorated window frames/sashes. Replace frames/sashes properly.
*3. Windows sashes/frames not operable and/or painted over. Make window sashes/frames operable.
*4. Missing/damaged window operator hardware. Install/repair window operator.

<u>Premises and Common Areas</u>
*1. Walkway/upper walkways cracked, broken, upheaving. Repair or replace walkway
*2. Inadequate marking/condition of parking area. Re-strip/resurface parking area to code.
*3. Damaged, deteriorated or missing parking barriers. Repair and/or replace parking barriers.
*4. Inadequate trash receptacles. Provide adequate approved trash receptacles.
5. Premises covered with high weeds and overgrowth/overgrown trees. Cut and remove high weeds and overgrowth.
6. Inadequate/deteriorated landscaping. Install/rehabilitate landscaping per zoning.
7. Missing or incorrect assigned house numbers. Replace/install correct numbers per UBC/UFC.
8. General dilapidation or improper maintenance. Repair and maintain per codes.

<u>Air Conditioning – Heating Equipment</u>
*1. Inoperative air conditioning unit/cooler/weatherproof. Repair or replace to code.
*2. Inoperative/inadequate heating equipment. Repair or replace heating equipment.

<u>Hot Water Heater</u>
*1. Inoperative or missing hot water heater (gas). Install, repair or replace hot water heater.
*2. Water heater flue pipe installed wrong/hazardous. Repair/replace to code.
*3. Combustion air vent for infiltration air required. Install upper/lower air vents – minimum 100 square inches.
*4. Install weatherproof water heater enclosure to code.
*5. Water heater improperly installed. Install to code.

Electrical System

*1. Defective electrical switches/outlets/no covers. Repair or replace switches to code.
*2. Defective light fixtures or missing covers. Repair or replace fixtures or covers.
*3. Damaged electrical fuse/breaker panel. Repair or replace panel or dead front.
*4. Hazardous, missing and damaged electrical wiring. Repair or replace electrical wiring.
*5. Illegal use of extension cord. Remove extension cords per UFC.

Plumbing Pipes

*1. Clogged or stopped up drains. Clean out drain lines.
*2. Leaking plumbing pipes. Repair or replace leaking pipes.

Entry Doors.

*1. Damaged and/or deteriorated entry door. Repair or replace entry door.
*2. Improper exterior door type. Install solid core exterior door.
*3. Damaged or missing view hole. Install/repair 190 ° eye viewer.
*4. Damaged/deteriorated doorsill (threshold) and/or door frame. Replace or repair doorsill and/or frame.
*5. Door not weather tight or door sweep missing. Make door weather tight.
*6. Damaged and/or deteriorated security door/frame. Repair or replace door frame.

Interior Walls and Ceilings

*1. Damaged and/or deteriorated ceiling/moldy. Repair ceiling surfaces (no green board)/remove mold.
*2. Damaged and/or deteriorated walls/dry wall/moldy. Repair wall surfaces/dry wall/remove mold.

Bathrooms

*1. Defective deteriorated water closet. Repair or replace water closet.
*2. Leaking flush water closet/lavatory basin/bathtub/shower. Repair to prevent leaks.
*3. Bathroom floor deteriorated. Install moisture proof covering.
*4. Bathroom wall deteriorated. Replace.
*5. Surfaces are soiled, unsanitary and/or moldy. Clean and apply protective covering.
*6. Damaged and/or deteriorated bathroom ceiling. Repair bathroom ceiling (no green board).
*7. Damaged or missing bathroom door lock. Install locking door hardware.
*8. No electrical GFI outlet by lavatory. Install electrical GFI outlet.

Kitchen

*1. Improper/deteriorated sink. Repair or replace sink.
*2. Damaged, deteriorated, unsanitary countertops. Repair or replace countertops.
*3. Inoperative or missing range exhaust hood or fan – Dirty Filter. Install and/or bring range exhaust to code.
*4. No electrical GFI receptacle by sink. Install electrical GFI receptacle by sink.
*5. Missing, damaged and/or deteriorated cabinets. Install/repair cabinet base.
*6. Damaged/inoperative/unsanitary kitchen appliances. Repair or replace.

General Sanitary Condition

*1. Dwelling unit infested with insects/rodents. Exterminate by licensed pest control.
*2. Dwelling unit contains mold/trash. Properly remove all mold/trash.

<u>Other</u>
***1. Insufficient or missing unit identification or address number. Provide ID per LVMC 13.28.060.**
***2. Inadequate fire protection in hallway or sleeping room. Repair/replace or install smoke detector.**
***3. Unsanitary/missing/damaged carpet/padding/floor covering. Replace carpet/pad/vinyl.**

Because of the conditions, the Building Official or his designee does hereby order *A. Grace II Inc*, owners of the property to:

1. **Vacate unit (30 day notice).**
2. **Obtain licensed contractors, building, electrical, plumbing, mechanical (starred (*) items require a permit and/or a licensed contractor).**
3. **Pull all permits required.**
4. **Call Building & Safety at 229-6251 for inspections.**
5. **Contact Officer 26/23 when completed at 229-4917/229-4921.**

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #26 at 229-4921 to supply your current phone number, email address, fax number, or additional mailing address.

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It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
01/20/2005 12:43:46 T20050013041
Book/Instr: 20050120-0002514
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-34-612-011

Case #23649
January 12, 2005
Certified/Regular Mail
Return Receipt Requested

A Grace II Inc
c/o R. Kennedy
5155 Palmyra Ave.
Las Vegas, NV 89146-7029

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **230 N 8th St, Unit 236, Las Vegas, NV, Parcel #139-34-612-011**, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

This violation must be corrected by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

You are hereby ordered to correct the nuisance **Per 9.04 Weeds/Turf: Trim, cut, and remove all weeds/turf grass exceeding eight (8) inches in height in all yards.**

Per 9.12 Outside Storage: Remove furniture, plastic containers, lumber, discarded water heater, pallets, wood, tarps, and household items.

<u>Per 16.20 Housing Codes</u>:

<u>Roof</u>
1. Leaking or deteriorated roof/roof covering. Repair or replace roof/roof covering.
2. Damaged or deteriorated roof overhang. Repair to code.
3. Damaged/inoperable evaporative cooler. Repair or replace evaporative cooler.

Foundation
*Foundation wall vent screens missing. Install vent screens for air circulation.

Structure Exterior Walls
*Damaged and/or deteriorated exterior stucco. Repair/Rewire/Re-stucco/Repaint.

<u>Windows</u>
*1. Broken and/or missing window glass (No Plexiglas). Install window glass with proper materials.
*2. Damaged and/or deteriorated window frames/sashes. Replace frames/sashes properly.
*3. Windows sashes/frames not operable and/or painted over. Make window sashes/frames operable.
*4. Missing/damaged window operator hardware. Install/repair window operator.

<u>Premises and Common Areas</u>
*1. Walkway/upper walkways cracked, broken, upheaving. Repair or replace walkway
*2. Inadequate marking/condition of parking area. Re-strip/resurface parking area to code.
*3. Damaged, deteriorated or missing parking barriers. Repair and/or replace parking barriers.
*4. Inadequate trash receptacles. Provide adequate approved trash receptacles.
5. Premises covered with high weeds and overgrowth/overgrown trees. Cut and remove high weeds and overgrowth.
6. Inadequate/deteriorated landscaping. Install/rehabilitate landscaping per zoning.
7. Missing or incorrect assigned house numbers. Replace/install correct numbers per UBC/UFC.
8. General dilapidation or improper maintenance. Repair and maintain per codes.

<u>Air Conditioning – Heating Equipment</u>
*1. Inoperative air conditioning unit/cooler/weatherproof. Repair or replace to code.
*2. Inoperative/inadequate heating equipment. Repair or replace heating equipment.

<u>Hot Water Heater</u>
*1. Inoperative or missing hot water heater (gas). Install, repair or replace hot water heater.
*2. Water heater flue pipe installed wrong/hazardous. Repair/replace to code.
*3. Combustion air vent for infiltration air required. Install upper/lower air vents – minimum 100 square inches.
*4. Install weatherproof water heater enclosure to code.
*5. Water heater improperly installed. Install to code.

Electrical System
*1. Defective electrical switches/outlets/no covers. Repair or replace switches to code.
*2. Defective light fixtures or missing covers. Repair or replace fixtures or covers.
*3. Damaged electrical fuse/breaker panel. Repair or replace panel or dead front.
*4. Hazardous, missing and damaged electrical wiring. Repair or replace electrical wiring.
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Plumbing Pipes
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*1. Damaged and/or deteriorated entry door. Repair or replace entry door.
*2. Improper exterior door type. Install solid core exterior door.
*3. Damaged or missing view hole. Install/repair 190 ° eye viewer.
*4. Damaged/deteriorated doorsill (threshold) and/or door frame. Replace or repair doorsill and/or frame.
*5. Door not weather tight or door sweep missing. Make door weather tight.
*6. Damaged and/or deteriorated security door/frame. Repair or replace door frame.

Interior Walls and Ceilings
*1. Damaged and/or deteriorated ceiling/moldy. Repair ceiling surfaces (no green board)/remove mold.
*2. Damaged and/or deteriorated walls/dry wall/moldy. Repair wall surfaces/dry wall/remove mold.

Bathrooms
*1. Defective deteriorated water closet. Repair or replace water closet.
*2. Leaking flush water closet/lavatory basin/bathtub/shower. Repair to prevent leaks.
*3. Bathroom floor deteriorated. Install moisture proof covering.
*4. Bathroom wall deteriorated. Replace.
*5. Surfaces are soiled, unsanitary and/or moldy. Clean and apply protective covering.
*6. Damaged and/or deteriorated bathroom ceiling. Repair bathroom ceiling (no green board).
*7. Damaged or missing bathroom door lock. Install locking door hardware.
*8. No electrical GFI outlet by lavatory. Install electrical GFI outlet.

Kitchen
*1. Improper/deteriorated sink. Repair or replace sink.
*2. Damaged, deteriorated, unsanitary countertops. Repair or replace countertops.
*3. Inoperative or missing range exhaust hood or fan – Dirty Filter. Install and/or bring range exhaust to code.
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*5. Missing, damaged and/or deteriorated cabinets. Install/repair cabinet base.
*6. Damaged/inoperative/unsanitary kitchen appliances. Repair or replace.

General Sanitary Condition
*1. Dwelling unit infested with insects/rodents. Exterminate by licensed pest control.
*2. Dwelling unit contains mold/trash. Properly remove all mold/trash.

Other

***1. Insufficient or missing unit identification or address number. Provide ID per LVMC 13.28.060.**
***2. Inadequate fire protection in hallway or sleeping room. Repair/replace or install smoke detector.**
***3. Unsanitary/missing/damaged carpet/padding/floor covering. Replace carpet/pad/vinyl.**

Because of the conditions, the Building Official or his designee does hereby order *A. Grace II Inc*, owners of the property to:

1. **Vacate unit (30 day notice).**
2. **Obtain licensed contractors, building, electrical, plumbing, mechanical (starred (*) items require a permit and/or a licensed contractor).**
3. **Pull all permits required.**
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5. **Contact Officer 26/23 when completed at 229-4917/229-4921.**

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #26 at 229-4921 to supply your current phone number, email address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
01/20/2005 12:43:46 T20050013041
Book/Instr: 20050120-0002515
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-34-612-011

Case #23649
January 12, 2005
Certified/Regular Mail
Return Receipt Requested

A Grace II Inc
c/o R. Kennedy
5155 Palmyra Ave.
Las Vegas, NV 89146-7029

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **230 N 8th St, Unit 238, Las Vegas, NV, Parcel #139-34-612-011**, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

This violation must be corrected by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described above, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

You are hereby ordered to correct the nuisance **Per 9.04 Weeds/Turf: Trim, cut, and remove all weeds/turf grass exceeding eight (8) inches in height in all yards.**

Per 9.12 Outside Storage: Remove furniture, plastic containers, lumber, discarded water heater, pallets, wood, tarps, and household items.

<u>Per 16.20 Housing Codes</u>:

<u>Roof</u>
1. Leaking or deteriorated roof/roof covering. Repair or replace roof/roof covering.
2. Damaged or deteriorated roof overhang. Repair to code.
3. Damaged/inoperable evaporative cooler. Repair or replace evaporative cooler.

Foundation
***Foundation wall vent screens missing. Install vent screens for air circulation.**

Structure Exterior Walls
***Damaged and/or deteriorated exterior stucco. Repair/Rewire/Re-stucco/Repaint.**

<u>Windows</u>
***1. Broken and/or missing window glass (No Plexiglas). Install window glass with proper materials.**
***2. Damaged and/or deteriorated window frames/sashes. Replace frames/sashes properly.**
***3. Windows sashes/frames not operable and/or painted over. Make window sashes/frames operable.**
***4. Missing/damaged window operator hardware. Install/repair window operator.**

<u>Premises and Common Areas</u>
***1. Walkway/upper walkways cracked, broken, upheaving. Repair or replace walkway**
***2. Inadequate marking/condition of parking area. Re-strip/resurface parking area to code.**
***3. Damaged, deteriorated or missing parking barriers. Repair and/or replace parking barriers.**
***4. Inadequate trash receptacles. Provide adequate approved trash receptacles.**
5. Premises covered with high weeds and overgrowth/overgrown trees. Cut and remove high weeds and overgrowth.
6. Inadequate/deteriorated landscaping. Install/rehabilitate landscaping per zoning.
7. Missing or incorrect assigned house numbers. Replace/install correct numbers per UBC/UFC.
8. General dilapidation or improper maintenance. Repair and maintain per codes.

<u>Air Conditioning – Heating Equipment</u>
***1. Inoperative air conditioning unit/cooler/weatherproof. Repair or replace to code.**
***2. Inoperative/inadequate heating equipment. Repair or replace heating equipment.**

<u>Hot Water Heater</u>
***1. Inoperative or missing hot water heater (gas). Install, repair or replace hot water heater.**
***2. Water heater flue pipe installed wrong/hazardous. Repair/replace to code.**
***3. Combustion air vent for infiltration air required. Install upper/lower air vents – minimum 100 square inches.**
***4. Install weatherproof water heater enclosure to code.**
***5. Water heater improperly installed. Install to code.**

<u>Electrical System</u>
*1. Defective electrical switches/outlets/no covers. Repair or replace switches to code.
*2. Defective light fixtures or missing covers. Repair or replace fixtures or covers.
*3. Damaged electrical fuse/breaker panel. Repair or replace panel or dead front.
*4. Hazardous, missing and damaged electrical wiring. Repair or replace electrical wiring.
*5. Illegal use of extension cord. Remove extension cords per UFC.

<u>Plumbing Pipes</u>
*1. Clogged or stopped up drains. Clean out drain lines.
*2. Leaking plumbing pipes. Repair or replace leaking pipes.

<u>Entry Doors.</u>
*1. Damaged and/or deteriorated entry door. Repair or replace entry door.
*2. Improper exterior door type. Install solid core exterior door.
*3. Damaged or missing view hole. Install/repair 190 ° eye viewer.
*4. Damaged/deteriorated doorsill (threshold) and/or door frame. Replace or repair doorsill and/or frame.
*5. Door not weather tight or door sweep missing. Make door weather tight.
*6. Damaged and/or deteriorated security door/frame. Repair or replace door frame.

<u>Interior Walls and Ceilings</u>
*1. Damaged and/or deteriorated ceiling/moldy. Repair ceiling surfaces (no green board)/remove mold.
*2. Damaged and/or deteriorated walls/dry wall/moldy. Repair wall surfaces/dry wall/remove mold.

<u>Bathrooms</u>
*1. Defective deteriorated water closet. Repair or replace water closet.
*2. Leaking flush water closet/lavatory basin/bathtub/shower. Repair to prevent leaks.
*3. Bathroom floor deteriorated. Install moisture proof covering.
*4. Bathroom wall deteriorated. Replace.
*5. Surfaces are soiled, unsanitary and/or moldy. Clean and apply protective covering.
*6. Damaged and/or deteriorated bathroom ceiling. Repair bathroom ceiling (no green board).
*7. Damaged or missing bathroom door lock. Install locking door hardware.
*8. No electrical GFI outlet by lavatory. Install electrical GFI outlet.

<u>Kitchen</u>
*1. Improper/deteriorated sink. Repair or replace sink.
*2. Damaged, deteriorated, unsanitary countertops. Repair or replace countertops.
*3. Inoperative or missing range exhaust hood or fan – Dirty Filter. Install and/or bring range exhaust to code.
*4. No electrical GFI receptacle by sink. Install electrical GFI receptacle by sink.
*5. Missing, damaged and/or deteriorated cabinets. Install/repair cabinet base.
*6. Damaged/inoperative/unsanitary kitchen appliances. Repair or replace.

<u>General Sanitary Condition</u>
*1. Dwelling unit infested with insects/rodents. Exterminate by licensed pest control.
*2. Dwelling unit contains mold/trash. Properly remove all mold/trash.

<u>Other</u>
***1. Insufficient or missing unit identification or address number. Provide ID per LVMC 13.28.060.**
***2. Inadequate fire protection in hallway or sleeping room. Repair/replace or install smoke detector.**
***3. Unsanitary/missing/damaged carpet/padding/floor covering. Replace carpet/pad/vinyl.**

Because of the conditions, the Building Official or his designee does hereby order *A. Grace II Inc*, owners of the property to:

1. **Vacate unit (30 day notice).**
2. **Obtain licensed contractors, building, electrical, plumbing, mechanical (starred (*) items require a permit and/or a licensed contractor).**
3. **Pull all permits required.**
4. **Call Building & Safety at 229-6251 for inspections.**
5. **Contact Officer 26/23 when completed at 229-4917/229-4921.**

Upon correction of violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #26 at 229-4921 to supply your current phone number, email address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

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It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
01/20/2005 12:43:46 T20050013041
Book/Instr: 20050120-0002516
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Frances Deane
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
ORLANDO SANCHEZ

NOTICE AND ORDER

APN: 139-34-612-011

Case #23649
January 12, 2005
Certified/Regular Mail
Return Receipt Requested

A Grace II Inc
c/o R. Kennedy
5155 Palmyra Ave.
Las Vegas, NV 89146-7029

NUISANCE/LITTER ABATEMENT NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **230 N 8th St, Unit 240, Las Vegas, NV, Parcel #139-34-612-011**, that you are in violation of Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $75.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

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Per 9.12 Outside Storage: Remove furniture, plastic containers, lumber, discarded water heater, pallets, wood, tarps, and household items.

RETURN TO:
CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
VOICE 702.229.2330 • FAX 702.382.3045 • TTY 702.386.9108 • www.lasvegasnevada.gov

Per 16.20 Housing Codes:

Roof
1. Leaking or deteriorated roof/roof covering. Repair or replace roof/roof covering.
2. Damaged or deteriorated roof overhang. Repair to code.
3. Damaged/inoperable evaporative cooler. Repair or replace evaporative cooler.

Foundation
*Foundation wall vent screens missing. Install vent screens for air circulation.

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*Damaged and/or deteriorated exterior stucco. Repair/Rewire/Re-stucco/Repaint.

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Premises and Common Areas
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*3. Damaged, deteriorated or missing parking barriers. Repair and/or replace parking barriers.
*4. Inadequate trash receptacles. Provide adequate approved trash receptacles.
5. Premises covered with high weeds and overgrowth/overgrown trees. Cut and remove high weeds and overgrowth.
6. Inadequate/deteriorated landscaping. Install/rehabilitate landscaping per zoning.
7. Missing or incorrect assigned house numbers. Replace/install correct numbers per UBC/UFC.
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*1. Inoperative air conditioning unit/cooler/weatherproof. Repair or replace to code.
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Hot Water Heater
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<u>Other</u>

***1. Insufficient or missing unit identification or address number. Provide ID per LVMC 13.28.060.**
***2. Inadequate fire protection in hallway or sleeping room. Repair/replace or install smoke detector.**
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Because of the conditions, the Building Official or his designee does hereby order *A. Grace II Inc*, owners of the property to:

1. **Vacate unit (30 day notice).**
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5. **Contact Officer 26/23 when completed at 229-4917/229-4921.**

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It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

January 20, 2005

To: Las Vegas City Council
Las Vegas, NV

Re: Appeal to the Notice and Order
Case No. 23649

Dear Sir/Madam:

We would like to appeal the citation No. Per 16.20 Housing Code as listed in the above mentioned Notice and Order for the units on our property at 230 N. 8th St..

Enclosed is a copy of our letter to Mr. Devin Smith, Manager of the Neighborhood Services Department.

We would appreciate your consideration of our request and intentions.

Sincerely,

Ruth Kennedy
(702) 241-1770
A GRACE II, Inc.
5515 Palmyra Ave.
Las Vegas, NV 89146

January 18, 2005

Mr. Devin Smith, Manager
Department of Neighborhood Services
Neighborhood Response Division

Re: Case No. 23649 APN 139-34-612-011

Dear Mr. Smith:

In response to your notice and order dated January 12, 2005, we have complied with the corrections for the following violations mentioned in the letter.

1) Per 9.04 Weeds/Turf
2) Per 9.12 Outside Storage

We will see to it that we comply with the Las Vegas Municipal Codes.

Due to the enormous cost to repair the units to comply with 16.20 Housing Codes, we request that you consider the repairs be minimal since we are currently entertaining possible investors and speaking with architects to build a residential condominium tower or mixed used project on the property. In fact, these potential investors have done their due diligence in communicating with the City of Las Vegas regarding this project.

We purchased this property last April 2004 with this intention. As you are aware, planning for such a project takes months to finish. Therefore, we asked that our tenants, who have been there for quite sometime, be allowed to stay while we carry out the negotiations and get all the plans put in place. This will also allow us to give them proper notification when the time comes.

Please contact me at (702) 332-9497 or Ruth Kennedy at (702)241-1770

Thank you for your kind consideration.

Sincerely,

Maria Gingras

Maria Gingras
A Grace II, Inc.

Cc: Mr. Orlando Sanchez, Director

RECEIVED
CITY CLERK
2005 JAN 20 P 12: 55

NEIGHBORHOOD SERVICE
DEPARTMENT

2005 FEB 15 A 10: 26

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
'AWRENCE WEEKLY
'CHAEL MACK
.EVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

February 11, 2005

CERTIFIED & REGULAR MAIL

Ruth Kennedy
A GRACE II, Inc.
5515 Palmyra Avenue
Las Vegas, Nevada 89146

Re: Appeal of the Nuisance/Litter Abatement Notice and Order to Comply for property located at 230 North 8th Street

Dear Ms. Kennedy:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 2nd day of March, 2005, at the hour of 1:00 p.m. This hearing is in response to the letter dated January 20, 2005, from Ruth Kennedy, A GRACE II, Inc. requesting the same, concerning the Nuisance/Litter Abatement Notice and Order to Comply for property located at 230 North 8th Street.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Ricky Barlow, Ward 5 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov
18112-001-1-05
CLV 7009

RECEIVED
CITY CLERK

2005 MAR 15 A 11: 32

A GRACE II, Inc
5515 Palmyra Ave.
Las Vegas, NV 89146
(702) 241-1770

March 14, 2005

Mr. Devin Smith, Manager
City Of Las Vegas
Neighborhood Services Department
Neighborhood Response Division
400 Steward Ave.
Las Vegas, NV. 89101

Ref: 230 N. 8th St. Las Vegas
NSD Case No. 23649

Dear Sir:

We have received mixed directions and continuous opposition, which resulted in monetary losses. We continue to receive unnecessary and unprofessional treatment from Officer Drake of your department who is assigned as an inspector in our area. He has been very rude, intimidating, and has harassed us during our conversations and at times hung up during telephone conversation with us. His lack of manners and unprofessional behavior is very difficult to deal with and such behavior misrepresents your department.

We have done everything we can to comply with the work that needs to be done especially on electrical matters. Mr. Fred Zimmerman from the City Building and Safety Department passed the electrical services, which we were told needed to be brought up to code. USA Services, a licensed electrical contractor was hired to do the rest of the required repairs.

On our February 4, 2004 meeting with you and Officer Drake at the site, you told us to go ahead with the repairs and cleanup, but later was told by Officer Drake to stop the job while waiting on the result of the appeal. Therefore, much of the repairs we could have completed were halted.

During the Appeals hearing with the City Council on March 2, 2004, we were told to go ahead with the repairs and cleanup. It was indicated the property needs to be safe, livable, and free of rodents which we have done so.

On March 8, 2004, we made an appointment with Officer Drake to inspect one of the completed units. He rudely stated the work is illegal and that we need to stop what we are doing. Officer Drake required us to fax all the paperwork on the electrical because he insisted there was nothing in our files to prove it. It is beyond our control if our records have not been updated. In addition, he refused to accept the passing inspection notice from the City Building and Safety Department and the work done by USA Services without a permit from the city.

Submitted after final agenda

Date 3/15/05 Item # 88

Last Saturday, March 12, 2004, Mr. Gingras received a phone call from Duey, the electrician with USA Services. He stated that on March 10, 2004, Officer Drake rudely told him he should know better and should not be performing the repairs without permits. Duey immediately called the city building inspector, Mr. Jim Shadrick and received a confirmation that permits are not required for the repairs being performed since no new services were being installed.

We feel that Officer Drake has treated us unfairly, and if he continues to do so, we will seek legal counsel on our behalf. We are asking that we can be assigned an inspector who is professional and reasonable.

It has been our intention to perform all necessary repairs and to cleanup the property and maintain it. We have retained Design Control Inc. of California, an Urban Design and Development company to develop our property. They have prepared preliminary plans for a 64-unit residential mixed-use condominium development. Design Control Inc. is working with the city planning and business development department and they have personally written to you a letter of our plans. As you are aware, planning for such a project takes months to finish. Therefore, we asked your kind consideration and cooperation during these planning stages.

Sincerely,

A. Grace II Inc.

Ruthjean Kennedy

Ruthjean Kennedy
President

Cc: City Council of Las Vegas

Mr. Orlando Sanchez, Director
City Of Las Vegas
Neighborhood Services Department

BP

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Appeal 230
RUTH KENNEDY
A GRACE II, INC.
5515 PALMYRA AVENUE
LAS VEGAS NV 89146

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Ruth Jean Kennedy ☐ Agent ☐ Addressee

B. Received by (Printed Name): RUTH JEAN KENNEDY

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

USPS 89102 LAS VEGAS NV GARSIDE STATION MAR 2 2005

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7004 1160 0005 5215 3110

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

City of Las Vegas

Agenda Item No. 89

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MARCH 16, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - VARIANCE

EOT-6009 - APPLICANT: LDID - OWNER: ASIAN DEVELOPMENT, LLC - Request for an Extension of Time for an approved Variance (VAR-1916) TO ALLOW NO STEPBACKS WHERE STEPBACKS ARE REQUIRED AFTER THE FOURTH STORY IN THE TOWN CENTER DEVELOPMENT STANDARDS on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APNs 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting	0	**City Council Meeting**	0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTION:

REESE - APPROVED Item 89 [EOT-6009], Item 90 [EOT-6008], Item 91 [EOT-6007] and Item 94 [EOT-6043] subject to conditions - UNANIMOUS

MINUTES:

In regard to Item 94 [EOT-6043], COUNCILMAN REESE indicated he has been working with the applicant and the owner of the property and appreciates their hard work.

(1:15 - 1:19)

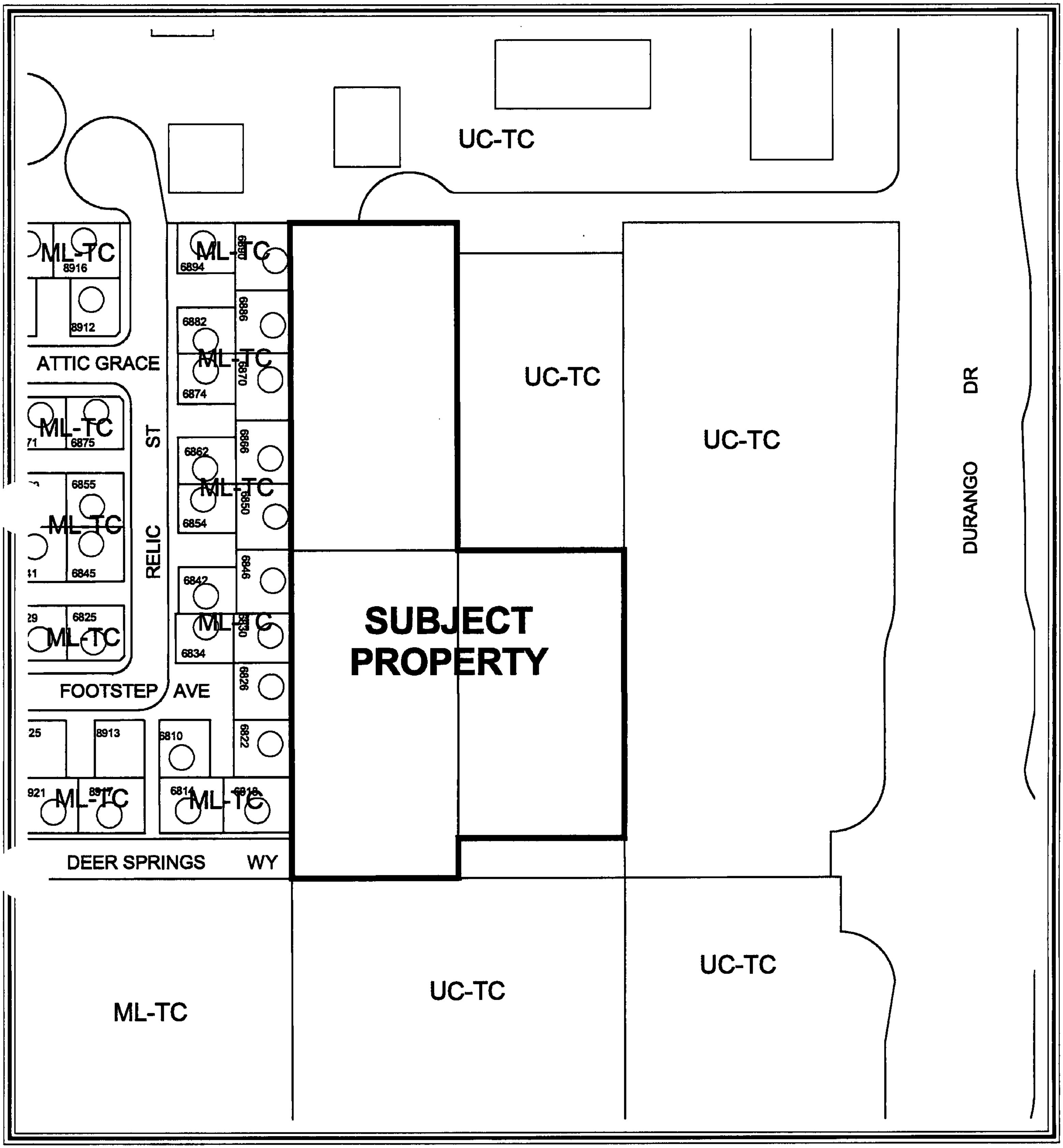
3-340

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on 05/07/07 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0071-02, Rezoning ZON-1913, Special Use Permit SUP-1915, Variance VAR-1916, Site Development Plan Review SDR-1914 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



0 100 200 Feet

CASE: EOT-6009

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 16, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-6009 - APPLICANT: LDID – OWNER: ASIAN DEVELOPMENT, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time shall expire on 05/07/07 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning Z-0071-02, Rezoning ZON-1913, Special Use Permit SUP-1915, Variance VAR-1916, Site Development Plan Review SDR-1914 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This request is for an Extension of Time for an approved Variance (VAR-1916) to allow no stepbacks where stepbacks are required after the fourth story in the Town Center Development Standards on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive.

B) Applicant's Justification

The applicant's justification letter indicates additional time is needed because they have been waiting for more commercial and residential growth within the area.

BACKGROUND INFORMATION

A) Related Actions

01/08/03	The City Council approved a Rezoning (Z-0071-02) to TC (Town Center) on a portion of this site. The Planning Commission and staff recommended approval on 12/05/02.
05/07/03	The City Council approved a Rezoning (ZON-1913) to TC (Town Center) on the remaining portion of this site, a Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District, a Variance (VAR-1916) to allow no stepbacks where stepbacks are required after the fourth story in the Town Center Development Standards and a Site Development Plan Review (SDR-1914) for a fifteen story office/retail building with parking garage. The Planning Commission and staff recommended approval on 04/07/03.
02/17/05	To date, no building plans have been submitted for the proposed development.
03/16/05	The City Council will hear related requests for an Extension of Time (EOT-6007) for Site Development Plan Review (SDR-1914) which allowed a fifteen story office/retail building with parking garage and an Extension of Time (EOT-6008) for Special Use Permit (SUP-1915) for a fifteen story office building where Town Center Development Standards allow a maximum of twelve stories in the UC-TC (Urban Center Mixed-Use - Town Center) District.

B) Pre-Application Meeting

A pre-application meeting is not required for this type of application.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	3.08

B) Existing Land Use

Subject Property:	Undeveloped
North:	Apartments
South:	Undeveloped
East:	Undeveloped
West:	Single Family Residences

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center)
North:	UC-TC (Urban Center Mixed Use - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center)
East:	UC-TC (Urban Center Mixed Use - Town Center)
West:	ML-TC (Medium-Low Density Residential - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	U (Undeveloped) [TC (Town Center) General Plan Designation]
East:	T-C (Town Center)
West:	T-C (Town Center)

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. The existing T-C (Town Center) zoning and UC-TC (Urban Center Mixed Use - Town Center) land use are in compliance with this land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		X
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The site is located within the portion of Town Center designated as UC-TC (Urban Center Mixed-Use). Development within this land use designation will typically be multi-storied having ground floor offices and/or retail with similar or residential uses utilizing the upper floors. The minimum height requirement in this category is two stories. There are no density limitations in the UC District. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan.

Map 6 of the Transportation Trails Element of the Master Plan calls for an eight-foot Town Center Arterial Trail along Deer Springs Way, in front of the subject site. This trail is incorporated into the street-section for a Town Center Arterial (Figure 2b of the Town Center Development Standards Manual), which requires a three-foot amenity zone and a five-foot sidewalk on either side of the Arterial, within the 80-foot right-of-way.

General Analysis and Discussion

The subject Variance was approved to allow no stepbacks where stepbacks are required after the fourth story in the Town Center Development Standards in conjunction with a Site Development Plan Review and Special Use Permit which allowed a fifteen story office/retail building with parking garage on this site.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of

> property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

The City Council in approving the subject Variance found evidence of a unique or extraordinary circumstance to allow for the elimination of the required stepbacks. The applicant is requesting additional time because they have been waiting for more commercial and residential growth within the area, therefore the recommendation for this request is approval with another two year time limit.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-6009 APN: 125-20-201-015, 017, 018

Name of Property Owner: Asian Development, LLC

Name of Applicant: LDID

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_________ Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: ______________________

Partner(s): ______________________ ______________________

APN: ______________________

Signature of Property Owner/Authorized Agent: Craig D. Brooksby

Print Name: Craig D. Brooksby

Subscribed and sworn before me

This 19th day of January, 2005

Donna Thornton

Notary Public in and for said County and State

DONNA THORNTON
Notary Public, State of Nevada
Appointment No. 02781101
My Appt. Expires Oct. 3, 2006

RECEIVED
JAN 2 4 2005

EOT-6007
EOT-6008
EOT-6009
3-16-05 CC

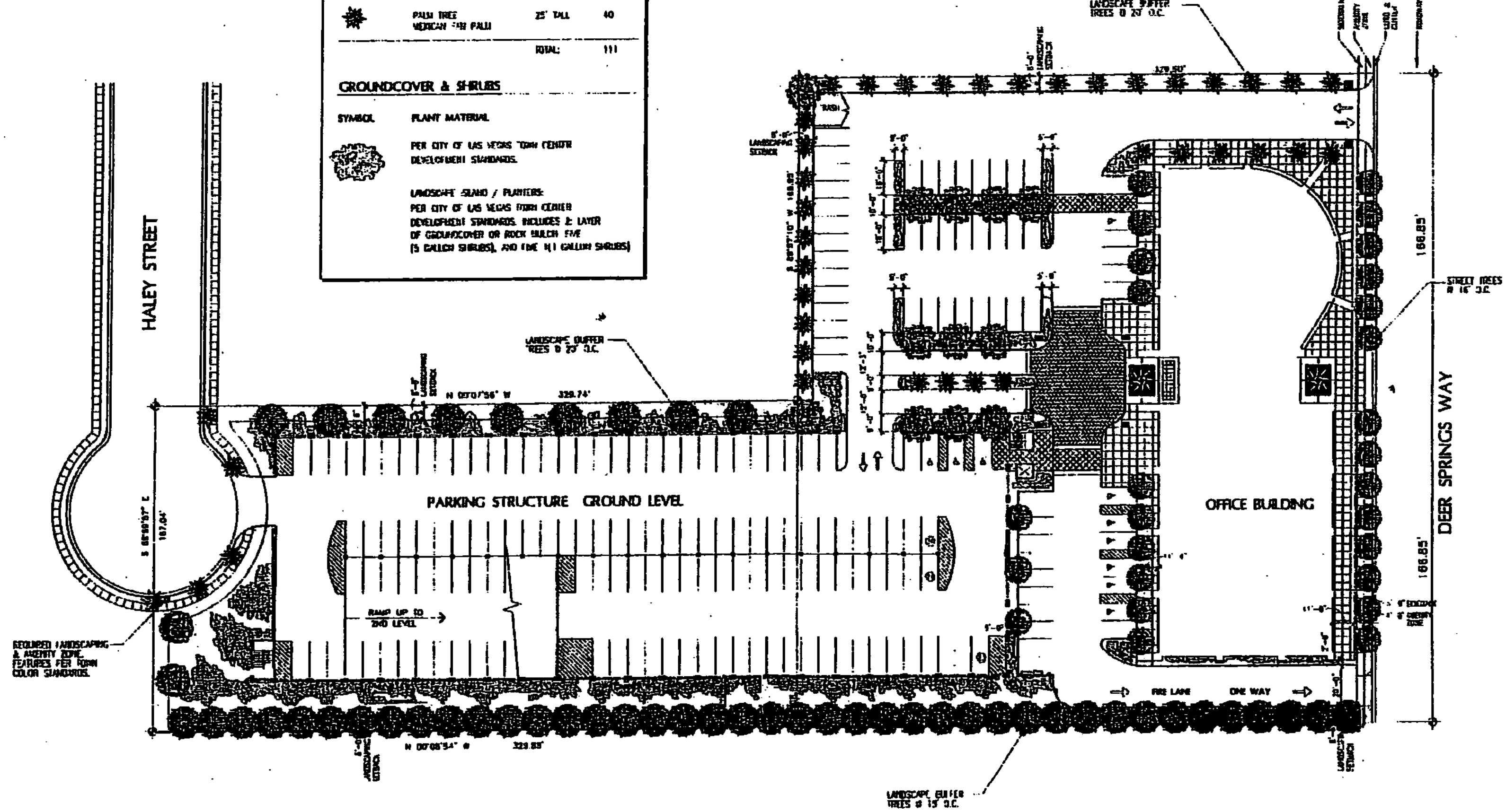
LANDSCAPING LEGEND

TREES

SYMBOL	SPECIES	SIZE	QUANTITY
	SHADE TREE RIO GRANDE ASH	24" BOX	27
	EVERGREEN MONDALE PINE	24" BOX	30
	ACCENT TREE CHITALPA TASHKENTENSIS	24" BOX	14
	PALM TREE MEXICAN FAN PALM	25' TALL	40
		TOTAL:	111

GROUNDCOVER & SHRUBS

SYMBOL	PLANT MATERIAL
	PER CITY OF LAS VEGAS TOWN CENTER DEVELOPMENT STANDARDS. LANDSCAPE ISLAND / PLANTERS: PER CITY OF LAS VEGAS TOWN CENTER DEVELOPMENT STANDARDS. INCLUDES 2" LAYER OF GROUNDCOVER OR ROCK MULCH. FIVE (5 GALLON SHRUBS), AND FIVE (1 GALLON SHRUBS)



LANDSCAPE PLAN

SCALE: 1" = 30'-0"

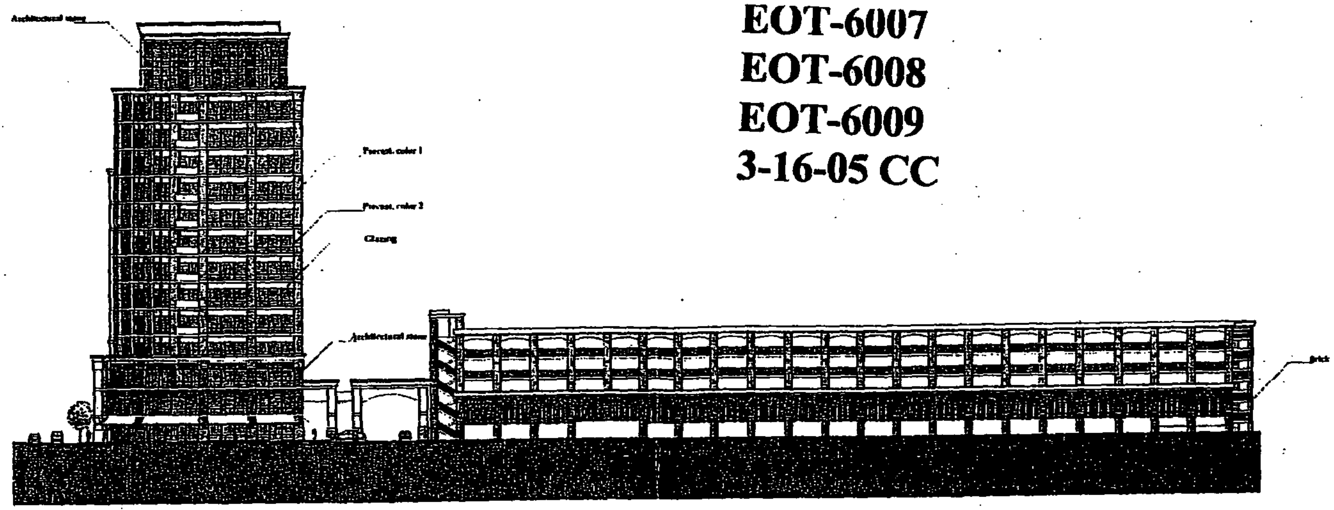
CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-25-03 REVISED: 05-07-03

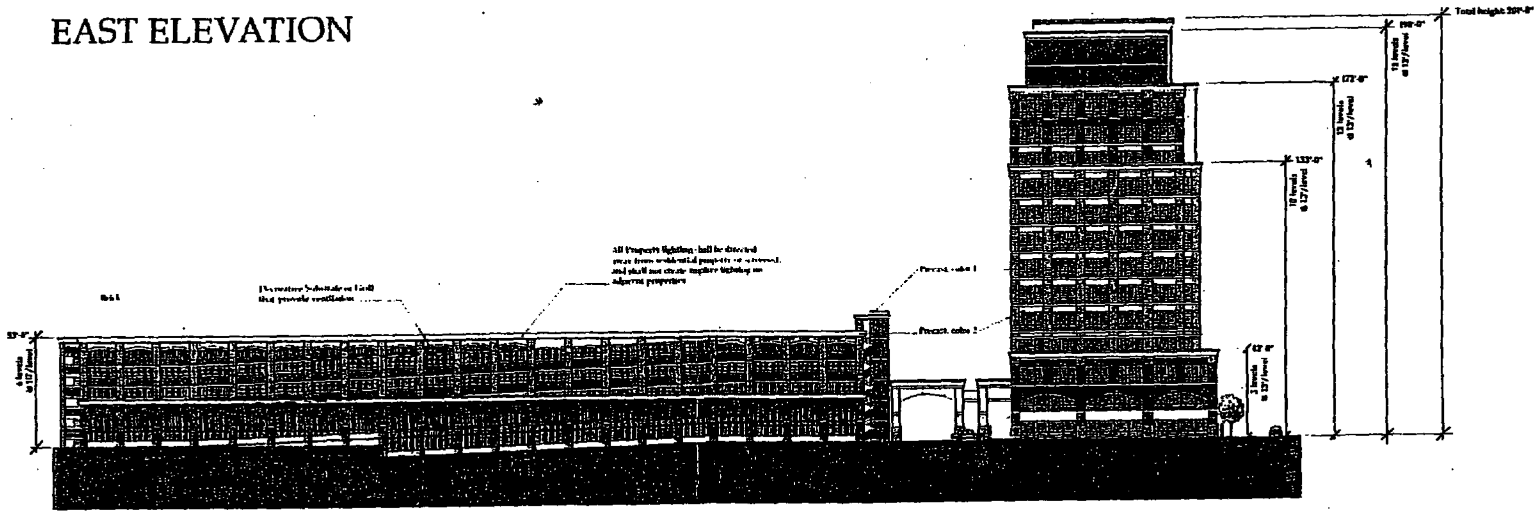
ARCHITECTS

RECEIVED
JAN 24 2005

EOT-6007
EOT-6008
EOT-6009
3-16-05 CC



EAST ELEVATION



WEST ELEVATION

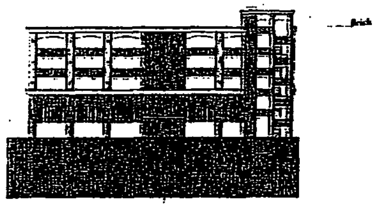
SCALE: 1" = 30'-0"

CENTENNIAL HILLS OFFICE TOWER

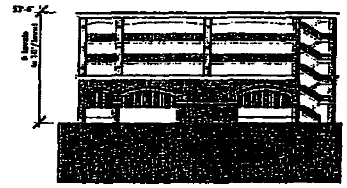
SCHEMATIC DESIGN: 02-25-03 REVISED: 05-07-03

ARCHITECTS

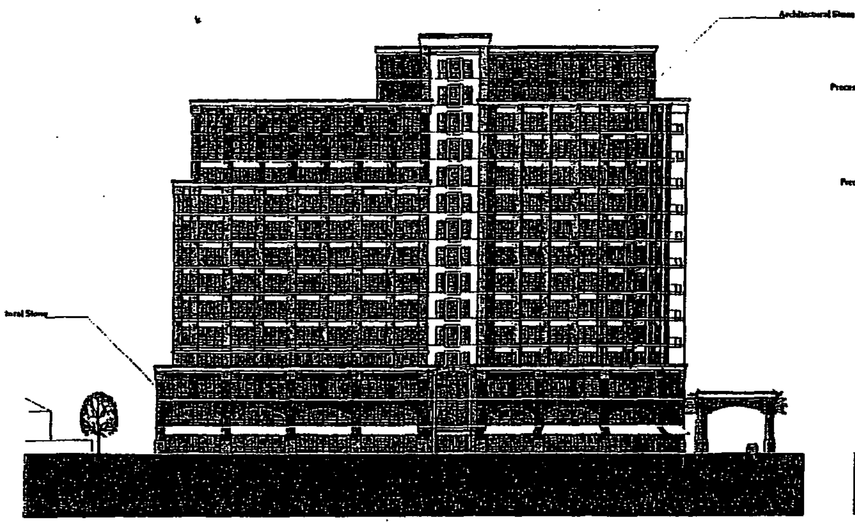
EOT-6007
EOT-6008
EOT-6009
3-16-05 CC



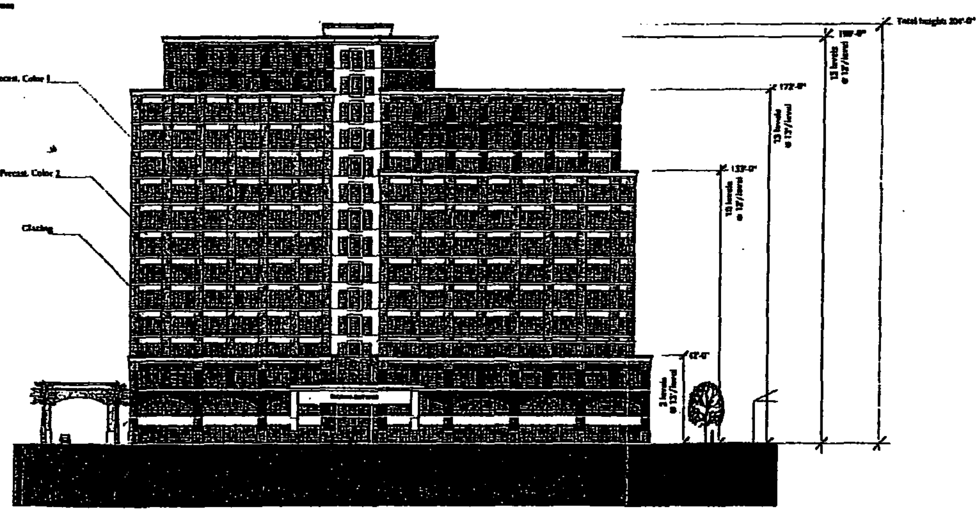
SOUTH ELEVATION (PARKING STRUCTURE)



NORTH ELEVATION (PARKING STRUCTURE)



SOUTH ELEVATION



NORTH ELEVATION

SCALE: 1" = 30'-0"

CENTENNIAL HILLS OFFICE TOWER

SCHEMATIC DESIGN: 02-25-03

ARCHITECTS

Justification Letter

For Centennial Hills Office Tower

January 20, 2005

Subject Site :
APN's 125- 20-201-015, 017,018

RE: Extension of time for; ZON-1913, SUP-1915, SDR-1914, VAR-1916 (VARIENCE)

Land Development Investment & Diversification is requesting an Extension of Time, for an additional Two years on this project. This project consists of a15 story office tower within Centennial Hills Business District located at Durango and Deer Springs. This area has not developed as fast as we had hoped. We have been waiting for more commercial and residential growth within the area. With all the Development which has taken place within the last two years and having seen the plans for near future developments we are committed to get this project completed within the two years Extension of Time. We have currently hired an outstanding Architect firm and Civil and Structural Engineers to assist in getting this project done. We fill this project is what was intended for Centennial Hills Business District and will be a great land mark for the area.

Thank you,

David J Bramlett, dd

David Bramlett
Project Manager,
Phone (702)523-7296
Fax (702)658-5655

EOT-6009