RESOLUTION NO. R-87-99

A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) THAT HAS BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED THEREAGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH APPORTIONMENT.

WHEREAS, the City of Las Vegas (the "City" herein), in the County of Clark and State of Nevada, is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as the same have been amended to the date hereof, and the general laws of said State; and

WHEREAS, by Ordinance No. 3992 that was passed, adopted and approved by the City Council of the City (the "City Council" herein) on the 15th day of May, 1996, the City Council created "City of Las Vegas, Nevada, Special Improvement District No. 707 (Summerlin Area)" (the "District" herein) for the purposes of providing for the acquisition, construction and the installation of street, road, sanitary sewer, storm sewer/drainage improvements, and water main projects (the "Project" herein), and of defraying the entire cost and expense thereof by special assessments against the assessable lots and parcels of property within the District according to the benefits that would be derived from the Project by the respective lots and parcels that were to be so assessed, all in accordance with the provisions of Chapter 271, et seq., of the Nevada Revised Statutes ("NRS" herein) that provide therefor; and

///

WHEREAS, by Ordinance No. 3993 that was duly passed, adopted and approved by the City Council on the 15th day of May, 1996, the City Council assessed all of the costs and expenses of acquiring, constructing, and installing the Project against the assessable lots and parcels of property within the District that were benefited by the Project; and

WHEREAS, NRS 271.425 provides that, if any lot or parcel of property within a special improvement district that has been created by a municipality in said State is divided after a special assessment thereupon has been levied and divided into installments and before the collection of all of such installments, the governing body of such municipality may require the municipal treasurer to apportion the uncollected amount of such special assessment among the several parts into which such lot or parcel has been divided; and

WHEREAS, that certain lot or parcel of property, that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 137-25-813-001, and is situate within the District has been divided after the special assessments thereupon were levied and divided into installments, and not all of such installments have been collected or apportioned among other lots and parcels that may have been created out of said Parcel after such assessments were levied; and

WHEREAS, the City Council desires, by this Resolution, to direct the City Treasurer of the City (the "City Treasurer" herein) to apportion the uncollected and heretofore unapportioned amounts of the special assessments that has been levied upon the above-described Parcel among the several parts into which said Parcel has been divided;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at this regular meeting thereof that is being held on this 1st day of September, 1999, as follows:

SECTION 1. That the City Treasurer be, and he hereby is, authorized, empowered and directed to apportion, on an equitable basis, the uncollected and unapportioned amounts of the special assessments that were, by virtue of the adoption by the City Council of said Ordinance No. 3993, levied upon those certain lots or parcels of property that are situate within the District and are identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 137-25-813-001, among the several parts into which said Parcel 137-25-813-001, has been divided.

SECTION 2. That the City Treasurer be, and he hereby is, further authorized, empowered and directed to prepare, submit and file with the City Clerk of the City (the "City Clerk" herein) a report of the apportionment that is required by Section 1 of this Resolution.

SECTION 3. That the City Clerk be, and she hereby is, authorized, empowered and directed to furnish a copy of this Resolution to the City Treasurer.

///

///

///

///

///

///

///

SECTION 4. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

PASSED, ADOPTED AND APPROVED this 1st day of September, 1999.

OSCAR B. GOODMAN, Mayor

Approved as to form:

8/17/99
Date Deputy City Attorney

ATTEST:

BARBARA JO RONEMUS, City Clerk
By: Beverly K. Bridges
Chief Deputy City Clerk