

Summary - a resolution initiating proceedings in the City of Las Vegas, Nevada, Special Improvement District No. 1476 (Town Center Area Frontage Road)

RESOLUTION NO. R-107-99

A RESOLUTION DIRECTING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS ON BEHALF OF THE CITY OF LAS VEGAS TO PREPARE AND FILE WITH THE CITY CLERK, PRELIMINARY PLANS, ESTIMATE OF COSTS, AND AN ASSESSMENT PLAT IN CONNECTION WITH A PROPOSED PROJECT IN THE CITY'S SPECIAL IMPROVEMENT DISTRICT NO. 1476 (TOWN CENTER AREA FRONTAGE ROAD) PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW, AND ALL LAWS AMENDATORY THEREOF AND SUPPLEMENTAL THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas in the State of Nevada (the "City" and "State," respectively) is a political subdivision of the State duly organized and operating under the provisions of its Charter, and all laws amendatory thereof (the "Charter"); and

WHEREAS, the City Council of the City of Las Vegas (herein the "Council" or the "Governing Body") has determined and does hereby declare, that it is necessary and for the best interest of the City and the inhabitants thereof and that the interest of the City requires the acquisition and improvement of a project as hereinafter described (the "Project"); and

WHEREAS, for the purpose of designation and identification it is desirable that the hereinafter described Project, as well as the lots, tracts, and parcels of land to be assessed therefore, be known and identified as "City of Las Vegas, Nevada, Special Improvement District No. 1476 (Town Center Area Frontage Road)."

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

Section 1. The City's Department of Public works (herein the "Engineer") is hereby directed to make out and file at the Office of the Clerk of the City, in connection with the improvements and with the proposed City of Las Vegas, Nevada, Special Improvement District No. 1476 (Town Center Area Frontage Road) preliminary plans showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness, and a preliminary estimate of the total cost (including all incidental costs), and a preliminary estimate of the portion of the total cost to be assessed for the acquisition and improvement of the

Project which is described as follows:

The frontage road improvements will include full-width pavement, medians, storm drain facilities, traffic control devices, curb and gutter, streetlights, driveways, and sewer and water utility laterals and main extensions within 72 feet of the proposed 90 feet of right-of-way along the frontage road. The additional 18 feet of right-of-way is composed of 9 foot amenity zones on either side of the frontage road. (The improvements to the amenity zone are not a part of the Project).

The location of the above improvements, by quadrant are generally described as follows:

Northwest Quadrant

Starting from the center of the Elkhorn Road overpass over U.S. 95, proceeding westerly to a point approximately 900 feet east of the intersection of the Elkhorn Road and El Capitan Way, then southerly to the intersection of Durango Drive and Centennial Parkway, then easterly approximately 1320 feet. (approximately 8,265 feet).

Northeast Quadrant

Starting from the center of the Elkhorn Road overpass over U.S. 95, proceeding easterly approximately 1,380 feet, then southerly approximately 9,820 feet adjacent to U.S. Highway 95 and the future beltway alignment to the intersection of Centennial Parkway and Tenaya Way. (approximately 11,200 feet).

Southeast Quadrant

Starting from the westerly touchdown point of the Tropical Parkway overpass over U.S. 95 easterly to the intersection of Tenaya Way and Azure Drive. (approximately 3,945 feet).

Section 2. The acquisition of the improvements shall constitute one or more assessment units within the improvement district, as described in Section 1 hereof, such determination of the number of assessment units to be made based upon the preliminary plans.

Section 3. Except as shown on the preliminary plans to be filed by the Engineer in the office of the City Clerk, the character of such improvements shall be as described above.

Section 4. The boundaries of the District shall be the project as described above and all property which fronts on the roads comprising the Project as described above and all property which abuts any other property in the District which is under common ownership with the property in the District which it abuts.

Section 5. The Engineer is hereby directed to estimate the cost of each type of construction in a lump sum or by unit prices, as to such Engineer may seem most desirable for the construction or installation of the improvements complete in place. Such preliminary estimate of costs shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, interest on interim warrants, if any, printing, discount on local improvement bonds, if necessary, and such other expenses as in the judgment of such Engineer is necessary or essential to the completion of such work or improvement attributable to the costs in the District and the payment of the cost thereof. The entire cost of the Project is of special benefit and all of such costs shall be paid by special assessments against the lots, tracts and parcels of land benefited.

Section 6. The Engineer is hereby directed to prepare and file with the City Clerk an assessment plat showing the area to be assessed, the market value, and a description of each lot, tract or parcel of land, the name and address of each owner, and the amount of estimated maximum benefits to be assessed against each lot, tract or parcel of land, i.e., assessments are to be levied against each lot, tract or parcel of land within the boundaries of the District, for improvements designated herein on an acreage basis. (i.e., each piece will be assessed in the same ratio as that parcel's area bears to the area of all assessable property in the District.) The assessment is to be made upon all tracts benefited by the Project proportionately to the benefits received. Any lot, tract or parcel of land not specifically benefitted by the improvements will be designated so that assessments according to benefits are equal and uniform, such being the basis of assessments as designated by the Council.

Section 7. The Engineer is hereby directed to prepare for the Council a report on benefits. Such report is to contain information concerning whether the public convenience and necessity require the creation of the District, and require the construction of the Project. The report should also contain information on whether the creation of the District will be

economically sound and feasible, and whether the amount of the enhanced market value of each of the benefited lots and tracts will exceed the proposed amount of assessment.

Section 8. All action taken by the Council in connection with the District shall be taken in conformity with the provisions of Chapter 271, Nevada Revised Statutes.

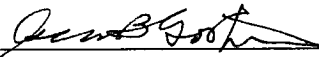
Section 9. All action, proceedings, matters and things heretofore taken, had and done by the City and the Officers thereof (not inconsistent with the provisions of this resolution) concerning the District be, and the same hereby are, ratified, approved and confirmed.

Section 10. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

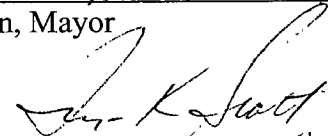
Section 11. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 12. The invalidity of any section, paragraph, clause or provision of this resolution shall not affect any remaining provisions hereof.

PASSED AND ADOPTED this December 15, 1999.

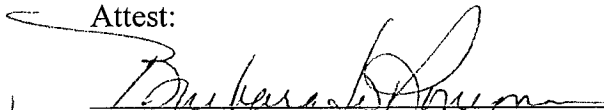


Oscar Goodman, Mayor

OK  12/30/99
Deputy City Attorney

(SEAL)

Attest:



Barbara Jo Ronemus, City Clerk