

A RESOLUTION TENTATIVELY APPROVING THE ASSESSMENT ROLL FOR LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 488; ORDERING SUCH ROLL TO BE FILED IN THE OFFICE OF THE CITY CLERK; AND FIXING THE TIME WHEN OBJECTIONS TO SUCH ROLL WILL BE HEARD.

WHEREAS, the City of Las Vegas, in the County of Clark and State of Nevada, has taken the requisite legal action preliminary to and in the creation of Las Vegas, Nevada, Special Improvement District No. 488, consisting of seven (7) separate and distinct assessments units, for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Owens Avenue and portions thereof, as is more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution which was passed, adopted and approved on the 16th day of November, 1988, as ASSESSMENT UNIT NO. I, the installation of curbs and gutters along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II, the installation of sidewalks along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. III, the installation of residential or commercial, at the option of the owner of the particular lot or parcel of property, driveway approaches along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IV, the installation of a street lighting system and all facilities that are incidental thereto along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. V, the installation of sanitary sewer laterals along Owens Avenue and portions thereof, as is



more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VI, and the installation of water distribution laterals along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VII, and of defraying the entire cost and expense thereof by special assessments, according to benefits, against the taxable lots and parcels of property in each assessment unit of said District, all in accordance with the statutes of the State of Nevada which provide therefor; and

WHEREAS, by Ordinance No. 3409, duly passed, adopted and approved on the 1st day of February, 1989, the City Council of said City finally passed upon all protests and objections to the creation of said District and the inclusion therein of each assessment unit thereof, determined to proceed with such improvements as are described in such preliminary proceedings, except as the same may have been modified and provided for in said Ordinance, and created said District; and

WHEREAS, pursuant to a notice that was duly given, said City Council, on the 17th day of May, 1989, received bids for the doing of the work for the construction and installation of such improvements and formally entered into the following contracts, to-wit:

SOUTHERN NEVADA PAVING, INC., in the amount of \$59,775.00, for the improvements to be installed in ASSESSMENT UNIT NO. I,

SOUTHERN NEVADA PAVING, INC., in the amount of \$42,489.00, for the improvements to be installed in ASSESSMENT UNIT NO. II,

SOUTHERN NEVADA PAVING, INC., in the amount of \$63,856.00, for the improvements to be installed in ASSESSMENT UNIT NO. III,

SOUTHERN NEVADA PAVING, INC., in the amount of \$12,103.00, for the improvements to be installed in ASSESSMENT UNIT NO. IV,

SOUTHERN NEVADA PAVING, INC., in the amount of \$84,538.00, for the improvements to be installed in ASSESSMENT UNIT NO. V,

SOUTHERN NEVADA PAVING, INC., in the amount of \$18,000.00, for the improvements to be installed in ASSESSMENT UNIT NO. VI and

SOUTHERN NEVADA PAVING, INC., in the amount of \$48,750.00, for the improvements to be installed in ASSESSMENT UNIT NO. VII;

and

WHEREAS, after making such contracts, said City Council determined what portion of the costs of such work, including advertising, appraising, engineering, legal, printing and other costs that are properly incidental thereto, should be assessed against and paid by the lots and parcels of property that are specially benefited by the improvements that are constructed and

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installed in each assessment unit of said District, to-wit:

ASSESSMENT UNIT NO. I	\$ 88,384.00
ASSESSMENT UNIT NO. II	56,828.00
ASSESSMENT UNIT NO. III	76,802.00
ASSESSMENT UNIT NO. IV	17,661.00
ASSESSMENT UNIT NO. V	115,126.00
ASSESSMENT UNIT NO. VI	20,743.00
ASSESSMENT UNIT NO. VII	<u>34,566.00</u>
TOTAL	\$ 410,110.00;

and

WHEREAS, the City Engineer of said City, pursuant to the directions that are contained in that certain Resolution that was duly passed, adopted and approved by said City Council on the 16th day of January, 1991, has prepared an assessment roll which contains, among other things, the name of each last known owner of each lot or parcel of property that is to be assessed, a description of each such lot or parcel and the amount of the proposed assessment thereagainst, apportioned upon a front foot basis in ASSESSMENT UNIT NO. I and ASSESSMENT UNIT NO. V, upon a lineal foot basis in ASSESSMENT UNIT NO. II and ASSESSMENT UNIT NO. III, in ASSESSMENT UNIT NO. IV upon the basis that each lot or parcel of property to be assessed in the assessment unit for residential driveway approaches shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for residential driveway approaches in the proportion that the number and width of the residential driveway approaches installed to serve said lot or parcel bears to the total number and aggregate width of all of the residential

driveway approaches installed to serve all assessable property in the assessment unit and upon the basis that each lot or parcel of property to be assessed in the assessment unit for commercial driveway approaches shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for commercial driveway approaches in the proportion that the number and width of the commercial driveway approaches installed to serve said lot or parcel bears to the total number and aggregate width of all of the commercial driveway approaches installed to serve all assessable property in the assessment unit, in ASSESSMENT UNIT NO. VI upon the basis that each lot or parcel of property to be assessed in the assessment unit for 4-inch sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 4-inch sewer laterals in the proportion that the number of the 4-inch sewer laterals installed to service said lot or parcel bears to the total number of the 4-inch sewer laterals installed to serve all assessable property in the assessment unit, upon the basis that each lot or parcel of property to be assessed in the assessment unit for 6-inch sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 6-inch sewer laterals in the proportion that the number of the 6-inch sewer laterals installed to serve said lot or parcels bears to the total number of the 6-inch sewer laterals installed to serve all assessable property in the assessment unit and upon the basis that each lot or parcel of property to be assessed in the assessment unit for 8-inch sanitary sewer laterals

shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 8-inch sewer laterals in the proportion that the number of the 8-inch sewer laterals installed to serve said lot or parcel bears to the total number of the 8-inch sewer laterals installed to serve all assessable property in the assessment unit and in ASSESSMENT UNIT NO. VII upon the basis that each lot or parcel of property to be assessed in the assessment unit for 5/8ths-inch water distribution laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 5/8ths-inch water laterals in the proportion that the number of the 5/8ths-inch water laterals installed to service said lot or parcel bears to the total number of the 5/8ths-inch water laterals installed to serve all assessable property in the assessment unit, upon the basis that each lot or parcel of property to be assessed in the assessment unit for 2-inch water distribution laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 2-inch water laterals in the proportion that the number of the 2-inch water laterals installed to serve said lot or parcel bears to the total number of the 2-inch water laterals installed to serve all assessable property in the assessment unit, upon the basis that each lot or parcel of property to be assessed in the assessment unit for 6-inch water distribution laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 6-inch water laterals in the proportion that the number of the 6-inch water laterals installed to serve said lot or parcel bears to the total number of the 6-

inch water laterals installed to serve all assessable property in the assessment unit and upon the basis that each lot or parcel of property to be assessed in the assessment unit for 8-inch water distribution laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 8-inch water laterals in the proportion that the number of the 8-inch water distribution laterals installed to serve said lot or parcel bears to the total number of the 8-inch water laterals installed to serve all assessable property in the assessment unit, all as is more particularly set forth in Section 4 of said Ordinance No. 3409; and

WHEREAS, said City Council has determined, and does hereby determine, that the lots and parcels of property in said City that are specially benefited by the improvements that are constructed and installed in each assessment unit of said District, and only those lots and parcels of property that are so specially benefited, are included in such assessment roll.

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 6th day of February, 1991, as follows:

SECTION 1. That the assessment roll for Las Vegas, Nevada, Special Improvement District No. 488 has been examined and is hereby tentatively approved and ordered to be filed in the Office of the City Clerk of said City, numbered as Roll No. 1991-1.

SECTION 2. That Wednesday, the 6th day of March, 1991, at 2:00 o'clock p.m., in Rooms 201 and 202 of the Cashman Field

Center, 850 Las Vegas Boulevard North, Las Vegas, Nevada, be, and the same hereby are, fixed as the date, time and place when and where said City Council will hear and consider objections to such assessment roll by the owners of the lots and parcels of property that are specially benefited by the improvements that are constructed and installed in each assessment unit of "Las Vegas, Nevada, Special Improvement District No. 488" and are proposed to be assessed therefor, by any party who is interested in the regularity of the proceedings in making such assessments and by any party who may be aggrieved by such assessments.

SECTION 3. That said City Clerk shall give notice of such hearing by mailing a copy thereof as first class mail, postage prepaid, at least 20 days prior to such hearing to the last known address of each last known owner of each lot or parcel of property that is situate within each assessment unit of said District whose lot or parcel will be assessed for such improvements and by publishing a copy thereof in the Las Vegas Review-Journal, a newspaper that is published and of general circulation in said City, at least once each week for three consecutive weeks by three weekly insertions, the first publication to be at least 15 days prior to the date of such hearing and not less than 14 days to intervene between the first and last publications. Such notice shall state that such assessment roll is on file in the Office of said City Clerk, the date of the filing of the same, the date, time and place when and where said City Council will hear and consider objections to such assessment roll by the owners of the lots and parcels of property that are

specially benefited by the improvements that are constructed and installed in each assessment unit of "Las Vegas, Nevada, Special Improvement District No. 488" and are proposed to be assessed therefor, by any party who is interested in the regularity of the proceedings in making such assessments and by any party who may be aggrieved by such assessments. Such notice shall be in substantially the following form, to-wit:

NOTICE OF THE FILING OF THE ASSESSMENT ROLL
FOR LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT
NO. 488; OF THE OPPORTUNITY TO FILE WRITTEN OBJECTIONS
TO THE ASSESSMENTS CONTAINED THEREIN;
AND OF THE PROTEST HEARING THEREON.

NOTICE IS HEREBY GIVEN that the assessment roll for Las Vegas, Nevada, Special Improvement District No. 488, in and of the City of Las Vegas, Nevada, has been prepared by the City Engineer of said City, that same was filed in the Office of the City Clerk of said City on the 6th day of February, 1991, and that since such time such assessment roll has been, and now is, on file therein and is available for examination, during the regular office hours of said Office, by any interested person. Said Special Improvement District consists of seven (7) separate and distinct assessment units for the purposes of providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Owens Avenue and portions thereof, as is more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution which was passed, adopted and approved on the 16th day of November, 1988, as ASSESSMENT UNIT NO. I, the installation of curbs and gutters along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. II, the installation of sidewalks along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. III, the installation of residential or commercial, at the option of the owner of the particular lot or parcel of property, driveway approaches along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. IV,

the installation of a street lighting system and all facilities that are incidental thereto along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. V, the installation of sanitary sewer laterals along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VI, and the installation of water distribution laterals along Owens Avenue and portions thereof, as is more particularly described in said Notice of Hearing as ASSESSMENT UNIT NO. VII, and of defraying the entire cost and expense thereof by special assessments, according to benefits, against the taxable lots and parcels of property in each assessment unit of said District. Said Special Improvement District includes all of the lots and parcels of property that abut such improvements in each assessment unit and are situate within those boundaries that are designated for the respective assessment units in Section 3 of Ordinance No. 3409 of said City.

The City Council of said City will meet to hear and consider objections to such assessment roll by the owners of the lots and parcels of property that are specially benefited by the improvements that are constructed and installed in each assessment unit of said Special Improvement District and are proposed to be assessed therefor, by any party who is interested in the regularity of the proceedings in making such assessments and by any party who may be aggrieved by such assessments on Wednesday, the 6th day of March, 1991, at 2:00 o'clock p.m., in Rooms 201 and 202 of the Cashman Field Center, 850 Las Vegas Boulevard North, Las Vegas, Nevada. The owner or owners

of any lot or parcel of property which is assessed in such assessment roll, whether or not named in such roll, may, not less than three (3) days prior to such hearing, file with said City Clerk, at the Office thereof on the 10th Floor of the Las Vegas City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada 89101, his or her specific written objections to the assessment that is proposed to be levied against such lot or parcel.

Such assessments shall be due and payable at the office of the City Treasurer of said City within thirty (30) days after the ordinance that levies the assessments becomes effective, without interest and without demand, or all or any part of any of such assessments may, at the election of the owner of the lot or parcel of property against which such assessment is levied, be paid thereafter in twenty substantially equal semiannual annual installments of principal until such assessment is paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of such ordinance at a rate or rates per annum which shall not exceed by more than three percent (3%) the Index of Twenty Bonds which was most recently published before the date on which the ordinance that levies the assessments is adopted; provided, however, that, if assessment bonds are sold to pay the cost of such improvements, the rate or rates of interest per annum on the unpaid and deferred installments of principal shall not exceed by more than one percent (1%) the highest rate of interest that is payable on such assessment bonds at any maturity. Penalties shall be due for delinquencies, and any or all of such installments may be prepaid.

Any objection to the regularity, validity or correctness of the proceedings that have heretofore been taken in connection with said Special Improvement District, of such assessment roll, of the amount of the maximum benefits that are estimated to be derived from such improvements by the respective lots and parcels of property within each assessment unit of said Special Improvement District, of each assessment that is contained in such assessment roll and of the amount thereof that is levied against the respective lots and parcels of property shall be deemed to have been waived unless such objection has been presented at the time and in the manner that is specified herein.

At the time and place so designated for the hearing of such objections, said City Council shall hear and determine all of the objections that have been so filed by any party who is interested in the regularity of the proceedings in making the assessment against his or her lot or parcel of property, in the correctness of such assessment or in the amount that is levied against any particular lot or parcel of property to be assessed, and said City Council shall have the power to adjourn such hearing from time to time and shall have the power, in its discretion, by resolution to confirm any assessment or to revise, correct or set aside any assessment and order that such assessment may be made de novo.

DATED this 6th day of February, 1991.


KATHLEEN M. TIGHE, City Clerk

SECTION 4. That the owner or owners of any lot or parcel of property that is assessed in such assessment roll, whether or not named in such roll, may, not less than three (3) days prior to the date of such hearing, file with said City Clerk his or her specific written objections to the assessment that is proposed to be levied against such lot or parcel.

SECTION 5. That all actions (not inconsistent with the provisions of this Resolution) that have heretofore been taken by said City and by the officers and employees thereof that were directed toward the advertisement that is prescribed herein be, and the same hereby are, ratified, approved and confirmed.

SECTION 6. That the officers and employees of said City be, and they hereby are, authorized, empowered and directed to take all action which is necessary or appropriate in order to effectuate the provisions of this Resolution.


SECTION 7. That all resolutions, or parts thereof, in conflict with the provisions of this Resolution are hereby repealed.

SECTION 8. That if any section, paragraph, clause or provision of this Resolution 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

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any of the remaining provisions of this Resolution.

PASSED, ADOPTED AND APPROVED this 6th day of February,
1991.



RON LURIE, Mayor OK 2-11-91 RAW

ATTEST:



KATHLEEN M. TIGHE, City Clerk

5209 F
[Signature]

CITY COUNCIL MINUTES

MEETING OF

FEBRUARY 6, 1991

AGENDA

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	ACTION
<p>V. ROY A. WOOFER - CITY ATTORNEY (Cont.)</p>	
<p>K. Resolution Tentatively Approving Assessment Roll and Directing That Notice of Hearing Thereon Be Given Re: Special Improvement District No. 488 (Owens Avenue Between Pecos Road and Nellis Boulevard)</p>	<p>NOLEN - ADOPTED Resolution and set public hearing date for 3/6/91 at 2:00 P.M. as recommended - UNANIMOUS</p> <p>3/6/91 Agenda</p> <p>****</p> <p>CITY ATTORNEY ROY WOOFER stated everything was in order.</p>
<p>L. Resolution Tentatively Approving Assessment Roll and Directing That Notice of Hearing Thereon Be Given Re: Special Improvement District No. 496 (Cheyenne Avenue East of Rancho Drive)</p>	<p>NOLEN - ADOPTED Resolution and set public hearing date for 3/6/91 at 2:00 P.M. as recommended - UNANIMOUS</p> <p>3/6/91 Agenda</p> <p>****</p> <p>CITY ATTORNEY ROY WOOFER stated everything was in order.</p>

RECEIVED
FEB - 8 1991
[Signature]

TO: The City Council

FROM: Roy A. Woolter
City Attorney

SUBJECT. Resolution Tentatively Approving Assessment Roll and Directing that Notice of Hearing Thereon Be Given re: Special Improvement District No. 488 (Owens Avenue - Pecos Road to Nellis Boulevard).

PURPOSE/BACKGROUND

S.I.D. NO.: 488

STEP: Resolution tentatively approving assessment roll and directing that notice of hearing thereon be given.

IMPROVEMENTS: The installation of an eight foot wide street pavement section, standard "L" type curbs and gutters, standard sidewalks, standard residential and commercial driveway approaches, street lighting, sanitary sewer laterals and water distribution laterals.

LOCATION: On the south side of Owens Avenue from its intersection with Pecos Road easterly to its intersection with Nellis Boulevard.

FISCAL IMPACT

None. The improvements in Special Improvement District No. 488 have already been constructed at a cost to the City, including administrative expenses, in the amount of \$410,110.00. The adoption of this Resolution is a step in the process of levying the assessments and issuing the bonds out of the proceeds of which the City will be reimbursed for such costs.

RECOMMENDATIONS

It is recommended that the City Council adopt this Resolution.