

A RESOLUTION TENTATIVELY APPROVING THE ASSESSMENT ROLL FOR LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 497; 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. 497 for the purposes of providing for the improvement of Durango Drive, and portions thereof, by grading, gravelling, macadamizing, paving, including street intersection, and otherwise improving, including without limitation the installation of curbs and gutters, streetlights, traffic delineation and facilities for future traffic control devices along, the same, all as is more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution that was passed, adopted and approved on the 1st day of March, 1989, and of defraying the entire cost and expense thereof by special assessments, according to benefits, against the taxable lots and parcels of property in said District, all in accordance with the statutes of the State of Nevada which provide therefor; and

WHEREAS, by Ordinance No. 3434, duly passed, adopted and approved on the 7th day of June, 1989, the City Council of said City finally passed upon all protests and objections to the creation of said District, 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 15th day of November, 1989, received bids for the doing of the work for the construction and installation of such improvements and formally entered into a contract with WELLS CARGO, INC., in the amount of \$813,604.20, for the improvements to be constructed and installed in said District; and

WHEREAS, after making such contract, 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 installed in said District, to-wit, the amount of \$744,635.00; 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, all as is more particularly set forth in Section 4 of said Ordinance No. 3434; 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 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. 497 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. 1991-4.

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 "Las Vegas, Nevada, Special Improvement District No. 497" 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 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 "Las Vegas, Nevada, Special Improvement District No. 497" 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. 497; 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. 497, 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 was created for the purposes of providing for the improvement of Durango Drive, and portions thereof, by grading, gravelling, macadamizing, paving, including street intersections, and otherwise improving, including without limitation the installation of curbs and gutters, streetlights, traffic delineation and facilities for future traffic control devices along, the same, all as is more particularly described in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution that was passed, adopted and approved on the 1st day of March, 1989, and of defraying the entire cost and expense thereof by special assessments, according to benefits, against the taxable lots and parcels of property in said District. Said Special Improvement District includes all of the lots and parcels of property that abut such improvements in said District and are situate within those boundaries that are designated therefor in Section 3 of Ordinance No. 3434 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 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

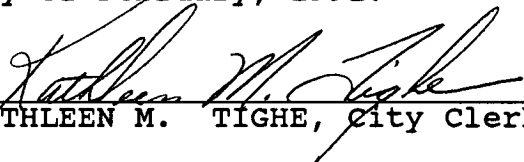
a rate or rates per annum which shall not exceed by more than three percent (3%) the Index of Twenty Bonds which was most recently published before the date on which the ordinance that levies the assessments is adopted; provided, however, that, if assessment bonds are sold to pay the cost of such improvements, 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 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

5076-F
Revised
JF

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

V. ROY A. WOOFER - CITY ATTORNEY
(Cont.)

M. Resolution Tentatively Approving Assessment Roll and Directing That Notice of Hearing Thereon Be Given Re: Special Improvement District No. 497 (Durango Drive North of Charleston Boulevard)

ADAMSEN - ADOPTED Resolution and set public hearing date for 3/6/91 at 2:00 P.M. as recommended - UNANIMOUS

3/6/91 Agenda

CITY ATTORNEY ROY WOOFER stated everything was in order.

RECEIVED
FEB - 8 1991

N. Approval of Architectural/ Engineering Services Agreement Between the City of Las Vegas and Swisher & Hall, AIA, Ltd. for the Proposed City of Las Vegas Judicial Services Complex

NOLEN - APPROVED agreement in the amount of \$150,000 to come from the Public Improvements Special Revenue Fund as recommended - UNANIMOUS

Staff to proceed

CITY ATTORNEY ROY WOOFER stated everything was in order.

TO: The City Council

FROM: Roy A. Woofter
City Attorney

SUBJECT: Resolution Tentatively Approving Assessment Roll and Directing that Notice of Hearing Thereon Be Given re: Special Improvement District No. 497 (Durango Drive North of Charleston Boulevard).

PURPOSE/BACKGROUND

S.I.D. NO.: 497

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

IMPROVEMENTS: The installation of street paving, street lights, curbs and gutters, traffic control equipment and a storm drain.

LOCATION: Along both sides of Durango Drive from a point 80 feet north of Charleston Boulevard northerly a distance of 4,127 feet, more or less.

FISCAL IMPACT

None. The improvements in Special Improvement District No. 497 have already been constructed at a cost to the City, including administrative expenses, in the amount of \$744,635.00. 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