

R E S O L U T I O N

A RESOLUTION DIRECTING THE CITY ENGINEER OF THE CITY OF LAS VEGAS, NEVADA, TO PREPARE, SUBMIT AND FILE WITH THE CITY CLERK OF SAID CITY CERTAIN PRELIMINARY PLANS, ESTIMATES OF COST AND ASSESSMENT PLATS SHOWING THE AREAS TO BE ASSESSED AND THE ESTIMATED AMOUNT OF BENEFITS TO EACH LOT OR PARCEL OF PROPERTY TO BE ASSESSED, ALL IN CONNECTION WITH THE PROPOSED IMPROVEMENT OF CERTAIN STREETS AND PORTIONS THEREOF WITHIN SAID CITY AND PURSUANT TO CHAPTER 271 OF THE NEVADA REVISED STATUTES AND LAWS SUPPLEMENTAL THERETO.

WHEREAS, the City Council of the City of Las Vegas (the "City Council" and the "City", respectively, herein), in the County of Clark and State of Nevada, is of the opinion that the interests of the City require that those certain streets and portions thereof, within the City, that are identified in Section 1 of this Resolution be improved by the grading, gravelling, macadamizing, paving, including street intersections, and otherwise improving of the same (the "Improvement" herein), all as is more particularly described in said Section 1; and

WHEREAS, the City Council considers that it is necessary, desirable and for the best interests of the City to take steps pursuant to Chapter 271 of the Nevada Revised Statutes for the creation of a special improvement district, consisting of ten (10) separate and distinct assessment units, and the construction and installation therein of the Improvement; and

WHEREAS, for the purpose of designation and identification, it is desirable that such proposed special improvement district be known and identified as "City of Las Vegas, Nevada, Special Improvement District No. 1438" (the "District" herein);

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 19th day of February, 1992, as follows:

SECTION 1. That the City Engineer of the City (the "City Engineer" herein) be, and he hereby is, directed to prepare, submit and file with the City Clerk of the City (the "City Clerk" herein) preliminary plans, showing typical sections, the type or types of material, together with the approximate thickness and width of each, and preliminary estimates of the cost of constructing and installing, except where adequate street paving is already in place, the Improvement along those certain streets and portions thereof, within the respective assessment units of the District, that are hereinafter identified, together with the installation, removal or relocation, or any combination thereof, of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same in accordance with the plats, diagrams and plans of the work and the localities that are to be improved as filed in the Office of the City Clerk, such assessment units and the streets that are proposed to be included within each being more particularly described as follows:

ASSESSMENT UNIT NO. I (Tonopah Drive,
Goldring Avenue, Hastings Avenue and Palomino Lane)

TONOPAH DRIVE:

The street paving that is proposed to be constructed and installed in Tonopah Drive (60 feet wide) shall be from 14 to 22 feet in width and shall be constructed and installed along either side thereof from the centerline of Hastings Avenue (60 feet

wide) northerly to the centerline of Pinto Lane (60 feet wide), except where adequate street paving is already in place.

GOLDRING AVENUE:

The street paving that is proposed to be constructed and installed in Goldring Avenue (60 feet wide) shall be 21 feet in width and shall be constructed and installed along the south side thereof from the centerline of Tonopah Drive (60 feet wide) easterly to the centerline of Rose Street (60 feet wide), except where adequate street paving is already in place.

HASTINGS AVENUE:

The street paving that is proposed to be constructed and installed in Hastings Avenue (60 feet wide) shall be 14 feet in width and shall be constructed and installed along the north side thereof from the centerline of Tonopah Drive (60 feet wide) easterly to the centerline of Rose Street (60 feet wide), except where adequate street paving is already in place.

PALOMINO LANE:

The street paving that is proposed to be constructed and installed in Palomino Lane (60 feet wide) shall be 11 feet in width and shall be constructed and installed along the south side thereof from the centerline of Tonopah Drive (60 feet wide) westerly a distance of approximately 300 feet, except where adequate street paving is already in place.

ASSESSMENT UNIT NO. II (Willow Street
and Alturas Avenue)

WILLOW STREET:

The street paving that is proposed to be constructed and

installed in Willow Street (60 feet wide) shall be 15 feet in width and shall be constructed and installed along the east side thereof from the centerline of Alturas Avenue (60 feet wide) northerly to the centerline of Goldring Avenue (60 feet wide), except where adequate street paving is already in place.

ALTURAS AVENUE:

The street paving that is proposed to be constructed and installed in Alturas Avenue (60 feet wide) shall be 10 feet in width and shall be constructed and installed along the north side thereof from the centerline of Shadow Lane (60 feet wide) westerly a distance of approximately 175 feet, except where adequate street paving is already in place.

ASSESSMENT UNIT NO. III (Alta Drive)

The street paving that is proposed to be constructed and installed in Alta Drive (80 feet wide) shall be 33 feet in width and shall be constructed and installed along the north side thereof from the centerline of Cimarron Road (80 feet wide) easterly to the centerline of Carmel Peak (60 feet wide), except where adequate street paving is already in place.

ASSESSMENT UNIT NO. IV (Torrey Pines Drive)

The street paving that is proposed to be constructed and installed in Torrey Pines Drive (80 feet wide) shall be 20 feet in width and shall be constructed and installed along the east side thereof from the centerline of Oakey Boulevard (80 feet wide) southerly a distance of approximately 544 feet, except where adequate street paving is already in place.

ASSESSMENT UNIT NO. V (Marion Drive)

The street paving that is proposed to be constructed and installed in Marion Drive (80 feet wide) shall be 28 feet in width and shall be constructed and installed along the east side thereof from the centerline of Diamond Head Drive (60 feet wide) southerly to the centerline of the Cedar Avenue Flood Channel (60 feet wide), except where adequate street paving is already in place.

ASSESSMENT UNIT NO. VI (Meadows Lane)

The street paving that is proposed to be constructed and installed in Meadows Lane (80 feet wide) shall be 21 feet in width and shall be constructed and installed along the south side thereof from a point that is approximately 748 feet west of the centerline of Decatur Boulevard (120 feet wide) westerly a distance of approximately 721 feet, except where adequate street paving is already in place.

ASSESSMENT UNIT NO. VII (Regulus Avenue,
Procyon Avenue and Capella Avenue)

REGULUS AVENUE:

The street paving that is proposed to be constructed and installed in Regulus Avenue (60 feet wide) shall be 23 feet in width and shall be constructed and installed along either side thereof from the centerline of Valley View Boulevard (100 feet wide) easterly to the centerline of Procyon Avenue (60 feet wide), except where adequate street paving is already in place.

PROCYON AVENUE:

The street paving that is proposed to be constructed and

installed in Procyon Avenue (60 feet wide) shall be 23 feet in width and shall be constructed and installed along the west side thereof from the centerline of Capella Avenue (60 feet wide) southerly to the centerline of Regulus Avenue (60 feet wide), except where adequate street paving is already in place.

CAPELLA AVENUE:

The street paving that is proposed to be constructed and installed in Capella Avenue (60 feet wide) shall be 23 feet in width and shall be constructed and installed along either side thereof from the centerline of Procyon Avenue (60 feet wide) westerly a distance of approximately 242 feet, except where adequate street paving is already in place.

ASSESSMENT UNIT NO. VIII (Searles Street)

The paving that is proposed to be constructed and installed in Searles Avenue (60 feet wide) shall be 16 feet in width and shall be constructed and installed along the north side thereof from the centerline of 23rd Street (60 feet wide) easterly to the centerline of Eastern Avenue (100 feet wide), except where adequate street paving is already in place.

ASSESSMENT UNIT NO. IX (Diamond Head Drive from
Lamb Boulevard to Page Street)

The street paving that is proposed to be constructed and installed in Diamond Head Drive (60 feet wide) shall be 21 feet in width and shall be constructed and installed along the south side thereof from the centerline of Lamb Boulevard (100 feet wide) easterly to the centerline of Page Street (60 feet wide), except where adequate street paving is already in place.

ASSESSMENT UNIT NO. X (Diamond Head Drive from
Page Street to Marion Drive)

The street paving that is proposed to be constructed and installed in Diamond Head Drive (60 feet wide) shall be 13 feet in width and shall be constructed and installed along the north side thereof from the centerline of Page Street (60 feet wide) easterly to the centerline of Marion Drive (80 feet wide), except where adequate street paving is already in place.

SECTION 2. Except as is shown on the plans and specifications that are to be filed with the City Clerk, the character the Improvement shall be more particularly as follows:

ASSESSMENT UNIT NO. I (Tonopah Drive,
Goldring Avenue, Hastings Avenue, and Palomino Lane)

The street paving that is proposed to be constructed and installed on each of the streets in ASSESSMENT UNIT NO. I shall consist of 3 inches of plantmix bituminous surface over 10 inches of type II aggregate base.

ASSESSMENT UNIT NO. II (Willow Street
and Alturas Avenue)

The street paving that is proposed to be constructed and installed on each of the streets in ASSESSMENT UNIT NO. II shall consist of 3 inches of plantmix bituminous surface over 10 inches of type II aggregate base.

ASSESSMENT UNIT NO. III (Alta Drive)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. III shall consist of 4 inches of plantmix bituminous surface over 13 inches of type II aggregate base.

ASSESSMENT UNIT NO. IV (Torrey Pines Drive)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. IV shall consist of 4 inches of plantmix bituminous surface over 13 inches of type II aggregate base.

ASSESSMENT UNIT NO. V (Marion Drive)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. V shall consist of 4 inches of plantmix bituminous surface over 13 inches of type II aggregate base.

ASSESSMENT UNIT NO. VI (Meadows Lane)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. VI shall consist of 4 inches of plantmix bituminous surface over 13 inches of type II aggregate base.

ASSESSMENT UNIT NO. VII (Regulus Avenue,
Procyon Avenue, and Capella Avenue)

The street paving that is proposed to be constructed and installed on each of the streets in ASSESSMENT UNIT NO. VII shall consist of 3 inches of plantmix bituminous surface over 10 inches of type II aggregate base.

ASSESSMENT UNIT NO. VIII (Searles Avenue)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. VIII shall consist of 3 inches of plantmix bituminous surface over 10 inches of type II aggregate base.

ASSESSMENT UNIT NO. IX (Diamond Head Drive
from Lamb Boulevard to Page Street)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. IX shall consist of 3 inches of plantmix bituminous surface over 10 inches of type II aggregate base.

ASSESSMENT UNIT NO. X (Diamond Head Drive
from Page Street to Marion Drive)

The street paving that is proposed to be constructed and installed in ASSESSMENT UNIT NO. X shall consist of 3 inches of plantmix bituminous surface over 10 inches of type II aggregate base.

SECTION 3. The City Engineer is hereby directed to estimate the cost of constructing and installing the Improvement in a lump sum or by unit prices. Such preliminary estimate of the cost shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, printing and such other expenses as in the judgment of the City Engineer are necessary or appropriate to the completion of the Improvement and the payment of the costs thereof. The entire cost of constructing and installing the Improvement in each assessment unit shall be paid by special assessments against the assessable lots and parcels of property that are benefited thereby.

SECTION 4. The City Engineer is hereby directed to submit and file with the City Clerk an assessment plat that shows the areas that are proposed to be assessed, that is, for each assessment unit, the assessable lots and parcels of property that abut the Improvement and the amount of the maximum benefits that

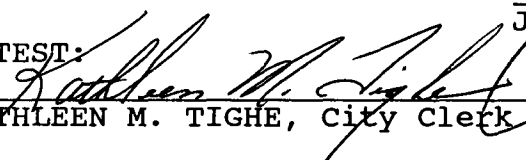
are estimated will be derived from the Improvement by, and the amount that is proposed to be assessed against, each lot or parcel of property in each assessment unit, such assessments to be computed, for each of the assessment units, on a front foot basis, i.e., on the basis that each lot or parcel of property that is to be assessed in the respective assessment units shall be assessed a portion of the aggregate dollar amount that is being levied against that entire assessment unit in the proportion that the frontage of such lot or parcel that abuts, and is benefited by, the Improvement bears to the frontage of all of the assessable properties that abut, and are benefited by, the Improvement in such assessment unit; provided, however, that, if any such lot or parcel is divided, after the date of the hearing as to the propriety and advisability of making such improvement but prior to the date on which the assessments are levied by ordinance, pursuant to NRS 271.390, into sublots or subparcels, the assessment against such lot or parcel shall be apportioned among such sublots or subparcels on an area basis, i.e., on the basis that each such subplot or subparcel shall be assessed a portion of the aggregate dollar amount that is being levied against the entire lot or parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of the entire lot or parcel. The cost of paving street intersections shall be included in the total costs that are proposed to be levied in the respective assessments units and shall be assessed against the respective assessable lots and parcels of property in each assessment unit on the aforesaid front foot basis.

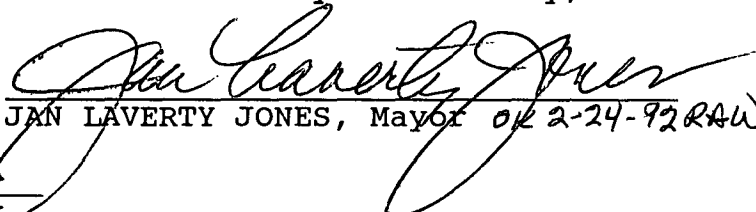
In each assessment unit, the proposed assessment shall be made upon each assessable lot or parcel of property that is benefited by the Improvement proportionately to the benefits that are derived thereby from the Improvement and is as stated in the aforesaid assessment plat. In each assessment unit, an equitable adjustment shall be made for an assessment that is levied against any irregular lot or parcel in order that the assessments that are levied according to the benefits that will be derived from the Improvement will be equal and uniform.

SECTION 5. All resolutions or parts thereof that are in conflict with the provisions of this Resolution are hereby repealed.

PASSED, ADOPTED AND APPROVED this 19th day of February, 1992.

ATTEST:


KATHLEEN M. TIGHE, City Clerk


JAN LAVERTY JONES, Mayor OK 2-24-92 RAW