

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 certain improvements be constructed and installed along certain streets within those certain areas of the City that are hereinafter described as follows:

ASSESSMENT UNIT NO. I, providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving of Sahara Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. II, providing for the installation of curbs and gutters along Sahara Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. III, providing for the installation of commercial driveway approaches along Sahara Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. IV, providing for the installation of a street lighting system and all facilities that are



incidental thereto along Sahara Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. V, providing for the installation of sanitary sewer laterals along Sahara Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution, and

ASSESSMENT UNIT NO. VI, providing for the installation of potable water laterals along Sahara Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution; 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 six (6) separate and distinct assessment units, and the construction and installation therein of such improvements; 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. 1427" (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 6th day of May, 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) in conjunction with a total project that

will include the construction and installation along Sahara Avenue (121 feet wide) of street paving 117 feet in width; raised median islands or a two-way center left turn lane, or a combination thereof; traffic control devices; curbs and gutters; commercial driveway approaches; streetlights; sanitary sewer laterals; potable water laterals; and drainage facilities (the "Project" 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 certain improvements in the respective assessment units of the District, all as is more particularly hereinafter set forth:

ASSESSMENT UNIT NO. I (Street Paving)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. I shall consist of the construction and installation of street paving 8 feet in width along the north side of Sahara Avenue (121 feet wide) and portions thereof, within the City, from the centerline of Rainbow Boulevard (150 feet wide) westerly to the centerline of Durango Drive (100 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. II shall consist of the construction and installation of standard "L" type curbs and gutters along the north side of Sahara Avenue (121 feet wide) and portions thereof, within the City, from the centerline of Rainbow Boulevard (150 feet wide) westerly to the centerline of Durango Drive (100 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. III (Commercial Driveway Approaches)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. III shall consist of the construction and installation of commercial driveway approaches along the north side Sahara Avenue (121 feet wide) and portions thereof, within the City, from the centerline of Rainbow Boulevard (150 feet wide) westerly to the centerline of Durango Drive (100 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as

is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Street Lighting)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. IV shall consist of the installation of streetlights and any and all appurtenances along the north side of Sahara Avenue (121 feet wide) and portions thereof, within the City, from the centerline of Rainbow Boulevard (150 feet wide) westerly to the centerline of Durango Drive (100 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. V (Sanitary Sewer Laterals)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. V shall consist of the installation of sanitary sewer laterals that extend between the existing sanitary sewer collection main and the front property lines of such lots and parcels along the north side of Sahara Avenue (121 feet wide) and portions thereof, within the City, from the centerline of Rainbow Boulevard (150 feet wide) westerly to the centerline of

Durango Drive (100 feet wide), except where the owner or owners of any such lot or parcel has or have not heretofore obtained from the Las Vegas Valley Water District a commitment to provide water service to such lot or parcel and except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VI (Potable Water Laterals)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. VI shall consist of the installation of potable water laterals that extend between the existing potable water distribution main and the front property lines of such lots and parcels along the north side of Sahara Avenue (121 feet wide) and portions thereof, within the City, from the centerline of Rainbow Boulevard (150 feet wide) westerly to the centerline of Durango Drive (100 feet wide), except where the owner or owners of any such lot or parcel has or have not heretofore obtained from the Las Vegas Valley Water District a commitment to provide water service to such lot or parcel and except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be

necessary in order to complete the same, as is more particularly shown on the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

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

ASSESSMENT UNIT NO. I (Street Paving)

The street paving shall consist of 3/4ths of an inch of opengrade over 5½ inches of plantmix bituminous surface and 3 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The curbs and gutters shall be standard Portland cement "L" type over 6 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. III (Commercial Driveway Approaches)

The commercial driveway approaches shall consist of a radius

driveway with a cross gutter, consisting of 6 inches of standard Portland cement that is reinforced with #4 rebar over 6 inches of Type II aggregate base, and a sidewalk and access ramp for the handicapped, consisting of 4 inches of standard Portland cement that is reinforced with #4 rebar over 5 inches of Type II aggregate base; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Street Lighting)

The street lighting system shall consist of 250 watt high pressure sodium vapor luminaires, steel lighting standards on concrete bases and underground circuits; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. V (Sanitary Sewer Laterals)

The sanitary sewer laterals shall be 6-inch or 8-inch, as the same are required by the City or are otherwise requested by the owners of the respective lots or parcels of property, polyvinyl chloride sewer laterals between the existing sanitary sewer collection main to and the front property lines; together with the installation, removal and relocation of any and all utilities

and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

If the owner of any lot or parcel of property within the assessment unit fails to designate the size, number or location, or any combination thereof, of the sanitary sewer laterals that such owner desires to have installed to serve such lot or parcel or requests that no sewer lateral be installed to serve such lot or parcel, the size, number or location, as the case may be, of such lateral or laterals shall be determined by the City in the following manner:

A. The City will not require the installation of any sewer lateral to serve any lot or parcel if a sewer lateral that can be installed from a sanitary sewer collection main that has been installed in a side street would provide adequate sewer service to such lot or parcel.

B. If the lot or parcel in question cannot adequately be served by a sewer lateral or laterals from a sewer main that has been installed in a side street, one 6-inch lateral shall be installed at the lower side of such lot or parcel unless the area thereof exceeds 2.5 acres;

C. If the lot or parcel in question cannot adequately be served by a sewer lateral or laterals from a sewer main that has been installed in a side street and the area thereof exceeds 2.5 acres, one 8-inch lateral shall be installed at the lower side of such lot or parcel unless the area thereof exceeds 5

acres; and

D. If the lot or parcel in question cannot adequately be served by a sewer lateral or laterals from a sewer main that has been installed in a side street and the area thereof exceeds 5 acres, one 8-inch lateral shall be installed at the lower side of such lot or parcel and one additional 8-inch lateral shall be installed at the lower side of the mid-point of such lot or parcel unless a lateral or laterals that would render such additional 8-inch lateral unnecessary can be installed to serve such lot or parcel from a sewer main that has been installed in a side street.

ASSESSMENT UNIT NO. VI (Potable Water Laterals)

The potable water laterals shall be 6-inch or 8-inch, as the same are required by the City or are otherwise requested by the owners of the respective lots or parcels of property, polyvinyl chloride potable water laterals between the existing potable water distribution main and the front property lines; together with the installation, removal and relocation of any and all utilities and any and all appurtenances that are deemed to be necessary in order to complete the same, as is more particularly shown by the plats, diagrams and plans of the work and of the locality that is to be improved as filed in the Office of the City Clerk.

If the owner of any lot or parcel of property within the assessment unit fails to designate the size, number or location, or any combination thereof, of the potable water laterals that such owner desires to have installed to serve such lot or parcel

or requests that no water lateral be installed to serve such lot or parcel, the size, number or location, as the case may be, of such lateral or laterals shall be determined by the City in the following manner:

A. The City will not require the installation of any water lateral to serve any lot or parcel if a water lateral that can be installed from a potable water distribution main that has been installed in a side street would provide adequate water service to such lot or parcel;

B. If the lot or parcel in question cannot adequately be served by a water lateral or laterals from a water main that has been installed in a side street, one 6-inch lateral shall be installed at the mid-point of the frontage of such lot or parcel unless the area thereof exceeds 2.5 acres.

C. If the lot or parcel in question cannot adequately be served by a water lateral from a water main that has been installed in a side street and the area thereof exceeds 2.5 acres, one 8-inch water lateral shall be installed at the mid-point of the frontage of such lot or parcel unless the area thereof exceeds 5 acres; and

D. If the lot or parcel in question cannot adequately be served by a water lateral from a water main that has been installed in a side street and the area thereof exceeds 5 acres, one 8-inch lateral shall be installed at the lower side of the mid-point of such lot or parcel and one additional 8-inch lateral shall be installed at the lower side of such lot or parcel unless a lateral or laterals that would render such additional 8-inch

lateral unnecessary can be installed to serve such lot or parcel from a water main that has been installed in a side street.

In no event, however, shall a water distribution lateral be installed in the same trench in which a sanitary sewer lateral is installed.

SECTION 3. The City Engineer is hereby directed to estimate the cost of each such type of construction in a lump sum or by unit prices. Such preliminary estimates of the cost shall also include, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal and printing expenses in connection therewith and such other costs and expenses as in the judgment of the City Engineer are necessary or appropriate to the completion of the proposed work of improvement and the payment of the cost 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 such improvement and the amount of the maximum benefits that are estimated will be derived from such 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 the respective assessment units, on the

following bases:

ASSESSMENT UNIT NO. I (Street Paving)

Such estimates shall be computed on a front foot basis, i.e., on the basis that each lot or parcel of property that is to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the frontage of such lot or parcel that abuts the improvement bears to the frontage of all of the assessable properties that abut the improvement in the 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 sublot 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 sublot or subparcel bears to the aggregate area of the entire lot or parcel.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

Such estimates shall be computed on a lineal foot basis, i.e., on the basis that each lot or parcel of property that is to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the number of

lineal feet of such lot or parcel that abut the improvement bears to the number of lineal feet of all of the assessable properties that abut the improvement in the 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 sublot 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 sublot or subparcel bears to the aggregate area of the entire lot or parcel.

ASSESSMENT UNIT NO. III (Commercial Driveway Approaches)

Such estimates shall be computed on the basis that each lot or parcel of property that is to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the number and length of the driveway approaches that are installed to serve such lot or parcel bears to the total number and aggregate length of all of the driveway approaches that are installed to serve all of the assessable properties in the assessment unit.

ASSESSMENT UNIT NO. IV (Street Lighting)

Such estimates shall be computed on a front foot basis, i.e., on the basis that each lot or parcel of property that is to be

assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the frontage of such lot or parcel that abuts the street along which the improvement is being installed bears to the frontage of all of the assessable properties that abut the street along which the improvement is being installed in the 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.

ASSESSMENT UNIT NO. V (Sanitary Sewer Laterals)

Such estimates shall be computed on the basis that each lot or parcel of property that is to be assessed in the assessment unit for 6-inch unit sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit for 6-inch sewer laterals in the proportion that the number of 6-inch sewer laterals that are installed to serve such lot or parcel bears to the total number of 6-inch sewer laterals that are installed to serve all of the

assessable properties in the assessment unit and on the basis that each lot or parcel of property that is to be assessed in the assessment unit for 8-inch potable water laterals shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit for 8-inch water laterals in the proportion that the number of 8-inch water laterals that are installed to serve such lot or parcel bears to the total number of 8-inch water laterals that are installed to serve all of the assessable properties in the assessment unit.

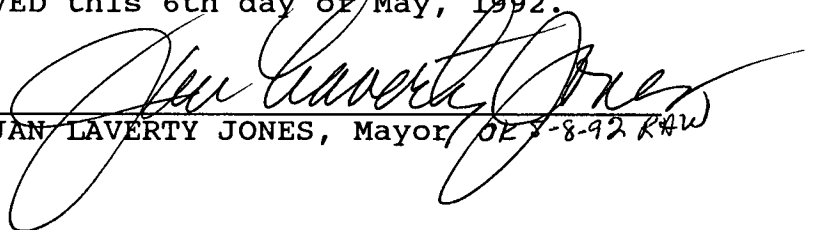
ASSESSMENT UNIT NO. VI (Potable Water Laterals)

Such estimates shall be computed on the basis that each lot or parcel of property that is to be assessed in the assessment unit for 6-inch potable water laterals shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit for 6-inch water laterals in the proportion that the number of 6-inch water laterals that are installed to serve such lot or parcel bears to the total number of 6-inch water laterals that are installed to serve all of the assessable properties in the assessment unit and on the basis that each lot or parcel of property that is to be assessed in the assessment unit for 8-inch potable water laterals shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit for 8-inch water laterals in the proportion that the number of 8-inch water laterals that are installed to serve such lot or parcel bears to the total number of 8-inch water laterals that are installed to serve all of the assessable properties in the assessment unit.

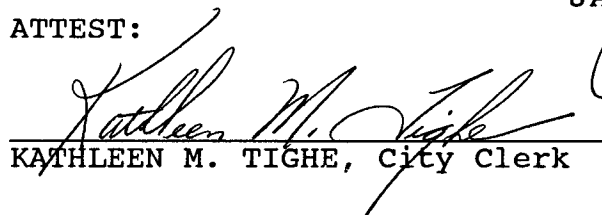
In each assessment unit, the proposed assessment shall be made upon each assessable lot or parcel of property that is benefited by the improvement that is installed therein proportionately to the benefits that are derived thereby from such improvement and is as stated in the aforesaid assessment plat. Regardless of the basis that is used for apportioning the assessments 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 that is constructed and installed in such assessment unit 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 6th day of May, 1992.


JAN LAVERTY JONES, Mayor *OE 5-8-92 RAW*

ATTEST:


KATHLEEN M. TIGHE, City Clerk