

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 Washington 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 Washington Avenue, and portions thereof, as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. III, providing for the installation of sidewalks along Washington 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 Washington Avenue, and portions thereof,



as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. V, providing for the installation of residential driveway approaches along Washington 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 commercial driveway approaches along Washington 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. 1435" (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 1st day of July, 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 Washington Avenue (100 feet wide between Sandhill Road and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) of street paving (86 feet in width in that portion of the right-of-way of said Washington Avenue that is 100 feet wide and 66 feet in width in that portion of the right-of-way of said Washington Avenue that is 80 feet wide); a raised median island or a two-way center left turn lane, or a combination thereof; traffic control devices; curbs and gutters; sidewalks; streetlights; driveway approaches; 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 (or, in the case of any portion of said street that is adjacent to a lot or parcel of property the development of which was approved by said City Council subject to the construction and installation by the owner or owners thereof of full half-street improvements, 43 feet in width if such lot or parcel is adjacent to that portion of the right-of-way of said Washington Avenue that is 100 feet wide and

33 feet in width if such lot or parcel⁴ is adjacent to that portion of the right-of-way of said Washington Avenue that is 80 feet wide) along either side of Washington Avenue (100 feet wide between Sandhill Road and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) and portions thereof, within the City, from a point that is approximately 62 feet east of the centerline of Sandhill Road (80 feet wide) easterly to a point that is approximately 83 feet west of the centerline of Nellis Boulevard (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 Class B concrete "L" type curbs and gutters along either side of Washington Avenue (100 feet wide between Sandhill Road and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) and portions thereof, within the City, from a point that is approximately 62 feet east of the centerline of Sandhill Road (80 feet wide) easterly to a point that is approximately 83 feet west of the centerline of Nellis Boulevard (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 (Sidewalks)

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 Class B concrete sidewalks 5 feet in width along the north side of Washington Avenue (100 feet wide between Sandhill Road and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) and portions thereof, within the City, from a point that is approximately 62 feet east of the centerline of Sandhill Road (80 feet wide) easterly to the west right-of-way line of Lamb Boulevard (100 feet wide) and along either side of said Washington Avenue from the east right-of-way line of said Lamb Boulevard easterly to a point that is approximately 83 feet west of the centerline of Nellis Boulevard (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 either side of Washington Avenue (100 feet wide between Sandhill Road and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) and portions thereof, within the City, from a point that is approximately 62 feet east of the centerline of Sandhill Road (80 feet wide) easterly to a point that is approximately 83 feet west of the centerline of Nellis Boulevard (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 (Residential 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. V shall consist of the construction and installation of standard residential driveway approaches along either side of Washington Boulevard (100 feet wide between Sandhill Road and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) and portions thereof, within the City, from a point that is approximately 62 feet east of the

centerline of Sandhill Road (80 feet wide) easterly to a point that is approximately 83 feet west of the centerline of Nellis Boulevard (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. VI (Commercial Driveway Approaches)

The portion of the Project the costs of which will be assessed against assessable lots and parcels assessable property in ASSESSMENT UNIT NO. VI shall consist of the construction and installation of one of two types, as the particular type is selected by the owner or owners of the individual lot or parcel of property that will be served thereby, of commercial driveway approaches along either side of Washington Avenue (100 feet wide between Sandhill Road

and Marion Drive and 80 feet wide between Marion Drive and Nellis Boulevard) and portions thereof, within the City, from a point that is approximately 62 feet east of the centerline of Sandhill Road (80 feet wide) easterly to a point that is approximately 83 feet west of the centerline of Nellis Boulevard (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.

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 fog seal over 4 inches of asphaltic concrete pavement, a prime cost, 4 inches of Type II aggregate base and 9 inches of Type I or 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 Class B concrete "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 (Sidewalks)

The sidewalks shall consist of 4 inches of Class B concrete

slabs 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 (Residential Driveway Approaches)

The residential driveway approaches shall consist of 6 inches of Class B concrete 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. VI (Commercial Driveway Approaches)

The commercial driveway approaches shall consist, at the election of the owners of the respective lots and parcels of

property, of either 6 inches of Class B concrete that is reinforced with #4 rebar over 6 inches of Type II aggregate base (the "Option A Driveway Approaches" herein) or a radius driveway with a cross gutter, consisting of 6 inches of Class B concrete 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 Class B concrete over 5 inches of Type II aggregate base (the "Option B Driveway Approaches" herein); 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.

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, and is benefited by, the improvement bears to the total of the frontage of all of the assessable properties that abut, and are benefited by, 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 subplot 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, and are benefited by, the improvement bears to the total of the number of lineal feet of all of the assessable properties that abut, and are benefited by, 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 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. III (Sidewalks)

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, and are benefited by, the improvement bears to the number of lineal feet of all of the assessable properties that abut, and are benefited by, 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. 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, and is benefited by such improvement,

bears to the total of the frontage of all of the assessable properties that abut the street along which the improvement is being installed, and are benefited by such 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 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 (Residential Driveway Approaches)

Such estimates shall be computed on the basis that each lot or parcel of property that is served by, and is to be assessed for, any improvement that is constructed and installed 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. VI (Commercial Driveway Approaches)

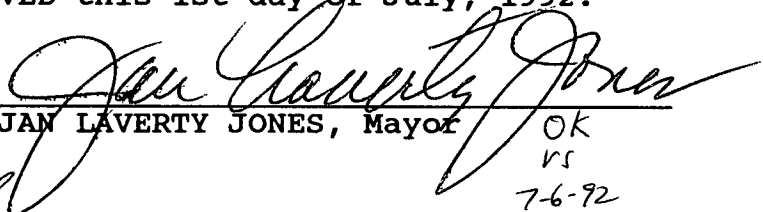
Such estimates shall be computed on the basis that each lot or parcel of property that is served by, and is to be assessed in the assessment unit for, Option A Driveway Approaches shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit for Option A Driveway Approaches in the proportion that the number and length of the Option A Driveway Approaches that are installed to serve such lot or parcel bears to the total number and aggregate length of all of the Option A Driveway Approaches 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 served by, and is to be assessed in the assessment unit for, Option B Driveway Approaches shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit for Option B Driveway Approaches in the proportion that the number and length of the Option B Driveway Approaches that are installed to serve such lot or parcel bears to the total number and aggregate length of all of the Option B Driveway Approaches 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 1st day of July, 1992.


JAN LAVERTY JONES, Mayor

OK
vs
7-6-92

ATTEST:


KATHLEEN M. TIGHE, City Clerk