

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 Rampart Boulevard, 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 Rampart Boulevard, and portions thereof, as is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. III, providing for the installation of a sidewalk along that portion of Rampart Boulevard that 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 Rampart Boulevard, and portions thereof,



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

ASSESSMENT UNIT NO. V, providing for the installation of commercial driveway approaches along that portion of Rampart Boulevard that is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. VI, providing for the installation of drainage facilities along that portion of Rampart Boulevard that is more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. VII, providing for the installation of a potable water distribution main along that portion of Rampart Boulevard that is more particularly described in Section 1 of this Resolution, and

ASSESSMENT UNIT NO. VIII, providing for the installation of sanitary sewer collection mains along Rampart Boulevard, 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 eight (8) 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. 1405" (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 16th day of June, 1993, 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 on Summerlin Parkway of the Summerlin Parkway/Rampart Boulevard Interchange and the construction and installation along Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of Section 32, Township 20 South, Range 60 East, M.D.M., and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of said Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) of street paving (86 feet in width in that portion of the right-of-way of said Rampart Boulevard that is 100 feet wide and widening from 81 feet in width to 118 feet in width in that portion of the right-of-way of said Rampart Boulevard that widens from 95 feet to 132 feet); curbs and gutters; a sidewalk; streetlights; commercial driveway approaches; drainage facilities; a potable water distribution main; and sanitary sewer

collection mains (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 either side of Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of Section 32, Township 20 South, Range 60 East, M.D.M., and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of said Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) and portions thereof, within the City, from the centerline of Charleston Boulevard (130 feet wide) northerly to a point that is approximately 372 feet south of the centerline of Summerlin Parkway (330 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 concrete "L" type curbs and gutters along either side of Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of Section 32, Township 20 South, Range 60 East, M.D.M., and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of said Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) and portions thereof, within the City, from the centerline of Charleston Boulevard (130 feet wide) northerly to a point that is approximately 372 feet south of the centerline of Summerlin Parkway (330 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 (Sidewalk)

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 a standard concrete sidewalk, 5 feet in width, along the west side of Rampart Boulevard (100 feet wide in that portion thereof in which such sidewalk is constructed and installed), within the City, adjacent to that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-401-001, 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 Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of Section 32, Township 20 South, Range 60 East, M.D.M., and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin

Parkway, being the intersection of the south right-of-way line of said Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) and portions thereof, within the City, from the centerline of Charleston Boulevard (130 feet wide) northerly to a point that is approximately 372 feet south of the centerline of Summerlin Parkway (330 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 (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. V shall consist of the construction and installation of standard concrete commercial driveway approaches and asphaltic concrete sidewalks and ramps for the handicapped along the west side of Rampart Boulevard (100 feet wide in that portion thereof in which such driveway approaches are constructed and installed), within the City, adjacent to that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-401-001, 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 (Drainage Facilities)

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 construction and installation of a drainage channel in a permanent easement (varying in width from 40 feet to 140 feet depending upon the topography of the abutting land), the east line of which coincides with the west right-of-way line of Rampart Boulevard (100 feet wide in that portion thereof in which such drainage channel is constructed and installed), within the City, adjacent to that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-201-001, 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. VII (Potable Water Distribution Main)

The portion of the Project the costs of which will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. VII shall consist of the installation of a potable water distribution main in Rampart Boulevard (100 feet wide in that portion thereof in which such water main is

installed), within the City, adjacent to those certain parcels of property that are identified by the Clark County, Nevada, County Assessor's parcel numbers as Parcel 138-32-301-001 and Parcel 138-32-701-001, 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. VIII (Sanitary Sewer Collection Mains)

The costs of that portion of the Project that will be assessed against the assessable lots and parcels of property in ASSESSMENT UNIT NO. VIII shall be equivalent to the costs that would be incurred in the installation of sanitary sewer collection mains, 8 inches in diameter, in Rampart Boulevard (100 feet wide from its intersection with Charleston Boulevard northerly to its intersection with the north section line of Section 32, Township 20 South, Range 60 East, M.D.M., and widening from 95 feet at its intersection with the north section line of said Section 32 to 132 feet at a point that is approximately 372 feet south of the centerline of Summerlin Parkway, being the intersection of the south right-of-way line of said Summerlin Parkway/Rampart Boulevard Interchange with Rampart Boulevard) and portions thereof, within the City, adjacent to those certain parcels of property that are identified by the Clark County, Nevada, County Assessor's parcel numbers as Parcel 350-660-001, Parcel 138-32-201-001 and Parcel 138-32-301-001,

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 1 inch of opengrade over 4 inches of asphaltic concrete pavement, a prime coat and 10 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 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 (Sidewalk)

The sidewalk shall consist of 4 inches of standard Portland cement 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 double masted 250 watt high pressure sodium vapor luminaires, steel lighting standards on concrete bases and underground circuits (except that the street lights that are installed adjacent to that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 350-660-001 shall be mounted on Type 1B square, tapered, prestressed concrete poles with chambered corners on concrete bases); 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 (Commercial Driveway Approaches)

Each driveway approach shall consist of a radius driveway

with a cross gutter, consisting of 6 inches of standard Portland cement Class B concrete that is reinforced with #4 rebar over 6 inches of Type II aggregate base, and a sidewalk with an access ramp on either side of the driveway for the handicapped, consisting of 4 inches of asphaltic concrete pavement over 10 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 (Drainage Facilities)

The drainage facilities shall consist of a flat bottomed drainage channel, 5 feet in width and approximately 1000 feet in length, which connects into a proposed concrete headwall which, in turn, connects into a proposed 48-inch Class IV reinforced concrete drainage pipe, approximately 90 feet in length, which shall connect with the existing drainage channel in Alta Drive; 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. VII (Potable Water Distribution Main)

The potable water distribution main shall consist of 8-inch, 10-inch and 12-inch polyvinyl chloride potable water distribution

pipes; 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. VIII (Sanitary Sewer Collection Mains)

The sanitary sewer collection mains shall consist of 12-inch polyvinyl chloride sanitary sewer collection pipe (but only the costs thereof that are equivalent to the costs that would be incurred in the installation of an 8-inch polyvinyl chloride sanitary sewer collection pipe throughout the entire length of such sewer main); 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 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. 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 (Sidewalk)

Such estimates shall be computed on the basis that the parcel of property that is adjacent to the sidewalk that is constructed and installed in the assessment unit shall be assessed the entire cost and expense of constructing and installing such sidewalk; provided, however, that, if such 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 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 parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of the entire 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 (Commercial Driveway Approaches)

Such estimates shall be computed on the basis that the parcel of property that is served by the driveway approaches that are constructed and installed in the assessment unit shall be assessed the entire cost and expense of constructing and installing such driveway approaches; provided, however, that, if such 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 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 parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of the entire parcel.

ASSESSMENT UNIT NO. VI (Drainage Facilities)

Such estimates shall be computed on the basis that the parcel of property that is adjacent to the drainage facilities that are constructed and installed in the assessment unit shall be assessed the entire cost and expense of constructing and installing such drainage facilities; provided, however, that, if such 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 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 parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of the entire parcel.

ASSESSMENT UNIT NO. VII (Potable Water Distribution Main)

Such estimates shall be computed on the basis that that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-301-001 shall be assessed the entire cost and expense of installing such potable water distribution main (said Parcel and Parcel 138-32-701-001 being under common ownership, the benefit that will inure to said Parcel 138-701-001 from such water main

being negligible and the owner of said Parcels having agreed in writing to assume and pay such entire cost and expense); provided, however, that, if said Parcel 138-32-301-001 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 said 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 Parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of the entire Parcel.

ASSESSMENT UNIT NO. VIII (Sanitary Sewer Collection Mains)

Such estimates shall be computed on a front foot basis, i.e., on the basis that each lot or parcel of property that will be served by either of the sanitary sewer collection mains and 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 sewer mains are being installed bears to the frontage of all of the assessable property that will be served by the sewer mains and abut the street along which the same are being installed in the assessment unit; provided, however, that the owner of that certain parcel of property that is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-32-

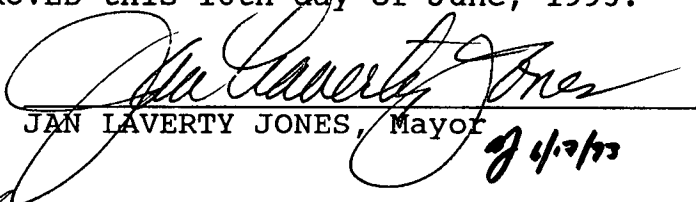
301-001 (said Parcel and Parcel 138-32-201-001 being under common ownership and the benefit that will inure to said Parcel 138-32-201-001 from the sewer main that is adjacent thereto being negligible) has agreed in writing to assume and pay the entire portion of the cost and expense of installing the sewer mains that is proposed to be assessed against both said Parcel 138-32-201-001 and said Parcel 138-32-301-001, and, provided further, that, if either the parcel of property that is so identified as Parcel 350-660-001 or said Parcel 138-32-301-001 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 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 that entire parcel in the proportion that the area of such subplot or subparcel bears to the aggregate area of that entire parcel.

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

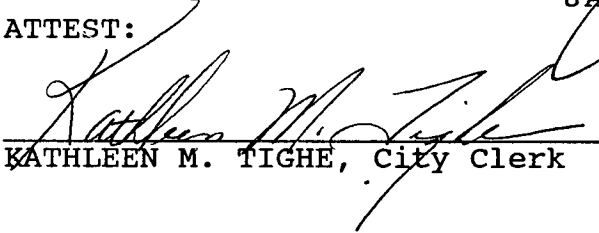
irregular lot or parcel in order that the assessments that are levied according to the benefits that will be derived from the improvement that is constructed and installed in such assessment unit will be equal and uniform.

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 16th day of June, 1993.


JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk