

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 construction and installation of curbs and gutters along those certain streets, and portions thereof, that are identified with particularity in Section 1 of this Resolution,

ASSESSMENT UNIT NO. II, providing for the construction and installation of sidewalks along those certain streets, and portions thereof, that are identified with particularity in Section 1 of this Resolution,

ASSESSMENT UNIT NO. III, providing for the construction and installation of residential driveway approaches along those certain streets, and portions thereof, that are identified with particularity in Section 1 of this Resolution,

ASSESSMENT UNIT NO. IV, providing for the construction and installation of commercial driveway approaches along those



certain streets, and portions thereof, that are identified with particularity in Section 1 of this Resolution and

ASSESSMENT UNIT NO. V, providing for the installation of a streetlighting system and all facilities that are incidental thereto along those certain streets, and portions, that are identified with particularity 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 five (5) 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. 1445" (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 20th day of October, 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 the removal of the existing defective street paving on Industrial Road (80 feet wide) and New York Avenue (50 feet wide), and portions of each,

and the replacement thereof with new street paving that meets the City's current design standards and the construction and installation of curbs and gutters; sidewalks; residential driveway approaches; commercial driveway approaches; streetlights; 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 (Curbs and Gutters)

The improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. I shall consist of the construction and installation of standard concrete "L" type curbs and gutters along those certain streets and portions thereof, within the City, that are more particularly described as follows:

INDUSTRIAL ROAD:

The proposed curbs and gutters in Industrial Road (80 feet wide) shall be constructed and installed along either side thereof from the centerline of Wyoming Avenue (100 feet wide) southerly to the centerline of Sahara Avenue (150 feet wide); and

BOSTON AVENUE:

The proposed curbs and gutters in Boston Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial

Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide), except where adequate improvements have previously been installed, together with the necessary 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, as is more particularly shown on the plats, diagrams and plans of the work and of the localities that are to be so improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. II (Sidewalks)

The improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. II shall consist of the construction and installation of standard concrete sidewalks along those certain streets and portions thereof, within the City, that are more particularly described as follows:

INDUSTRIAL ROAD:

The proposed sidewalks in Industrial Road (80 feet wide) shall be constructed and installed along either side thereof from the centerline of Wyoming Avenue (100 feet wide) southerly to the centerline of Sahara Avenue (150 feet wide);

NEW YORK AVENUE:

The proposed sidewalks in New York Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

BOSTON AVENUE:

The proposed sidewalks in Boston Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

PHILADELPHIA AVENUE:

The proposed sidewalks in Philadelphia Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Fairfield Avenue (50 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

CHICAGO AVENUE:

The proposed sidewalks in Chicago Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide); and

FAIRFIELD AVENUE:

The proposed sidewalks in Fairfield Avenue (80 feet wide) shall be constructed and installed along either side thereof from the centerline of New York Avenue (50 feet wide) southerly to the centerline of Boston Avenue (50 feet wide),

COMMERCE STREET:

The proposed sidewalks in Commerce Street (40 feet wide) shall be constructed and installed along either

side thereof from the centerline of New York Avenue (50 feet wide) southerly to the centerline of St. Louis Avenue (50 feet wide),

except where adequate improvements have previously been installed, together with the necessary 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, as is more particularly shown on the plats, diagrams and plans of the work and of the localities that are to be so improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. III (Residential Driveway Approaches)

The improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. III shall consist of the construction and installation of standard concrete residential driveway approaches along those certain streets and portions thereof, within the City, that are more particularly described as follows:

NEW YORK AVENUE:

The proposed residential driveway approaches in New York Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

BOSTON AVENUE:

The proposed residential driveway approaches in Boston Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline

of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

CHICAGO AVENUE:

The proposed residential driveway approaches in Chicago Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide); and

FAIRFIELD AVENUE:

The proposed residential driveway approaches in Fairfield Avenue (80 feet wide) shall be constructed and installed along either side thereof from the centerline of New York Avenue (50 feet wide) southerly to the centerline of Boston Avenue (50 feet wide),

except where adequate improvements have previously been installed, together with the necessary 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, as is more particularly shown on the plats, diagrams and plans of the work and of the localities that are to be so improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Commercial Driveway Approaches)

The improvement that is proposed to be constructed and installed in ASSESSMENT UNIT NO. IV shall consist of the construction and installation of standard concrete commercial driveway approaches along those certain streets and portions thereof, within the City, that are more particularly described as follows:

INDUSTRIAL ROAD:

The proposed commercial driveway approaches in Industrial Road (80 feet wide) shall be constructed and installed along either side thereof from the centerline of Wyoming Avenue (100 feet wide) southerly to the centerline of Sahara Avenue (150 feet wide); and

COMMERCE STREET:

The proposed commercial driveway approaches in Commerce Street (40 feet wide) shall be constructed and installed along either side thereof from the centerline of New York Avenue (50 feet wide) southerly to the centerline of St. Louis Avenue (50 feet wide),

except where adequate improvements have previously been installed, together with the necessary 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, as is more particularly shown on the plats, diagrams and plans of the work and of the localities that are to be so improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. V (Street Lighting)

The improvement that is proposed to be installed in ASSESSMENT UNIT NO. V shall consist of the installation of streetlights and any and all appurtenances along those certain streets and portions thereof, within the City, that are more particularly described as follows:

INDUSTRIAL ROAD:

The proposed street lighting system in Industrial

Road (80 feet wide) shall be constructed and installed along either side thereof from the centerline of Wyoming Avenue (100 feet wide) southerly to the centerline of Sahara Avenue (150 feet wide);

BOSTON AVENUE:

The proposed sidewalks in Boston Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

ST. LOUIS AVENUE:

The proposed street lighting system in St. Louis Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to a point that is approximately 500 feet east of the centerline of said Industrial Road;

CHICAGO AVENUE:

The proposed sidewalks in Chicago Avenue (50 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Commerce Street (40 feet wide);

FAIRFIELD AVENUE:

The proposed street lighting system in Fairfield Avenue (60 feet wide) shall be constructed and installed along either side thereof from the centerline of Wyoming

Avenue (100 feet wide) southerly to the centerline of New York Avenue (50 feet wide);

NORTH BRIDGE LANE:

The proposed street lighting system in North Bridge Lane (40 feet wide) shall be constructed and installed along either side thereof from the centerline of Industrial Road (80 feet wide) easterly to the centerline of Tam Drive (50 feet wide); and

COMMERCE STREET:

The proposed street lighting system in Commerce Street (80 feet wide) shall be constructed and installed along either side thereof from the centerline of Charleston Boulevard (100 feet wide) southerly to the centerline of Wyoming Avenue (100 feet wide),

except where adequate improvements have previously been installed, together with the necessary 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, as is more particularly shown on the plats, diagrams and plans of the work and of the localities that are to be so 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 (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. II (Sidewalks)

The sidewalks 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. III (Residential Driveway Approaches)

Each residential driveway approach shall consist of 6 inches of standard Portland cement 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. IV (Commercial Driveway Approaches)

Each commercial driveway approach shall consist of 6 inches

of standard Portland cement Class B concrete that is reinforced with #4 rebar 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. V (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.

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 (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.

ASSESSMENT UNIT NO. II (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.

ASSESSMENT UNIT NO. III (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. IV (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 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. V (Street Lighting)

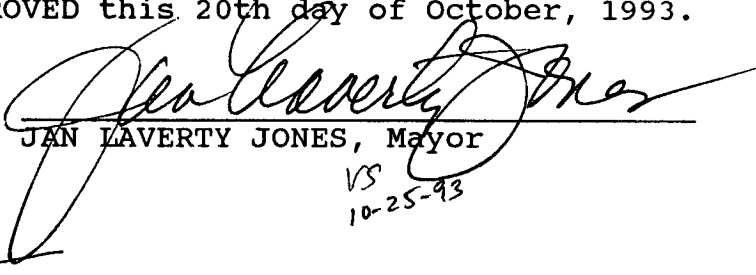
Such estimates shall be computed on a front foot basis, i.e., on the basis that each lot or parcel of property that is to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount that is being levied against the entire assessment unit in the proportion that the frontage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

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. For the purpose of determining the methods for the apportionment and assessment of the costs and expenses of constructing and installing such improvements, it has been assumed that each lot or parcel of property that is proposed to be assessed in the respective assessment units is a rectangular lot that is 25 feet wide and 130 feet deep and has frontage along only one of the streets that are proposed to be improved by way of the District. However, 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

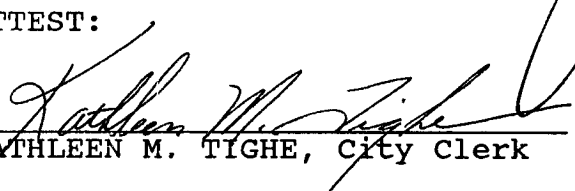
levied upon any lot or parcel of property in ASSESSMENT UNIT NO. V that has a frontage that abuts such improvements that is more or less than 25 feet or has a depth of more or less than 130 feet, or both, against any lot or parcel in ASSESSMENT UNIT NO. I, ASSESSMENT UNIT NO. II or ASSESSMENT UNIT NO. V that has frontage along any 2 of the streets that are improved by way of the District or against any irregular lot or parcel, or any combination of such circumstances, 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 20th day of October, 1993.


JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

VS
10-25-93