

RESOLUTION NO. R-41-2001

A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 458 (LAKE MEAD BOULEVARD) THAT HAS BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED THEREAGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH APPORTIONMENT.

WHEREAS, the City of Las Vegas (hereinafter the "City"), in the County of Clark and State of Nevada, is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as the same have been amended to the date hereof, and the general laws of the State; and

WHEREAS, by Ordinance No. 3477 that was duly passed, adopted and approved by the City Council of the City (hereinafter the "City Council") on the 17th day of January, 1990, the City Council created "City of Las Vegas, Nevada, Special Improvement District No. 458 (Lake Mead Boulevard)" (hereinafter the "District") for the purposes of providing for the installation of street paving, "L" type curb and gutter, sidewalk, commercial driveway approaches, street lights, water laterals, sewer laterals, water distribution main, and drainage facilities (hereinafter the "Project"), by defraying the entire cost and expense of the Project by special assessments, against the assessable lots and parcels of property within each assessment unit of the District according to the benefits that would be derived from the Project by the respective lots and parcels that

were to be so assessed, all in accordance with the provisions of Chapter 271 et seq., of the Nevada Revised Statutes that provide therefor; and

WHEREAS, by Ordinance No. 3609 that was duly passed, adopted and approved by the City Council on the 6th day of November, 1991, the City Council assessed all of the costs and expenses of acquiring, constructing and installing the Project against the assessable lots and parcels of property within the District that were benefited by the Project; and

WHEREAS, NRS 271.425 provides that, if any lot or parcel of property within a special improvement district, that has been created by a municipality in the State, is divided after a special assessment thereupon has been levied and divided into installments and before the collection of all of the installments, the governing body of the municipality may require the municipal treasurer to apportion the uncollected amount of such special assessment among the several parts into which such lot or parcel has been divided; and

WHEREAS, that certain lot and parcel of property, identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-23-701-001, and is situated within the District, has been divided after the special assessments were levied and divided into installments, and not all of those installments have been collected or apportioned among other lots and parcels that may have been created out of said Parcel after the assessments were levied; and

WHEREAS, the City Council desires, by this Resolution, to direct the City Treasurer of the City (hereinafter the "City Treasurer") to apportion the uncollected and heretofore unapportioned amounts of the special assessments that have been levied

upon the above-described Parcel among the several parts into which said Parcel has been divided;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas, Nevada, at this regular meeting thereof being held on this 18th day of April, 2001, as follows:

SECTION 1. That the City Treasurer be, and he hereby is, authorized, empowered and directed to apportion, on an equitable basis, the uncollected and unapportioned amounts of the special assessments that were, by virtue of the adoption by the City Council of said Ordinance No. 3609, levied upon that certain lot and parcel of property that is situated within the District and is identified by the Clark County, Nevada, County Assessor's parcel number as Parcel 138-23-701-001, among the several parts into which said Parcel, has been divided.

SECTION 2. That the City Treasurer be, and he hereby is, further authorized, empowered and directed to prepare, submit and file with the City Clerk of the City (hereinafter the "City Clerk") a report of the apportionment that is required by Section 1 of this Resolution.

SECTION 3. That the City Clerk be, and she hereby is, authorized, empowered and directed to furnish a copy of this Resolution to the City Treasurer.

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SECTION 4. That all resolutions, or parts thereof, that are in conflict with the provisions of this Resolution be, and they hereby are, repealed.

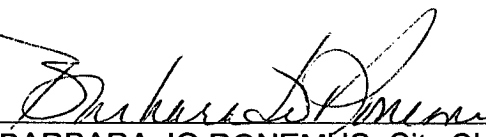
PASSED, ADOPTED AND APPROVED this 18th day of April, 2001.

  
OSCAR B. GOODMAN, Mayor

Approved as to form:

4/4/01   
Date Deputy City Attorney

ATTEST:

  
BARBARA JO RONEMUS, City Clerk