

R E S O L U T I O N**RESOLUTION DECLARING THE NECESSITY FOR, AND ECONOMIC FEASIBILITY OF, CREATING LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 428.**

WHEREAS, the City of Las Vegas, in the County of Clark and State of Nevada, has taken requisite legal action preliminary to the creation of the Special Improvement District No. 428 (the "District" herein), in conjunction with a total project that will include the removal of the existing defective street paving on those certain streets that are identified in the Notice of Hearing that is provided for in Section 4 of the Provisional Order Resolution that was duly passed, adopted and approved by the City Council of said City on the 3rd day of April, 1991, the replacement thereof with new street paving that meets said City's current design standards and the installation of a street lighting system along such streets (the "Project" herein), and of defraying the entire cost and expense of installing such street lighting system by special assessments, according to benefits, against the taxable lots and parcels of property within the District, all in accordance with the provisions of Chapter 271 of the Nevada Revised Statutes that provide therefor; and

WHEREAS, the City Engineer of said City (the "Engineer" herein) has presented to the City Council of said City the following documents:

(A) An accurate estimate of the total cost of the Project for the District, including in said estimate the



incidental expenses that are attributable thereto;

(B) Full and detailed plans and specifications for the construction of the Project, with construction drawings, showing typical sections of the contemplated improvements for the District;

(C) A map and assessment plat showing the location of each portion of the Project and the property to be assessed; and

(D) The Engineer's report on benefits in which the Engineer sets forth his conclusions concerning the benefits to be derived from the District and the proper method of assessment, which said report and benefits was accepted by said City Council at its meeting that was held on Wednesday, the 3rd day of April, 1991; and

WHEREAS, pursuant to Chapter 271 of the Nevada Revised Statutes and said Provisional Order Resolution, said City Council declared its determination to create the District for the purpose of making such improvements therein, describing in said Resolution the improvements, stating therein that the entire expense thereof shall be paid by special assessments and that such assessments are to be made according to the benefits, designating therein, by apt description, the boundaries of the District, including the lands to be so assessed, and definitely locating therein the improvements to be made within the District; and

WHEREAS, pursuant to said Resolution, said City Council directed the City Clerk of said City to give notice of the estimates of the expense of the improvements, of the plats and

diagrams that were theretofore filed and of the time and place of the public hearing thereon, and said Notice of Public Hearing was given in the manner that is specified by the laws of the State of Nevada and in accordance with the directions that are contained in said Resolution; and

WHEREAS, the manner of giving said Notice of Public Hearing by mail, publication and posting was reasonably calculated to inform all interested parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, at such public hearing, which was held on the 1st day of May, 1991, and duly and regularly continued to the 5th day of June, 1991, protests were presented to the creation of the District that represented the majority of the frontage that is proposed to be assessed for the cost of installing the street lighting system that is proposed to be installed in the District; and

WHEREAS, said Notice of Hearing advised the owner or owners of each lot or parcel of property that is proposed to be assessed for the cost of such street lighting system, any other person who may be interested in any thereof and any tenant of any mobile home park that is located on any such lot or parcel that, since one-half or more of the total cost of the entire Project will be paid for other than by the levy of special assessments, said City Council may, pursuant to NRS 271.305(7)(b)(2), order the installation of such streetlights and appurtenances, in which event the installation thereof shall not be stayed, defeated or

prevented by written complaints, protests or objections thereto;
and

WHEREAS, said City Council has reviewed all of the documents that are described in the second recital of this Resolution, has found the same to be satisfactory and has considered the fact that protests that represented the majority of the frontage that is proposed to be assessed for the cost of such street lighting system were presented at such public hearing; and

WHEREAS, said City Council, pursuant to NRS 271.305(7)(b)(2), has determined, and by this Resolution does so determine, that the installation of such street lighting system shall not be stayed, defeated or prevented notwithstanding such majority protest;

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 19th day of June, 1991, that said City Council has found, determined and declared, and does hereby find, determine and declare, that:

SECTION 1: Notwithstanding the fact that protests that represent the majority of the frontage that is proposed to be assessed for the cost of the street lighting system that is proposed to be installed in the District have been presented, the installation of such street lighting system shall not be stayed, defeated or prevented, and therefore, pursuant to NRS 271.305(7)(b)(2), each of such protests be, and the same hereby is, overruled and finally passed upon by said City Council.

SECTION 2: The estimated net cost to said City of the Project, including all necessary expenses which either have been or will be incurred in connection with the District, is \$904,084.00, of which an estimated \$83,812.00 will be assessed against and paid by the taxable lots and parcels of property within the District, and, based upon all of the foregoing:

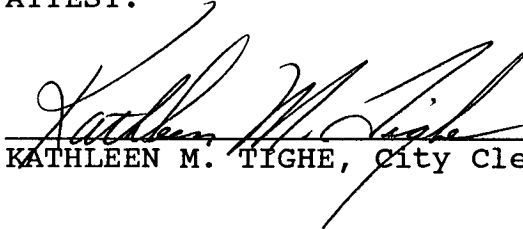
(A) The public convenience and necessity require the creation of Special Improvement District No. 428;

(B) The creation of Special Improvement District No. 428 is economically sound and feasible.

PASSED, ADOPTED AND APPROVED THIS 19th day of June, 1991.


JAN LAVERTY JONES, Mayor *Approved vs 6-20-91*

ATTEST:


KATHLEEN M. TIGHE, City Clerk

CITY COUNCIL MINUTES

MEETING OF
JUNE 19, 1991

AGENDA

City of Las Vegas

CITY COUNCIL
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 386-6011

15,004
Rev
JK

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ITEM	ACTION
V. ROY A. WOOFER - CITY ATTORNEY (Cont.)	
I. Approval of Resolution Declaring Necessity for, and Economic Feasibility of, Creating SID #428 (Huntridge Area)	ADOPTED

AGENDA DOCUMENTATION

June 19, 1991

Date:

June 12, 1991

TO:
The City CouncilFROM:
Roy A. Woofter
City AttorneySUBJECT.

Resolution Declaring Necessity for, and Economic Feasibility of,
Creating Special Improvement District No. 428 (Huntridge
Streetlights).

PURPOSE BACKGROUND

S.I.D. NO.: 428

STEP: Resolution declaring necessity for, and
economic feasibility of, creating district.

IMPROVEMENTS: The installation of streetlights.

LOCATION: Along both sides of various streets in the
Huntridge area.

FISCAL IMPACT

The costs, in the estimated amount of \$83,812.00, that the City
will incur in installing the streetlights in Special Improvement
District No. 428 will be advanced from the City's Special
Improvement District Revolving Fund and will be recovered over a
10 year period through the levy and collection of special
assessments.

RECOMMENDATIONS

It is recommended that the City Council adopt this Resolution.

Agenda Item

V-I