

R E S O L U T I O N

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT THE WORK OF IMPROVEMENT OF CERTAIN STREETS AND ALLEYS, AND PARTS THEREOF, WITH INTERSECTIONS, WITHIN THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 492 SHALL BE DONE:

WHEREAS, the City Council of the City of Las Vegas, in the County of Clark and State of Nevada, pursuant to Chapter 27 of the Nevada Revised Statutes, and all laws supplemental thereto, has directed the City Engineer to file with the City Clerk, who is also the Clerk of said City Council, in conjunction with a total project that will include the installation of six travel lanes; traffic control devices; curbs and gutters; sidewalks; driveway approaches; street lights; sanitary sewer laterals; water distribution laterals; a water distribution main; and drainage facilities (the "Project" herein), certain preliminary plans, assessment plats, typical sections of the contemplated improvements, preliminary estimates of costs and estimates of maximum benefits, all in connection with the proposed installation of certain improvements along certain streets within certain areas of said City, said improvements being more specifically described as follows:

ASSESSMENT UNIT NO. I, providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving Lake Mead Boulevard and portions thereof, as more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. II, providing for the installation of curbs and gutters along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. III, providing for the installation of sidewalks along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. IV, providing for the installation of residential or commercial, at the option of the owner of the particular lot or parcel of property, driveway approaches along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. V, providing for the installation of a street lighting system and all facilities incidental thereto along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. VI, providing for the installation of sanitary sewer laterals along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution,

ASSESSMENT UNIT NO. VII, providing for the installation of potable water laterals along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution, and

ASSESSMENT UNIT NO. VIII, providing for the installation of a water distribution main along Lake Mead Boulevard and portions thereof as more particularly described in Section 1 of this Resolution; and

WHEREAS, the City Engineer, on the 21st day of March, 1990, filed at the office of said City Clerk, in connection with said improvements and with said City's proposed Las Vegas, Nevada, Special Improvement District No. 492 the following:

A. Preliminary plans showing typical sections of the contemplated improvements, the type or types of material, together with the approximate thickness and width, and preliminary estimates of the costs of such improvements.

B. Preliminary estimates of the total cost of each type of construction, said estimates being made in a lump sum or by unit prices, and, further, including in said estimates, without limiting the generality of the foregoing, the advertising, appraising, engineering, printing and such other expenses as in the judgment of said City Engineer are necessary or essential to the completion of such work of improvement and the payment of the costs thereof.

C. Assessment plats showing the areas to be assessed and the amount of maximum benefits estimated to be assessed against each lot or parcel of property within each assessment unit of said Special Improvement District, such estimates as heretofore designated by said City Council being

computed, for the respective assessment units, on the bases set forth in Section 2 of this Resolution; and

WHEREAS, an equitable adjustment will be made for any assessment to be levied against any irregular lot or parcel, so that assessments according to benefits will be equal and uniform; and

WHEREAS, said City Council has examined said plans, assessment plats, typical sections of contemplated improvements, preliminary estimates of costs and estimates of maximum benefits, so filed with said City Clerk, and has found, and hereby does declare, the same to be satisfactory in all respects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, at a regular meeting thereof held on the 21st day of March, 1990, that said City Council shall, and hereby does, accept said plans, assessment plats, typical sections of contemplated improvements, preliminary estimates of costs and estimates of maximum benefits to be assessed against each lot or parcel of property in the respective assessment units of said Special Improvement District.

BE IT FURTHER RESOLVED that said City Council shall, and hereby does, PROVISIONALLY ORDER THAT:

SECTION 1. Those improvements, at an estimated cost of \$4,874,245, of which \$512,545 will be assessed against the assessable lots or parcels of property within the several assessment units of said proposed Special Improvement District, including engineering, legal and incidental expenses, all as more particularly hereinafter set forth and described in said plans herein accepted, reference to which is hereby made and which are available for public examination at the Office of the City Clerk of said City, shall be installed.

SECTION 2. Said estimated cost shall be apportioned among the respective assessment units of the proposed Special Improvement District as follows:

<u>Assessment Unit No.</u>	<u>Estimated Costs</u>	<u>Estimated Amount of Maximum Benefits*</u>
I	\$ 70,722	\$ 93,707
II	43,977	58,270

III	96,603	127,999
IV	3,751	4,970
V	112,911	149,607
VI	52,892	70,082
VII	35,262	46,722
VIII	<u>96,427</u>	<u>127,766</u>

Total		Total
Assessable	\$ 512,545	Benefits \$ 679,123

Other
Improvements \$4,361,700

TOTAL PROJECT \$4,874,245

- * The actual costs of constructing and installing the improvements in any individual assessment unit may exceed the estimated costs for such improvements or the estimated amount of maximum benefits to be derived therefrom, or both, stated above, but in no event shall the aggregate assessment that is levied against each lot or parcel of property for all of the assessment units exceed the aggregate amount of the estimates of maximum benefits to such lot or parcel by virtue of the construction and installation of the improvements in all of the assessment units.

The amounts to be assessed shall be made upon all lots and parcels of property benefited, proportionately to the benefits received, and shall be assessed against the property abutting said improvements on the following basis:

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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the improvement bears to the frontage of all assessable property abutting the improvement in the assessment unit.

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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number of lineal feet of said lot or parcel which abut the improvement bears to the total number of lineal feet of all assessable property abutting the

improvement in the assessment unit.

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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number of lineal feet of said lot or parcel which abut the improvement bears to the total number of lineal feet of all assessable property abutting the improvement in the assessment unit.

ASSESSMENT UNIT NO. IV (Driveway Approaches)

Such estimates shall be computed on the basis that each lot or parcel of property to be assessed in the assessment unit for residential driveway approaches shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for residential driveway approaches in the proportion that the number, length and width of the residential driveway approaches installed to serve said lot or parcel bears to the total number and aggregate length and width of all of the residential driveway approaches installed to serve all assessable property in the assessment unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for commercial driveway approaches shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for commercial driveway approaches in the proportion that the number, length and width of the commercial driveway approaches installed to serve said lot or parcel bears to the total number and aggregate length and width of all of the commercial driveway approaches installed to serve all assessable property 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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the street along which the improvement is being

installed bears to the frontage of all assessable property abutting the street along which the improvement is being installed in the assessment unit.

ASSESSMENT UNIT NO. VI (Sanitary Sewer Laterals)

Such estimates shall be computed on the basis that each lot or parcel of property to be assessed in the assessment unit for 6-inch sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit from 6-inch sewer laterals in the proportion that the number and length of the 6-inch sewer laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 6-inch sewer laterals installed to serve all assessable property in the assessment unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for 8-inch sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 8-inch sewer laterals in the proportion that the number and length of the 8-inch sewer laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 8-inch sewer laterals installed to serve all assessable property in the assessment unit.

ASSESSMENT UNIT NO. VII (Water Distribution Laterals)

Such estimates shall be computed on the basis that each lot or parcel of property to be assessed in the assessment unit for 6-inch potable water laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 6-inch water laterals in the proportion that the number and length of the 6-inch water laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 6-inch water laterals installed to serve all assessable property in the assessment Unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for 8-inch potable water laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 8-inch water laterals in the proportion that the number and length of the 8-inch water laterals

installed to serve said lot or parcel bears to the total number and aggregate length or all of the 8-inch water laterals installed to serve all assessable property in the assessment unit.

ASSESSMENT UNIT NO. VIII (Water Distribution Main)

Such estimates shall be computed on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the street along which the improvement is being installed bears to the frontage of all assessable property abutting the street along which the improvement is being installed in the assessment unit.

In each assessment unit, an equitable adjustment will be made for any assessment levied against any irregular lot or parcel, so that the assessments according to benefits are equal and uniform. The portion of the costs to be assessed against, and the maximum benefits estimated to be conferred upon, each lot or parcel of property shall be as stated in the aforesaid assessment plat. Regardless of the basis used for apportioning the assessments, in the case of a wedge, "V" or other irregularly shaped lot or parcel, the amount apportioned thereto shall be in proportion to the special benefits to be derived thereby.

SECTION 3. The area comprising said streets to be improved and said property to be assessed (i.e., all of said assessment units), shall be designated "Las Vegas, Nevada, Special Improvement District No. 492."

SECTION 4. On Wednesday, the 18th day of April, 1990, at the hour of 2:00 o'clock p.m., at the Council Chambers in the Las Vegas City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, or at any time prior to said date and time at the Office of said City Clerk at said City Hall, the owners of the property to be assessed, or any other person interested in any thereof, may file written protests or objections and may appear before said City Council at said time and place and be heard as to the propriety and advisability of making such improvements, as to the

cost thereof, as to the manner of payment therefor and as to the amount thereof to be assessed against the property to be so improved. Twenty (20) days' notice in writing of such time and place shall be given to such property owners, which shall be served by said City Clerk by mailing a copy of such notice, postage prepaid as first-class mail, to the last known address of each last known owner of property within each assessment unit whose property will be assessed for the costs of such improvements, such names and addresses of such property owners being those appearing on the local property assessment rolls for general (ad valorem) taxes on file in the Office of the County Assessor of Clark County, Nevada, wherein said property is located. Notice shall also be given by the City Engineer of said City by posting a copy of such notice in three public places at or near the site of the proposed work within each assessment unit at least twenty (20) days prior to said hearing. Proof of such mailing and posting shall be made by the affidavit of said City Clerk or of said City Engineer, as the case may be, such proof to be filed with said City Clerk; provided, however, that the fact that the person to whom any such notice is addressed does not receive the same shall not invalidate or affect the legality of the notice given thereby and shall not invalidate or affect the legality of any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publishing a copy of such notice in the Las Vegas Review Journal, a newspaper published and of general circulation within said City, once each week for three consecutive weeks, by three weekly insertions, the first such publication to be at least fifteen (15) days prior to the date of the protest hearing. Not less than fourteen (14) days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of the publisher of said newspaper and filed with said City Clerk. Said notice shall be in substantially the following form:

NOTICE OF HEARING ON THE IMPROVEMENT OF CERTAIN STREETS AND ALLEYS, AND PARTS THEREOF, AND PROPOSED ASSESSMENTS WITHIN THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 492.

NOTICE IS HEREBY GIVEN to the property owners within the proposed Las Vegas, Nevada, Special Improvement District No. 492 and to all other interested persons that:

The City Council of the City of Las Vegas, Nevada, has provisionally ordered that certain improvements be installed in conjunction with the Project along certain streets within those certain areas of said City hereinafter more specifically described as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. I shall consist of the installation of a pavement section 8 feet in width along both sides of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from the centerline of Rancho Drive (125 feet wide) westerly to the centerline of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality 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 property in ASSESSMENT UNIT NO. II shall consist of the installation of standard "L" type curbs and gutters along both sides of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality 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 property in ASSESSMENT UNIT NO. III shall consist of the installation of standard concrete sidewalks 5 feet in width along both sides of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. IV (Driveway Approaches)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. IV shall consist of the installation of standard residential or commercial driveway approaches, as are requested by the owners of the individual lots or parcels of property, along both sides of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. V (Street Lighting)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. V shall consist of the installation of street lights and appurtenances along both sides of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from the west

right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VI (Sanitary Sewer Laterals)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. VI shall consist of sanitary sewer laterals extending from the existing sanitary sewer collection main to the front property lines of such properties, as the same are required by the City in accordance with the guidelines that are hereinafter set forth or are otherwise requested by the owners of the individual lots or parcels of property, along both sides of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VII (Water Distribution Laterals)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. VII shall consist of water distribution laterals extending from the existing water distribution main and the water distribution main that is proposed to be installed pursuant to Assessment Unit No. VIII to the front property lines of such of the properties, as the same are required by the City in accordance with the guidelines that are hereinafter set forth or are otherwise requested by the owners of the individual lots or parcels of property, along both sides of Lake Mead Boulevard (100 feet wide)

and portions thereof, within said City, from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide), except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved as filed in the Office of the City Clerk.

ASSESSMENT UNIT NO. VIII (Water Distribution Main)

The portion of the Project the costs of which will be assessed against the assessable property in ASSESSMENT UNIT NO. VIII shall consist of a water distribution main along a line that is approximately 15 feet south of, and parallel to, the centerline of Lake Mead Boulevard (100 feet wide) and portions thereof, within said City, from a point that is approximately 15 feet east of the west right-of-way line of Rancho Drive (125 feet wide) westerly a distance of approximately 655 feet to a point that is approximately 145 feet east of the centerline of Valley View Boulevard (60 feet wide) and along a line that is approximately 15 feet east of, and parallel to, the west right-of-way line of said Rancho Drive, and portions thereof, within said City, from a point that is approximately 15 feet south of the centerline of said Lake Mead Boulevard, northerly to a point that is approximately 160 feet north of the centerline of said Lake Mead Boulevard and southerly to a point that is approximately 85 feet south of the centerline of said Lake Mead Boulevard, except where adequate improvements have previously been installed, together with the necessary installation, removal and relocation of any and all utilities and appurtenances that are deemed necessary to complete same, as more particularly shown on the plats, diagrams and plans of the work and the locality to be improved as filed in the Office of the City Clerk.

Except as shown on the plans and specifications as filed in the Office of the City Clerk of said City, the improvements are more particularly described as follows:

ASSESSMENT UNIT NO. I (Street Paving)

The street paving shall consist of 3/4ths of an inch of plantmix bituminous opengrade surface over 4 inches of plantmix bituminous surface, 4 inches of Type II aggregate base and 9 inches of subgrade preparation; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

ASSESSMENT UNIT NO. II (Curbs and Gutters)

The curbs and gutters shall be standard Portland cement "L" type 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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

ASSESSMENT UNIT NO. III (Sidewalks)

The sidewalks shall be 4 inch standard Portland cement 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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

ASSESSMENT UNIT NO. IV (Driveway Approaches)

The driveway approaches shall be 6 inch standard Portland cement slabs over 6 inches of Type II aggregate base, for residential driveways, and 6 inch standard Portland cement slabs over 6 inches of Type II aggregate base, reinforced with #4 rebar, for commercial driveways; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said 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 which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

ASSESSMENT UNIT NO. VI (Sanitary Sewer Laterals)

The sanitary sewer laterals shall consist of 6 inch or 8 inch, as required by the City or as otherwise requested by the owners of the respective lots or parcels of property, polyvinyl chloride sewer laterals from the sanitary sewer collection line to the front property lines; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

If the owner of any lot or parcel of property within the assessment unit fails to designate the size, number and location of the sanitary sewer laterals that such owner desires to have installed to serve such lot or parcel or requests that no sanitary sewer lateral be installed to serve such lot or parcel, the size, number and location of such lateral or laterals shall be determined by the City in the following manner:

A. One 8 inch sanitary sewer lateral shall be installed at the lower side of the lot or parcel in question; and

B. If the frontage of the lot or parcel in question exceeds 330 feet, one additional 8 inch sanitary sewer lateral shall be installed at the lowest point of such lot or parcel at least 330 feet distant from the first lateral.

ASSESSMENT UNIT NO. VII (Water Distribution Laterals)

The water distribution laterals shall consist of 6 inch or 8 inch, as required by the City or as otherwise requested by the owners of the respective lots or parcels of property, asbestos cement potable water laterals from the water distribution line to

the front property lines; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which are deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

If the owner of any lot or parcel of property within the assessment unit fails to designate the size, number and location of the water distribution laterals that such owner desires to have installed to serve such lot or parcel or requests that no water distribution lateral be installed to serve such lot or parcel, the size, number and location of such lateral or laterals shall be determined by the City in the following manner:

A. One 8 inch water distribution lateral shall be installed at the mid-point of the frontage of the lot or parcel in question, unless the frontage of such lot or parcel exceeds 330 feet and an additional lateral cannot be installed to serve such lot or parcel from a water distribution main that has been installed in a side street;

B. If the frontage of the lot or parcel in question exceeds 330 feet and an additional lateral cannot be installed to serve such lot or parcel from a water distribution main that has been installed in a side street, one 8 inch water distribution lateral shall be installed at the lower side of such lot or parcel and an additional 8 inch lateral shall be installed at the lowest point of such lot or parcel at least 330 feet distant from the first lateral. In no event, however, shall a water distribution lateral be installed in the same trench in which a sanitary sewer lateral is installed.

ASSESSMENT UNIT NO. VIII (Water Distribution Main)

The water distribution main shall consist of 12 inch asbestos cement potable water main; together with the installation, removal and relocation of any and all utilities and any and all appurtenances which may be deemed necessary to complete same, as more particularly shown by the plats, diagrams and plans of the work and of the locality to be improved that are on file with said City Clerk.

All of the plats, diagrams and plans on file in the Office of said City Clerk with respect to said described assessment units are deemed by the City Engineer of said City and by said City to be essential to the construction of said improvements.

It is anticipated that, of the \$4,874,245 that is the estimated total cost of the Project, an estimated \$512,545 shall be apportioned among the several assessment units of said proposed Special Improvement District and shall be assessed against the assessable lots or parcels of property within the respective assessment units as follows:

<u>Assessment Unit No.</u>	<u>Estimated Costs</u>	<u>Estimated Amount of Maximum Benefits*</u>
I	\$ 70,722	\$ 93,707
II	43,977	58,270
III	96,603	127,999
IV	3,751	4,970
V	112,911	149,607
VI	52,892	70,082
VII	35,262	46,722
VIII	<u>96,427</u>	<u>127,766</u>
Total		Total
Assessable	\$ 512,545	Benefits \$679,123
Other		
Improvements	<u>\$4,361,700</u>	
TOTAL PROJECT	\$4,874,245	

- * The actual costs of constructing and installing the improvements in any individual assessment unit may exceed the estimated costs for such improvements or the estimated amount of maximum benefits to be derived therefrom, or both, stated above, but in no event shall the aggregate assessment that is levied against each lot or parcel of property for all of the assessment units exceed the aggregate amount of the estimates of maximum benefits to such lot or parcel by virtue of the construction and installation of the improvements in all of the assessment units.

The amounts to be assessed shall be made upon all lots and parcels of property benefited, proportionately to the benefits received and shall be assessed against the property abutting said improvements 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 to be assessed

in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the improvement bears to the frontage of all assessable property abutting the improvement in the assessment unit.

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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number of lineal feet of said lot or parcel which abut the improvement bears to the total number of lineal feet of all assessable property abutting the improvement in the assessment unit.

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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the number of lineal feet of said lot or parcel which abut the improvement bears to the total number of lineal feet of all assessable property abutting the improvement in the assessment unit.

ASSESSMENT UNIT NO. IV (Driveway Approaches)

Such estimates shall be computed on the basis that each lot or parcel of property to be assessed in the assessment unit for residential driveway approaches shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for residential driveway approaches in the proportion that the number, length and width of the residential driveway approaches installed to serve said lot or parcel bears to the total number and aggregate length and width of all of the residential driveway approaches installed to serve all assessable property in the assessment unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for commercial driveway approaches shall be assessed a portion of the

aggregate dollar amount being levied against the entire assessment unit for commercial driveway approaches in the proportion that the number, length and width of the commercial driveway approaches installed to serve said lot or parcel bears to the total number and aggregate length and width of all of the commercial driveway approaches installed to serve all assessable property 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 to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the street along which the improvement is being installed bears to the frontage of all assessable property abutting the street along which the improvement is being installed in the assessment unit.

ASSESSMENT UNIT NO. VI (Sanitary Sewer Laterals)

Such estimates shall be computed on the basis that each lot or parcel of property to be assessed in the assessment unit for 6-inch sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 6-inch sewer laterals in the proportion that the number and length of the 6-inch sewer laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 6-inch sewer laterals installed to serve all assessable property in the assessment unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for 8-inch sanitary sewer laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 8-inch sewer laterals in the proportion that the number and length of the 8-inch sewer laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 8-inch sewer laterals installed to serve all assessable property in the assessment unit.

ASSESSMENT UNIT NO. VII (Water Distribution Laterals)

Such estimates shall be computed on the basis that each lot or parcel of property to be assessed in the assessment unit for 6-inch potable water laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 6-inch water laterals in the proportion that the number and length of the 6-inch potable water laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 6-inch water laterals installed to serve all assessable property in the assessment Unit and on the basis that each lot or parcel of property to be assessed in the assessment unit for 8-inch potable water laterals shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit for 8-inch water laterals in the proportion that the number and length of the 8-inch water laterals installed to serve said lot or parcel bears to the total number and aggregate length of all of the 8-inch water laterals installed to serve all assessable property in the assessment unit.

ASSESSMENT UNIT NO. VIII (Water Distribution Main)

Such estimates shall be computed on a front foot basis, i.e., on the basis that each lot or parcel of property to be assessed in the assessment unit shall be assessed a portion of the aggregate dollar amount being levied against the entire assessment unit in the proportion that the frontage of said lot or parcel which abuts the street along which the improvement is being installed bears to the frontage of all assessable property abutting the improvement in the assessment unit.

In each assessment unit, an equitable adjustment will be made for any assessment levied against any irregular lot or parcel, so that the assessments according to benefits are equal and uniform. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each lot or parcel of property shall be as stated in the aforesaid assessment plat.

Regardless of the basis used for apportioning the assessments, in the case of a wedge, "V" or other irregularly shaped

lot or parcel, the amount apportioned thereto shall be in proportion to the special benefits derived thereby.

The areas to be assessed within the respective assessment units which said City Council proposes to so have improved are as follows:

ASSESSMENT UNIT NO. I (Street Paving)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. II (Curbs and Gutters)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. III (Sidewalks)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. IV (Driveway Approaches)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60

East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. V (Street Lighting)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. VI (Sanitary Sewer Laterals)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. VII (Water Distribution Laterals)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly to the east right-of-way line of Winwood Street (60 feet wide).

ASSESSMENT UNIT NO. VIII (Water Distribution Main)

Each lot or parcel of real property lying and being situate in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of Section 19, Township 20 South, Range 61 East, M.D.M., or Section 24, Township 20 South, Range 60 East, M.D.M., which abuts Lake Mead Boulevard (100 feet wide), or

portions thereof, along both sides thereof from the west right-of-way line of Rancho Drive (125 feet wide) westerly a distance of approximately 655 feet to a point that is approximately 145 feet east of the centerline of Valley View Boulevard or which abuts said Rancho Drive, or portions thereof, along the west side thereof from the north right-of-way line of said Lake Mead Boulevard northerly to a point that is approximately 160 feet north of the centerline of said Lake Mead Boulevard or from the south right-of-way line of said Lake Mead Boulevard southerly to a point that is approximately 85 feet south of the centerline of said Lake Mead Boulevard.

The proposed improvements will result in no substantial change in the existing street elevations or grades.

All persons interested are hereby advised that the plans, plats, typical sections, preliminary estimates of the total cost, the description of the property to be assessed, the portion of the cost to be assessed thereagainst and the maximum amount of benefits estimated to be conferred upon each lot or parcel of property with respect to the respective assessment units are on file in the Office of said City Clerk and may be inspected by any property owner or other interested person during regular office hours.

On Wednesday, the 18th day of April, 1990, at 2:00 o'clock p.m., at the Council Chambers in the Las Vegas City Hall Complex, 400 East Stewart Avenue, Las Vegas, Nevada, or at any time prior to said date and time, at the Office of said City Clerk at said City Hall, the owners of the property to be assessed, or any other person interested in any thereof, may file written protests or objections and may appear before said City council at said time and place and be heard as to the propriety and advisability of making such improvements, as to the costs thereof, as to the manner of the payment therefor and as to the amount thereof to be assessed against the property to be so improved.

Any property owner or other interested person who wishes to make any protest or objection must make such protest or objection in writing at the Office of said City Clerk at least three days before the time set for such hearing. In this connection, a

person should object to formation of said Special Improvement District in the manner as aforesaid if his or her support therefor is based upon a statement or representation concerning said District that is not contained in the language of this notice. Any person who files a written protest or objection three days before the time of such hearing as aforesaid shall have the right within thirty (30) days after said City Council has finally passed upon such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. If the owners of more than one-half of the frontage to be assessed for the improvements to be installed in Assessment Unit No. 1, Assessment Unit No. V or Assessment Unit No. VIII, or of more than one-half of the lineal footage to be assessed for the improvements to be installed in Assessment Unit No. II or Assessment Unit No. III, shall file written objections thereto, the particular improvement for that particular assessment unit shall not be installed. The improvements to be installed in Assessment Unit No. IV will be installed to serve each particular lot or parcel at the location and in the number and size as specified by the owner thereof, and no such improvement will be installed to serve any lot or parcel without the approval of the owner thereof. If the owners of the lots or parcels of property that will be assessed for more than one-half of the costs of the improvements to be installed in Assessment Unit No. VI or Assessment Unit No. VII shall file written objections thereto, the particular improvements for that particular assessment unit shall not be installed.

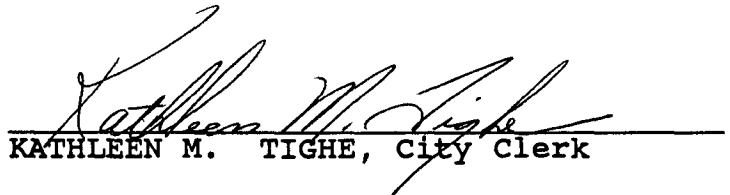
After such hearing, said City Council shall make a determination as to the advisability of so improving said streets and parts thereof, shall determine the kind and character of such improvements so to be made and shall enter into a contract with the responsible bidder which submits the lowest bid for the doing of such work and the furnishing of all necessary materials in response to a duly advertised invitation for construction bids.

After the making of such contract, said City Council shall

determine what portion of the cost of such work, including incidentals, shall be paid by the property specially benefited, and the assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated benefits to the property assessed. Said City Council shall provide that the assessments may be payable without interest or demand during a specified period, at the election of the owner, or in twenty substantially equal semiannual installments of principal. Said City Council shall also provide the time and terms of payment of such assessments and the rate of interest per annum upon deferred payments thereof, which rate shall not exceed more than 3% of the Index of Twenty Bonds which was most recently published before the date on which the ordinance levying the assessments is adopted and shall fix penalties to be collected upon delinquent payments.

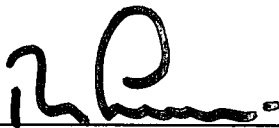
By order of the City Council of the City of Las Vegas, Nevada.

Dated this 21st day of March, 1990.


KATHLEEN M. TIGHE, City Clerk

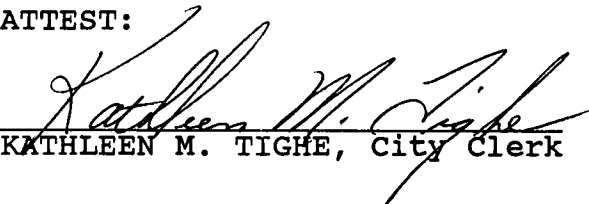
SECTION 5. That said City Clerk is hereby authorized to advertise for bids on the contemplated work by advertising at least once a week for three (3) consecutive weeks by three (3) weekly insertions in said Las Vegas Review Journal; provided that not less than fourteen (14) days shall intervene between the first publication and the last publication; provided that the last publication shall be at least five (5) days prior to the receipt of bids; and provided that no contract shall be made or awarded until after the aforesaid hearing.

INTRODUCED, PASSED, AND ADOPTED this 21st day of March, 1990.



RON LURIE, Mayor OK 3-26-90 RHW

ATTEST:



KATHLEEN M. TIGHE, City Clerk