

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. 483 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 271, 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 four travel lanes; raised medians at the street intersections; a two-way center left turn lane; two safety lanes; curbs and gutters; sidewalks; street lights, water distribution mains; water distribution laterals; sanitary sewer laterals; commercial driveway approaches; 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:

Providing for the grading, gravelling, macadamizing, paving, draining and otherwise improving Durango Drive and portions thereof, as more particularly described in the notice that is provided for in Section 4 of this Resolution as ASSESSMENT UNIT NO. I,

Providing for the installation of curbs and gutters along Durango Drive and portions thereof, as more particularly described in the notice that is provided for Section 4 of this Resolution as ASSESSMENT UNIT NO. II,

Providing for the installation of sidewalks along
Durango Drive and portions thereof as more particularly described



1 in the notice that is provided for in Section 4 of this
2 Resolution as ASSESSMENT UNIT NO. III,

3 Providing for the installation of a street lighting
4 system and all other facilities incidental thereto along Durango
5 Drive and portions thereof, as more particularly described in the
6 notice that is provided for in Section 4 of this Resolution as
7 ASSESSMENT UNIT NO. IV,

8 Providing for the installation of water distribution
9 mains along Durango Drive and portions thereof, as more par-
10 ticularly described in the notice that is provided for in Section
11 4 of this Resolution as ASSESSMENT UNIT NO. V,

12 Providing for the installation of a water distribution
13 laterals along Durango Drive and portions thereof, as more par-
14 ticularly described in the notice that is provided for in Section
15 4 of this Resolution as ASSESSMENT UNIT NO. VI,

16 Providing for the installation of sanitary sewer
17 laterals along Durango Drive and portions thereof, as more par-
18 ticularly described in the notice that is provided for in Section
19 4 of this Resolution as ASSESSMENT UNIT NO. VII, and

20 Providing for the installation of commercial driveway
21 approaches along Durango Drive and portions thereof, as more par-
22 ticularly described in the notice that is provided for in Section
23 4 of this Resolution as ASSESSMENT UNIT NO. VIII; and

24 WHEREAS, the City Engineer, on the 5th day of April,
25 1989, filed at the office of said City Clerk, in connection with
26 said improvements and with said City's proposed Las Vegas,
27 Nevada, Special Improvement District No. 483 the following:

28 A. Preliminary plans showing typical sections of the
29 contemplated improvements, the type or types of material,
30 together with the approximate thickness and width, and prelimi-
31 nary estimates of the costs of such improvements.

32 B. Preliminary estimates of the total cost of each type

1 of construction, said estimates being made in a lump sum or by
2 unit prices, and, further, including in said estimates, without
3 limiting the generality of the foregoing, the advertising,
4 appraising, engineering, printing and such other expenses as in
5 the judgment of said City Engineer are necessary or essential to
6 the completion of such work of improvement and the payment of the
7 costs thereof.

8 C. Assessment plats showing the areas to be assessed
9 and the amount of maximum benefits estimated to be assessed
10 against each lot or parcel of property within each assessment
11 unit of said Special Improvement District, such estimates as
12 heretofore designated by said City Council being computed, for
13 the respective assessment units, on the bases set forth in
14 Section 2 of this Resolution; and

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

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

24 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
25 THE CITY OF LAS VEGAS, NEVADA, at a regular meeting thereof held
26 on the 5th day of April, 1989, that said City Council shall, and
27 hereby does, accept said plans, assessment plats, typical sec-
28 tions of contemplated improvements, preliminary estimates of
29 costs and estimates of maximum benefits to be assessed against
30 each lot or parcel of property in the respective assessment units
31 of said Special Improvement District.

32 BE IT FURTHER RESOLVED that said City Council shall, and

1 hereby does, PROVISIONALLY ORDER THAT:

2 SECTION 1. Those improvements, at an estimated cost of
3 \$1,552,311.42, of which an estimated \$597,645.12 will be assessed
4 against the assessable lots or parcels of property within the
5 several assessment units of said proposed Special Improvement
6 District, including engineering, legal and incidental expenses,
7 all as more particularly hereinafter set forth and described in
8 said plans herein accepted, reference to which is hereby made and
9 which are available for public examination at the Office of the
10 City Clerk of said City, shall be installed.

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

	<u>Estimated Amount of Special Assessments</u>
14	
15 ASSESSMENT UNIT NO. I	\$ 99,134.98
16 ASSESSMENT UNIT NO. II	42,808.29
17 ASSESSMENT UNIT NO. III	103,585.20
18 ASSESSMENT UNIT NO. IV	103,967.36
19 ASSESSMENT UNIT NO. V	214,451.61
20 ASSESSMENT UNIT NO. VI	25,156.07
21 ASSESSMENT UNIT NO. VII	5,208.30
22 ASSESSMENT UNIT NO. VIII	3,333.31
23 TOTAL ASSESSABLE	<u>\$ 597,645.12</u>
24 Other Street Improvements	954,666.30
25 TOTAL PROJECT COSTS	<u>\$ 1,552,311.42</u>

26 The amounts to be assessed shall be made upon all lots
27 and parcels of property benefitted, proportionately to the bene-
28 fits received, and shall be assessed against the property
29 abutting said improvements on the following bases:

30 ASSESSMENT UNIT NO. I (Street Paving)

31 Such estimates shall be computed on a front foot basis,
32 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

1 all assessable property abutting the improvement in the
2 assessment unit.

3 ASSESSMENT UNIT NO. II (Curbs and Gutters)

4 Such estimates shall be computed on a linear foot basis,
5 i.e., on the basis that each lot or parcel of property to be
6 assessed in the assessment unit shall be assessed a portion of
7 the aggregate dollar amount being levied against the entire
8 assessment unit in the proportion that the number of linear feet
9 of said lot or parcel which abut the improvement bears to the
10 total number of linear feet of all assessable property abutting
11 the improvement in the assessment unit.

12 ASSESSMENT UNIT NO. III (Sidewalks)

13 Such estimates shall be computed on a linear foot basis,
14 i.e., on the basis that each lot or parcel of property to be
15 assessed in the assessment unit shall be assessed a portion of
16 the aggregate dollar amount being levied against the entire
17 assessment unit in the proportion that the number of linear feet
18 of said lot or parcel which abut the improvement bears to the
19 total number of linear feet of all assessable property abutting
20 the improvement in the assessment unit.

21 ASSESSMENT UNIT NO. IV (Street Lighting)

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

31 ASSESSMENT UNIT NO. V (Water Distribution Mains)

32 Such estimates shall be computed on a front foot basis,

1 i.e., on the basis that each lot or parcel of property to be
2 assessed in the assessment unit shall be assessed a portion of
3 the aggregate dollar amount being levied against the entire
4 assessment unit in the proportion that the frontage of said lot
5 or parcel which abuts the street along which the improvement will
6 be installed bears to the frontage of all assessable property
7 abutting the street along which the improvement will be installed
8 in the assessment unit.

9 ASSESSMENT UNIT NO. VI (Distribution Water Laterals)

10 Such estimates shall be computed on the basis that each
11 lot or parcel of property to be assessed in the assessment unit
12 for 6 inch water distribution laterals shall be assessed a por-
13 tion of the aggregate dollar amount being levied against the
14 entire assessment unit in the proportion that the number and
15 length of the 6 inch water distribution laterals installed to
16 serve said lot or parcels bears to the total number and aggregate
17 length of all of the 6 inch water distribution laterals installed
18 to serve all assessable property in the assessment Unit and on
19 the basis that each lot or parcel of property to be assessed in
20 the assessment unit for 8 inch water distribution laterals shall
21 be assessed a portion of the aggregate dollar amount being levied
22 against the entire assessment unit in the proportion that the
23 number and length of the 8 inch water distribution laterals
24 installed to serve said lot or parcel bears to the total number
25 and aggregate length or all of the 8 inch water distribution
26 laterals installed to serve all assessable property in the
27 assessment unit.

28 ASSESSMENT UNIT NO. VII (Sanitary Sewer Laterals)

29 Such estimates shall be computed on the basis that each
30 lot or parcel of property to be assessed in the assessment unit
31 shall be assessed a portion of the aggregate dollar amount being
32 levied against the entire assessment unit in the proportion that

1 the number and length of the sewer laterals installed to serve
2 said lot or parcel bears to the total number and aggregate length
3 of all of the sewer laterals installed to serve all assessable
4 property in the assessment unit.

5 ASSESSMENT UNIT NO. VIII (Commercial Driveway Approaches)

6 Such estimates shall be computed on the basis that each
7 lot or parcel of property to be assessed in the assessment unit
8 shall be assessed a portion of the aggregate dollar amount being
9 levied against the entire assessment unit in the proportion that
10 the number, length and width of the driveway approaches installed
11 to serve said lot or parcel bears to the total number and aggre-
12 gate length and width of all of the driveway approaches installed
13 to serve all assessable property in the assessment unit.

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

24 SECTION 3. The area comprising said streets to be
25 improved and said property to be assessed (i.e., all of said
26 assessment units), shall be designated "Las Vegas, Nevada,
27 Special Improvement District No. 483."

28 SECTION 4. On Wednesday, the 3rd day of May, 1989, at
29 the hour of 2:00 o'clock p.m., at the Council Chambers in the Las
30 Vegas, Nevada, City Hall Complex, 400 East Stewart Avenue, Las
31 Vegas, Nevada, or at any time prior to said date and time at the
32 Office of said City Clerk at said City Hall, the owners of the

1 property to be assessed, or any other person interested in any
2 thereof, may file written protests or objections and may appear
3 before said City Council at said time and place and be heard as
4 to the propriety and advisability of making such improvements, as
5 to the cost thereof, as to the manner of payment therefor and as
6 to the amount thereof to be assessed against the property to be
7 so improved. Twenty (20) days' notice in writing of such time
8 and place shall be given to such property owners, which shall be
9 served by said City Clerk by mailing a copy of such notice,
10 postage prepaid as first-class mail, to the last known address of
11 each last known owner of property within each assessment unit
12 whose property will be assessed for the costs of such improve-
13 ments, such names and addresses of such property owners being
14 those appearing on the local property assessment rolls for
15 general (ad valorem) taxes on file in the Office of the County
16 Assessor of Clark County, Nevada, wherein said property is
17 located. Notice shall also be given by the City Engineer of said
18 City by posting a copy of such notice in three public places at
19 or near the site of the proposed work within each assessment unit
20 at least twenty (20) days prior to said hearing. Proof of such
21 mailing and posting shall be made by the affidavit of said City
22 Clerk or of said City Engineer, as the case may be, such proof to
23 be filed with said City Clerk; provided, however, that the fact
24 that the person to whom any such notice is addressed does not
25 receive the same shall not invalidate or affect the legality of
26 the notice given thereby and shall not invalidate or affect the
27 legality of any assessment nor any other of the proceedings
28 hereunder. Notice of the time and place of such hearing shall
29 also be given by publishing a copy of such notice in the Las
30 Vegas Review Journal, a newspaper published and of general cir-
31 culation within said City, once each week for three consecutive
32 weeks, by three weekly insertions, the first such publication to

1 be at least fifteen (15) days prior to the date of the protest
2 hearing. Not less than fourteen (14) days shall intervene bet-
3 ween the first publication and the last publication. Such ser-
4 vice by publication shall be verified by the affidavit of the
5 publisher of said newspaper and filed with said City Clerk. Said
6 notice shall be in substantially the following form:

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1 NOTICE OF HEARING ON THE IMPROVEMENT OF CERTAIN STREETS AND
2 ALLEYS, AND PARTS THEREOF, AND PROPOSED ASSESSMENTS WITHIN THE
3 PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 483.

4 NOTICE IS HEREBY GIVEN to the property owners within the
5 proposed Las Vegas, Nevada, Special Improvement District No.
6 483 and to all other interested persons that:

7 The City Council of the City of Las Vegas, Nevada, has
8 provisionally ordered that certain improvements be installed
9 in conjunction with a total project that will include the
10 installation of four travel lanes; raised medians at the street
11 intersections; a two-way center left turn lane; two safety lanes;
12 curbs and gutters; sidewalks; street lights, water distribution
13 mains; water distribution laterals; sanitary sewer laterals; com-
14 mercial driveway approaches; and drainage facilities (the
15 "Project" herein) along certain streets within those certain
16 areas of said City hereinafter more specifically described as
17 follows:

18 ASSESSMENT UNIT NO. I (Street Paving)

19 The portion of the Project the costs of which will be
20 assessed against the assessable property in Assessment Unit No. I
21 shall consist of the installation of a pavement section seven
22 feet in width along the east side of Durango Drive (100 feet
23 wide) and portions thereof, within said City, from a point
24 approximately 700 feet north of the centerline of Sahara Avenue
25 (150 feet wide) northerly to the south right-of-way line of
26 Charleston Boulevard (100 feet wide), except where adequate
27 improvements have previously been installed, together with the
28 necessary installation, removal and relocation of any and all
29 utilities and appurtenances that are deemed necessary to complete
30 same, as more particularly shown on the plats, diagrams and plans
31 of the work and the locality as filed in the Office of the City
32 Clerk.

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1 ASSESSMENT UNIT NO. II (Curbs and Gutters)

2 The portion of the Project the costs of which will be
3 assessed against the assessable property in Assessment Unit
4 No. II shall consist of the installation of standard Portland
5 cement "L" type curbs and gutters along both sides of Durango
6 Drive (100 feet wide) and portions thereof, within said City,
7 from a point approximately 700 feet north of the centerline of
8 Sahara Avenue (150 feet wide) northerly to the south right-of-way
9 line of Charleston Boulevard (100 feet wide), except where ade-
10 quate improvements have previously been installed, together with
11 the necessary installation, removal and relocation of any and all
12 utilities and appurtenances that are deemed necessary to complete
13 same, as more particularly shown on the plats, diagrams and plans
14 of the work and the locality as filed in the Office of the City
15 Clerk.

16 ASSESSMENT UNIT NO. III (Sidewalks)

17 The portion of the Project the costs of which will be
18 assessed against the assessable property in Assessment Unit
19 No. III shall consist of the installation of standard concrete
20 sidewalks along both sides of Durango Drive (100 feet wide) and
21 portions thereof, within said City, from a point approximately
22 700 feet north of the centerline of Sahara Avenue (150 feet wide)
23 northerly to the south right-of-way line of Charleston Boulevard
24 (100 feet wide), except where adequate improvements have pre-
25 viously been installed, together with the necessary installation,
26 removal and relocation of any and all utilities and appurtenances
27 that are deemed necessary to complete same, as more particularly
28 shown on the plats, diagrams and plans of the work and the loca-
29 lity as filed in the Office of the City Clerk.

30 ASSESSMENT UNIT NO. IV (Street Lighting)

31 The portion of the Project the costs of which will be
32 assessed against the assessable property in Assessment Unit

1 No. IV shall consist of the installation of street lights and
2 appurtenances along both sides of Durango Drive (100 feet wide)
3 and portions thereof, within said City, from a point approxi-
4 mately 700 feet north of the centerline of Sahara Avenue (150
5 feet wide) northerly to the south right-of-way line of Charleston
6 Boulevard (100 feet wide), except where adequate improvements
7 have previously been installed, together with the necessary
8 installation, removal and relocation of any and all utilities and
9 appurtenances that are deemed necessary to complete same, as more
10 particularly shown on the plats, diagrams and plans of the work
11 and the locality as filed in the Office of the City Clerk.

12 ASSESSMENT UNIT NO. V (Water Distribution Mains)

13 The portion of the Project the costs of which will be
14 assessed against the assessable property in Assessment Unit
15 No. V shall consist of one water distribution main along a line
16 that is 39 feet east of, and parallel to, the centerline of
17 Durango Drive (100 feet wide) and portions thereof, within said
18 City, from a point approximately 52 feet north of the centerline
19 of Sahara Avenue (150 feet wide) northerly to a point approxi-
20 mately 15 feet north of the centerline of Spanish Arch Way (150
21 feet wide) and one water distribution main along a line 15 feet
22 west of, and parallel to, the centerline of said Durango Drive
23 and portions thereof, within said City, from the existing water
24 distrubtion main in Seneto Lane (50 feet wide) northerly to a
25 point approximately 130 feet north thereof, except where adequate
26 improvements have previously been installed, together with the
27 necessary installation, removal and relocation of any and all
28 utilities and appurtenances that are deemed necessary to complete
29 same, as more particularly shown on the plats, diagrams and plans
30 of the work and the locality as filed in the Office of the City
31 Clerk.

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1 ASSESSMENT UNIT NO. VI (Water Distribution Laterals)

2 The portion of the Project the costs of which will be
3 assessed against the assessable property in Assessment Unit
4 No. VII shall consist of water distribution laterals extending
5 from the water distribution mains that are proposed to be
6 installed pursuant to Assessment Unit No. V to the front property
7 lines of the properties, as the same are required by said City in
8 accordance with the guidelines that are hereinafter set forth or
9 are otherwise requested by the owners of the individual lots or
10 parcels of property, along the east side of Durango Drive (100
11 feet wide) and portions thereof, within said City, from a point
12 approximately 700 feet north of the centerline of Sahara Avenue
13 (150 feet wide) northerly to the south curb line of Spanish Arch
14 Way (50 feet wide) and along the west side of said Durango Drive
15 from the north curb line of Seneto Lane (50 feet wide) northerly
16 to a point approximately 130 feet north of the centerline of said
17 Seneto Lane, except where adequate improvements have previously
18 been installed or approved by said City to be installed, together
19 with the necessary installation, removal and relocation of any
20 and all utilities and appurtenances that are deemed necessary to
21 complete same, as more particularly shown on the plats, diagrams
22 and plans of the work and the locality as filed in the Office of
23 the City Clerk.

24 ASSESSMENT UNIT NO. VII (Sanitary Sewer Laterals)

25 The portion of the Project the costs of which will be
26 assessed against the assessable property in Assessment Unit No.
27 VII shall consist of sanitary sewer laterals extending from the
28 existing sanitary sewer collection line to the front property
29 lines of the properties, as the same are required by said City in
30 accordance with the guidelines that are hereinafter set forth or
31 are otherwise requested by the owners of the individual lots or
32 parcels of property, along the east side of Durango Drive (100

1 feet wide) and portions thereof, within said City, from a point
2 approximately 700 feet north of the centerline of Sahara Avenue
3 (150 feet wide) northerly to the south right-of-way line of
4 Charleston Boulevard (100 feet wide), except where adequate
5 improvements have previously been installed or approved by said
6 City to be installed, together with the necessary installation,
7 removal and relocation of any and all utilities and appurtenances
8 that are deemed necessary to complete same, as more particularly
9 shown on the plats, diagrams and plans of the work and the loca-
10 lity as filed in the Office of the City Clerk.

11 ASSESSMENT UNIT NO. VIII (Commercial Driveway Approaches)

12 The portion of the Project the costs of which will be
13 assessed against the assessable property in Assessment Unit No.
14 VIII shall consist of the installation of standard commercial
15 driveway approaches along both sides of Durango Drive (100 feet
16 wide) and portions thereof, within said City, from a point
17 approximately 700 feet north of the centerline of Sahara Avenue
18 (150 feet wide) northerly to the south right-of-way line of
19 Charleston Boulevard (100 feet wide), except where adequate
20 improvements have previously been installed, together with the
21 necessary installation, removal and relocation of any and all
22 utilities and appurtenances that are deemed necessary to complete
23 same, as more particularly shown on the plats, diagrams and plans
24 of the work and the locality as filed in the Office of the City
25 Clerk.

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

29 ASSESSMENT UNIT NO. I (Street Paving)

30 The street paving shall consist of 3/4 of an inch of
31 open grade over 5 inches of asphaltic concrete pavement
32 (including fog seal and prime coat) and 4 inches of Type II

1 aggregate base; together with the installation, removal and relo-
2 cation of any and all utilities and any and all appurtenances
3 which are deemed necessary to complete same, as more particularly
4 shown by the plats, diagrams and plans of the work and of the
5 locality to be improved that are on file with said City Clerk.

6 ASSESSMENT UNIT NO. II (Curbs and Gutters)

7 The curbs and gutters shall be standard Portland cement
8 "L" type over 6 inches of Type II aggregate base; together with
9 the installation, removal and relocation of any and all utilities
10 and any and all appurtenances which are deemed necessary to
11 complete same, as more particularly shown by the plats, diagrams
12 and plans of the work and of the locality to be improved that are
13 on file with said City Clerk.

14 ASSESSMENT UNIT NO. III (Sidewalks)

15 The sidewalks shall be 4 inch Portland cement slabs over
16 5 inches of Type II aggregate base; together with the installa-
17 tion, removal and relocation of any and all utilities and any and
18 all appurtenances which are deemed necessary to complete same, as
19 more particularly shown by the plats, diagrams and plans of the
20 work and of the locality to be improved that are on file with
21 said City Clerk.

22 ASSESSMENT UNIT NO. IV (Street Lighting)

23 The street lighting system shall consist of 250 watt
24 high pressure sodium vapor luminaires, steel lighting standards
25 on concrete bases and underground circuits; together with the
26 installation, removal and relocation of any and all utilities and
27 any and all appurtenances which are deemed necessary to complete
28 same, as more particularly shown by the plats, diagrams and plans
29 of the work and of the locality to be improved that are on file
30 with said City Clerk.

31 ASSESSMENT UNIT NO. V (Water Distribution Mains)

32 The water distribution main between Sahara Avenue and

1 Spanish Arch Way shall consist of 10 inch Class 150 and 200 poly-
2 vinyl chloride potable water main, and the water distribution
3 main between Seneto Lane and its northerly terminus shall consist
4 of 8 inch polyvinyl chloride potable water main; together with
5 the installation, removal and relocation of any and all utilities
6 and any and all appurtenances which may be deemed necessary to
7 complete same, as more particularly shown by the plats, diagrams
8 and plans of the work and of the locality to be improved that are
9 on file with said City Clerk.

10 ASSESSMENT UNIT NO. VI (Water Distribution Laterals)

11 The water distribution laterals shall consist of 6 inch
12 or 8 inch, as the same are required by said City in accordance
13 with the guidelines that hereinafter set forth or are otherwise
14 requested by the owners of the respective lots or parcels of pro-
15 perty, polyvinyl chloride potable water laterals from the water
16 distribution mains that are proposed to be installed pursuant to
17 Assessment Unit No. V to the front property lines; together with
18 the installation, removal and relocation of any and all utilities
19 and any and all appurtenances which are deemed necessary to
20 complete same, as more particularly shown by the plats, diagrams
21 and plans of the work and of the locality to be improved that are
22 on file with said City Clerk.

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

30 A. Unless an additional lateral can be installed to
31 serve such lot or parcel from a water distribution main that has
32 been installed in a side street, one 8 inch water distribution

1 lateral shall be installed at approximately the one-quarter ($\frac{1}{4}$)
2 point along the frontage of such lot or parcel and another water
3 distribution lateral shall be installed at approximately the
4 three-quarter ($\frac{3}{4}$) point along such frontage; or

5 B. If an additional lateral can be installed to serve
6 such lot or parcel from a water distribution main that has been
7 installed in a side street, one 8 inch water distribution lateral
8 shall be installed at the opposite side of the frontage of such
9 lot or parcel from such side street;
10 provided, however, that no water distribution lateral shall be
11 installed closer than 10 feet from, or within the same trench as,
12 any sanitary sewer lateral.

13 ASSESSMENT UNIT NO. VII (Sanitary Sewer Laterals)

14 The sanitary sewer laterals shall consist of 6 inch
15 polyvinyl chloride sewer laterals from the sanitary sewer collec-
16 tion line to the front property lines; together with the
17 installation, removal and relocation of any and all utilities and
18 any and all appurtenances which are deemed necessary to complete
19 same, as more particularly shown by the plats, diagrams and plans
20 of the work and of the locality to be improved that are on file
21 with said City Clerk.

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

29 A. Unless an additional lateral can be installed to
30 serve such lot or parcel from a sanitary sewer main that has been
31 installed in a side street, one sanitary sewer lateral shall be
32 installed at approximately the one-quarter ($\frac{1}{4}$) point along the

1 frontage of such lot or parcel and another sanitary sewer lateral
2 shall be installed at approximately the three-quarter ($\frac{3}{4}$) point
3 along such frontage; or

4 B. If an additional lateral can be installed to serve
5 such lot or parcel from a sanitary sewer main that has been
6 installed in a side street, one sanitary sewer lateral shall be
7 installed at the opposite side of the frontage of such lot or
8 parcel from such side street;
9 provided, however, that no sanitary sewer lateral shall be
10 installed closer than 10 feet from, or within the same trench as,
11 any water distribution lateral.

12 ASSESSMENT UNIT NO. VIII (Commercial Driveway Approaches)

13 The commercial driveway approaches shall be 6 inch
14 Portland cement slabs over 8 inches of Type II aggregate base and
15 reinforced with #3 rebar; together with the installation, removal
16 and relocation of any and all utilities and any and all appur-
17 tenances which are deemed necessary to complete same, as more
18 particularly shown by the plats, diagrams and plans of the work
19 and of the locality to be improved that are on file with said
20 City Clerk.

21 All of the plats, diagrams and plans on file in the
22 Office of said City Clerk with respect to said described
23 assessment units are deemed by the City Engineer of said City and
24 by said City to be essential to the construction of said improve-
25 ments.

26 It is estimated, of the \$1,552,311.42 that is estimated
27 as the total costs of the Project, \$597,645.12, shall be appor-
28 tioned as follows:

29 . . .
30 . . .
31 . . .
32 . . .

	Estimated Amount of Special Assessments
ASSESSMENT UNIT NO. I	\$ 99,134.98
ASSESSMENT UNIT NO. II	42,808.29
ASSESSMENT UNIT NO. III	103,585.20
ASSESSMENT UNIT NO. IV	103,967.36
ASSESSMENT UNIT NO. V	214,451.61
ASSESSMENT UNIT NO. VI	25,156.07
ASSESSMENT UNIT NO. VII	5,208.30
ASSESSMENT UNIT NO. VIII	3,333.31
TOTAL ASSESSABLE	\$ 597,645.12
Other Street Improvements	954,666.30
TOTAL PROJECT COSTS	\$ 1,552,311.42

The amounts to be assessed shall be made upon all lots and parcels of property benefitted, 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 NO. II (Curbs and Gutters)

Such estimates shall be computed on a linear 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 linear feet of said lot or parcel which abut the improvement bears to the total number of linear feet of all assessable property abutting the improvement in the assessment unit.

ASSESSMENT UNIT NO. III (Sidewalks)

Such estimates shall be computed on a linear foot basis, i.e., on the basis that each lot or parcel of property to be

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

7 ASSESSMENT UNIT NO. IV (Street Lighting)

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

17 ASSESSMENT UNIT NO. V (Water Distribution Mains)

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

27 ASSESSMENT UNIT NO. VI (Distribution Water Laterals)

28 Such estimates shall be computed on the basis that each
29 lot or parcel of property to be assessed in the assessment unit
30 for 6 inch water distribution laterals shall be assessed a por-
31 tion of the aggregate dollar amount being levied against the
32 entire assessment unit in the proportion that the number and

1 length of the 6 inch water distribution laterals installed to
2 serve said lot or parcels bears to the total number and aggregate
3 length of all of the 6 inch water distribution laterals installed
4 to serve all assessable property in the assessment Unit and on
5 the basis that each lot or parcel of property to be assessed in
6 the assessment unit for 8 inch water distribution laterals shall
7 be assessed a portion of the aggregate dollar amount being levied
8 against the entire assessment unit in the proportion that the
9 number and length of the 8 inch water distribution laterals
10 installed to serve said lot or parcel bears to the total number
11 and aggregate length of all of the 8 inch water distribution
12 laterals installed to serve all assessable property in the
13 assessment unit.

14 ASSESSMENT UNIT NO. VII (Sanitary Sewer Laterals)

15 Such estimates shall be computed on the basis that each
16 lot or parcel of property to be assessed in the assessment unit
17 shall be assessed a portion of the aggregate dollar amount being
18 levied against the entire assessment unit in the proportion that
19 the number and length of the sewer laterals installed to serve
20 said lot or parcel bears to the total number and aggregate length
21 of all of the sewer laterals installed to serve all assessable
22 property in the assessment unit.

23 ASSESSMENT UNIT NO. VIII (Commercial Driveway Approaches)

24 Such estimates shall be computed on the basis that each
25 lot or parcel of property to be assessed in the assessment unit
26 shall be assessed a portion of the aggregate dollar amount being
27 levied against the entire assessment unit in the proportion that
28 the number, length and width of the driveway approaches installed
29 to serve said lot or parcel bears to the total number and aggregate
30 length and width of all of the driveway approaches installed
31 to serve all assessable property in the assessment unit.

32 In each assessment unit, an equitable adjustment will be

1 made for any assessment levied against any irregular lot or par-
2 cel, so that the assessments according to benefits are equal and
3 uniform. The portion of the costs to be assessed against, and
4 the maximum amount of benefits estimated to be conferred upon,
5 each lot or parcel of property shall be as stated in the afore-
6 said assessment plat.

7 Regardless of the basis used for apportioning the
8 assessments, in the case of a wedge, "V" or other irregularly
9 shaped lot or parcel, the amount apportioned thereto shall be in
10 proportion to the special benefits derived thereby.

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

14 ASSESSMENT UNIT NO. I (Street Paving)

15 Each lot or parcel of real property lying and being
16 situate in the City of Las Vegas, County of Clark, State of
17 Nevada, and being a portion of the West Half (W½) of Section 4,
18 Township 21 South, Range 60 East, M.D.M., which abuts Durango
19 Drive (100 feet wide), or portions thereof, along the east side
20 thereof from a point approximately 700 feet north of the cen-
21 terline of Sahara Avenue (150 feet wide) northerly to the south
22 right-of-way line of Charleston Boulevard (100 feet wide).

23 ASSESSMENT UNIT NO. II (Curbs and Gutters)

24 Each lot or parcel of real property lying and being
25 situate in the City of Las Vegas, County of Clark, State of
26 Nevada, and being a portion of the West Half (W½) of Section 4 or
27 the East Half (E½) of Section 5, Township 21 South, Range 60
28 East, M.D.M., which abuts Durango Drive (100 feet wide), or por-
29 tions thereof, along both sides thereof from a point approxi-
30 mately 700 feet north of the centerline of Sahara Avenue (150
31 feet wide) northerly to the south right-of-way line of Charleston
32 Boulevard (100 feet wide).

1 ASSESSMENT UNIT NO. III (Sidewalks)

2 Each lot or parcel of real property lying and being
3 situate in the City of Las Vegas, County of Clark, State of
4 Nevada, and being a portion of the West Half (W½) of Section 4 or
5 the East Half (E½) of Section 5, Township 21 South, Range 60
6 East, M.D.M., which abuts Durango Drive (100 feet wide), or por-
7 tions thereof, along both sides thereof from a point approxi-
8 mately 700 feet north of the centerline of Sahara Avenue (150
9 feet wide) northerly to the south right-of-way line of Charleston
10 Boulevard (100 feet wide).

11 ASSESSMENT UNIT NO. IV (Street Lighting)

12 Each lot or parcel of real property lying and being
13 situate in the City of Las Vegas, County of Clark, State of
14 Nevada, and being a portion of the West Half (W½) of Section 4 or
15 the East Half (E½) of Section 5, Township 21 South, Range 60
16 East, M.D.M., which abuts Durango Drive (100 feet wide), or por-
17 tions thereof, along both sides thereof from a point approxi-
18 mately 700 feet north of the centerline of Sahara Avenue (150
19 feet wide) northerly to the south right-of-way line of Charleston
20 Boulevard (100 feet wide).

21 ASSESSMENT UNIT NO. V (Water Distribution Mains)

22 Each lot or parcel of real property lying and being
23 situate in the City of Las Vegas, County of Clark, State of
24 Nevada, and being a portion of the West Half (W½) of Section 4,
25 Township 21 South, Range 60 East, M.D.M., which abuts Durango
26 Drive (100 feet wide), or portions thereof, along the east side
27 thereof from a point approximately 700 feet north of the cen-
28 terline of Sahara Avenue (150 feet wide) northerly to the south
29 right-of-way line of Spanish Arch Way (50 feet wide) or a portion
30 of the East Half (E½) of Section 5, Township 21 South, Range 60
31 East, M.D.M., which abuts said Durango Drive, or portions
32 thereof, along the west side thereof from the north right-of-way

1 line of Seneto Lane (50 feet wide) northerly to a point approxi-
2 mately 139 feet north of the centerline of said Seneto Lane.

3 ASSESSMENT UNIT NO. VI (Water Distribution Laterals)

4 Each lot or parcel of real property lying and being
5 situate in the City of Las Vegas, County of Clark, State of
6 Nevada, and being a portion of the West Half (W½) of Section 4,
7 Township 21 South, Range 60 East, M.D.M., which abuts Durango
8 Drive (100 feet wide), or portions thereof, along the east side
9 thereof from a point approximately 700 feet north of the center-
10 line of Sahara Avenue (150 feet wide) northerly to the south
11 right-of-way line of Spanish Arch Way (50 feet wide) or a portion
12 of the East Half (E½) of Section 5, Township 21 South, Range 60
13 East, M.D.M., which abuts said Durango Drive, or portions
14 thereof, along the west side thereof from the north right-of-way
15 line of Seneto Lane (50 feet wide) northerly to a point approxi-
16 mately 139 feet north of the centerline of said Seneto Lane.

17 ASSESSMENT UNIT NO. VII (Sanitary Sewer Laterals)

18 Each lot or parcel of real property lying and being
19 situate in the City of Las Vegas, County of Clark, State of
20 Nevada, and being a portion of the West Half (W½) of Section 4,
21 Township 21 South, Range 60 East, M.D.M., which abuts Durango
22 Drive (100 feet wide), or portions thereof, along the east side
23 thereof from a point approximately 700 feet north of the center-
24 line of Sahara Avenue (150 feet wide) northerly to the south
25 right-of-way line of Charleston Boulevard (100 feet wide).

26 ASSESSMENT UNIT NO. VIII (Commerical Driveway Approaches)

27 Each lot or parcel of real property lying and being
28 situate in the City of Las Vegas, County of Clark, State of
29 Nevada, and being a portion of the West Half (W½) of Section 4 or
30 the East Half (E½) of Section 5, Township 21 South, Range 60
31 East, M.D.M., which abuts Durango Drive (100 feet wide), or por-
32 tions thereof, along both sides thereof from a point approxi-

1 mately 700 feet north of the centerline of Sahara Avenue (150
2 feet wide) northerly to the south right-of-way line of Charleston
3 Boulevard (100 feet wide).

4 The proposed improvements will result in a substantial
5 change in the existing street elevations and grades, as such
6 change is more particularly shown on the plats, diagrams and
7 plans of the work and of the locality to be improved that are on
8 file with said City Clerk.

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

18 On Wednesday, the 3rd day of May, 1989, at 2:00 o'clock
19 p.m., at the Council Chambers in the Las Vegas City Hall Complex,
20 400 East Stewart Avenue, Las Vegas, Nevada, or at any time prior
21 to said date and time, at the Office of said City Clerk at said
22 City Hall, the owners of the property to be assessed, or any
23 other person interested in any thereof, may file written protests
24 or objections and may appear before said City council at said
25 time and place and be heard as to the propriety and advisability
26 of making such improvements, as to the costs thereof, as to the
27 manner of the payment therefor and as to the amount thereof to be
28 assessed against the property to be so improved.

29 Said City Council requests that any property owner or
30 other interested person who wishes to make any protest or objec-
31 tion make such protest or objection in writing at the Office of
32 said City Clerk at least three days before the time set for such

1 hearing. Any person who files a written protest or objection
2 three days before the time of such hearing as aforesaid shall
3 have the right within thirty (30) days after said City Council
4 has finally passed upon such protest or objection to commence an
5 action or suit in any court of competent jurisdiction to correct
6 or set aside such determination, but thereafter all actions or
7 suits attacking the validity of the proceedings and the amount of
8 benefits shall be perpetually barred. If the owners of more than
9 one-half of the frontage to be assessed for the improvements to
10 be installed in Assessment Unit No. I, Assessment Unit No. IV or
11 Assessment Unit No. V, or of more than one-half of the linear
12 footage to be assessed for the improvements to be installed in
13 Assessment Unit No. II or Assessment Unit No. III, shall file
14 written objections thereto, the particular improvement for that
15 particular assessment unit shall not be installed; provided,
16 however, that, since one-half or more of the total cost of the
17 entire project will be paid for other than by the levy of special
18 assessments, the City Council may, pursuant to NRS
19 271.305(7)(b)(1), order the installation of the street paving in
20 Assessment Unit No. I, the installation of the curbs and gutters
21 in Assessment Unit No. II, the installation of the sidewalks in
22 Assessment Unit No. III, the installation of the street lighting
23 system in Assessment Unit No. IV or the installation of the water
24 distribution mains in Assessment Unit No. V, or any combination
25 thereof, in which event the installation of such improvements
26 shall not be stayed, defeated or prevented by written complaints,
27 protests and objections thereto. If the owners of the lots or
28 parcels of property that will be assessed for more than one-half
29 of the costs of the improvements to be installed in Assessment
30 Unit No. VI or Assessment Unit No. VII shall file written objec-
31 tions thereto, the particular improvements for that particular
32 assessment unit shall not be installed. The improvements to be

1 installed in Assessment Unit No. VIII will be installed to serve
2 each particular lot or parcel at the location and in the number
3 and size as specified by the owner thereof, and no such improve-
4 ment will be installed to serve any lot or parcel without the
5 approval of the owner thereof.

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

13 After the making of such contract, said City Council
14 shall determine what portion of the cost of such work, including
15 incidentals, shall be paid by the property specially benefitted,
16 and the assessments shall be levied in accordance with the laws
17 of the State of Nevada. In no event shall the assessments exceed
18 the estimated benefits to the property assessed. Said City
19 Council shall provide that the assessments may be payable without
20 interest or demand during a specified period, at the election of
21 the owner, or in twenty substantially equal semiannual
22 installments of principal. Said City Council shall also provide
23 the time and terms of payment of such assessments and the rate of
24 interest per annum upon deferred payments thereof, which rate
25 shall not exceed more than 3% of the 'Bond Buyers' Index of
26 Twenty Municipal Bonds which was most recently published before

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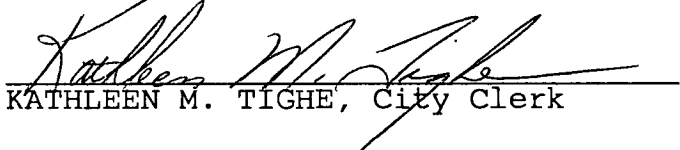
31 . . .

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1 the date on which the ordinance levying the assessments is
2 adopted, and shall fix penalties to be collected upon delinquent
3 payments.

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

6 Dated this 5th day of April, 1989.

7 
8 KATHLEEN M. TIGHE, City Clerk
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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 5th day of April,
1989.


RON LURIE, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

Handwritten signature
H-12-89