

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 PARTS THEREOF WITHIN THE PROPOSED LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 441 SHALL BE DONE.

WHEREAS, the Board of Commissioners of the City of Las Vegas, in the County of Clark and State of Nevada, has directed the City Engineer to file with the City Clerk, who is also the Clerk of said Board of Commissioners, certain preliminary estimates of costs, and estimates of maximum benefits; all in connection with the installation of street improvements within that certain area of said City hereinafter described; all pursuant to Chapter 271 of Nevada Revised Statutes, and all laws supplemental thereto; and

WHEREAS, the City Engineer, on the 27th day of May, 1982 filed at the office of the Clerk of said City and of said Board of Commissioners, in connection with said improvements and with its proposed Las Vegas, Nevada, Special Improvement District No. 441 the following:

A. Preliminary plans showing typical sections of the contemplated improvements, the type or types of material, 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 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 assessed against



1 each lot or parcel of property in the assessment district, such
2 estimates being computed on an area basis, as heretofore desig-
3 nated by said Board of Commissioners; provided that an equitable
4 adjustment will be made for assessments to be levied against any
5 irregular lots or parcels, so that assessments according to
6 benefits will be equal and uniform; and

7 WHEREAS, the Board of Commissioners has examined said
8 plans, assessment plats, typical sections of contemplated im-
9 provements, preliminary estimates of costs, and estimates of
10 maximum benefits, so filed with said Clerk, and has found, and
11 does hereby declare the same to be satisfactory in all respects;

12 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COM-
13 MISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, at a regular meeting
14 thereof held on the 2nd day of June, 1982, at 10:00 o'clock A.M.,
15 that the Board of Commissioners shall and hereby does accept said
16 plans, assessment plats, typical sections of contemplated im-
17 provements, preliminary estimates of costs, and the estimates of
18 maximum benefits to be assessed against each tract or parcel of
19 land in the assessment areas.

20 BE IT FURTHER RESOLVED that said Board of Commissioners
21 shall, and hereby does, PROVISIONALLY ORDER THAT:

22 SECTION 1. That street improvements shall be installed
23 within that certain area of the City hereinafter described, all
24 as more particularly hereinafter set forth and as described in
25 said plans herein accepted, reference to which is hereby made
26 and which are available for public examination at the office of
27 said City Clerk, and at a total estimated cost of \$460,900.00 in-
28 cluding engineering, legal and incidental expenses.

29 SECTION 2. The amounts to be assessed shall be made
30 upon all lots and parcels of property benefitted, proportionately
31 to the benefits received and shall be assessed against the property
32 abutting said improvements on an area basis, i.e., on the basis

1 that each lot or parcel of property to be assessed in each such
2 assessment unit shall be assessed a portion of the aggregate
3 dollar amount being levied against that particular entire assess-
4 ment in the proportion that the area of said lot or parcel bears
5 to the area of all the assessable property in such assessment
6 unit, provided that the depth of a lot or parcel in excess of 100
7 feet from the frontage facing the improvements shall not be con-
8 sidered in computing the area of such lot or parcel; provided
9 that in each assessment unit an equitable adjustment will be made
10 for assessments levied against any irregular lots or parcels,
11 so that the assessments according to benefits are equal and uni-
12 form. The portion of the costs to be assessed against, and the
13 maximum benefits estimated to be conferred upon each lot or parcel
14 of property shall be as stated in the aforesaid assessment plat.

15 Regardless of the basis used by apportioning assessments,
16 in case of wedge or "V" or other irregularly shaped tracts, an
17 amount apportioned thereto shall be in proportion to the special
18 benefits to be derived.

19 SECTION 3. the area comprising said streets to be
20 improved and said property to be assessed (i.e., all of said
21 assessment units), shall be designated "Las Vegas, Nevada, Special
22 Improvement District No. 441."

23 SECTION 4. On Wednesday, the 7th day of July,
24 1982, at the hour of 2:00 o'clock P.M., at the Commission Chambers
25 in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, or any
26 time prior to said date and time at the Office of the City Clerk
27 in City Hall in said City, the owners of the property to be
28 assessed, or any other person interested therein, may file written
29 protests or objections, and may appear before the Board of Com-
30 missioners at said time and place and be heard as to the propriety
31 of making such improvements, as to the cost thereof, as to the
32 manner of payment therefor, and as to the amount thereof to be

1 assessed against the property to be so improved. Twenty (20)
2 day's notice in writing of such time and place shall be given
3 to such property owners, which shall be served by the City Clerk
4 by mailing a copy of such notice, postage prepaid, as first-class
5 mail, to the last known address of each last known owner of pro-
6 perty within each assessment unit whose property will be assessed
7 for the costs of such improvements, such names and addresses of
8 such property owners being those appearing on the local property
9 assessment rolls for (ad valorem) taxes on file in the Office of
10 the County Assessor of Clark County, Nevada, wherein said property
11 is located. Notice shall also be given by the City Engineer by
12 posting a copy of such notice in three public places at or near
13 the site of the proposed work in each assessment unit at least
14 twenty (20) days prior to said hearing. Proof of such mailing
15 and posting shall be made by the affidavit of the City Clerk or
16 of the City Engineer as the case may be, such proof to be filed
17 with the City Clerk; provided, however, that the fact that the
18 person to whom any such notice is addressed does not receive the
19 same shall not invalidate or affect the legality of the notice
20 given thereby and shall not invalidate or affect the legality
21 of any assessment nor any other of the proceedings hereunder.
22 Notice of the time and place of such hearing shall also be given
23 by publishing a copy of such notice in the Las Vegas Sun a newspaper
24 published in the City of Las Vegas, Nevada, and of general circu-
25 lation in said City of Las Vegas, once each week for three con-
26 secutive weeks, by three weekly insertions, the first publication
27 to be at least fifteen (15) days prior to the date of the protest
28 hearing. Not less than fourteen (14) day shall intervene between
29 the first publication and the last publication. Such service by
30 publication shall be verified by the affidavit of the publisher
31 and filed with said City Clerk. Said notice shall be in the
32 form as indicated in Exhibit "B", attached hereto and by reference

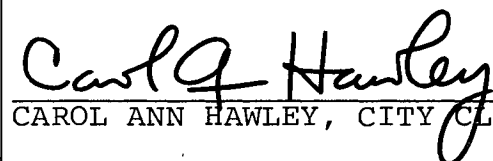
1 made a part hereof.

2 SECTION 5. That the City Clerk and the City Engineer
3 are hereby authorized to advertise at least once a week for three
4 consecutive weeks by three weekly insertions in the Las Vegas Sun
5 a newspaper of general circulation in the City of Las Vegas;
6 provided that not less than fourteen (14) days shall intervene
7 between the first publication and the last publication; provided
8 that the last publication shall be at least five (5) days prior
9 to the receipt of bids; and provided that no contract shall be
10 awarded until after the aforesaid hearing and until after the
11 creation of said District by ordinance.

12 INTRODUCED, PASSED, AND ADOPTED this 2nd day of June,
13 1982.

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17 WILLIAM H. BRIARE, MAYOR

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19 ATTEST:

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21 CAROL ANN HAWLEY, CITY CLERK
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