

1 RESOLUTION NO. R-2-2006

2 A RESOLUTION DIRECTING THE CITY TREASURER OF THE CITY OF
3 LAS VEGAS TO APPORTION THE UNCOLLECTED AMOUNT OF THE
4 SPECIAL ASSESSMENT AGAINST ANY LOT OR PARCEL OF
5 PROPERTY WITHIN CITY OF LAS VEGAS, NEVADA, SPECIAL
6 IMPROVEMENT DISTRICT NO. 1481 (EL CAPITAN WAY) THAT HAS
7 BEEN DIVIDED SINCE SUCH SPECIAL ASSESSMENT WAS LEVIED
8 THEREAGAINST AMONG THE SEVERAL PARTS INTO WHICH SUCH
9 LOT OR PARCEL HAS BEEN DIVIDED AND TO PREPARE, SUBMIT
10 AND FILE WITH THE CITY CLERK OF SAID CITY A REPORT OF SUCH
11 APPORTIONMENT.

12 WHEREAS, the City of Las Vegas (hereinafter the "City"), in the County of Clark
13 and State of Nevada, is organized and operating pursuant to the provisions of Chapter
14 517, Statutes of Nevada 1983, as the same have been amended to the date hereof, and
15 the general laws of said State; and

16 WHEREAS, by Ordinance No. 5523 that was duly passed, adopted and approved
17 by the City Council of the City (hereinafter the "City Council") on the 6th day of
18 December, 2000, the City Council created "City of Las Vegas, Nevada, Special
19 Improvement District No. 1481 (El Capitan Way)" (hereinafter the "District") for the
20 purposes of providing for the installation of at least four (4) travel lanes, median islands
21 with dedicated left turn lanes, traffic control devices, curb and gutter, streetlights,
22 commercial driveways, storm drain, water mains, water laterals, fire hydrants, and sewer
23 laterals. (hereinafter the "Project"), by defraying the entire cost and expense of the Project
24 by special assessments, against the assessable lots and parcels of property within the
District according to the benefits that would be derived from the Project by the respective
lots and parcels that were to be so assessed, all in accordance with the provisions of
Chapter 271 et seq., of the Nevada Revised Statutes (hereinafter "NRS") that provide
therefor; and

1 WHEREAS, by Ordinance No. 5679 that was duly passed, adopted and approved
2 by the City Council on the 17th day of March, 2004, the City Council assessed all of the
3 cost and expense of acquiring, constructing, and installing the Project against the
4 assessable lots and parcels of property within the District that were benefited by the
5 Project; and

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

13 WHEREAS, those certain lots and parcels of property, identified by the Clark
14 County, Nevada, County Assessor's parcel numbers as Parcels 125-20-101-008 and
15 125-20-101-009, and are situate within the District, have been divided after the special
16 assessments were levied and divided into installments, and not all of those installments
17 have been collected or apportioned among other lots and parcels that may have been
18 created out of said Parcels after the assessments were levied; and

19 WHEREAS, the City Council desires, by this Resolution, to direct the City
20 Treasurer of the City (hereinafter the "City Treasurer") to apportion the uncollected and
21 heretofore unapportioned amounts of the special assessments that have been levied
22 upon the above-described Parcels among the several parts into which Parcels have been
23 divided;

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1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las
2 Vegas, Nevada, at this regular meeting thereof being held on this 1st day of February,
3 2006, as follows:

4 SECTION 1. That the City Treasurer be, and he hereby is, authorized,
5 empowered and directed to apportion, on an equitable basis, the uncollected and
6 unapportioned amounts of the special assessments that were, by virtue of the adoption
7 by the City Council of Ordinance No. 5679, levied upon those certain lots and parcels of
8 property and are situate within the District and are identified by the Clark County, Nevada,
9 County Assessor's parcel numbers as Parcels 125-20-101-008 and 125-20-101-009,
10 among the several parts into which said Parcels have been divided.

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

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

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

3 PASSED, ADOPTED AND APPROVED this 1st day of February, 2006.

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5 
6 OSCAR B. GOODMAN, Mayor

7 Approved as to form:

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9 20JAN06 W Flury
Date Deputy City Attorney

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11 ATTEST:

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14 BARBARA JO RONEMUS, City Clerk