

Those Voting Nay: None

Those Absent: None

All members of said Board of County Commissioners having voted in favor of said motion, the presiding officer declared said motion carried and the rules suspended.

Commissioner McKissick then moved that the resolution entitled:

A RESOLUTION CONCERNING THE WASHOE COUNTY, NEVADA, ASSESSMENT DISTRICT NO. 1; OVERRULING PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENT ROLL AT THE HEARING ON SAID ASSESSMENT ROLL; REVISING AND CORRECTING SAID ASSESSMENT ROLL; VALIDATING AND CONFIRMING SAID ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

introduced at this meeting, be now finally passed and adopted. Commissioner Coppa seconded the motion. The question being upon the final passage and adoption of the resolution, the roll was called with the following result:

Those Voting Aye: J. B. Cunningham
Leo Sauer
H. F. McKissick, Sr.
J. C. McKenzie
Joe Coppa

Those Voting Nay: None

Those Absent: None

The presiding officer thereupon declared that all members of the Board of County Commissioners of Washoe County, Nevada, having voted in favor thereof, said motion was carried and the resolution duly passed and adopted.

On motion duly made, seconded and adopted, it was ordered that said resolution be approved and authenticated by the signature of the Chairman of said Board of County Commissioners, sealed with the seal of Washoe County, attested by said officers and properly sealed.

Commissioner Sauer introduced an ordinance which was read in full and is as follows:

Summary - An ordinance levying assessments in Washoe County, Nevada, Assessment District No. 1, and providing other matters related thereto.

BILL NO. 230

ORDINANCE NO. _____

(of Washoe County, Nevada)

AN ORDINANCE CONFIRMING THE PROCEEDINGS TAKEN IN PROVIDING FOR CERTAIN STREET AND CURB AND GUTTER IMPROVEMENTS IN WASHOE COUNTY, NEVADA, ASSESSMENT DISTRICT NO. 1; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID

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IMPROVEMENTS; ASSESSING THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESS-
ABLE LOTS AND PARCELS OF LAND BENEFITED BY SAID STREET AND CURB AND GUTTER
IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID
ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; RATIFYING, APPROV-
ING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COUNTY
COMMISSIONERS AND THE OFFICERS OF SAID COUNTY DIRECTED TOWARD THE ACQUI-
TION OF IMPROVEMENTS IN SAID DISTRICT; PRESCRIBING DETAILS IN CONNECTION
THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE
DATE HEREOF.

WHEREAS, the Board of County Commissioners of Washoe County, Nevada (herein
"Board" and "County," respectively), has heretofore, pursuant to the requisite prelimi-
nary proceedings, provided for making certain street and curb and gutter improvements
in said County, all in accordance with the provisions of law relating thereto, the area
in which said improvements have been made and the area in which property shall be assess-
ed being designated "Washoe County, Nevada, Assessment District No. 1" (the "District")
all in accordance with the statutes of the State of Nevada providing therefor; and

WHEREAS, pursuant to notice duly given, said Board received bids for the doing
of the work in said District, and the County formally entered into a contract for the
doing of the work and the furnishing of all necessary materials, with the lowest res-
ponsible bidder for the various improvements; and

WHEREAS, the Board determined, and does hereby determine, that the total cost
of such improvements, and including all advertising, appraising, engineering, legal,
printing and other incidental costs, is the sum of \$551,564.51; and

WHEREAS, no money is available from other sources to pay for a portion of said
cost; and

WHEREAS, the Board determined, and does hereby determine, that \$551,564.51
shall be paid for by the property specially benefited by said improvements; and

WHEREAS, said assessments do not exceed the benefits to the property assessed
nor that portion of the total cost of the improvements payable in assessments as hereto-
fore determined; and

WHEREAS, after the determination of the portion of the costs of such work to
be paid by the property specially benefited, the Board, together with Sprout Engineers
and Associated, Inc., made out an assessment roll containing, among other things, the
names of the last-known owners of the property to be assessed, or if not known that the
name is unknown, a description of each tract or parcel of land to be assessed, and the
amount of the assessment thereon; and

WHEREAS, said Board thereupon fixed a time and place, to-wit, the 12th day of
June, 1969, at 10:00 o'clock a.m., at the County Commissioners' meeting room in the
Washoe County Courthouse in Reno, Nevada, when all complaints, protests and objections

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to said assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of said property specially benefited by, and proposed to be assessed for, the improvements in said District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by said Board; and

WHEREAS, said Board caused said roll to be filed in the records of the office of the County Clerk on the 15th day of May, 1969; and said Clerk by publication and by mail gave the requisite notice of the time and place of such hearing, of the filing of said assessment roll in his office, of the date of filing the same, of the right of any such person so to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated for hearing such objections; said Board met to hear and determine all objections so filed by any interested party, and thereafter confirmed said assessment roll by resolution duly adopted on the 16th day of June, 1969; and

WHEREAS, all protests and objections, both written and oral, were heard and considered by the Board and were found to be without sufficient merit and overruled; and the Board concluded that it was not necessary that the assessment roll be corrected or revised by said resolution; and

WHEREAS, it is incumbent upon the Board to provide herein when said assessments shall become due and delinquent the rate of interest payable thereon, and the penalties payable after delinquency.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA, DO ORDAIN:

Section 1. That all consistent action taken previously by the County and the officers thereof directed toward a street project and a curb and gutter project, all within the District, and toward performing all prerequisites to levying special assessments and to fixing the assessment lien against the property in the District, be, and the same hereby is, ratified, approved and confirmed.

Section 2. That for the purpose of paying the costs and expenses of the said improvements, there be, and there hereby are, levied and assessed against the lots and parcels of land in the District, being all those specially benefited by said improvements, in the County and described in the assessment roll for the District, as filed in the office of the County Clerk on the 15th day of May, 1969, and as confirmed by the resolution duly adopted by said Board on this 16th day of June, 1969, the amounts and assessments shown in said roll.

Section 3. That said assessments shall be due and payable at the office of the County Treasurer within thirty days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the
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election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this ordinance after passage and approval, at the rate of seven per centum (7%) per annum, both principal and interest being payable annually at the office of said County Treasurer on the first day of August in each year, commencing on the first day of August, 1970. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County, and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of one per centum (1%) per month, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment may, at any time, pay the whole or any annual installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a premium for such prepayment of five per centum (5%) of the installment or installments of principal so prepaid.

Section 4. That the amounts assessed as aforesaid shall be a lien upon said lots and parcels of land from the effective date of this ordinance, i.e., from the 16th day of July, 1969, co-equal with the lien of other taxes and prior and superior to all other liens, claims, encumbrances and titles. The sale of any such lot or parcel of land for general or other taxes shall not relieve such lot or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the tracts assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 5. That in case any such lot or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the Board shall forthwith cause the original purchasers of the bonds issued in connection with this District and any person, partnership and corporation hereafter designated in writing by the original purchasers or its successors, as representatives of the holder or holders of the bonds to be hereafter authorized to be issued by ordinance (such bond

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ordinance to definitely designate said original purchaser or purchasers), and the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last-known address; and if such delinquency shall not be paid within ten days after such notice shall have been given by deposit in the United States mail, then said assessment shall be enforced by the County Treasurer of Washoe County and other officers of said County, as provided by law with the other taxes in the general assessment roll of said County, and in the same manner. Nothing herein shall be construed as preventing the County from collecting any assessment by suit in the name of the governing body; and the assessment roll and the certified copy of this ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If said foreclosure be not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of said County. Any bondholder may also proceed against the County to protect and enforce the rights of the bondholders under this ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal, or equitable remedy as such bondholder or bondholders may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all holders of the bonds and coupons then outstanding. The failure of the bondholders so to foreclose such delinquent assessments, or so to proceed against the County, or both, shall not relieve the County or any of its officers, agents or employees of any liability for its failure so to foreclose such delinquent assessments.

Section 6. That the County Clerk shall publish, as soon as reasonably possible, a notice in Reno Evening Gazette, a newspaper which is the official newspaper for said County, once a week for three consecutive weeks, the first publication to be at least fifteen days prior to the end of said thirty-day period, stating that said assessments have been levied and are due and payable and the last day for their payment. The Board hereby determines that the manner of giving notice herein provided by publication is reasonably calculated to inform the parties of the proceedings concerning the District which may directly and adversely affect their legally protected interests.

Section 7. That the County Clerk is hereby directed to deliver to the County Assessor of Washoe County, a copy of the final assessment roll containing a description of the tracts being assessed, with the amount of the assessment levied upon each and the name of the owner or occupant against whom the assessment was made; and the County Treasurer is directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 8. That the notice provided for in Section 6 of this ordinance shall be

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in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS
OF ASSESSMENTS FOR IMPROVEMENTS IN
WASHOE COUNTY, NEVADA
ASSESSMENT DISTRICT NO. 1

NOTICE IS HEREBY GIVEN to property owners and other interested persons that, by Ordinance No. _____, duly passed, adopted, signed and approved on the _____ day of _____, 1969, there were levied and assessed against the lots and parcels of land specially benefited by the local improvements in what is commonly designated as "Washoe County, Nevada, Assessment District No. 1" said lots and parcels being more specifically designated in the assessment roll designated in said ordinance, the cost and expenses of said improvements.

Said assessments shall be due and payable at the office of the County Treasurer of Washoe County, in Reno, Nevada, on or before the 16th day of August, 1969, being thirty days after the effective date of said ordinance, i.e., the date of its second publication by title only, without interest and without demand, provided, that all such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within said period shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in such installments. In case of such election to pay in installments, the unpaid assessments shall be payable in ten substantially equal annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the 16th day of July, 1969, i.e., the date of the second publication of said ordinance, at a rate of seven per centum (7%) per annum, both principal and interest being payable annually at the office of the County Treasurer of Washoe County, Nevada, on the first day of August, in each year, commencing on the first day of August, 1970. Failure to pay any installment, whether of principal or interest, when due shall cause the whole of the unpaid principal to become due and payable immediately at the County's option, and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of one per centum (1%) per month, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any installment or payment may, at any time, pay the whole or any annual installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a premium for such prepayment of five per cen-

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tum (5%) of the installment or installments of principal so prepaid.

Pursuant to NRS 244.891, within the 15 days immediately succeeding the effective date of the assessment ordinance, any person who has filed a complaint, protest or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter all actions or suits attacking the regularity, validity and correctness of the proceedings, of the assessment roll, of each assessment contained therein, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots and parcels of land from the 16th day of July, 1969, the effective date of said ordinance, which lien shall be co-equal with the lien of other taxes and prior and superior to all other liens, claims and titles. The sale of any such lot or parcel of land for general or other taxes shall not relieve such lot or parcel of land from such assessment or the lien therefor.

Dated this 17th day of July, 1969.

/s/
County Clerk

(End of Form of Notice)

Section 9. That the officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance.

Section 10. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 11. That all by-laws, ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any by-law, ordinance or resolution, or part thereof, heretofore repealed.

Section 12. That this ordinance shall be in effect from and after its publication as hereinafter provided, and after this ordinance is signed by the Chairman of the Board and attested and sealed by the County Clerk, this ordinance shall be published by title only, together with the names of the Commissioners voting for or against its passage, and with a statement that typewritten copies of said ordinance are available for inspection by all interested parties at the office of the County Clerk, in Nevada State Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two weeks by two insertions, pursuant to Section 244.100, Nevada Revised Statutes, and all laws thereunto enabling, such publication to be in substantially the following form:

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(Form for Publication)

BILL NO. 230

ORDINANCE NO. _____

(of Washoe County, Nevada)

AN ORDINANCE CONFIRMING THE PROCEEDINGS TAKEN IN PROVIDING FOR CERTAIN STREET AND CURB AND GUTTER IMPROVEMENTS IN WASHOE COUNTY, NEVADA, ASSESSMENT DISTRICT NO. 1; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS AND PARCELS OF LAND BENEFITED BY SAID STREET AND CURB AND GUTTER IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE BOARD OF COUNTY COMMISSIONERS AND THE OFFICERS OF SAID COUNTY DIRECTED TOWARD THE ACQUISITION OF IMPROVEMENTS IN SAID DISTRICT; PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by all interested parties at the office of the County Clerk of Washoe County, Nevada, at his office at Washoe County Courthouse, Reno, Nevada; and that said ordinance was proposed by Commissioner Sauer on the 16th day of June, 1969, and was passed at the next regular meeting on the 7th day of July, 1969, by the following vote of the Board of County Commissioners:

Those Voting Aye:	J. B. Cunningham
	Leo Sauer
	H. F. McKissick, Sr.
	J. C. McKenzie
	Joe Coppa

Those Voting Nay: None

Those Absent and Not Voting: None

This ordinance shall be in full force and effect from and after the 16th day of July, 1969, i.e., the date of the second publication of such ordinance by its title only.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only.

DATED this 7th day of July, 1969.

/s/ J. B. Cunningham
 Chairman
 Board of County Commissioners
 Washoe County, Nevada

(SEAL)

Attest:

/s/ H. K. Brown
 Clerk

(End of Form of Publication)

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The presiding officer thereupon declared that in accordance with the provisions of NRS 244.100, final action upon the proposed ordinance, Bill No. 230, would be deferred until the next regular meeting of the Board, on the 5th day of July, 1969.

69-513

LIQUOR LICENSING BOARD

The Board of County Commissioners together with C. W. Young, Sheriff, and Paul Hamilton, Deputy District Attorney, convened as a Liquor Licensing Board, gave first reading to the application of Arthur G. Johnston to operate LEMMON VALLEY MARKET & BAR, Lemmon Valley Drive, and granted the following licenses:

1. to Kenneth & Mildred Brandt to operate DAS-HAPPY HAUS, 941 Tahoe Blvd., Incline Village;
2. to Lynn Armstrong to operate TAHOE RACQUET CLUB, Incline Village, Nevada.

69-514

GENERAL LICENSING BOARD

The Board recessed as a Liquor Licensing Board and convened as a General Licensing Board and, upon motions duly seconded and carried by the unanimous vote of the Board, it was ordered the following licenses be granted:

1. to Bill Williams to operate NORTH TAHOE CATERING SERVICE, 8501 N. Lake Blvd., Kings Beach;
2. to Ray Crouse and Reed Marquardt to operate INDIAN JOE'S TRADING POST, Ponderosa Ranch, Incline Village;
3. to Lucy Ann Farrell to operate GOLDEN HAIR PIN CAL NEVA, Crystal Bay;
4. to Olga Petrini to operate WASHOE MOTEL, Highway 395 South;
5. to Ed Blankinship to operate PONDEROSA PRESS, Ponderosa Ranch, Incline;
6. to Billie Jean Wienholz to operate BILLIE JEAN'S IMPORTS, 1095 Dunbar Drive, Washoe City, (phone only).

The Board recessed as a General Licensing Board and convened as a Board of County Commissioners.

MINUTES

On motion by Commissioner Sauer, seconded by Commissioner McKenzie, which motion duly carried, it was ordered the minutes of June 5, 1969 be approved as received and read.

69-515

ROAD - ROCK BOULEVARD - CONSULTING ENGINEERS

On recommendation of the Regional Street and Highway Commission, on motion by Commissioner Sauer, seconded by Commissioner McKenzie, which motion duly carried, it was ordered that the consulting engineering firm of Millard-Spink Associates, Inc., be retained for the Rock Boulevard extension project.

69-516

ROAD - MAYBERRY DRIVE - CONSULTING ENGINEERS

On recommendation of the Regional Street and Highway Commission, on motion by Commissioner McKenzie, seconded by Commissioner McKissick, which motion duly carried, it was ordered that the firm of Sharp, Krater and Associates be retained as consulting
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