

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

BILL NO. 232

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.

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WHEREAS, the Board of County Commissioners of Washoe County, Nevada (herein "Board" and "County," respectively), has heretofore, pursuant to the requisite preliminary 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 assessed 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 responsible 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 heretofore 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

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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 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 the 16th day of June, 1969, the amounts and assessments shown in said roll.

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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 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 September in each year, commencing on the first day of September, 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.

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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 15th day of August, 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 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

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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 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. 172, duly passed, adopted, signed and approved on the 5th day of August, 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 15th day of September, 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 15th day of August, 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 September in each year, commencing on the first day of September, 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

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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.

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.

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The amounts assessed as aforesaid constitute a lien upon said lots and parcels of land from the 15th day of August, 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 August, 1969.

/s/ H. K. Brown
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. 232

ORDINANCE NO. 172

(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 McKenzie on the 15th day of July, 1969, and was passed at the next regular meeting on the _____ day of _____, 1969, by the following vote of the Board of County Commissioners:

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Those Voting Aye:	<u>J. B. Cunningham</u>
	<u>Leo Sauer</u>
	<u>H. F. McKissick, Sr.</u>
	<u>J. C. McKenzie</u>
	<u>Joe Coppa</u>
Those Voting Nay:	<u>None</u>

Those Absent and
Not Voting: None

This ordinance shall be in full force and effect
from and after the 15th day of August, 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 pub-
lished by title only.

DATED this 5th day of August, 1969.

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

(SEAL)

Attest:

/s/ H. K. Brown
Clerk

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(End of Form of Publication)

Proposed on the 15th day of July, 1969.

Proposed by Commissioner McKenzie.

Passed on the 5th day of August, 1969.

Ayes: J. B. Cunningham

Leo F. Sauer


H. F. McKissick, Sr.

J. C. McKenzie

Joe Coppa

Nayes: None

Absent: None



Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:



County Clerk


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STATE OF NEVADA)
COUNTY OF WASHOE) SS.

I, H. K. Brown, the duly elected, qualified and acting County Clerk of Washoe County (the "County"), Nevada, and ex-officio Clerk of its Board of County Commissioners (the "Board") do hereby certify:

1. The foregoing pages numbered 1 through 19 are a full and correct copy of the record of proceedings of the Board of said County taken at a Special meeting thereof held on the 15th day of July, 1969, so far as such minutes related to a proposed ordinance, a copy of which is therein set forth; and such copy of such ordinance contained in such minutes is a true, correct, compared copy of the original proposed at such meeting.

2. All members of the Board were given due and proper notice of such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Washoe County, Nevada, this 6th day of August, 1969.

H. K. Brown
County Clerk



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

Those Voting Nay: None

Those Absent: None

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

Commissioner McKenzie then moved that Bill No. 232, entitled:

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 CRUB 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.

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introduced and read in full at such meeting, be now finally passed and adopted as read as an ordinance. Commissioner Coppa seconded the motion. The question being upon the final passage and adoption of such bill as an ordinance, the roll was called with the following result:

Those Voting Aye: J. B. Cunningham
 Leo F. 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, such motion was carried and Bill No. 232 duly passed and adopted as an ordinance.

On motion duly made, seconded and adopted, it was ordered that such ordinance be approved and authenticated by the signature of the Chairman of such Board of County Commissioners, sealed with the seal of Washoe County, attested by the County Clerk and recorded in the minute book of such Board, such record to be signed by such officers and properly sealed.

Commissioner McKenzie then moved that such ordinance, heretofore designated as Bill No. 232, be numbered 172 and published twice by title as therein provided. Commissioner Coppa seconded such motion. The question being upon so numbering and publishing such ordinance, the roll was called with the following result:

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Those Voting Aye: J. B. Cunningham
 Leo F. 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 such Board having voted in favor thereof, such motion was carried and such ordinance so numbered and ordered published.

Thereupon, after considering other matters not concerning the foregoing matter, upon motion duly made, seconded and adopted, such meeting was adjourned.

Jean R.
Chairman
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest: 
[Signature]
County Clerk

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STATE OF NEVADA)
COUNTY OF WASHOE) SS.

I, H. K. Brown, the duly elected, qualified and acting County Clerk of the County of Washoe (the "County"), Nevada, and ex-officio Clerk of its Board of County Commissioners (the "Board"), do hereby certify:

1. The foregoing pages numbered 21 through 24, excerpts from the minutes of a meeting of the Board held on the 5th day of August, 1969, constitute a true, correct and compared copy of the proceedings of such Board so far as said minutes relate to an ordinance, a copy of which is set forth in full in the minutes of the meeting at which the ordinance was introduced and held on the 15th day of July, 1969; such copy of such ordinance contained in such minutes is a true, correct and compared copy of the original passed and adopted by the Board at the designated meeting; and the original of such ordinance has been approved and authenticated by the signature of the Chairman of the Board and myself as County Clerk, and sealed with the seal of the County, and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

2. All members of the Board (the "Commissioners") voted on the passage of such ordinance as set forth in such minutes of both of the above-designated meetings.

3. Such ordinance was published by title only and collateral statement in Nevada State Journal, a newspaper published and of general circulation in the County, on Friday, the 8th day of August, 1969, and on Friday, the 15th day of August, 1969.

4. All members of the Board were given due and proper notice of each of such meetings held on the 15th day of July, 1969, and on the 5th day of August, 1969, respectively.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Washoe County, Nevada, this 18th day of August, 1969.

H. K. Brown
County Clerk



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(Attach Affidavit of Publication of Ordinance)

NEVADA STATE JOURNAL

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOUNG

being first duly sworn, deposes and says: That she is the legal clerk of THE NEVADA STATE JOURNAL, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice . . . BILL 232 . . .

of which a copy is hereto attached, was first published in said newspaper in its issue dated the . . . 8 . . . day of . . . August . . . , 19. 69 . . . and . . . August 15 . . .

the full period of . . . 2 . . . days, the last publication thereof being in the issue dated the . . . 15 . . . day of . . . August . . . , 19. 69 . . .

Signed *Dorothy Young*

Subscribed and sworn to before me this

. . . 15 . . . day of . . . August . . . , 19. 69 . . .

Richard J. Taylor
Notary Public.

RICHARD J. TAYLOR
Notary Public — State of Nevada
Washoe County
My Commission Expires Jan. 22, 1971

BILL NO. 232
ORDINANCE NO. 172
(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 McKenzie on the 15th day of July, 1969, and was passed at the next regular meeting on the 5th day of August, 1969, by the following vote of the Board of County Commissioners:
Those Voting Aye: J. B. Cunningham, Leo F. 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 15th day of August, 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 5th day of August, 1969.
(S) J. B. Cunningham, Chairman
Board of County Commissioners
Washoe County, Nevada
(SEAL)
Attest:
(S) H. K. Brown, Clerk
331340—Ordinance Aug. 8-15

69-487

(Attach Affidavit of Publication of Notice of Right to Pay Assessment Without Interest)

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. 172, duly passed, adopted, signed and approved on the 5th day of August, 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 15th day of September, 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 15th day of August, 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 September in each year, commencing on the first day of September, 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 centum (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 15th day of August, 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 August, 1969.

/s/ N. K. Brown County Clerk

Gazette-334900-Notice-Aug. 19, 26, Sept. 2.

EVENING GAZETTE OF PUBLICATION

STATE OF NEVADA } ss. COUNTY OF WASHOE }

DOROTHY YOCOM

being first duly sworn, deposes and says: That she is the legal clerk of THE RENO EVENING GAZETTE, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

That the notice... TO PROPERTY OWNERS...

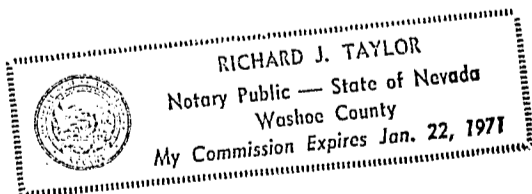
of which a copy is hereto attached, was first published in said newspaper in its issue dated the 19 day of August, 1969 and August 26, September 2, the full period of 3 days, the last publication thereof being in the issue dated the 2 day of September, 1969.

Signed Dorothy Yocom

Subscribed and sworn to before me this

day of September, 1969.

Richard J. Taylor Notary Public.



69-787

STATE OF NEVADA)
COUNTY OF WASHOE) SS.

PROOF OF FILING
ASSESSMENT ROLL

H. K. Brown, being by me first duly sworn, upon oath deposes and says:

That he is the County Clerk of Washoe County, Nevada; that on the 15th day of May, 1969, at 9:00 o'clock a.m., the assessment roll for Washoe County, Nevada, Assessment District No. 1, made out by the Board of County Commissioners of said County, together with Sprout Engineers and Associates, Inc., was filed in the records of his office in said County, pursuant to a resolution adopted by the Board on the 15th day of May, 1969; that said assessment roll has remained and now is on file in said office to the date of this affidavit, i.e., to a time after the hearing on said roll; and that a true, perfect and complete copy of said roll is attached hereto as Exhibit A.

That a copy of this affidavit is on file in the records in the office of said County Clerk.


Further affiant saith not.

H. K. Brown
County Clerk

69-4874

SUBSCRIBED AND SWORN to before me this 8th day of August, 1969.

My commission expires 1-5-72.

 ALEX COON
Notary Public — State of Nevada
Washoe County
My Commission Expires January 5, 1972

Alex Coon
Notary Public

(NOTARIAL SEAL OR STAMP)

EXHIBIT A

(Attach copy of Assessment Roll to show reductions and deletions made after assessment hearing by Board of County Commissioners)

69-787

STATE OF NEVADA)
COUNTY OF WASHOE)

SS.

ENGINEER'S CERTIFICATE

I, Richard W. Arden, do hereby certify:

1. That pursuant to NRS 244.887, and all laws supplemental thereto and amendatory thereof, I, together with the Board of County Commissioners of the County of Washoe, Nevada, made out for Washoe County, Nevada, Assessment District No. 1, an assessment roll which contained, 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, after said Board determined that portion of the costs of the improvements therein, including advertising, appraising, engineering, legal, printing and other incidental costs, to-wit, the sum of \$ 551,564.51, which should be paid by the property specially benefited.

2. That pursuant to a resolution passed, adopted, signed and approved on the 15th day of May, 1969, said Board caused the assessment roll to be filed in the office of the County Clerk on the 15th day of May, 1969, and said roll was filed on said date at the hour of 9:00 o'clock a.m.

3. That the foregoing assessment roll hereto attached as Exhibit A is a true, perfect and complete copy of said assessment roll so prepared and so filed, except for subsequent modifications thereto ordered and directed by the Board. Modifications are identified as such, dated with the date of adoption of said resolution, and initialed by me.

4. That the figures and other information set forth in said roll are correct to the best of my knowledge and belief.

WITNESS my hand this 5th day of August, 1969.

Richard W. Arden
Engineer

69-787

STATE OF NEVADA)
COUNTY OF WASHOE) SS.

TO: C. W. Malone
COUNTY TREASURER OF WASHOE COUNTY
RENO, NEVADA

Pursuant to NRS 244.901, and all laws supplemental thereto and amendatory thereof, and to Ordinance No. 172 of the County of Washoe and State of Nevada, passed and approved on the 5th day of August, 1969, I, as the Clerk of said County, do hereby deliver and certify to you, as the Treasurer of the County of Washoe, the complete assessment roll for Washoe County, Nevada, Assessment District No. 1.

I further certify:

1. That prior to the passage of said ordinance, said roll was confirmed by a resolution of the Board of County Commissioners of said County, passed and approved on the 16th day of June, 1969; and that all modifications thereby ordered and made have been made on the roll attached hereto as Exhibit A.

2. That Section 12 of said ordinance provides said ordinance shall be in full force and effect after its second publication by title only, and that said ordinance was published by title only the second time on the 15th day of August, 1969.

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3. That the amount and assessments shown in said roll were levied and assessed against the lots and parcels of land specially benefited by the improvements in said District by Section 2 of said ordinance.

4. That by Section 3 of said ordinance said assessments are due and payable at the office of the County Treasurer within thirty days after said ordinance becomes effective, i.e., within thirty days from its second publication, or in ten annual installments of principal.

5. That after the termination of said thirty-day cash-payment period, you are requested to inform the undersigned and to certify the number and amounts of the assessments

paid in full and the assessments, if any, paid in part, so that the County may proceed with the remaining proceedings for the District.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Washoe County this 6th day of August, 1969.



[Handwritten Signature]

County Clerk

69-989

STATE OF NEVADA)
)
COUNTY OF WASHOE) SS.

I, C. W. Malone, the Treasurer of the County of Washoe and State of Nevada, do hereby certify:

That I have received on this 6th day of August, 1969, at the hour of 2:30 o'clock p.m., in my office in Reno, Nevada, the assessment roll for Washoe County, Nevada, Assessment District No. 1 of said County, the assessments in which, as modified, having been levied and assessed against property specially benefited by the improvements therein by Ordinance No. 172 of said County, passed and approved on the 5th day of August, 1969, and the receipt of said roll is hereby acknowledged.

WITNESS my hand and seal this 6th day of August, 1969.



C. W. Malone
County Treasurer

69-787

STATE OF NEVADA)
COUNTY OF WASHOE) SS.

TO: DON PECKHAM
COUNTY ASSESSOR OF WASHOE COUNTY
RENO, NEVADA

Pursuant to NRS 244.901, and all laws supplemental thereto and amendatory thereof, and to Ordinance No. 172 of the County of Washoe and State of Nevada, passed and approved on the 5th day of August, 1969, I, as Clerk of said County, do hereby deliver and certify to you, as the Assessor of the County of Washoe, the complete assessment roll for Washoe County, Nevada, Assessment District No. 1.

I further certify:

1. That prior to the passage of said ordinance, said roll was confirmed by a resolution of the Board of County Commissioners of said County, passed and approved on the said 16th day of June, 1969, and that all modifications thereby ordered and made have been made on the roll attached as Exhibit A.

2. That the roll attached hereto as Exhibit A contained a description of such tracts and parcels of land against which an assessment has been levied by said ordinance, along with the amount of the assessment levied upon each, and the name of the owner against whom the assessment was made, all as required by said NRS 244.901.

69-787

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Washoe County this 6th day of August, 1969.

[Signature]
County Clerk



STATE OF NEVADA)
COUNTY OF WASHOE) SS.

I, Donald E. Peckham, the Assessor of the County of Washoe, and State of Nevada, do hereby certify:

That I have received on this 6th day of August, 1969, at the hour of 2:30 o'clock p.m., in my office in Reno, Nevada, the assessment roll for Washoe County, Nevada, Assessment District No. 1 of said County, the assessments in which, as modified, having been levied and assessed against property specially benefited by the improvements therein by Ordinance No. 172 of said County, passed and approved on the 5th day of August, 1969, and the receipt of said roll is hereby acknowledged.

WITNESS my hand and seal this 6th day of August, 1969.

Donald E. Peckham

County Assessor



686-69