

RENO EVENING GAZETTE

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

SUSAN KLEBINOW

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 /431

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 16th day of April, 1975 and April 23

the full period of 2 days, the last publication thereof being in the issue dated the 23rd day of April, 1975

Signed *Susan Klebinow*

Subscribed and sworn to before me this 23rd day of April, 1975

V. E. Bradley
Notary Public.

BILL NO. 431
ORDINANCE NO. 268
AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY CONTAINED WITHIN THE BOUNDARIES OF WASHOE COUNTY ASSESSMENT DISTRICT NO. 2 AS APPEAR ON THE FINAL ASSESSMENT ROLL FOR SAID DISTRICT, PROVIDING PROCEDURE FOR COLLECTING ASSESSMENTS; ESTABLISHING INTEREST RATE FOR INSTALLMENT PAYMENTS, TOGETHER WITH PENALTIES FOR DELINQUENT PAYMENTS AND PROCEDURE FOR COLLECTING SAME, PROVIDING FOR WRITTEN NOTICE OF THE LEVY OF ASSESSMENTS HEREIN; PROVIDING FOR PUBLICATION OF ASSESSMENT ORDINANCE AND OTHER MATTERS PROPERLY RELATING TO LEVY OF ASSESSMENTS, AS REQUIRED BY LAW.
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 in the Washoe County courthouse, Reno, Nevada; and that said Ordinance was proposed by Commissioners Scott, Grow, Rusk & Gauril on the 24th day of March, 1975, and was passed on the 7th day of April, 1975 by the following vote of the Board of the County Commissioners: Those voting aye: Dick Scott, Chairman; Gerry Grow, Vice Chairman; Robert F. Rusk; Dwight A. Nelson; Ken L. Gauril.
Those voting nay: None.
Those absent and not voting: None.
PUBLIC NOTICE IS FURTHER GIVEN that any person who has filed a written complaint, protest or objection to the proposed assessments levied by the aforesaid Ordinance must commence an action or suit in any court of competent jurisdiction to correct or set aside such determination within fifteen (15) days immediately succeeding the effective date of said Ordinance. The effective date of said Ordinance is April 23, 1975.
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 April, 1975.
By: /s/ Dick Scott, Chairman
ATTEST: ALEX COON, CLERK
By: /s/ O. Schmidt
Chief Deputy
336500 - 41 April 16-23

V. E. BRADLEY
Notary Public - State of Nevada
Washoe County
My Commission Expires April 3, 1979

SUMMARY: An Ordinance levying assessments appearing on Final Assessment Roll, Washoe County Assessment District No. 2.

BILL NO. 431

ORDINANCE NO. 268

AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY CONTAINED WITHIN THE BOUNDARIES OF WASHOE COUNTY ASSESSMENT DISTRICT NO. 2 AS APPEAR ON THE FINAL ASSESSMENT ROLL FOR SAID DISTRICT; PROVIDING PROCEDURE FOR COLLECTING ASSESSMENTS; ESTABLISHING INTEREST RATE FOR INSTALLMENT PAYMENTS, TOGETHER WITH PENALTIES FOR DELINQUENT PAYMENTS AND PROCEDURE FOR COLLECTING SAME; PROVIDING FOR WRITTEN NOTICE OF THE LEVY OF ASSESSMENTS HEREIN; PROVIDING FOR PUBLICATION OF ASSESSMENT ORDINANCE AND OTHER MATTERS PROPERLY RELATING TO LEVY OF ASSESSMENTS, AS REQUIRED BY LAW.

WHEREAS, the Board of Washoe County Commissioners by Ordinance No. 209, Bill No. 334 have created Washoe County Assessment District No. 2 for the purpose of acquiring and improving a street project within the meaning of the County Improvements Law, NRS 244.815 through 244.919; and

WHEREAS, the acquisition and improvement of the street project described in aforesaid Ordinance No. 209 has been completed as provided therein; and

WHEREAS, the Board of Washoe County Commissioners by a Resolution passed and approved on the 15th day of January, 1975, determined the cost of the aforesaid street project to be paid by assessable property within said Washoe County Assessment District No. 2 and ordered the Washoe County Engineer to make out an assessment roll, containing the name of each last known owner of each tract of land to be assessed within said District, a description of each tract to be assessed, and the amount of proposed assessment thereon; and

WHEREAS, the Washoe County Engineer prepared a "Final Assessment Roll, Washoe County Assessment District No. 2" pursuant to the aforesaid Resolution, which Assessment Roll is dated February 3, 1975 and has been filed in the Washoe County Clerk's Office; and

WHEREAS, the Board of Washoe County Commissioners by a Resolution passed and approved on the 5th day of February, 1975 fixed the time and place when and where complaints, protests and objections concerning Washoe County Assessment District No. 2 could be made in writing or verbally; and

WHEREAS, the Board of Washoe County Commissioners held a public hearing in accordance with the aforesaid Resolution and Notice of said hearing to hear and determine any written complaint, protest or objection in respect to the proposed assessments, assessment roll or assessment procedure in connection with Washoe County Assessment District No. 2; and

WHEREAS, the Board of Washoe County Commissioners by Resolution passed and approved on the 17th day of March, 1975 confirmed the aforesaid Final Assessment Roll prepared by the Washoe County Engineer, dated February 3, 1975, to be in final form and authorized the adoption of an Ordinance levying the assessments reflected on said Roll.

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

SECTION 1.

The actual amount of each special assessment appearing on the "Final Assessment Roll, Washoe County Assessment District No. 2", dated February 3, 1975 and certified by Floyd Vice, Washoe County Engineer, which Roll is filed in the Office of the Washoe County Clerk and is referred to and incorporated herein by reference, is hereby levied against each parcel or tract of property indicated on said Final Assessment Roll.

SECTION 2.

Each special assessment appearing on the "Final Assessment Roll, Washoe County Assessment District No. 2" levied in accordance with Section 1 above shall be due and payable without demand within thirty (30) days after the effective date of this Ordinance as set forth below; provided, however, that the owner or owners of each tract or parcel of real property listed on said Final Assessment Roll may elect to pay the full amount of any assessment levied herein in five (5) substantially equal annual installments at a rate of interest of six and one-half percent (6.5%) per annum on the unpaid balance of the principal of said assessment, which interest shall accrue from the effective date of this Ordinance. Failure of any such owner or owners to pay the whole amount of the assessment levied herein within thirty (30) days after the effective date of this Ordinance shall be conclusively considered and held to be an election on the part of such owner or owners to pay said assessment in five (5) substantially equal annual installments at the aforesaid rate of interest per annum in accordance with the provisions of this Ordinance.

SECTION 3.

Any person electing to pay any assessment levied herein in installments shall be conclusively considered as having consented to the street project authorized by Washoe County Ordinance No. 209, creating Washoe County Assessment District No. 2, and such election shall be conclusively considered and held as a waiver of any and all rights to question the power or jurisdiction of Washoe County to acquire or improve said street project, the quality of work used in connection with said project, the regularity or sufficiency of the proceedings creating Washoe County Assessment District No. 2, and the validity or correctness of any assessment levied herein, in accordance with NRS 244.893(4).

SECTION 4.

The first installment of any assessment levied herein, which is to be paid in installments as provided by this Ordinance and which installment shall include both principal and interest, shall be due and payable on July 1, 1975 and on July 1 of each succeeding year thereafter, until all five (5) substantially equal annual installments as provided herein have been paid; provided, however, the owner or owners of any tract or parcel of real property assessed herein, who has elected to pay such assessment in installments, may at any time pay the whole amount of the unpaid principal with interest accrued thereon to the next interest payment date, together with penalties, if any, and a prepayment premium in the amount of three percent (3%) per annum of any installment or installments of principal so prepaid.

SECTION 5.

Failure of the owner or owners of any tract or parcel of real property assessed herein to pay any installment, whether principal or interest, when due in accordance with the applicable provisions of this Ordinance, shall ipso facto cause the whole amount of the unpaid principal of the assessment to become due and payable at the option of Washoe County, the exercise of such option to occur upon the adoption

of an appropriate order or resolution by the Board of Washoe County Commissioners, authorizing commencement of foreclosure proceedings to collect the whole amount of the unpaid principal and accrued interest. Provided, however, at any time prior to the date of sale in connection with any foreclosure proceedings initiated in accordance with this Section and/or NRS 244.894, the owner or owners of any parcel or tract of real property affected by said foreclosure proceedings may pay the amount of the delinquent installments, with accrued interest, all penalties, and accrued costs of collection, including but not limited to attorney's fees, at which time said owner or owners shall be restored to the right thereafter to pay in installments in the same manner as if default had not been made.

SECTION 6.

If the owner or owners of any tract or parcel of real property fails to pay any installment of any assessment on or before the day when said installment is due in accordance with the provisions of this Ordinance, there shall be added thereto a penalty of five percent (5%) in addition to any accrued interest and unpaid principal due on said due date; and said owner or owners shall pay the sum of one percent (1%) per month upon the unpaid principal and accrued interest comprising any delinquent installment until said delinquent installment is paid in full.

SECTION 7.

The Washoe County Treasurer is hereby directed to give notice by registered or certified mail to the last known address of any owner or owners of any tract or parcel of real property assessed herein as shown on the aforesaid Final Assessment Roll of any installment which is payable in accordance with this Ordinance and of the last day for its payment as provided herein. Said Washoe County Treasurer is further directed to notify the Board of Washoe County Commissioners of any delinquency in the payment of any assessment provided herein within thirty (30) days of any such payment becoming delinquent.

SECTION 8.

The payment of any assessment appearing on the "Final Assessment Roll, Washoe County Assessment District No. 2" as levied herein, including each installment thereof, the interest thereon, and any penalties, delinquent interest, and collection costs, shall be secured by an assessment lien upon the corresponding tract or parcel of real property assessed from the effective date of this Ordinance as set forth below. Each such lien upon each such tract or parcel of real property assessed shall be co-equal with the latest lien thereon to secure the payment of general taxes and shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the liens of assessments and general taxes, as provided in NRS 244.896. No statute of limitations shall begin to run against any assessment nor the assessment lien to secure its payment until after the last installment of principal thereof shall become due.

SECTION 9.

Should any tract or parcel of real property described and referred to on aforesaid "Final Assessment Roll, Washoe County Assessment District No. 2" be divided after any assessment has been levied thereon and divided into installments in accordance with this Ordinance and before the collection of all of said installments, the Washoe County Assessor is hereby required to apportion the uncollected amounts of any such assessment upon the several parts of the tract or parcel of real property so divided. A report of such apportionment shall be presented to the Board of Washoe County Commissioners by the Washoe County Assessor for approval; and when approved, said apportionment shall be conclusive on all parties and upon all tracts or parcels of

real property affected, and all assessments thereafter made shall be according to such subdivision.

SECTION 10.

The Washoe County Clerk is hereby directed to report to the Washoe County Assessor a description of each tract or parcel of real property as contained in the "Final Assessment Roll, Washoe County Assessment District No. 2" incorporated herein by reference, with the amount of the assessment levied upon each such tract or parcel and the name and address of the owner or owners against whom the assessment has been made in said Final Assessment Roll. The Washoe County Clerk is further directed to give written notice of the levy of assessments appearing on said Roll by registered or certified mail to the owner or owners of each parcel or tract appearing thereon, in accordance with NRS 244.890(2), immediately upon the effective date of this Ordinance.

SECTION 11.

The Washoe County Treasurer is hereby directed to collect the several sums appearing on the "Final Assessment Roll, Washoe County Assessment District No. 2" as a tax upon the several tracts or parcels of real property described therein to which they were assessed. Said sums shall be collected within thirty (30) days after the effective date of this Ordinance as set forth below or in installments in accordance with the preceding Sections of this Ordinance. The assessments levied herein shall be enforced both before and after any delinquency by the Washoe County Treasurer and any other Washoe County Officers authorized by law to collect taxes. Such collection and enforcement shall be accomplished in the same manner as other taxes in the general assessment roll of Washoe County are collected. Until paid, the amount of each assessment levied herein shall continue to be a lien upon each tract or parcel of real property so assessed, in accordance with NRS 244.896.

SECTION 12.

When any assessment levied herein is collected by the Washoe County Treasurer, it shall be credited to the proper funds established and designated by the Washoe County Manager to finance the aforesaid street project of Washoe County Assessment District No. 2.

SECTION 13.

A final determination is hereby made of the regularity, validity, and correctness of the proceedings establishing Washoe County Assessment District No. 2 and the type and amount of each assessment on the Final Assessment Roll incorporated herein by reference, which determination shall be conclusive upon the owner or owners of any property affected herein.

SECTION 14.

This Ordinance shall be in effect from and after its publication as hereinafter provided. After this Ordinance is signed by the Chairman and attested and sealed by the Clerk, this Ordinance shall be published by its title only, together with the names of the County 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 Washoe County Clerk, such publication to be made in the Reno Evening Gazette, a newspaper published and having general circulation in the County of Washoe, at least once a week for a period of two (2) weeks by two (2) insertions, pursuant to Section 244.100, Nevada Revised Statutes, and all laws thereunto enabling, such publication to be in substantially the following form:

(Form of Publication)

BILL NO. 431

ORDINANCE NO. 268

AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY CONTAINED WITHIN THE BOUNDARIES OF WASHOE COUNTY ASSESSMENT DISTRICT NO. 2 AS APPEAR ON THE FINAL ASSESSMENT ROLL FOR SAID DISTRICT; PROVIDING PROCEDURE FOR COLLECTING ASSESSMENTS; ESTABLISHING INTEREST RATE FOR INSTALLMENT PAYMENTS, TOGETHER WITH PENALTIES FOR DELINQUENT PAYMENTS AND PROCEDURE FOR COLLECTING SAME; PROVIDING FOR WRITTEN NOTICE OF THE LEVY OF ASSESSMENTS HEREIN; PROVIDING FOR PUBLICATION OF ASSESSMENT ORDINANCE AND OTHER MATTERS PROPERLY RELATING TO LEVY OF ASSESSMENTS, AS REQUIRED BY LAW.

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 in the Washoe County Courthouse, Reno, Nevada; and that said Ordinance was proposed by Commissioners Scott, Grow, Rusk & Gaunt on the 25th day of March, 1975, and was passed on the 7th day of April, 1975 by the following vote of the Board of County Commissioners:

Those voting aye: Dick Scott, Chairman
Gerry Grow, Vice Chairman
Robert F. Rusk
Dwight A. Nelson
Ken L. Gaunt

Those voting nay: None

Those absent and not voting: None

PUBLIC NOTICE IS FURTHER GIVEN that any person who has filed a written complaint, protest or objection to the proposed assessments levied by the aforesaid Ordinance must commence an action or suit in any court of competent jurisdiction to correct or set aside such determination within fifteen (15) days immediately succeeding the effective date of said Ordinance. The effective date of said Ordinance is April 23, 1975.

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 April, 1975.

BOARD OF WASHOE COUNTY COMMISSIONERS

By: *Dick Scott*
DICK SCOTT, Chairman

ATTEST:
ALEX GERRITZ
By *Alex Gerritz* DEPUTY
County Clerk

(End of Form of Publication and Ordinance)

Proposed on the 25th day of March, 1975.

Proposed by Commissioners Scott, Grow, Rusk, & Gaunt.

Passed on the 7th day of April, 1975.

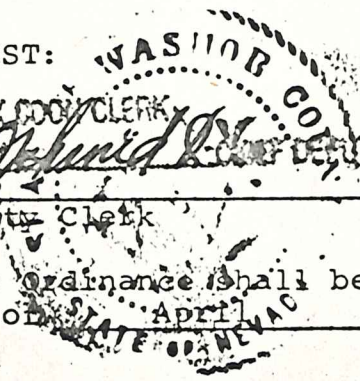
VOTE:

Ayes:	Commissioners:	<u>Dick Scott, Chairman</u>
		<u>Gerry Grow, Vice Chairman</u>
		<u>Robert F. Rusk</u>
		<u>Dwight A. Nelson</u>
		<u>Ken L. Gaunt</u>

Nays:	Commissioners:	<u>None</u>
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Absent:	Commissioners:	<u>None</u>
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Dick Scott
 DICK SCOTT, Chairman

ATTEST:  WASHOE COUNTY
 ALEX COOY, CLERK
Alex Cooy
 County Clerk

This Ordinance shall be in force and effect from and after the 23rd day of April, 1975.