

NEVADA STATE JOURNAL

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

DOROTHY YOCOM

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 ... 210

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the ... 2 ... day of ... Oct.,, 19 72 .. and
..... October 9

the full period of ... 2 ... days, the last publication thereof being in the issue dated the ... 9 ... day of ... October ... 19 72 ..

Signed *Dorothy Yocom*


Subscribed and sworn to before me this

..... 9 ... day of ... October, 19 72 ..

..... *Richard J. Taylor*

Notary Public.

NOTICE OF COUNTY ORDINANCE
Notice is hereby given that Bill No. 310, Ordinance No. 197, entitled "An Ordinance initiating proceedings for the organization of the Incline Beach General Improvement District proposed for furnishing electric light and power, extermination and abatement of mosquitoes, flies, other insects, rats and liver fluke or fasciola hepatica, furnishing public cemetery facilities or services, furnishing swimming pool facilities, furnishing television facilities, furnishing street and alley facilities, furnishing curb, gutter and sidewalk facilities, furnishing sidewalk facilities, furnishing storm drainage facilities, furnishing sanitary sewer facilities, furnishing street lighting facilities, furnishing garbage and refuse collection and disposal facilities, furnishing recreation facilities, furnishing water facilities and furnishing fencing facilities; providing for publication and notice of hearing and hearing on the creation of the District; and declaring an emergency," was adopted on September 25, 1972, by emergency measure, by Commissioners Pagni, Coppa, McKissick, Rusk and Nelson all voting aye.
Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
H. K. BROWN, COUNTY CLERK
334900-Bill 310 Oct. 2-9

 RICHARD J. TAYLOR
Notary Public — State of Nevada
Washoe County
My Commission Expires Jan. 22, 1973

SUMMARY: An ordinance initiating proceedings for the organization of the Incline Beach General Improvement District.

BILL NO. 310

ORDINANCE NO. 197

AN ORDINANCE INITIATING PROCEEDINGS FOR THE ORGANIZATION OF THE INCLINE BEACH GENERAL IMPROVEMENT DISTRICT PROPOSED FOR FURNISHING ELECTRIC LIGHT AND POWER, EXTERMINATION AND ABATEMENT OF MOSQUITOES, FLIES, OTHER INSECTS, RATS, AND LIVER FLUKE OR FASCIOLA HEPATICA, FURNISHING PUBLIC CEMETERY FACILITIES OR SERVICES, FURNISHING SWIMMING POOL FACILITIES, FURNISHING TELEVISION FACILITIES, FURNISHING STREET AND ALLEY FACILITIES, FURNISHING CURB, GUTTER AND SIDEWALK FACILITIES, FURNISHING SIDEWALK FACILITIES, FURNISHING STORM DRAINAGE FACILITIES, FURNISHING SANITARY SEWER FACILITIES, FURNISHING STREET LIGHTING FACILITIES, FURNISHING GARBAGE AND REFUSE COLLECTION AND DISPOSAL FACILITIES, FURNISHING RECREATION FACILITIES, FURNISHING WATER FACILITIES AND FURNISHING FENCING FACILITIES; PROVIDING FOR PUBLICATION AND NOTICE OF HEARING AND HEARING ON THE CREATION OF THE DISTRICT; AND DECLARING AN EMERGENCY.

WHEREAS, the County of Washoe, in the State of Nevada, is a County incorporated and operating under the laws of the State of Nevada; and

WHEREAS, the Board of County Commissioners of Washoe County (herein designated as the "Board") is authorized and empowered under NRS 318.050 and NRS 318.055, in addition to powers elsewhere conferred upon the Board, to initiate proceedings for the organization of a general improvement district.

WHEREAS, due to the necessity of immediately providing for a hearing to disapprove or create the general improvement district, the Board has determined, and does hereby declare, that an emergency exists requiring this ordinance to take effect from and after its passage and publication by title in accordance with law.

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

Section 1. Proceedings are hereby initiated for the formation of a general improvement district pursuant to Chapter 318, Title 25 of the Nevada Revised Statutes.

Section 2. The name of the proposed district will be Incline Beach General Improvement District (hereinafter designated as the "District".)

Section 3. The general purposes for which the District is proposed to be formed are:

(a) To acquire, either by purchase, condemnation or other legal means, all lands, rights and other property necessary for the construction, use and supply, operation, maintenance, repair and improvement of the works of the District, including without limitation the plant, works, system, facilities or properties, together with all parts thereof, the appurtenances thereto, including contract rights, used and useful primarily for the production, transmission or distribution of electric energy to or for the public for any purpose, works constructed and being constructed by private owners, and all other works and appurtenances, either within or without the State of Nevada.

(b) To furnish, deliver and sell to the public, and to any municipality and to the State and any public institution, heat, light and power service and any other service, commodity or facility which may be produced or furnished in connection therewith.

(c) To take all necessary or proper steps for the extermination of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica either in the District or in territory not in the District but so situated with respect to the District that mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica from such territory migrate or are caused to be carried into the District.

(d) Subject to the paramount control of the County or any city in which the District has jurisdiction, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica either in the District or in territory not in the District but so situated with respect to the District that mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica from such territory migrate or are caused to be carried into the District.

(e) If necessary or proper, in the furtherance of the objects of Chapter 318 of the Nevada Revised Statutes, to build, construct, repair and maintain necessary dikes, levees, cuts, channels, canals or ditches upon any land, and to acquire by purchase, condemnation or by other lawful means, in the name of the District, any lands, rights-of-way, easements, property or material necessary for any of those purposes.

(f) To make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the use or taking of property for dikes, levees, cuts, channels, canals or ditches.

(g) To enter upon without hindrance any lands, within or without the District, for the purpose of inspection to ascertain whether breeding places of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica exist upon such lands.

(h) To abate public nuisances in accordance with Chapter 318 of the Nevada Revised Statutes.

(i) To ascertain if there has been a compliance with notices to abate the breeding of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica upon such lands.

(j) To treat with oil, other larvicidal material, or other chemicals or other material any breeding places of mosquitoes, flies, other insects, rats, or liver fluke or fasciola hepatica upon such lands.

(k) To sell or lease any land, rights-of-way, easements, property or material acquired by the District; and to sell real property pursuant to this subsection to the highest bidder at public auction after five days' notice given by publication.

(l) To levy annually a general (ad valorem) property tax and additional taxes and to exercise any other powers

provided for in subsections 2., 3., 4., 5., 6., and 7, of NRS 318.118.

(m) To maintain a cemetery for the use of all inhabitants of the District, and for that purpose to hold title to property in trust for the District.

(n) To levy annually a general (ad valorem) property tax and such other taxes as authorized in NRS 318.119.

(o) To acquire real property swimming pool improvements, appurtenant shower, locker and other bathhouse facilities, and lighting, filtration and other equipment pertaining thereto, in accordance with the powers conferred on said District in NRS 318.1191.

(p) To acquire television broadcast, transmission and relay improvements, subject to the limitations contained in NRS 318.1193.

(q) To levy special assessments and to fix tolls, rates and other service or use charges as provided for in NRS 318.1192.

(r) To construct, reconstruct or replace fences for the protection of any area within the District and to acquire improvements necessary thereto.

(s) To grade and regrade and to surface and to resurface streets, alleys and public highways, and parts thereof, within the District, with suitable material, and to acquire street and alley improvements necessary and incidental thereto, as authorized in NRS 318.120.

(t) To improve streets within the District by grading and regrading and by the construction and reconstruction of curb, gutter and combined curb and gutter, in combination with sidewalk or otherwise, and to acquire improvements necessary and incidental to the foregoing improvements, including, without limiting the generality thereof, drains, catch basins, valley gutters, driveway inlets and the removal of existing improvements.

(u) To construct, reconstruct, replace or extend sidewalks, adjacent to or in combination with curb and gutter or otherwise, within the District, and to acquire improvements necessary and incidental thereto.

(v) To construct, reconstruct, replace or extend storm sewer and other drainage facilities and improvements necessary and incidental thereto within the District, including, without limiting the generality of the foregoing, the laying of pipes and the erection of catch basins, drains, and necessary inlets and outlets.

(w) To construct, reconstruct, improve, extend or better the sanitary sewer system or any part thereof, including, without limiting the generality of the foregoing, mains, laterals, wyes, tees, meters and collection, treatment and disposal plants.

(x) To sell any product or byproduct of a sanitary sewer system or any part thereof and to acquire the appropriate outlets within or without the District and to extend the

sewerlines of the District thereto, subject to the jurisdiction of the Public Service Commission of Nevada.

(y) To acquire, construct, reconstruct, improve, extend or better a works, system or facilities for lighting public streets, ways and places, together with the power to contract for providing such facilities and the electrical current necessary therefor, or such current, with any public utility serving in the District, at uniform rates and charges established for the utility operator.

(z) To acquire, by purchase or lease, sites for the disposal of garbage and refuse, and to own and operate equipment for the collection and disposal of, and collect and dispose of, garbage and refuse, or to contract, without calling for bids, for the collection and disposal of garbage and refuse from within the District.

(aa) To acquire, construct, reconstruct, improve, extend and better lands, works, systems and facilities for recreation in accordance with the requirements, limitations, and authority of NRS 318.143.

(bb) To acquire, construct, reconstruct, improve, extend or better a works, system or facilities for the supply, storage and distribution of water for private and public purposes, subject to the jurisdiction of the Public Service Commission of Nevada.

(cc) To operate, maintain and repair the improvements acquired by the District, including without limitation the maintenance and repair of dedicated streets and alleys and the removal of snow therefrom, and all facilities of the District relating to any basic power which the District is authorized to exercise, and in connection therewith to exercise from time to time any one, all or any combination of the incidental powers provided in Chapter 318, Title 25 of the Nevada Revised Statutes and any law supplemental thereto, except as may be otherwise provided in said Chapter and Title.

Section 4. The general description of the boundaries of the proposed District are the coterminous exterior boundaries of those areas described in the exhibit entitled Exhibit "A" hereto attached and by reference made a part hereof.

Section 5. The lands within the proposed District are more than seven miles from the boundaries of the City of Reno and City of Sparks, incorporated cities of the State of Nevada.

Section 6. Monday, the 20th day of November, 1972, at the hour of 8:00 o'clock, P.M., in the Chambers of the Board, Washoe County Courthouse, Room 208, Reno, Nevada, are hereby fixed as the time and place when and where it will have a hearing on the creation of the District, after which the Board will make its findings whether or not the ordinance creating said District is required by necessity and public convenience and whether or not the creation of said District is economically sound and feasible. All interested persons may be heard at said hearing.

Section 7. The Washoe County Clerk shall give notice by publication of the intention of this Board to establish the proposed District, which notice shall set forth the name, statement of

purpose, general description of its boundaries, and the time and place of hearing, in the Nevada State Journal, a newspaper of general circulation in the proposed District, and being the newspaper most likely to give notice to interested persons in this matter, once a week for three consecutive weeks, the first of which publication shall be at least fifteen days prior to the day of hearing.

Section 8. The Board of County Commissioners has expressed in the preamble to this Ordinance the existence of an emergency, and it does hereby find and declare that an emergency does exist, and consequently, final action shall be taken immediately and this Ordinance shall be in effect from and after its publication as hereinafter provided.

The facts constituting such urgency are as follows:

There is a shortage of improved lands along the shore of Lake Tahoe in Washoe County, Nevada, outside the boundaries of the Incline Village General Improvement District, to meet the demands of the growing influx of people therein. In the improvement of the lands of this proposed District it is necessary that the improvements herein proposed be provided for the protection of public health, safety and general welfare. Since the area is subject to heavy winter snows, it is necessary that these proceedings be had without delay so that the proposed improvements be made available before the onset of the upcoming winter season.

Section 9. The Washoe County Clerk shall cause this Ordinance to be published by title, together with a separate statement to the effect that typewritten copies of the Ordinance are available for inspection at the Office of the Washoe County Clerk by all interested persons, together with the names of the County Commissioners voting for its passage, in the Nevada State Journal, a newspaper of general circulation printed and published in the County of Washoe, and being the newspaper which is most likely to give notice to persons interested herein, at least once a week for a period of two weeks before this Ordinance shall become effective.

Proposed on the 25th day of September, 1972.
Proposed by Commissioner Coppa
Passed on the 25th day of September, 1972,
by emergency measure.

Vote:

Ayes:

Commissioners Pagni, Coppa, McKissick,
Nelson and Rusk.

Nayes:

Commissioners None

Absent:

Commissioners None

Roy Pagni
Chairman of the Board

ATTEST:
H.K. BROWN, CLERK
By Alex Brown, Chief Deputy
County Clerk

This Ordinance shall be in force and effect from and after the 9th day of October, 1972.

w/
Bell 310

Exhibit "A"

INCLINE BEACH GENERAL IMPROVEMENT
DISTRICT BOUNDARY DESCRIPTION

All that certain tract, piece or parcel of land situate, lying and being in Sections 22, 23 and 26, T.16N., R.18E., M. D. B. & M., and more particularly described as follows, to-wit:

PARCEL NO. 1

Beginning at the North one quarter corner of the said Section 26, the TRUE POINT OF BEGINNING, thence Westerly along the North line of said Section 26, to its intersection with Lake Tahoe; thence Southerly along Lake Tahoe to an intersection with the South line of the Rocky Point Tract, Filing No. 6262, recorded September 9, 1908, in the Office of the Washoe County Recorder, Reno, Nevada; thence along the South line of the said Rocky Point Tract to its Southeast corner, said point also being the Southeast corner of the NE 1/4 NW 1/4; thence Northerly along the East line of the Northwest quarter (NW 1/4) of the said Section 26 to the true point of beginning.

PARCEL NO. 2

Beginning at the Northwest corner of the said Section 23; thence S4°45'40"E 3,648.63 feet to the Southwest corner of the Incline Park Subdivision as filed and recorded July 23, 1947, in the Office of the Washoe County Recorder, said point being the TRUE POINT OF BEGINNING; thence Northeasterly along the West boundary of the said subdivision to its intersection with the South right-of-way line of Lakeshore Boulevard, also being the Incline Village General Improvement District Boundary Line; thence Northwesterly along the said South right-of-way line to the Northwest corner of the parcel of land described in Parcel 1 in the deed to Rene Gaubert and wife recorded in Book 431, File No. 268346, Washoe County Records; thence leaving said Southerly right-of-way line of Lakeshore Boulevard as it now exists, along the West boundary line of said Parcel 1 and Parcel 2 of said deed File No. 268346 S20°35'35"W 780.00 feet, more or less, to Lake Tahoe; thence Southeasterly along Lake Tahoe to the West line of the said Incline Park Subdivision extended; thence Northeasterly, along the said West line of Incline Park Subdivision extended, to the true point of beginning.

Exhibit "A"