

# NEVADA STATE JOURNAL

PROOF OF PUBLICATION

FILED

MAY 13 3 38 PM '74

H. K. BROWN, CLERK

STATE OF NEVADA }  
COUNTY OF WASHOE }

BY *D. Lewis* }  
DEPUTY

PATRICIA HEANEY

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 . . . of Ord. No. 225 . . .

. . . of which a copy is hereto attached, was first published in said newspaper in its issue dated the 3rd . . . day of . . . May . . . , 1974 . . . and . . . May 10 . . .

. . . the full period of . . . 2 . . . days, the last publication thereof being in the issue dated the 10th . . . day of . . . May . . . , 1974 . . .

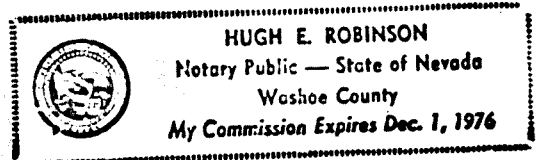
Signed *Patricia Heaney*

Subscribed and sworn to before me this

10th day of May . . . , 1974

*Hugh E. Robinson*

Notary Public.



**NOTICE OF COUNTY ORDINANCE**  
Notice is hereby given that Bill No. 275, Ordinance No. 225, entitled "An Ordinance creating the Gerlach General Improvement District for the purpose of 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 recreation 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," was adopted on April 25, 1974, by Commissioners Runk, Nelson, Rogni, Scott and Grow 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  
12-600 - Ord. 225  
May 3-18

FILED

MAY 13 3 38 PM '74

H.K. BROWN, CLERK

BY *D. Lewis*

**SUMMARY:** An Ordinance creating the Gerlach General Improvement District.

BILL NO. 375

ORDINANCE NO. 225

AN ORDINANCE CREATING THE GERLACH GENERAL IMPROVEMENT DISTRICT FOR THE PURPOSE OF 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 FACILITES, 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.

WHEREAS, on the 15th day of January, 1974, this Board adopted an Ordinance entitled "An Ordinance Initiating Proceedings For The Organization Of The Gerlach 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; And Providing For Publication And Notice Of Hearing and Hearing On The Creation Of The District," wherein said Board initiated proceedings for the creation of the Gerlach General Improvement District (hereinafter referred to as the "District") in accordance with Chapter 318 of the Nevada Revised Statutes and provided for the publication of notice of an organizational hearing on the creation of said District; and

WHEREAS, as appears from the affidavit of publication on file in the Office of the Washoe County Clerk, a copy of said Ordinance was published by title, together with a separate statement to the effect that typewritten copies of the Ordinance were 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 Reno Evening Gazette, 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 therein, at least once a week for a period of two weeks before said Ordinance became effective; and

74-692

WHEREAS, as appears from the affidavit of mailing on file in the Office of the Washoe County Clerk, a copy of which is attached hereto as Exhibit "B" said Clerk mailed said written notice to all property owners within the proposed District of the intention of the Board of Washoe County Commissioners to establish said District, including the name, statement of purposes, general description and time and place of the hearing on the creation of said District; and

WHEREAS, all interested persons who appeared at said hearing were given an opportunity to be heard and were fully heard, and written communications were fully considered; and

WHEREAS, at or before the time fixed in the aforesaid Initiating Ordinance for the hearing on the organization of the District and in the aforesaid Notice of said hearing, no written protests were filed with the Washoe County Clerk against the formation of said District by taxpaying electors within the area that will comprise said District as shown in Exhibit "A", and this Board has determined that said written protests constitute zero (0%) percent of the taxpaying electors within the proposed District; and

WHEREAS, the matter of the creation of the District came on regularly for hearing before this Board at the hour of 1:30 o'clock P.M., on the 15th day of February, 1974, in the auditorium of the Washoe County Administration Building, 1205 Mill Street, Reno, Nevada, being the time and place fixed for said hearing in the aforesaid Initiating Ordinance and Notice of Intention to create said District; and

WHEREAS, after said hearing and after considering all information presented in this matter the Board has determined that the creation of the proposed District is required by public convenience and necessity and is economically sound and feasible; and

WHEREAS, no changes are necessary to make these proceedings fair and equitable;

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

1. The Gerlach General Improvement District is hereby created and established.
2. The general description of the boundaries of the proposed District are the coterminous exterior boundaries of the composite and consolidated area consisting of several parcels of land described in Exhibit "A" hereto attached and by reference made a part hereof.
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

74-692



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.

74-692



(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 318.1192.

(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 materials, 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

74-692



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 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

74-692

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.

4. The following five taxpaying electors of the District are appointed to serve as the first Board of Trustees of said District, for the following terms, to wit: Ralph Louis Patrone and Cecelia Holloway, who shall serve until the first Monday in January next following the first biennial election in Washoe County following the formation of the District, which election shall be held at the same time of the first general election held in the County of Washoe after the creation of the District, and/or until there shall have been elected by the taxpaying electors of the District two members of said Board to replace said electors subsequent to said election; and Joe E. Ugaldi, Joe Guiseppi Selmi and Stuart C. Robinson, who shall serve until the first Monday in January next following the second biennial election in Washoe County following the formation of the District, which election shall be held at the same time of the second general election held in the County of Washoe after the creation of the District, and/or until there shall have been elected by the taxpayers electors of the District three members of the Board to replace said electors subsequent to said election. Each elector elected to serve as a member of the Board of Trustees of this District at the first and second biennial elections after the creation of this District and every general election thereafter shall serve a term of four years.

5. The members of the Board of Trustees of this District shall qualify by filing with the Washoe County Clerk oaths of office and corporate surety bonds, at the expense of the District, the bonds to be in the amount of \$1,000 each, in standard corporate surety official bond form which is hereby approved, conditioned upon the faithful performance of their duties as Trustees. After the organization of the Board of Trustees in accordance with the requirements of Chapter 318.085 of the Nevada Revised Statutes, the person selected as Treasurer of the District shall file with the Washoe County Clerk, at the expense of the District, a corporate surety bond in the amount of \$25,000, in standard corporate surety official bond form which is hereby

74-692

74-692

approved, conditioned upon the faithful performance of the duties of this office.

- 6. 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 Washoe County Commissioners voting for or against 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.
- 7. Forthwith upon the effective date of this Ordinance and within thirty (30) days thereafter, the Washoe County Clerk shall file a copy of this Ordinance in his office and shall cause to be filed an additional copy of it in the Office of the Secretary of State of Nevada.

Proposed on the 5th day of March, 1974.  
 Proposed by Commissioners Rusk, Nelson, Pagni, and Scott.  
 Passed on the 25th day of April, 1974.

Vote:

Ayes:


Commissioners Robert F. Rusk  
David H. Nelson  
Ray Pagni  
Alfred Scott  
Gerry Grant

Nays:

Commissioners None  
 Commissioners None

Absent:

Robert F. Rusk  
 Chairman of the Board

ATTEST:  CLERK.  
 By Chip Deputy  
 County Clerk

This Ordinance shall be in force and effect from and after the 10th day of May, 1974.



DESCRIPTION

A parcel of land lying within Sections 14, 15 and 22 T. 32N. R. 23E. M.D.B. & M., said parcel being also shown on a Record of Survey Map for Western Pacific Railroad Company, dated May 31st, 1972 on file in the official records of Washoe County, Nevada (File No. 246115), more particularly described as follows:

Beginning at the Section corner common to Sections 15, 16, 21 and 22 T. 32N. R. 23E. M.D.B. & M., and running thence along the legal subdivision line N. 89° 55' 48" E. for a distance of 1320.83 feet;

Thence N. 00° 05' 06" W. along the legal subdivision line for a distance of 1319.88 feet;

Thence N. 89° 55' 55" E. along the legal subdivision line for a distance of 1320.76 feet;

Thence N. 00° 05' 10" W. along the legal subdivision line for a distance of 1319.84 feet;

Thence N. 89° 56' 03" E. along the legal subdivision line for a distance of 2641.48 feet;

Thence N. 00° 05' 17" W. along the legal subdivision line for a distance of 1319.93 feet;

Thence N. 89° 58' 03" E. along the legal subdivision line for a distance of 1320.93;

Thence S. 00° 05' 17" E. along the legal subdivision line for a distance of 1234.80 feet;

Thence S. 55° 41' 00" W. for a distance of 241.22 feet;

Thence N. 33° 33' 53" W. for a distance of 36.25 feet;

Thence around a curve to the left whose central angle and radius are respectively 110° 25' and 475 feet for a distance of 915.39 feet;

Thence S. 53° 58' 53" E. for a distance of 20.00 feet;

Thence S. 36° 01' 07" W. for a distance of 1004.89 feet;

Thence S. 53° 58' 53" E. for a distance of 60.00 feet;

Thence S. 36° 01' 07" W. for a distance of 116.99 feet;

Thence S. 36° 01' 07" W. for a distance of 116.99 feet;

Exhibit "A" - Gerlach General Improvement District

Thence S.  $57^{\circ} 00' 30''$  W. for a distance of 558.55 feet;  
Thence N.  $32^{\circ} 59' 30''$  W. for a distance of 12.00 feet;  
Thence S.  $57^{\circ} 00' 30''$  W. for a distance of 30.00 feet;  
Thence S.  $32^{\circ} 59' 30''$  E. for a distance of 12.00 feet;  
Thence S.  $57^{\circ} 00' 30''$  W. for a distance of 4936.21 feet;  
Thence S.  $89^{\circ} 55' 48''$  W. for a distance of 369.15 feet;  
Thence N.  $00^{\circ} 04' 47''$  W. for a distance of 1320.57 feet;

to the point of beginning.

Containing 219.2 acres more or less.



