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DESCRIPTION OF LEGAL ADVERTISING

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3349008

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MONTH

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December

X

X

### PROOF OF PUBLICATION

STATE OF NEVADA,  
COUNTY OF WASHOE

SS.

Doris Mertz

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of Bill #885

of which a copy is hereto

attached, was first published in said newspaper in its issue dated the 15th day of Dec, 1986 and, Dec 22

the full period of 2 days, the last publication thereof being in the issue of December 22 1986.

Signed *Doris Mertz*

Subscribed and sworn to before me this

22nd day of December, 1986

*Alice L. Buffalo*  
Notary Public



ALICE L. BUFFALO

Notary Public - State of Nevada

Appointment Recorded In Washoe County

MY APPOINTMENT EXPIRES JUNE 6, 1989

BILL NO. 885  
ORDINANCE NO. 710  
(of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM); ORDERING A WATER PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND CONSTRUCTION OF WATER IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM), AND PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Commissioner McDowell on November 18, 1986, and following a public hearing passed and adopted without amendment at a regular meeting held not more than 35 days after the close of the hearing, i.e., at the regular meeting on December 9, 1986, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Jim King  
Dick Ritter  
Belie Williams

Those Voting Nay:

None

Those Absent

James Lillard, Gene McDowell  
This ordinance shall be in full force and effect from and after DECEMBER 22, 1986, i.e., the date of the second publication of such ordinance by its only.

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

DATED: December 9, 1986.

/s/ Jim King  
Chairman

Board of County Commissioners  
Washoe County, Nevada

(SEAL)  
Attest:  
/s/ Judi Bailey  
County Clerk  
3349008-Bill #885  
Dec 15, 22-sk133

Summary - An ordinance creating Washoe County, Nevada, Special Assessment District No. 14 (Geiger Grade Water System), ratifying action taken by County officers toward the creation of such District and providing other matters related thereto.

BILL NO. 885  
 ORDINANCE NO. 710  
 (of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM); ORDERING A WATER PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND CONSTRUCTION OF WATER IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM); AND PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Board of County Commissioners of the County of Washoe in the State of Nevada (the "Board," "County" and "State", respectively), deems it necessary to create Washoe County, Nevada, Special Assessment District No. 14 (Geiger Grade Water System) (the "District"), for the purpose of acquiring and constructing a Water Project (the "Project"), and to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefited lots and premises in said District; and

WHEREAS, by a resolution passed and approved October 21, 1986 (the "provisional order resolution"), the Board

declared its determination to create the District for the purpose of acquiring and constructing the Project, stating therein the improvements, what portion of the entire expense thereof shall be paid by special assessment, and that the assessment is to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

WHEREAS, pursuant to the provisional order resolution, the Board gave notice (in the manner specified by NRS 271.305) of the filing of the preliminary plans, assessment plat, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits, and of the time and place of hearing thereon; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written protest or objection or to appear before said Board on Tuesday, November 18, 1986, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof, and manner of payment therefor, and as to the amount thereof to be assessed against said property; and

WHEREAS, all written and oral objections and protests received were duly considered, and the Board has determined that it is in the best interests of said District, the County, and the inhabitants thereof to create the District as theretofore proposed; and

WHEREAS, the owners of lots, tracts or parcels of land in said District representing less than half of the unit lots to be assessed of all lots, tracts or parcels of land in said District filed written or oral objections thereto; and

WHEREAS, every written protest and other objection was found to be without sufficient merit and was overruled by said Board by a resolution passed and approved on November 18, 1986; and

WHEREAS, any person filing a written complaint, protest or objection shall have the right, within 30 days after the Board has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

WHEREAS, the Board and officers of said County have done all things necessary and preliminary to the creation of the District, including but not necessarily limited to the filing with the County Clerk on November 18, 1986 of an estimate of cost, full and detailed and revised (to the extent necessary) and final plans and specifications, revised (to the extent necessary) assessment plat, and revised (to the extent necessary) and final map by the Chief Sanitary Engineer (herein "Engineer") and the said Board desires now to authorize such Project by this ordinance.

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

Section 1. This ordinance shall be known as, and may be cited by, the short title "Special Assessment District No. 14 (Geiger Grade Water System) Creation Ordinance" (herein the "ordinance").

Section 2. The Board has heretofore determined and does hereby determine that each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same heretofore has been by a resolution adopted and approved on November 18, 1986, overruled, and finally passed on by said Board.

Section 3. There shall be, and hereby is, created in the County an improvement district designated the "Washoe County, Nevada, Special Assessment District No. 14 (Geiger Grade

Water System)" (the "District") for the purpose of acquiring the Project as more particularly described below.

Section 4. The Project, which is hereby ordered to be constructed and acquired, shall be as shown on the final plans and specifications for the District filed with the County Clerk on November 18, 1986. The kind and location of the Project (without mentioning minor details) is as follows:

The Water Project is for the acquisition, construction and improvement of water mains and services in and along the below described streets and easements, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor.

The improvements will consist of approximately 4,000 feet of six inch diameter pipe with associated valves, fittings, fire hydrants, and services with the location of the being described as follows:

Starting with the eastern side of Pinion Drive at the intersection with Moon Lane where the pipe will be connected to an existing pipe, the 6-inch diameter pipeline heads eastward along the northern property line of parcel 017-055-19. Where the pipeline hits the western edge of parcel 017-055-09, the pipe heads south along that property line until, at approximately ten (10) feet north of the northern property line of parcel 017-055-17, it heads east. The pipe parallels the northern property lines of parcels 017-055-17 and 017-055-16 until it hits S.R. 341 (Geiger Grade Highway).

A second segment of 6" pipeline heads south coming off of the pipeline described above, approximately 300-feet west of the western edge of S.R. 341, going through parcel 017-055-16. The pipe continues south through parcels 017-055-17 and

017-055-18 and along the western lot line of parcel 17-055-15 until, approximately nine (9) feet north of the northern boundary of parcel 017-073-34, it heads westward until five (5) feet west of the western boundary of parcel 017-073-34 where it turns southward. It heads south for approximately 200 feet then turns westward and continues through parcel 017-073-29. After going through parcel 017-073-29, it continues westward approximately ten (10) feet north of the northern boundary of parcel 017-073-16 until, approximately ten (10) feet west of the western boundary of parcel 017-073-16, it turns south. It parallels the western boundary of parcels 017-073-16, 017-073-15 and 017-073-14 until approximately ten (10) feet north of the southern boundary of parcel 017-073-13, it turns westward. It parallels the southern boundary of parcels 017-073-13 and 017-073-01, then continues westward across Pinion Drive where the pipe will connect to an existing pipe on the western edge of Pinion Dive.

The Project will also include the acquisition from South Truckee Meadows General Improvement District of an 8" water main from the northeast corner of Parcel 017-055-16 across S.R. 341 (Geiger Grade Highway) to connect with an existing 14" water main and an 8" water main from the northeast corner of Parcel 017-05-16 along the westerly right of way line of S.R. 341 (Geiger Grade Highway) to the Northeast corner of Parcel 017-055-15.

Except as shown on said preliminary plans for the District the character of such improvements shall be described more particularly as the acquisition and installation of water distribution mains in the locations and with the diameters specified above, such mains to consist of polyvinyl

chloride pipe (except the 8" line will be ductile iron pipe) and the acquisition and the installation of one-inch water services stubs adjacent to the mains and meters, for each lot in the District, such service stubs to be polybutylene pipe, and all of such water improvements to include all necessary excavations, filling, grading, fire hydrants, valves, and appurtenances incidental thereto. Properties identified by parcel numbers above and in the below description of the boundaries of the District refer to the properties listed with those parcel numbers in the records and maps of the Washoe County Assessor and filed for record in the office of the County Recorder of Washoe County. Such parcels are also shown on the maps and preliminary plans for the District filed with the Board of County Commissioners and available for inspection at the office of the County Clerk and the office of the County's Chief Sanitary Engineer.

Section 5. The total cost of the Project is estimated to be \$148,217. All of such costs will be paid by the levy of special assessments against property in the District as further described below.

Section 6. The amount to be assessed for the Project will be levied upon all tracts in the District, i.e., upon each piece, lot, tract or parcel in the District, in proportion to the special benefits derived on a per lot basis (i.e., costs shall be apportioned to each such parcel in the District in proportion to the number of lots in the District); provided that an equitable adjustment will be made for assessments levied against any tract or parcel of land not specially benefitted so that the assessments according to the benefits are equal and uniform. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon, each piece or parcel of property in the

District is stated in the assessment plat and Preliminary Assessment Roll.

Section 7. The extent of the District, i.e., a description of the land comprising the District including the parcels to be assessed is as follows:

The District is located south of Reno, Nevada and bounded on the north and east by the Virginia City Highway (S.R. 341), on the west by Pinion Drive and on the south by the southern boundaries of parcels with Assessor parcel numbers 017-073-03, 017-073-14, 017-073-28, and 017-073-33. The parcels that comprise the assessment district are 017-055-05, 017-055-06, 017-055-08, 017-055-09, 017-055-15, 017-055-16, 017-055-17, 017-055-18, 017-055-19, 017-055-22, 017-073-12, 017-073-13, 017-073-14, 017-073-15, 017-073-16, 017-073-22, 017-073-24, 017-073-27, 017-073-28, 017-073-29, 017-073-32, 017-073-33, 017-073-34, 017-073-35, and 017-073-38. In addition, the District includes the location of physical improvements in following described places:

1. Along the south side of APN 017-073-01 and crossing Pinion Drive to connect to an existing water main within the right-of-way of Pinion Drive.

2. Along the south boundary of APN 017-055-10 and the north boundary of APN 017-055-19, crossing Pinion Drive to connect to an existing water main within the right-of-way of Pinion Drive.



3. A crossing of the Virginia City Highway (S.R. 341) near the southeast corner of parcel 017-055-09.

Section 8. The District shall constitute one construction unit with one construction contract.

Section 9. The Engineer is hereby authorized on behalf of the County to advertise for the doing of the work and making the improvements on behalf of the County once a week for three consecutive weeks by three weekly insertions in the Reno Gazette-Journal a daily newspaper published in the City of Reno, in the County, and of general circulation in the County. The first insertion in such newspaper shall be at least 15 days prior to the time set for acceptance of bids, and at least 14 days shall intervene between the time of the first and last publications, in such newspaper. The notice shall be in substantially the form provided by the plans and specifications. The Board will authorize the construction contract for the District.

Section 10. After the award of the contract to the lowest bidder, the Board shall determine the total cost of such work, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the Board shall provide that the assessments may be payable without interest or demand during a specific cash payment period, or at the election of the owner, or in four substantially equal annual installments of principal. The Board shall provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments. The Board shall also provide the rate of interest on unpaid installments of assessments which will not exceed the maximum rate of interest prescribed by statute; and if assessment bonds are issued, such rate will not exceed by more than 1% the rate of interest on the assessment bonds for the District. If bonds are not issued for the District, the Board shall by resolution establish the rate of interest on unpaid and deferred installments of assessments.

Section 11. All action, proceedings, matters and things heretofore taken, had and done by the County, and the officers thereof (not inconsistent with the provisions of this ordinance), concerning the District, including, but not limited to, the performing of all prerequisites to the creation of said District, the acquisition of the water improvements, the advertising and award of a construction contract therefor, and the levy of assessments against the specific benefited property therein for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 12. 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, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, construction contracts and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds therefor.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. In accordance with NRS 244.100, this ordinance when first proposed is to be read by title to the Board, immediately after which several copies of the proposed ordinance are to be filed with the office of the County Clerk for public examination; thereafter, the County Clerk is authorized and directed to give notice of the filing together with the title of the ordinance and an adequate summary of the ordinance, and the date upon which a public hearing will be held on such ordinance by publication at least once in the Reno Gazette-Journal, i.e., a newspaper published and having general circulation in the County, at least ten (10) working days before the date set for such hearing, i.e., at least ten (10) working

days before the 9th day of December, 1986, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Bill for an  
Ordinance)

Bill No. \_\_\_\_\_

Notice of Public Hearing Before  
The Washoe County Board of County Commissioners

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Washoe County, Nevada, will hold a public hearing at the Auditorium, Washoe County Administration Building, 1205 Mill Street, Reno, Nevada, at 10:00 a.m., on Tuesday, the 9th day of December 1986, for the purpose of hearing objections to the adoption of a proposed ordinance. At such hearing, interested persons may present their views. The ordinance is entitled:

BILL NO. \_\_\_\_\_  
ORDINANCE NO. \_\_\_\_\_  
(of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM); ORDERING A WATER PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND CONSTRUCTION OF WATER IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM), AND PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

An adequate summary of the ordinance is as follows:

The preambles of the Ordinance recite that the Board of County Commissioners deems it necessary to create Washoe County, Nevada, Special Assessment District No. 14 (Geiger Grade Water System) for the purpose of acquiring water improvements; recite that the Board declared its determination to create the District by a resolution, adopted on October 21, 1986, recite that the Board fixed a time and place, i.e., Tuesday, November 18, 1986, for a hearing on the creation of the District and provided for the giving of mailed, posted and published notice of such hearing; recite that the requisite Notice was given and that such Notice was reasonably calculated to inform the parties of the proceedings concerning the District; recite that the hearing was held, that all written and oral objections were duly considered and were found without sufficient merit and were overruled by resolution adopted on November 18, 1986; recite that the owners of tracts representing less than one-half of the area to be assessed filed such written or oral objections; recite that any person filing a written protest has the right within thirty (30) days to commence an action in any Court of competent jurisdiction to set aside the Board's determination; and recite that the Board and the Officers of the County have done all things necessary and preliminary to the creation of the District.

The ordaining clause is then set forth.

Sections 1 and 2 provide that the ordinance shall be designated "Special Assessment District No. 14 (Geiger Grade Water System) Creation Ordinance," and recite that the complaints, protests and objections made at the November 18, 1986 hearing have been overruled.

Sections 3 and 4 create Washoe County, Nevada, Special Assessment District No. 14 (Geiger Grade Water System), and describe the kind and location of the Improvements.

Sections 5, 6, and 7 provide that an estimate of the total cost to be assessed is \$148,217; provide that all of such

total cost shall be paid for by the levy of special assessments; provide that the assessments will be levied on an area basis; and described the extent of the District, including the area to be assessed.

Section 8 provides that the District shall constitute one construction unit, with one construction contract.

Sections 9 and 10 provide that the Chief Sanitary Engineer is authorized to advertise for the construction contract; that upon the receipt of an acceptable bid, the Board will authorize the construction contract by Resolution; that after the award of the construction contract; shall levy the assessments, which may be payable without interest or demand during a cash payment period to then be specified, or in four (4) substantially equal annual installments of principal with interest at a rate which will not exceed the maximum rate of interest prescribed by statute and if special assessment bonds are issued, will not exceed by more than one percent (1%) the rate or rates of interest on the special assessment bonds.

Sections 11, 12 and 13 ratify, approve and confirm all consistent prior action taken in connection with Special Assessment District No. 14 (Geiger Grade Water System) and the levying of special assessments against the property in the District; authorize the County officials to take any action necessary to effectuate the ordinance; and provide a repealer clause for conflicting provisions.

Section 14, 15 and 16 provide for notice by publication of the December 9, 1986 hearing on the ordinance, and for this summary of the provisions of the ordinance; provide that the ordinance shall be in effect from and after its publication for two weeks following its final adoption on December 9, 1986; provide the form for such publication which includes the names of the Commissioners voting for and against the adoption of the ordinance; and provide a severability clause.

Copies of Bill No. \_\_\_\_\_ are on file in the office of the Washoe County Clerk at the Washoe County Courthouse, Virginia and Court Streets, Reno, Nevada, for public examination. The Board shall adopt or reject the ordinance (or the ordinance as amended) within 35 days after the date of the final public hearing.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has ordered this notice to be published.

DATED: November 18, 1986

/s/ Judi Bailey  
County Clerk

(SEAL)

(End of Form for Publication)

Section 15. 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, such publication to be made in the Reno Gazette-Journal, a newspaper published and having general circulation in the County, at least once a week for a period of two (2) weeks by two (2) insertions, pursuant to NRS 244.100 and all laws thereunto enabling, such publication to be in substantially the following form:



(Form for Publication after final adoption of Ordinance)

BILL NO. \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 (of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM); ORDERING A WATER PROJECT WITHIN WASHOE COUNTY, NEVADA; PROVIDING FOR THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS THEREFOR; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THE ACQUISITION AND CONSTRUCTION OF WATER IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT NO. 14 (GEIGER GRADE WATER SYSTEM), AND PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Commissioner \_\_\_\_\_ on November 18, 1986, and following a public hearing passed and adopted without amendment at a regular meeting held not more than 35 days after the close of the hearing, i.e., at the regular meeting on December 9, 1986, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Jim King  
 James Lillard  
 Gene McDowell  
 Dick Ritter

Belie Williams

Those Voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

This ordinance shall be in full force and effect from and after \_\_\_\_\_, 1986, 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: December 9, 1986.

/s/ Jim King  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

/s/ Judi Bailey  
County Clerk

Section 16. If any section, paragraph, clause or other 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 other provision shall not affect any of the remaining provisions of this ordinance.

Proposed on the 18th day of November, 1986.

Proposed by Commissioner McDowell.

Passed the 9th day of December, 1986.

Those Voting Aye: Jim King

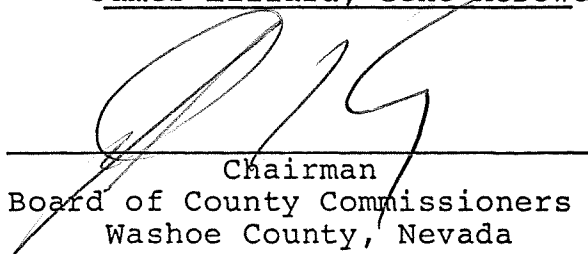
Dick Ritter  
Belie Williams

Those Voting Nay:

None

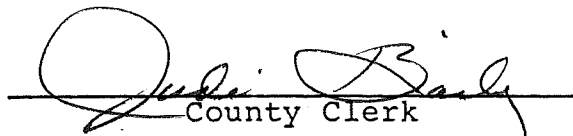
Those Absent:

James Lillard, Gene McDowell

  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

(SEAL)

Attest:

  
County Clerk

This ordinance shall be in force and effect from and after the 22nd day of December, 1986, i.e., the date of the second publication of such ordinance by its title only.