

RENO GAZETTE-JOURNAL

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DESCRIPTION OF LEGAL ADVERTISING

Ord. 745

349008

TERMS: Please pay from this invoice. It is due upon presentation and is past due after 15 days.

Legal Ad. Cost 21.00

Extra Proofs

Notary Fee 2.00

Total Amt due 23.00

- Washoe County Clerk
P O Box 11130
Reno, NV 89520

MONTH

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

June

Calendar grid for June 1988 with 'X' marks on days 20 and 27.

PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

ss.

Marina Blasco

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 County Ordinance

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 20th day of June, 1988 and, June 27, the full period of 2 days, the last publication thereof being in the issue of June 27, 1988.

Signed

Handwritten signature of Marina Blasco

Subscribed and sworn to before me this

27th day of June, 1988

Handwritten signature of Notary Public

Notary Public

NOTICE OF COUNTY ORDINANCE PUBLIC NOTICE IS HEREBY GIVEN that Bill No. 920, Ordinance No. 745, entitled, 'An ordinance creating Washoe County, Nevada, Special Assessment District No. 18 (Thomas Creek Water Improvements); 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. 18 (Thomas Creek Water Improvements); and prescribing details in connection therewith and other matters relating thereto.' was adopted on June 14, 1988, by Commissioners Beck, Cornwall, Lillard, McDowell & Williams. Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk. Judi Bailey, County Clerk 349008 - Ord 745 June 20, 27 - dd133

Vertical handwritten text: 00-1-5-5

Notary Public seal for Alice L. Buffalo, State of Nevada, with appointment details and expiration date.

Summary - An ordinance creating Washoe County, Nevada, Special Assessment District No. 18 (Thomas Creek Water Improvements), ratifying action taken by County officers toward the creation of such District and providing other matters related thereto.

BILL NO. 920  
ORDINANCE NO. \_\_\_\_\_  
(of Washoe County, Nevada)

AN ORDINANCE CREATING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 18 (THOMAS CREEK WATER IMPROVEMENTS); 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. 18 (THOMAS CREEK WATER IMPROVEMENTS); AND PRESCRIBING DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO.

88.511

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. 18 (Thomas Creek Water Improvements) (the "District"), for the purpose of acquiring and constructing a water project (the "Project" or "Water Project"), and to defray 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 April 26, 1988 (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, that 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, May 24, 1988, 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 area 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 May 24, 1988; 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 May 24, 1988 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. 18 (Thomas Creek Water Improvements) 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 May 24, 1988, 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. 18 (Thomas Creek Water Improvements)" (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 May

24, 1988. The kind and location of the Project (without mentioning minor details) is as follows:

The Water Project is for the acquisition and construction of the following improvements and all appurtenances and incidental necessary, useful or desirable, including real and other property therefor:

A. The construction of a 750,000 gallon welded steel water storage tank, 24 feet in height and 75 feet in diameter, including site work, site plumbing and related appurtenances, located upon the following site:

All that certain piece or parcel of land situate in the East half of the Northeast quarter of Section 26, T. 18 N., R. 19 E., M.D.B. & M., Washoe County, Nevada, described as follows: Commencing at the Northeast corner of said Section 26; thence along the East line of said Section 26, S.0°06'E. a distance of 710.00 feet; thence leaving said East section line S.60°18'26"W. a distance of 1082.70 feet to the TRUE POINT OF BEGINNING; thence S.78°35'E. a distance of 142.00 feet; thence S.11°25'W. a distance of 330.00 feet; thence N.78°35'W. a distance of 330.00 feet; thence N.11°25'E. a distance of 330.00 feet; thence S.78°35'E a distance of 188.00 feet to the TRUE POINT OF BEGINNING. Said parcel contains an area of 2.50 acres more or less.

Basis of Bearings: U.S. B.L.M.  
Dependent Resurvey of Township 18

2001

North, Range 19 East, M.D.B. & M.,  
March 24, 1953

Acquisition of the previously described 2.5 acre site, for the sum of \$20,000.

B. The construction of two municipal water wells, consisting of drilling, casing and testing of two production wells, acquisition and installation of pumping equipment, construction of equipment, housing and chlorination facilities, site work, site plumbing, the acquisition and installation of electrical control equipment and telemetry equipment.

The first well and pumping facility will be located on the previously described 2.5 acre water storage tank site. The second well and pumping facility will be located on the following site:

All that certain piece or parcel of land situate in the Northwest quarter of the Northeast quarter of Section 25, T. 18 N., R. 19 E., M.D.B. & M., Washoe County, Nevada, described as follows:

Beginning at the North quarter corner of said Section 25; thence along the North line of said section, N.89°29"E. a distance of 150.00 feet; thence leaving said section line S.00°03'58"E. a distance of 150.00 feet; thence S.89°29'W. a distance of 150.00 feet to a point on the West line of the Northeast quarter of said Section 25; thence along said West line N.00°03'58"W. a distance of 150.00 feet to the TRUE POINT OF

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BEGINNING. Said parcel contains an area of 0.517 acres more or less.

Basis of Bearings: U.S. B.L.M. Dependent Resurvey of Township 18 North, Range 19 East, M.D.B. & M., March 24, 1953.

C. Extension of 3 phase 480 volt electrical power from the existing source located at the center of Section 24, T. 18 N., R. 19 E., M.D.B. & M.; thence 2640 feet along the East line of the Southwest quarter of said section; thence 1740 feet along the South line of said Southwest quarter; thence S.54°24'11"W., a distance of 982 feet; thence S.33°24'W., a distance of 162 feet, thence S.60°18'26"W., a distance of 1083 feet to a point on the east boundary of the 2.5 acre water storage tank previously described. The total distance being 6607 feet.

D. Construction of 3450 lineal feet of 12" class 50 ductile iron water transmission pipeline including all trenching, excavating, backfilling, valves and appurtenances, beginning at and connecting to the terminus of the existing 8" ACP water line located 10 feet East of the intersection of the North line of the Southeast quarter of the Southeast quarter of Section 24, T. 18 N., R. 19 E., M.D.B. & M. and the center line of Thomas Creek Road; thence southerly and 10 feet East of said centerline 1341 feet to a point located 10 feet North of the South line of said Section 24; thence S.89°29'W. and parallel to said South line 2109 feet, for a total length of 3450 lineal feet.

E. Construction of 3966 lineal feet of 16" class 50 ductile iron water transmission

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pipeline including all trenching, excavating, backfilling, valves and appurtenances, beginning at a point located 10 feet North of the South 1/4 corner of Section 24, T. 18 N., R. 19 E., M.D.B. & M.; thence S.89°17'W. and parallel to the South line of said Section 24; a distance of 1739 feet; thence S.54°24'11"W., a distance of 982 feet; thence S.33°35'24"W., a distance of 162 feet; thence S.60°18'26"W., a distance of 1083 feet to a point on the North line of the previously described 2.5 acre water storage tank site. The total distance being 3966 lineal feet.

F. The construction of two pressure regulating stations including acquisition and installation of all vaults, piping, valves and appurtenances, excavation, backfilling and required paving. The first pressure regulating station will be located 30 feet East of a point on the centerline of Thomas Creek Road 400 feet North of the intersection of Thomas Creek Road and Companion Court. The second pressure regulating station will be located at a point located N.31°30'E., 31 feet from the South 1/4 corner of Section 24, T. 18 N., R. 19 E. M.D.B. & M.

Section 5. The total cost of the Project is estimated to be \$1,189,335. 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 an area basis (i.e., costs shall be apportioned to the area of that parcel in the District in proportion



to the total area 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 boundaries of the district shall be as follows:

Washoe County Assessor's Parcel  
No. 045-010-61, Section 25, T. 18 N., R. 19 E.,  
M.D.B. & M., Washoe County, Nevada.

Washoe County Assessor's Parcel No. 045-  
090-39, Section 19, T. 18 N., R. 20 E., M.D.B. &  
M., Washoe County, Nevada.

Washoe County Assessor's Parcel No. 045-  
090-41, Section 19, T. 18 N., R. 20 E., M.D.B. &  
M., Washoe County, Nevada.

Thomas Creek Road right-of-way from the  
intersection of Thomas Creek Road and Welcome  
Way to the South line of Section 24, T. 18 N.,  
R. 19 E., M.D.B. & M., Washoe County, Nevada.

The South 25 feet of Section 24, T. 18 N., R. 19  
E., M.D.B. & M., Washoe County, Nevada.

A portion of the Northeast quarter of the  
Northeast quarter of Section 26, T. 18 N., R. 19  
E., M.D.B. & M., Washoe County, Nevada,  
described as follows:

A utility and access easement 30.00 feet in  
width, 15.00 feet lying on each side of the  
following described centerline:

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Commencing at the Northeast corner of said Section 26;

Thence along the East line of said Section 26, S.0°06'E., a distance of 710.00 feet, to the TRUE POINT OF BEGINNING;

Thence leaving said East section line S.60°18'26"W., a distance of 1082.70 feet, to a point on the North property line of the tank site parcel, said point being the terminus of this description.

Said easement contains 0.746 acres more or less.

All that certain piece or parcel of land situate in the East half of the Northeast quarter of Section 26, T. 18 N., R. 19 E., M.D.B. & M., Washoe County, Nevada, described as follows:

Commencing at the Northeast corner of said Section 26;

Thence along the East line of said Section 26, S.0°06'E., a distance of 710.00 feet;

Thence leaving said East section line, S.60°18'26"W., a distance of 1082.70 feet to the TRUE POINT OF BEGINNING;

Thence S.78°35'E., a distance of 142.00 feet;

Thence S.11°25'W., a distance of 330.00 feet;

Thence N.78°35'W., a distance of 330.00 feet;

Thence N.11°25'E., a distance of 330.00 feet;

Thence S.78°35'E., a distance of 188.00 feet to the TRUE POINT OF BEGINNING;

Said parcel contains an area of 2.50 acres more or less.

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

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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 ten (10) 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 lesser of 14% per annum or the then effective statutory maximum interest rate. The currently effective statute provides that the interest rate on unpaid installments may not exceed by more than 1% the rate of interest on the assessment bonds for the District, if Bonds are issued. The effective interest rate on the assessment bonds of the District will not exceed the then effective statutory limit, if any, for interest on assessment bonds. Such limit currently states that the interest rate may not exceed by more than 3% the Index of Twenty Bonds which shall have been most recently published in Credit Markets before bids for the bonds are received, or before a negotiated offer for the sale of such bonds is accepted. If bonds are not issued the Board shall establish, by resolution,

the rate of interest on unpaid installments of assessments not exceeding 14% per annum.

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 14th day of June, 1988, such publication to be in substantially in the following form:

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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:

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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 24th day of May, 1988.

Proposed by Commissioner Cornwall.

Passed the 14th day of June, 1988.

Those Voting Aye:

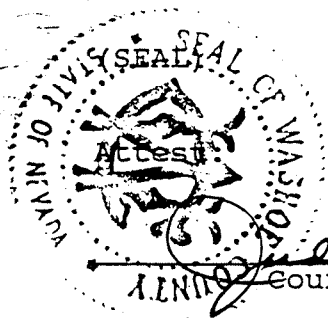
Gene McDowell  
Larry Beck  
Dianne Cornwall  
James Lillard  
Belie Williams

Those Voting Nay:

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_  
*Gene McDowell*  
Chairman  
Board of County Commissioners  
Washoe County, Nevada

119.88



*John Bailey*  
County Clerk

This Ordinance shall be in force and effect from and after the 27th day of June, 1988, i.e., the date of the second publication of such Ordinance by its title only.

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