

**NOTICE OF HEARING ON
PROPOSED PROJECT AND
ASSESSMENTS WITHIN THE PROPOSED
CITY OF NORTH LAS VEGAS, NEVADA
SPECIAL IMPROVEMENT DISTRICT NO. 65
(NORTHERN BELTWAY COMMERCIAL AREA)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of North Las Vegas, Nevada, Improvement District No. 65 (Northern Beltway Commercial Area) (the “District”) and to all interested persons that:

The City Council of the City of North Las Vegas, Nevada (the “City Council”) has provisionally ordered the acquisition of a Street Project, as defined in NRS 271.225, a Water Project, as defined in NRS 271.250, and a Sanitary Sewer Project, as defined in NRS 271.200 (collectively, the “Project”) more particularly described as:

Tropical Parkway Road Improvements.

This project involves the design, environmental evaluation/mitigation, and construction of an eastern leg to the CC-215/I-15 interchange, and connection to Tropical Parkway. The connection will include the completion of Tropical Parkway to Shatz Street and improvements on Linn Lane south, continuing to the intersection of El Campo Grande Avenue.

Along Tropical Parkway, this project will include approximately 7,925 linear feet of 4-lane roadway improvements within an 80’ wide corridor (66’ wide asphalt roadway), with curb and gutter, median islands, an asphalt pathway on the north side, drainage improvements, traffic signal undergrounds, pavement markings and signage.

Along Linn Lane, the project will consist of approximately 1,320 linear feet of half-street improvements on the west side, including two (2) travel lanes with 13’ of over paved surfaces within a 60’ wide corridor (36’ wide asphalt roadway), curb and gutter, an asphalt pathway, drainage improvements, pavement markings and signage.

Included in this roadway project are local water and sewer lines designed to provide utility services to most properties along the Tropical Parkway alignment. Those improvements consist of 6,910 linear feet of 12-inch potable water line and 8,045 linear feet of 12-inch sanitary sewer pipe (including appurtenances) constructed within the Tropical Parkway and adjacent public street corridors.

Sanitary Sewer System Improvements - Northeast Sewer Interceptor.

This project includes construction of large diameter sewer pipelines and related improvements within the following roadway alignments which are

necessary to provide access to the City sewer system for all properties within the District boundary. These costs include construction related soft costs.

Betty Lane Alignment (2 segments of 42-inch pipe): Begins at the intersection of Betty Lane and Alto Avenue with a 42-inch diameter sewer interceptor beginning at said intersection and continuing north in the Betty Lane alignment to the intersection of Cheyenne Avenue, a distance of approximately 2,666 linear feet (0.5049 miles). The pipeline varies in depth from 21 feet to 36 feet, and includes six (6) manholes beginning at the intersection of Betty Lane and Cheyenne Avenue, and continuing west within the Betty Lane alignment 1,381 linear feet (0.2616 miles) including five (5) manholes, to the intersection of Nellis Boulevard and Cheyenne Avenue.

Nellis Boulevard Alignment: Project begins at the intersection of Cheyenne Avenue and Nellis Boulevard and includes a 36-inch diameter sewer interceptor, beginning at said intersection and continuing north in the Nellis Boulevard alignment to the intersection of Las Vegas Boulevard, a distance of approximately 6,400 linear feet (1.2121 miles). Average depth of this pipeline is 22 feet, and includes 15 manholes.

Las Vegas Boulevard Alignment: Project begins at the intersection of Nellis Boulevard and Las Vegas Boulevard and includes a 36-inch diameter sewer interceptor, beginning at said intersection. The alignment continues northeasterly in the Las Vegas Boulevard alignment a distance of approximately 6,967 linear feet (1.3195 miles) to the intersection of Sloan Lane. Average depth of this pipeline is 27 feet, and this alignment includes 15 manholes.

Sloan Lane Alignment to terminus: Project begins at the intersection of Las Vegas Boulevard and Sloan Lane, and proceeds north in the Sloan alignment. It is constructed with the following segments;

A) 257 linear feet (0.0487 miles) of 30-inch diameter sewer interceptor at an average depth of 24 feet, and includes one (1) manhole,

B) 3,500 linear feet (0.6629 miles) distance of 24-inch diameter sewer interceptor at an average depth of 25 feet, and includes seven (7) manholes,

C) 1750 linear feet (0.3314 miles) of 20-inch diameter sewer interceptor at an average depth of 24 feet, and includes five (5) manholes,

D) 2793 linear feet (0.5298 miles) of 18-inch diameter sewer interceptor at an average depth of 30 feet, and includes six (6) manholes. The last manhole includes an 18-inch pipe stub to the north within the Sloan alignment that extends a distance of 20 feet, and that is 18 feet deep.

THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SANITARY SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT AND MAKES NO GUARANTY AS TO THE AVAILABILITY OF SUCH SERVICE.

The preliminary (not to exceed) estimated total cost of the Project and the amount to be assessed is as follows:

<u>Total Cost</u>	<u>Estimated Amount of Special Assessment</u>	<u>Amount Available from Other Sources</u>
\$43,166,000	\$18,893,000	\$24,273,000

The amounts to be assessed for the improvements in the District will be levied upon tracts within the District in proportion to the special benefits received (as shown by the estimated benefits and corresponding market value increases); provided, however, an equitable adjustment will be made for assessments to be levied against wedge or V or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against, and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat and map on file with the City Clerk. In cases of wedge or V or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front footage basis for the portion of the Tropical Parkway Road Improvements to be paid with assessments. The assessments will be levied on an area basis for the portion of the Sanitary Sewer System Improvements Northeast Sewer Interceptor to be paid with assessments.

The boundaries of the District shall include the following parcels:

123-22-801-015	123-22-701-009	123-22-801-014
123-22-801-022	123-22-801-017	123-22-801-018
123-27-101-013	123-22-801-020	123-22-801-021
123-27-101-016	123-27-101-003	123-27-101-012
123-27-101-027	123-27-101-014	123-27-101-015
123-27-201-001	123-27-101-017	123-27-101-026
123-27-201-013	123-27-201-002	123-27-201-003
123-27-201-016	123-27-201-005	123-27-201-010
123-27-201-019	123-27-201-014	123-27-201-015
123-27-201-022	123-27-201-017	123-27-201-018
123-27-301-003	123-27-201-020	123-27-201-021
123-27-301-006	123-27-201-025	123-27-201-026
123-27-401-002	123-27-301-004	123-27-301-005
123-27-701-002	123-27-301-007	123-27-301-008
123-27-801-001	123-27-301-010	123-27-401-001
123-27-810-006	123-27-501-002	123-27-501-003
123-27-810-010	123-27-510-001	123-27-701-001

123-28-201-011	123-27-701-003	123-27-701-004
123-28-301-004	123-27-810-001	123-27-810-002
123-28-301-016	123-27-810-008	123-27-810-009
123-28-401-004	123-27-810-011	123-28-201-009
123-28-401-025	123-28-201-012	123-28-301-003
123-28-601-003	123-28-301-005	123-28-301-006
123-28-601-006	123-28-301-017	123-28-401-003
123-28-601-009	123-28-401-002	123-28-401-024
123-28-601-012	123-28-401-005	123-28-601-001
123-28-601-015	123-28-501-010	123-28-601-005
123-28-601-018	123-28-601-004	123-28-601-008
123-28-601-021	123-28-601-007	123-28-601-011
123-28-601-024	123-28-601-010	123-28-601-014
123-28-701-001	123-28-601-013	123-28-601-017
123-28-801-001	123-28-601-016	123-28-601-020
123-29-401-011	123-28-601-019	123-28-601-023
123-29-701-007	123-28-601-022	123-28-601-026
123-29-801-003	123-28-601-025	123-28-701-007
123-29-801-008	123-28-701-006	123-28-801-004
123-33-601-002	123-28-801-003	123-29-701-006
123-34-101-012	123-29-401-014	123-29-801-002
123-29-801-009	123-29-801-001	123-29-801-005
123-34-101-002	123-29-801-004	123-33-501-004
123-27-101-028	123-27-201-004	123-27-301-002
123-34-201-001	123-34-501-001	123-34-101-005
123-27-301-009		

The boundaries of the District shall be the exterior boundary of each parcel of property in the District.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements), a preliminary estimate of the total cost, the assessment plat (including a tabulation of parcels), a description of the lots, tracts and parcels of land to be assessed and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises, are on file in the office of the Public Works Department, 2250 Las Vegas Boulevard North, Suite 200, North Las Vegas, Nevada 89030, and can be seen and examined by any property owner, or other interested persons, during regular business hours.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project (such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications). All persons interested are hereby referred to the preliminary plans and specifications which relate to the details of the Project.

On Wednesday, March 15, 2017 at 6:00 p.m., at the Council Chambers at North Las Vegas City Hall, 2250 Las Vegas Boulevard North, in North Las Vegas, Clark County, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any person interested. The owners of the property to be assessed, or any other person interested therein, may file a written protest or objection or may appear before the City Council and be heard as to the propriety and advisability of acquiring or improving or acquiring and improving the Project, the estimated cost of the Project, the determination concerning the portion of the cost of the Project to be paid by assessments, the method of determining the amount of special benefits to be derived from the Project and corresponding market value increases, the method of apportioning the assessments, or the regularity, validity and correctness of any other proceedings or instruments taken, adopted or made before the date of the hearing.

The City Council requests that any property owner or interested person wishing to make protest or objection, make such protest or objection in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Thursday, March 9, 2017. On the date and at the place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time. Any person filing a written protest or objection as hereinabove provided shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. **A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING. A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.**

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and

(3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

Pursuant to NRS 271.306, if owners of tracts constituting a majority of the frontage, of the area, of the zone, or of the other basis for the computation of assessments, as the case may be, of the tracts to be assessed in the improvement district or in the assessment unit if the improvement district is divided into assessment units, the project therein must not be acquired or improved unless:

(a) The municipality pays one-half or more of the total cost of the project, other than a park project, with money derived from other than the levy of assessments; or

(b) The project constitutes not more than 2,640 feet, including intersections, remaining unimproved in any street, including an alley, between improvements already made to either side of the same street or between improvements already made to intersecting streets. In this case the governing body may on its own motion cause the intervening and unimproved part of the street to be improved. Such improvements will not be stayed or defeated or prevented by written complaints, protests and objections thereto, unless the governing body in its sole discretion, deems such written complaints, protests and objections proper to cause the improvement to be stayed or prevented.

The City intends to utilize the exception provided in NRS 271.306(2)(a) as it intends to pay one-half or more of the total cost of the Project with money derived from other than the levy of assessments.

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed shall determine the kind and character of such improvements so to be made, and shall authorize the advertising for bids for the doing of such work and the furnishing of all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in not to exceed sixty (60) substantially equal semi-annual installments of principal. The City Council shall also provide the time and terms of payment of such assessments, and shall fix penalties (at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City

Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest) to be collected upon delinquent payments. The City Manager or the Finance Director or the City shall fix the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are issued, such rate will not exceed by more than 1.0% the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three (3%) percent the "Index of Twenty Bonds" which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued for the District, such rate shall not exceed 9.0% per annum.

Pursuant to NRS 271.357, the City Council has established a procedure to postpone assessments for a natural person whose principal residence will be included within the boundaries of the District, who meets the eligibility criteria of Clark County Social Services and who believes that the payment of the assessments will create a financial hardship. Persons who are interested in the eligibility criteria and completing an application for a hardship determination should contact Clark County Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106 (the "Department") to obtain an application. The City Council requests that any property owner or interested person wishing to complete an application for a hardship determination, complete such application in writing at the Department's office on or before March 9, 2017. The City Council will consider all completed applications for hardship determination at the public hearing on March 15, 2017 at 6:00 p.m. at the Council Chambers in the City Hall, 2250 Las Vegas Boulevard North, North Las Vegas, Nevada.

By order of the City Council of the City of North Las Vegas, Nevada, and dated this February 15, 2017.

/s/
Catherine A. Raynor, MMC
City Clerk