

NOTICE OF HEARING ON
PROPOSED PROJECT AND
ASSESSMENTS WITHIN THE PROPOSED
CLARK COUNTY, NEVADA
IMPROVEMENT DISTRICT NO. 158 –
LAS VEGAS BOULEVARD –
ST. ROSE PARKWAY TO PYLE AVENUE

NOTICE IS HEREBY GIVEN to the property owners within the proposed Clark County, Nevada, Improvement District No. 158 – Las Vegas Boulevard – St. Rose Parkway to Pyle Avenue (the “District”) and to all interested persons that:

The Board of County Commissioners (the “Board”) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Storm Sewer Project, as defined in NRS 271.215, and a Sanitary Sewer Project, as defined in NRS 271.200 (collectively, the “Project”), in two separate assessment units more particularly described as:

UNIT NO. 1

Las Vegas Boulevard extending from the centerline of St. Rose Parkway north along Las Vegas Boulevard to a point approximately 282 feet north of Cactus Avenue.

Except as shown on the preliminary plans and specifications now on file in the office of the Clerk and the office of the County Public Works Department in Las Vegas, Nevada, the Storm Sewer Project to be acquired and/or constructed in Unit No. 1 shall consist of: storm drain mainline improvements proposed to consist of reinforced concrete box (“RCB”) storm drain mainline ranging in size from 22’ x 8’ RCB to 13’ x 8’ RCB, to include transition and junction structures, connecting the existing four (4) 12’ x 5’ culvert crossings within St. Rose Parkway approximately 500 feet west of Las Vegas Boulevard to the existing Clark County Regional Flood Control District Facility DCWA 1395 at a point approximately 455 feet north of Cactus Avenue, a distance of approximately 12,890 feet; a 60-inch reinforced concrete pipe (“RCP”) stub to the west on Bruner Avenue; an 8’ x 6’ RCB stub to the west on Jonathan Drive; a 66-inch RCP stub to the west on Barbara Lane; a 7’ x 6’ RCB stub to the west on Starr Avenue; a 7’ x 6’ RCB stub to the west on Erie Avenue; a 7’ x 6’ RCB stub to the west on Cactus Avenue; and 24-inch RCP stubs to the east on Jonathan Drive, Barbara Lane, Starr Avenue, Erie Avenue, and Cactus Avenue. The storm drain system is also proposed to include

storm drain laterals and drop inlets at key intersections to convey roadside flows into the storm drain mainline.

UNIT NO. 2

Las Vegas Boulevard (west side) extending from the centerline of St. Rose Parkway north along Las Vegas Boulevard to the centerline of Pyle Avenue, and Las Vegas Boulevard (east side) extending from the centerline of St. Rose Parkway north along Las Vegas Boulevard to the centerline of Pyle Avenue.

Except as shown on the preliminary plans and specifications now on file in the office of the Clerk and the office of the County Public Works Department in Las Vegas, Nevada, the Sanitary Sewer Project to be acquired and/or constructed in Unit No. 2 shall consist of three segments (Segments 1, 2 and 3, as described below) of sanitary sewer trunk line in Las Vegas Boulevard from St. Rose Parkway to Pyle Avenue.

Segment 1 starts from approximately 380 feet south of St. Rose Parkway and continues north in Las Vegas Boulevard to the existing sanitary sewer main in Cactus Avenue, a distance of approximately 11,757 feet. Segment 1 ranges in size from 21 inches to 27 inches. Segment 1 will serve parcels within the limits of Unit No. 2 west of Las Vegas Boulevard and east of Interstate 15, and parcels within the limits of Unit No. 2 fronting Las Vegas Boulevard on the east side to Giles Street.

Segment 2 is a 12-inch sanitary sewer trunk line in Las Vegas Boulevard that begins approximately 340 feet north of Cactus Avenue and flows south to a point where it connects to the existing 30-inch sewer in Cactus Avenue. Segment 2 serves parcels within the limits of Unit No. 2 to the west of Las Vegas Boulevard and parcels within the limits of Unit No. 2 fronting Las Vegas Boulevard to the east.

Segment 3 is a 15-inch sanitary sewer trunk line in Las Vegas Boulevard that begins approximately 450 feet north of Cactus Avenue and ties in to an existing 15-inch sewer stub south of Pyle Avenue, a distance of approximately 2,120 feet. Segment 3 serves parcels within the limits of Unit No. 2 to the west of Las Vegas Boulevard and to the north of Cactus Avenue and parcels within the limits of Unit No. 2 fronting Las Vegas Boulevard to the east.

Additional Sanitary Sewer Project improvements in Unit No. 2 are proposed to include: sanitary sewer stubs to the east and west at Bruner Avenue, Chartan Avenue, Siddall Avenue, Erie Avenue, Levi Avenue, and Frias Avenue; and sanitary stubs to the west at Jonathan

Drive, Barbara Lane, Neal Avenue, and Starr Avenue. These stubs provide the ability to sewer parcels not fronting Las Vegas Boulevard. A 15-inch sewer stub is also provided to APN 191-08-510-002.

Properties in Unit No. 2 fronting the corridor will be given the option to install 6-inch sanitary sewer laterals that will allow for direct connection of their parcel onto the municipal sewer system.

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

The preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Unit No.	Total Cost	Estimated Amount of Special Assessment	Amount Available from Other Sources
One	\$18,845,680.15	\$10,863,949.69	\$7,981,730.46
Two	<u>8,821,697.41</u>	<u>8,821,697.41</u>	<u>0.00</u>
Totals	<u>\$27,667,377.56</u>	<u>\$19,685,647.10</u>	<u>\$7,981,730.46</u>

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 County 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 in Unit No. 1 will be levied on a front foot basis. The assessments in Unit No. 2 will be levied on a weighted per acre method of assessment for all property in Unit No. 2 based on the proximity of the property in question to the sewer main line connection point, and a lineal foot basis for property owners in Unit No. 2 who have requested installation of sewer laterals.

The boundaries of Unit No. 1 shall be the exterior boundary of each parcel of property fronting a street to be improved by the Storm Sewer Project in Unit No. 1, excluding (i) any Not a Part parcel owned by the Federal Government and (ii) the Not a Part parcels located on the east side of Las Vegas Boulevard beginning at approximately the centerline of Cactus Avenue and ending at a point approximately 282 feet north of Cactus Avenue.

The boundaries of Unit No. 2 shall include the following parcels: 177-28-301-001, 177-28-301-007, 177-28-301-008, 177-28-301-010, 177-28-301-012, 177-28-301-015, 177-28-301-016, 177-28-301-018, 177-28-301-019, 177-28-401-008, 177-28-401-010, 177-28-401-014, 177-28-401-015, 177-28-401-019, 177-28-401-021, 177-29-701-021, 177-29-701-036, 177-29-801-001, 177-29-801-002, 177-29-801-003, 177-29-801-004, 177-29-801-005, 177-29-801-006, 177-29-801-007, 177-29-801-010, 177-29-801-011, 177-29-801-012, 177-29-801-019, 177-29-801-022, 177-29-801-023, 177-32-502-001, 177-32-502-002, 177-32-502-003, 177-32-601-002, 177-32-601-003, 177-32-601-004, 177-32-601-005, 177-32-701-002, 177-32-701-003, 177-32-701-004, 177-32-801-001, 177-33-101-002, 177-33-101-004, 177-33-101-005, 177-33-101-006, 177-33-101-007, 177-33-101-010, 177-33-101-011, 177-33-101-012, 177-33-101-013, 177-33-201-001, 177-33-201-008, 177-33-201-013, 177-33-201-014, 177-33-201-016, 177-33-301-002, 177-33-301-003, 177-33-301-008, 177-33-301-009, 177-33-301-010, 177-33-301-018, 177-33-301-019, 177-33-301-021, 177-33-401-001, 177-33-401-002, 177-33-401-003, 177-33-401-004, 177-33-401-005, 177-33-401-006, 191-04-101-001, 191-04-201-005, 191-04-301-017, 191-04-301-018, 191-04-402-001, 191-05-501-001, 191-05-501-003, 191-05-501-005, 191-05-501-007, 191-05-501-008, 191-05-501-009, 191-05-502-001, 191-05-502-002, 191-05-503-001, 191-05-601-001, 191-05-601-009, 191-05-601-010, 191-05-601-011, 191-05-601-012, 191-05-601-015, 191-05-601-016, 191-05-601-018, 191-05-601-019, 191-05-601-020, 191-05-601-021, 191-05-701-001, 191-05-701-002, 191-05-701-003, 191-05-701-004, 191-05-701-005, 191-05-701-006, 191-05-701-007, 191-05-701-009, 191-05-701-011, 191-05-701-012, 191-05-701-013, 191-05-801-001, 191-05-801-002, 191-05-801-004, 191-05-801-007, 191-05-801-009, 191-05-801-011, 191-05-801-013, 191-05-801-014, 191-05-801-015, 191-05-801-016, 191-08-510-002, 191-08-510-003.

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

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 Department of Public Works, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada 89106, and at the office of the Clerk, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada 89106, 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 Tuesday, July 1, 2014, at 10:00 a.m., at the Clark County Commission Chambers, in the Clark County Government Center, 500 South Grand Central Parkway, in Las Vegas, Clark County, Nevada, the Board 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 Board 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 Board 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 Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, June 27, 2014. 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 Board, or present them orally, and the Board 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 Board 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 in Unit No. 1 object in writing as provided in this notice, the Storm Sewer Project proposed to be constructed or acquired within Unit No. 1 may not be acquired or improved. Pursuant to NRS 271.306, if owners of tracts upon which a majority of the assessments to be levied in Unit No. 2 object in writing as provided in this notice, the Sanitary Sewer Project proposed to be constructed or acquired within Unit No. 2 may not be acquired or improved.

After such hearing, the Board 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 Board 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 Board). The Board shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the Board shall provide that the assessments may be paid at the election of the owner in forty (40) substantially equal semi-annual installments of principal. The Board 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 County 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 County Manager or the Chief Financial Officer of the County 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 Board has established a procedure to postpone the assessments for persons whose principal residence will be included in the District and who believe that the payment of the assessments will create a financial hardship. Persons who are interested in the eligibility criteria and application process for a hardship determination should contact the Clark County Department of Social Services at 1600 Pinto Lane, Las Vegas, Nevada 89106 or (702) 455-8687.

By order of the Board of County Commissioners of the County of Clark, Nevada, and dated this June 3, 2014.

/s/ Diana Alba
County Clerk