

RESOLUTION NO. 3760
(LID CO21 – Horizon Ridge Parkway – Assessments)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON,
NEVADA, CONFIRMING ASSESSMENTS IN THE CITY OF HENDERSON,
NEVADA, LOCAL IMPROVEMENT DISTRICT NO. CO21 AND TAKING
CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

- WHEREAS, the City Council (the "City Council") of the City of Henderson, Nevada (the "City"), pursuant to the Consolidated Local Improvements Law (the "Act"), being Chapter 271 of the Nevada Revised Statutes ("NRS"), on March 16, 2004, adopted a Resolution approving and ratifying a preliminary engineer's report, dated March 16, 2004 (the "Preliminary Engineer's Report"), prepared by Gomez Consulting Group, Inc. (the "Assessment Engineer"), containing, among other things, preliminary plans for a Street Project, a Sanitary Sewer Project and a Water Project, all as defined in the Act (collectively, the "Project"), the cost of which is to be defrayed in part by the levy of special assessments (the "Assessments") pursuant to the Act, and an assessment plat for the geographical area within the City in which is located the Project and each tract to be assessed therefore, such geographical area to be designated City of Henderson, Nevada, Local Improvement District No. CO21 (the "District");
- WHEREAS, pursuant to a Resolution, adopted on March 16, 2004, the City Council, among other things, provisionally ordered that the Project be improved pursuant to the Act;
- WHEREAS, at a hearing held on April 20, 2004, which hearing was duly noticed in accordance with the Act, the City Council read and considered all written complaints, protests and objections, heard all persons desiring to be heard in person and considered the arguments, if any, and any other relevant material put forth as to the propriety and advisability of improving the Project;
- WHEREAS, pursuant to a Resolution, adopted on April 20, 2004, the City Council, among other things, determined that public convenience and necessity required the creation of the District and that the creation of the District was economically sound and feasible;
- WHEREAS, pursuant to Ordinance No. 2264, adopted by the City Council on May 4, 2004, the City Council, among other things, created the District, provided that the extent of the District, the kind and location of each part of the Project and the amount of the total cost of the Project to be defrayed by the Assessments and the method of levying the Assessments shall be as prescribed in the Preliminary Engineer's Report and provided that the construction work for the Project shall be done by independent contract;
- WHEREAS, said independent contract has been made and the improvement of the Project has been completed;

- WHEREAS, at the request of the Public Works Department of the City, the Assessment Engineer has prepared a final engineer's report for the District, dated April 1, 2008 (the "Engineer's Report");
- WHEREAS, pursuant to a Resolution, adopted on April 1, 2008 (the "Resolution Ratifying Assessment Roll"), the City Council, among other things, ratified the Engineer's Report and the determination of the cost of the Project contained therein and ratified the assessment roll for the Project reported to the City Council by the Assessment Engineer (the "Assessment Roll");
- WHEREAS, pursuant to the Resolution Ratifying Assessment Roll, the City Council fixed Tuesday, May 6, 2008, at 7:00 p.m., or as soon thereafter as the City Council may reach the matter, at 240 Water Street, City Council Chambers, Henderson, Nevada, as the time and place when and where complaints, protests and objections made in writing or verbally concerning the Assessment Roll, by the owner of any tract or any person interested, would be heard;
- WHEREAS, notice of said hearing was duly given by publication and by mail in accordance with the Act;
- WHEREAS, in accordance with the Act, any complaint, protest or objection to the regularity, validity and correctness of the Assessment Roll, each Assessment, and of the amount of the Assessment levied on each tract were to be filed in writing with the City Clerk of the City no later than 5:00 p.m. on Monday, May 5, 2008 (being the business day following the day that is at least three days before the time fixed for said hearing);
- WHEREAS, at said hearing, the City Council heard and determined all written complaints, protests and objections filed as provided in the Act and all verbal views expressed in respect to the proposed Assessments, Assessment Roll or assessment procedure;
- WHEREAS, said hearing has been concluded;
- WHEREAS, the City Council desires to confirm the Assessment Roll and to take certain other actions in connection with the Project and the District;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HENDERSON DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER as follows:

Section 1. The City Council hereby determines that the Assessment Roll is in final form.

Section 2. The City Council hereby (a) confirms the Assessment Roll, (b) confirms the regularity, validity and correctness of each assessment, as contained in the Assessment Roll, and (c) confirms the amount of each such assessment.

Section 3. The City Council and the officers of the City be, and they hereby are, authorized and directed to execute and deliver any and all documents and instruments and to do or cause to be done all acts and things necessary or appropriate to effectuate the provisions of this Resolution.

Section 4. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the City Council and the officers of the City in furtherance of the Project and the District be, and the same hereby are, ratified, approved and confirmed.

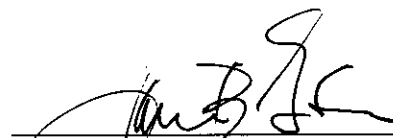
Section 5. All resolutions of the City Council, or parts thereof, that are inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 6. This Resolution shall take effect immediately upon its adoption and approval.


PASSED, ADOPTED, AND APPROVED THIS 6th DAY OF MAY 2008, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

Those voting aye: James B. Gibson, Mayor
Councilmembers:
Arthur "Andy" Hafen
Jack Clark
Steven D. Kirk
Gerri Schroder

Those voting nay: None
Those abstaining: None
Those absent: None



James B. Gibson, Mayor

ATTEST:


Monica M. Simmons, MMC, City Clerk