Summary
An ordinance amending the ordinances levying assessments in Clark County, Nevada, Special Improvement District Nos. 71A, 74, 81, 82, 97A, 102, 103, 104, 105, 105A, 106, 107, 109, 110, 121, and 124 to provide for consistent penalty terms among all County special improvement district assessment ordinances, ratifying action taken by County Officers and providing other matters related thereto.

BILL NO. ______

ORDINANCE NO. ______ (of Clark County, Nevada)

AN ORDINANCE AMENDING THE ASSESSMENT ORDINANCES FOR CLARK COUNTY, NEVADA, SPECIAL IMPROVEMENT DISTRICT NOS. 71A, 74, 81, 82, 97A, 102, 103, 104, 105, 105A, 106, 107, 109, 110, 121, AND 124 TO PROVIDE FOR CONSISTENT PENALTY TERMS AMONG ALL COUNTY SPECIAL IMPROVEMENT DISTRICT ASSESSMENT ORDINANCES; RATIFYING ACTION TAKEN BY COUNTY OFFICERS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the Board of County Commissioners (the “Board”) of the County of Clark (the “County”) in the State of Nevada, adopted Ordinance No. 1565 on February 1, 1994, relating to the County’s Special Improvement District No. 71A (Unnamed Wash, Laughlin); Ordinance No. 1706 on August 15, 1995, relating to the County’s Special Improvement District No. 74 (Hiko Springs Wash, Laughlin); Ordinance No. 1431 on October 6, 1992, relating to the County’s Special Improvement District No. 81 (Gateway – Russell Road Interchange); Ordinance No. 2361 on September 21, 1999, relating to the County’s Special Improvement District No. 82 (Russell Road - Eastern Avenue to Mountain Vista Street); Ordinance No. 1678 on June 6, 1995, relating to the County’s Special Improvement District No. 97A (Las Vegas Boulevard Beautification); Ordinance No. 2228 on December 1, 1998, relating to the County’s Special Improvement District No. 102 (Desert Inn Road - Durango Drive to Jones Boulevard); Ordinance No. 2362 on September 21, 1999, relating to the County’s Special Improvement District No. 103 (Spring Mountain Road (Durango Drive to Rainbow Boulevard and Cimarron Road and Viking Road); Ordinance No. 2198 on October 6, 1998, relating to the County’s Special Improvement District No. 104 ((Desert Inn Road - Mojave Road to Boulder Highway); Ordinance No. 2517 on October 3, 2000, relating to the County’s Special Improvement District No. 105 (Windmill Lane – Las Vegas Boulevard South to Maryland Parkway); Ordinance No. 2514 on September 19, 2000, relating to the County’s Special...
Improvement District No. 105A (Windmill Lane Water and Sewer Improvements); Ordinance No. 2376 on October 5, 1999, relating to the County’s Special Improvement District No. 106 (Gowan Road - US Highway 95 to Decatur Boulevard); Ordinance No. 2236 on December 1, 1998, relating to the County’s Special Improvement District No. 107 (Patrick Lane and Oquendo Road); Ordinance No. 2412 on November 16, 1999, relating to the County’s Special Improvement District No. 109 (Valley View Boulevard Sunset Road to Ponderosa Way); Ordinance No. 2214 on October 6, 1998, relating to the County’s Special Improvement District No. 110 (Vegas Manor III); Ordinance No. 3385 on April 18, 2006 relating to the County’s Special Improvement District No. 121 (Southern Highlands Area); and Ordinance No. 2414 on December 7, 1999, relating to the County’s Special Improvement District No. 124 (The Gardens at Summerlin, Village 14B Area) (collectively, the “Assessment Ordinances”); and

WHEREAS, the Assessment Ordinances provided for the payment of a penalty upon delinquency in the payment of assessments at the rate of 2% per month (or any higher rate authorized by statute) on the whole amount of the unpaid principal and accrued interest; and

WHEREAS, other assessment ordinances for the County’s other special improvement districts provide for the payment of a penalty upon delinquency in the payment of assessments at the rate of 2% per month (or at any higher rate authorized by statute, or at any lower rate, which may be zero percent, for such period as determined by the County Treasurer); and

WHEREAS, the Board desires to amend each of the Assessment Ordinances to provide consistency between the Assessment Ordinances and the assessment ordinances for the County’s other special improvement districts, by allowing the County Treasurer to reduce the penalty rate to as low as zero percent.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, IN THE STATE OF NEVADA, DO ORDAIN:

Section 1. Section 5 of Ordinance No. 1565 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments
the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in forty (40) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on March 1 and September 1 in each year, commencing on September 1, 1994. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month, (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after March 17, 1994 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”
Section 2. Section 5 of Ordinance No. 1706 is hereby amended to read as follows:

"Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in forty (40) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on May 1 and November 1 in each year, commencing on May 1, 1996. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month, (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal
of the deferred installments so prepaid. If such prepayment takes place after October 19, 1995 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

**Section 3.** Section 4 of Ordinance No. 1431 is hereby amended to read as follows:

“Section 4. The Owner has waived the right to pay assessments within 30 days after the effective date of this Ordinance and has elected to pay the assessments in installments pursuant to the Contract. The unpaid assessments shall be payable in thirty—six (36) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance at a rate or rates which will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on April 29 and October 29 in each year, commencing on April 29, 1995; provided that $5,000 in principal on assessments on the Owner’s property shall be due on the first and second anniversary date of the effective date of the assessment ordinance. Before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty at the rate of two percent (2%) per month, (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall
thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with (i) the payment of a penalty for such prepayment of two percent (2%) of the principal of the deferred installments so prepaid if prepaid on or before December 1, 2002, and one percent (1%) of the principal of the deferred installments so prepaid if prepaid after December 1, 2002 and on or before December 1, 2003, and (ii) no prepayment penalty if prepaid after December 1, 2003.”

Section 4. Section 5 of Ordinance No. 2361 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 2000. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after November 4, 1999 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 5.

Section 5 of Ordinance No. 1678 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in forty (40) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on February 1 and August 1 in each year, commencing on February 1, 1996. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month, (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the Option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after August 3, 1995 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i. e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 6. Section 5 of Ordinance No. 2228 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more
than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 1999. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after January 14, 1999 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance."

Section 7. Section 5 of Ordinance No. 2362 is hereby amended to read as follows:
“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 2000. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after November 4, 1999 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred
installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 8. Section 5 of Ordinance No. 2198 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 1999. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the
sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after November 19, 1998 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 9. Section 5 of Ordinance No. 2517 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 2001. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of
principal or interest, when due, shall cause the whole amount of the unpaid
principal to become due and payable immediately, at the option of the County, the
exercise of said option to be indicated by the commencement of foreclosure
proceedings by the County; and the whole amount of the unpaid principal and
accrued interest shall, after such delinquency, whether said option is or is not
exercised, bear penalty interest at the rate of two percent (2%) per month on the
unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the
sale the owner may pay the amount of all delinquent installments originally
becoming due on or before the date of said payment, with interest thereon, and all
penalties accrued, and shall thereupon be restored to the right thereafter to pay in
installments in the same manner as if default had not been suffered. The owner of
any property assessed and not in default as to any installment or payment may, at
any time (at the option of such owner), pay the whole or any semiannual
installment of the unpaid principal with interest accruing thereon to the next
interest payment date, together with the payment of a penalty for such prepayment
of three percent (3%) of the principal of the deferred installments so prepaid. If
such prepayment takes place after November 30, 2000 but before the adoption of
the aforementioned resolution establishing the rate of interest on deferred
installments of assessments, such interest accruing thereon to the next interest
payment date shall be calculated at nine percent (9%) per annum (i.e., the
presumed rate of interest on the assessment bonds for the District plus one
percent). Any assessment against property for which an application for hardship
determination has been approved by the Board shall be deferred as provided in the
County Ordinance No. 1341 (the “Hardship Ordinance”), but shall be subject to
the lien as provided in Section 6 hereof and the owner or owners of such property
shall make payments of interest as provided in the Hardship Ordinance.”

Section 10. Section 5 of Ordinance No. 2514 is hereby amended to read as
follows:

“Section 5. The Owners pursuant to the Agreements have elected to pay
the assessments in installments, with interest as hereinafter provided, and the
Board hereby authorizes such manner of payment. The unpaid assessments shall
be payable in twenty (20) semiannual substantially level installments of principal
and interest until paid in full, with interest in all cases on the unpaid and deferred
installments of principal from the effective date of this ordinance, at a rate or rates
which shall not exceed by more than one percent (1%) the highest rate of interest
on the assessment bonds issued for the District, both principal and interest on such
assessments being payable semiannually at the office of said County Treasurer of
Clark County on June 1 and December 1 in each year, commencing on June 1,
2001. After the effective date of this ordinance and before assessment bonds are
issued (or if bonds are not issued) the Board shall by resolution provide the rate of
interest on the unpaid and deferred installments of assessments. If assessment
bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after October 17, 2000 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the County Ordinance No. 1341 (the “Hardship Ordinance”), but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

**Section 11.** Section 5 of Ordinance No. 2376 is hereby amended to read as follows:

“**Section 5.** The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in
installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 2000. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after November 18, 1999 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”
Section 12. Section 5 of Ordinance No. 2236 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 1999. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the thir of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment

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of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after January 28, 1999 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 13. Section 5 of Ordinance No. 2412 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 2000. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after January 20, 2000 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 14. Section 5 of Ordinance No. 2214 is hereby amended to read as follows:

“Section 5. The assessments shall be due and payable at the office of the County Treasurer within 30 days after this ordinance becomes effective, without interest and without demand; provided, that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in twenty (20) substantially equal semiannual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this assessment ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of said County Treasurer of Clark County on June 1 and December 1 in each year, commencing on June 1, 1999. After the effective date of this ordinance and before assessment bonds are issued (or if bonds are not issued) the Board shall by resolution provide the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold such rate will not exceed by more than 1% 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 percent (3%) 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. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the County, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the County; and the whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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, until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date, together with the payment of a penalty for such prepayment of three percent (3%) of the principal of the deferred installments so prepaid. If such prepayment takes place after December 17, 1998 but before the adoption of the aforementioned resolution establishing the rate of interest on deferred installments of assessments, such interest accruing thereon to the next interest payment date shall be calculated at nine percent (9%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent). Any assessment against property for which an application for hardship determination has been approved by the Board shall be deferred as provided in the Hardship Ordinance, but shall be subject to the lien as provided in Section 6 hereof and the owner or owners of such property shall make payments of interest as provided in the Hardship Ordinance.”

Section 15. Section 3 of Ordinance No. 3385 (which amended Ordinance No. 2397) is hereby amended to read as follows:

“Section 3. Section 4 of the Assessment Ordinance is hereby amended to read:

The assessments will be levied on an area basis as described in the Engineer's Report on Benefits which has been filed with the Board. The Developer pursuant to the Financing Agreement has elected to pay the assessments in installments, with interest as hereinafter provided, and the Board hereby authorizes such manner of payment. The unpaid assessments shall be payable at the office of the County Treasurer in (a) two installments of principal of $5,000 each due on October 1, 2000 and October 1,
2001, (b) two installments of interest on the unpaid principal due on April 1, 2001 and October 1, 2001, and (c) thirty-six (36) semiannual substantially level installments of principal and interest until paid in full, payable semiannually on April 1 and October 1 in each year, commencing on April 1, 2002; provided that with respect to the Property, 90% of the remaining unpaid assessments shall be payable at the office of the County Treasurer in substantially level semiannual installments of principal and interest until paid in full, payable semiannually on April 1 and October 1 in each year, commencing October 1, 2006 and ending on October 1, 2029, and the remaining 10% of the remaining unpaid assessments shall be payable at the office of the County Treasurer in substantially level semiannual installments of principal and interest until paid in full, payable semiannually on April 1 and October 1 in each year, commencing October 1, 2006 and ending on October 1, 2019, as set forth in Exhibit B hereto. Interest on the unpaid and deferred installments of principal shall accrue from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District. Before Bonds are issued, the Board shall by resolution fix the rate or rates of interest on the unpaid and deferred installments of the assessments. The effective interest rate on the Bonds will not exceed the statutory maximum rate (i.e., will not exceed by more than three percent (3%) the “Index of Twenty Bonds” that is most recently published in The Bond Buyer before a negotiated offer for the sale of the Bonds is accepted).

The interest rate on the unpaid and deferred installments of principal of the assessments shall be zero percent from the effective date of this Ordinance, until September 30, 2000, and thereafter shall commence to accrue as provided in the preceding paragraph.

The installments of the assessments shall be payable at the office of the County Treasurer. Pursuant to NRS 271.415(5), the County Treasurer shall notify the owners of real property within the District of the amounts becoming due and each such owner shall be deemed notified and shall be responsible for any penalties or delinquencies regardless of such owner’s failure to maintain an accurate mailing address with the County Assessor. Such notice shall state that the assessment installment is payable not later than the April 1 or October 1 next succeeding such notice. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the County, the exercise of said option shall be indicated by the commencement of sale proceedings by the County. The whole amount of the unpaid principal and the interest that has accrued
thereon shall after such delinquency, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 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, until the day of the foreclosure sale or until the whole amount of the unpaid principal plus accrued interest and penalties is paid; provided, however, that at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered. The Board may permit the County Treasurer to waive or decrease the 2% penalty on such terms and conditions as specified by the Board.

The owner of any property assessed and not in default as to any assessment installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next assessment payment date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the County Treasurer shall reamortize the assessment installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining installments are (on and after April 1, 2001) semiannual substantially level installments of principal and interest with a final due date of October 1, 2019; except that with respect to the Property the reamorization shall be with a final due date of October 1, 2029.

Any interest earned on the proceeds of the Bonds (except as provided below) and any excess Bond proceeds may be applied by the County as a credit against interest due on the assessments. If so applied, such interest earned or such excess Bond proceeds shall be credited against the amount of interest owed on the assessments on the next succeeding assessment installment payment date that is at least sixty (60) days after the receipt of such interest or a determination that there are excess Bond proceeds, as the case may be.

After construction of the Project is completed, interest earned on Bond proceeds held in the reserve fund established for the Bonds (the “Reserve Fund”), which exceeds the lesser of one
year's maximum Bond principal and interest payment or ten percent of the proceeds of the Bonds, (i) shall be applied to pay the County's administrative and other costs associated with the District to the extent those costs are not otherwise paid with the assessments and the interest thereon, and (ii) if not needed for such costs for a period of one year, shall be credited against assessment payments due on the property assessed in the District on a pro rata basis, based on the unpaid principal balance (not including any delinquent installment of principal) assessed against each piece of property. Interest earned on amounts in the Reserve Fund at least fourteen (14) months before an assessment interest payment date, to the extent not needed to replenish the Reserve Fund or to pay administrative costs of the County and not previously applied as a credit, shall be applied as a credit against the assessment payment due. To the extent of the amount in the Reserve Fund available therefor, at the time the assessment against any particular parcel of property is paid in part or in full, the outstanding assessment balance on the property shall be credited with its pro rata share of the Reserve Fund determined in such equitable manner as the County Treasurer may direct.

This section does not prevent the County from amending this Ordinance or any other documents executed in connection with the Bonds to provide for other uses of the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in connection with a refunding of the Bonds and the owners of the property assessed in the District have no entitlement to payment of any amounts in the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in the event of such an amendment.”

Section 16. Section 4 of Ordinance No. 2414 is hereby amended to read as follows:

“Section 4. The Developer pursuant to the Financing Agreement has elected to pay the assessments in installments, with interest as hereinafter provided, and the Board hereby authorizes such manner of payment. The unpaid assessments shall be payable in forty (40) semiannual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the County Treasurer on June 1 and December 1 in each year, commencing on June 1, 2000. Before Bonds are issued, the Board shall by resolution fix the rate or rates of interest on the unpaid and deferred installments of the assessments. The effective interest rate on the Bonds will not exceed the statutory maximum rate (i.e., will not exceed by more than three percent (3%) the
“Index of Twenty Bonds” that is most recently published in The Bond Buyer before a negotiated offer for the sale of the Bonds is accepted).

The installments of the assessments shall be payable at the office of the County Treasurer. Pursuant to NRS 271.415(5), the County Treasurer shall notify the owners of real property within the District of the amounts becoming due and each such owner shall be deemed notified and shall be responsible for any penalties or delinquencies regardless of such owner’s failure to maintain an accurate mailing address with the County Assessor. Such notice shall state that the assessment installment is payable not later than the June 1 or December 1 next succeeding such notice. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the County, the exercise of said option shall be indicated by the commencement of sale proceedings by the County. The whole amount of the unpaid principal and the interest that has accrued thereon shall after such delinquency, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 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, until the day of the foreclosure sale or until the whole amount of the unpaid principal plus accrued interest and penalties is paid; provided, however that at any time prior to the day of such sale the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered. The Board may permit the County Treasurer to waive or decrease the 2% penalty on such terms and conditions as specified by the Board.

The owner of any property assessed and not in default as to any assessment installment or payment may, at any time (at the option of such owner) pay the whole or any portion of the unpaid principal with interest accruing thereon to the next assessment payment date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds (Or any bonds issued to refund the Bonds) may then be redeemed without the payment of any premium, the County, in its sale discretion, may waive the requirement of payment of the redemption premium. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the County Treasurer shall reamortize the assessment installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining installments are semiannual substantially level installments of principal and interest with a final due date of December 1, 2019.
Any interest earned on the proceeds of the Bonds (except as provided below) and any excess Bond proceeds may be applied by the County as a credit against interest due on the assessments. If so applied, such interest earned or such excess Bond proceeds shall be credited against the amount of interest owed on the assessments on the next succeeding assessment installment payment date that is at least sixty (60) days after the receipt of such interest or a determination that there are excess Bond proceeds, as the case may be.

After construction of the Project is completed, interest earned on Bond proceeds held in the reserve fund established for the Bonds (the “Reserve Fund”), which exceeds the lesser of one year's maximum Bond principal and interest payment or ten percent of the proceeds of the Bonds, (i) shall be applied to pay the County's administrative and other costs associated with the District to the extent those costs are not otherwise paid with the assessments and the interest thereon. and (ii) if not needed for such costs for a period of one year shall be credited against assessment payments due on the property assessed in the District on a pro rata basis based on the unpaid principal balance (not including any delinquent installment of principal) assessed against each piece of property. Interest earned on amounts in the Reserve Fund at least fourteen (14) months before an assessment interest payment date to the extent not needed to replenish the Reserve Fund or to pay administrative costs of the County and not previously applied as a credit, shall be applied as a credit against the assessment payment due. To the extent of the amount in the Reserve Fund available therefore, at the time the assessment against any particular parcel of property is paid in part or in full, the outstanding assessment balance on the property shall be credited with its pro rata share of the Reserve Fund determined in such equitable manner as the County Treasurer may direct.

This section does not prevent the County from amending this Ordinance or any other documents executed in connection with the Bonds to provide for other uses of the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in connection with a refunding of the Bonds and the owners of the property assessed in the District have no entitlement to payment of any amounts in the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in the event of such an amendment.”

Section 17. 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.

Section 18. 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, previously repealed.

Section 19. 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 *Las Vegas Review Journal*, i.e., a newspaper published and having general circulation in the County, at least ten (10) days before the date set for such hearing, i.e., at least ten (10) days before March 3, 2009, such publication to be in substantially the following form:
AN ORDINANCE AMENDING THE ASSESSMENT ORDINANCES FOR CLARK COUNTY, NEVADA, SPECIAL IMPROVEMENT DISTRICT NOS. 71A, 74, 82, 97A, 102, 103, 104, 105, 105A, 106, 107, 109, 110, 121, AND 124 TO PROVIDE FOR CONSISTENT PENALTY TERMS AMONG ALL COUNTY SPECIAL IMPROVEMENT DISTRICT ASSESSMENT ORDINANCES; RATIFYING ACTION TAKEN BY COUNTY OFFICERS; AND PROVIDING OTHER MATTERS RELATED THERETO.

An adequate summary of the Ordinance is as follows:

The preambles of the Ordinance recite that the Board of County Commissioners has previously adopted assessment ordinances relating to the Clark County, Nevada Special Improvement District Nos. 71A, 74, 82, 97A, 102, 103, 104, 105, 105A, 106, 107, 109, 110, 121, and 124; recite that such assessment ordinances provided for the payment of a penalty upon delinquency; recite that assessment ordinances for other special improvement districts allow the County Treasurer to reduce the penalty rate on delinquent payments to as low as zero percent; and recite that the Board of County Commissioners desires to amend the assessment ordinances of the above referenced special improvement districts to provide consistent penalty terms among all of the County’s special improvement districts.

Section 1. Amends Section 5 of Ordinance No. 1565 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 2. Amends Section 5 of Ordinance No. 1706 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 3. Amends Section 4 of Ordinance No. 1431 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 4. Amends Section 5 of Ordinance No. 2361 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 5. Amends Section 5 of Ordinance No. 1678 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 6. Amends Section 5 of Ordinance No. 2228 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 7. Amends Section 5 of Ordinance No. 2362 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 8. Amends Section 5 of Ordinance No. 2198 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 9. Amends Section 5 of Ordinance No. 2517 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 10. Amends Section 5 of Ordinance No. 2514 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 11. Amends Section 5 of Ordinance No. 2376 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.
Section 12. Amends Section 5 of Ordinance No. 2236 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 13. Amends Section 5 of Ordinance No. 2412 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 14. Amends Section 5 of Ordinance No. 2214 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 15. Amends Section 3 of Ordinance No. 3385 (which amended Ordinance No. 2397) to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.

Section 16. Amends Section 4 of Ordinance No. 2414 to provide that delinquent assessments bear penalty interest at the rate of two percent (2%) per month on the unpaid balance of the assessment and accrued interest (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.
Sections 17 and 18. Authorizes County officials to take any action necessary to effectuate this Ordinance, and provides a repealer clause for conflicting provisions.

Section 19. Provides for notice by publication of the March 3, 2009 hearing on the Ordinance and provides for this summary of provisions.

Section 20. Provides that this Ordinance shall be in effect from and after its publication for two weeks following its final adoption on March 3, 2009; and provides the form for such publication which includes the names of the Commissioners voting for and against the adoption of the Ordinance.

Section 21. Provides a severability clause.

Copies of Bill No. ________ are on file in the office of the Clark County Clerk on the sixth floor of the Clark County Government Center, 500 South Grand Central Parkway, in Las Vegas, 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 Clark County, Nevada, has caused this notice to be published this February __, 2009.

(Seal) /s/ Shirley B. Parraguirre
County Clerk

(End of Form for Publication)
Section 20. 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 Las Vegas Review-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 is to be in substantially the following form:
(Form for Publication after final adoption of Ordinance)

BILL NO. _______

ORDINANCE NO. _______
(of Clark County, Nevada)

AN ORDINANCE AMENDING THE ASSESSMENT ORDINANCES FOR CLARK COUNTY, NEVADA, SPECIAL IMPROVEMENT DISTRICT NOS. 71A, 74, 81, 82, 97A, 102, 103, 104, 105, 105A, 106, 107, 109, 110, 121, AND 124 TO PROVIDE FOR CONSISTENT PENALTY TERMS AMONG ALL COUNTY SPECIAL IMPROVEMENT DISTRICT ASSESSMENT ORDINANCES; RATIFYING ACTION TAKEN BY COUNTY OFFICERS; AND PROVIDING OTHER MATTERS RELATED 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 Clark County, Nevada, at her office on the sixth floor of the Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada; and that said ordinance was proposed by Commissioner _________________ on February 17, 2009, 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 March 3, 2009, by the following vote of the Board of County Commissioners:

Those Voting Aye

_____________________________________

_____________________________________

_____________________________________

_____________________________________

Those Voting Nay:

_____________________________________
Those Abstaining: ________________________________  

This ordinance shall be in full force and effect from and after March ___, 2009, i.e., the date of the second publication of such ordinance by its title only.

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

DATED this March 3, 2009.

/s/ Rory Reid ________________________________  
Chairman  
Board of County Commissioners  
Clark County, Nevada

(SEAL)

Attest:

/s/ Shirley B. Parraguirre____  
County Clerk  
(End of Form of Publication)
Section 21. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

Proposed on February 17, 2009.
Proposed by Commissioner ________________________.

Ayes: Susan Brager
      Lawrence L. Brown III
      Tom Collins
      Chris Giunchigliani
      Rory Reid
      Steve Sisolak
      Lawrence Weekly

Nays: ________________________

Absent: ________________________

Abstaining: ________________________

Chairman
Board of County Commissioners
(SEAL)
Clark County, Nevada
Attest:

County Clerk

This Ordinance shall be in force and effect from and after the __ day of the month of March of the year 2009, i.e., the date of the second publication of such Ordinance by its title only.

Reviewed by Deputy District Attorney:

______________________________
STATE OF NEVADA )
COUNTY OF CLARK ) ss.

I, Shirley B. Parraguirre, the duly elected, qualified and acting County Clerk of Clark County (the “County”), Nevada, and ex officio Clerk of its Board of County Commissioners (the “Board”), do hereby certify:

1. The foregoing pages are a true and correct copy of an ordinance (the “Ordinance”) introduced at a regular meeting of the Board on February 17, 2009, and passed and adopted by the Board at a regular meeting of the Board held on March 3, 2009. A quorum of the Board was in attendance at each meeting.

2. The adoption of the Ordinance was duly moved and seconded and the Ordinance was adopted by an affirmative vote of a majority of the members of the Board at the regular meeting of the Board on March 3, 2009, as follows:

   Those Voting Aye: Susan Brager
                      Lawrence L. Brown III
                      Tom Collins
                      Chris Giunchigliani
                      Rory Reid
                      Steve Sisolak
                      Lawrence Weekly

   Those Voting Nay:

   Those Absent:

   Those Abstaining:

3. The members of the Board were present at such meeting and voted on the passage of such resolution as set forth above.

4. The Ordinance was approved and authenticated by the signature of the Chairman of the Board, sealed with the County seal, attested by the Clerk and recorded in the minutes of the Board.

5. All members of the Board were given due and proper notice of each meeting. Public notice of each meeting was given and the meeting was held and conducted in
full compliance with the provisions of NRS 241.020. A copy of the notice of each meeting was posted not later than 9:00 a.m. at least 3 working days in advance of the meeting at:

a. Principal Office  
   Clark County Government Center  
   500 South Grand Central Parkway  
   Las Vegas, Nevada

b. Winchester Park and Center  
   3130 South McLeod  
   Las Vegas, Nevada

c. Paradise Park, Pool and Center  
   4775 South McLeod  
   Las Vegas, Nevada

d. Desert Breeze Park & Community Center  
   8275 Spring Mountain Road  
   Las Vegas, Nevada

6. Prior to 9:00 am at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notices of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

7. A copy of the notice was posted on the County’s website no later than 9:00 a.m. on the third working day prior to each meeting.

8. Upon request, the Board provides at no charge, at least one copy of the agenda for its public meetings, any proposed resolution which will be discussed at the public meeting, and any other supporting materials provided to the Board for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

9. Copies of the notices so given of the meetings of the Board held on February 17, 2009, and March 3, 2009 are attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County this March __, 2009.

County Clerk

(SEAL)
EXHIBIT A

(Attach copies of posted agendas for the meetings of February 17, 2009, and March 3, 2009)
EXHIBIT B

(Attach Affidavit of Publication of Notice of Public Hearing held on March 3, 2009)
EXHIBIT C

(Attach Affidavit of Publication of Ordinance After Adoption)