

(Form of Notice)

THIS IS A NOTICE OF PROPOSED ASSESSMENT.

NOTICE OF HEARING ON
PROPOSED PROJECT AND
ASSESSMENTS WITHIN THE PROPOSED
CLARK COUNTY, NEVADA
IMPROVEMENT DISTRICT NO. 137A –
CLEVELAND AVENUE – WALNUT ROAD TO GATEWAY STREET

NOTICE IS HEREBY GIVEN to the property owners within the proposed Clark County, Nevada, Improvement District No. 137A – Cleveland Avenue – Walnut Road to Gateway Street (the “District”) and to all interested persons that:

The Board of County Commissioners (the “Board”) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of a Street Project, Sanitary Sewer Project and a Water Project (collectively, the “Project”) more particularly described as:

Cleveland Avenue (north and south side) from the centerline of Walnut Road east along Cleveland Avenue to the centerline of Gateway Street (50’ right-of-way);

Walnut Road (east side) from a point approximately 125 feet south of the centerline of Cleveland Avenue north along Walnut Road to a point approximately 125 feet north of the centerline of Cleveland Avenue (60’ right-of-way).

Gateway Street (west side) from a point approximately 125 feet south of the centerline of Cleveland Avenue north along Gateway Road to a point approximately 125 feet north of the centerline of Cleveland Avenue (60’ right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the Clark County Clerk (the “Clerk”) and the office of the County Engineering Department in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The proposed improvements on Cleveland Avenue (50’ wide right-of-way) will consist of full width pavement, “L” type curb and gutter, sidewalk, residential driveway approaches with on site driveway transitions (where required), valley gutters, adjustment of utility surface features, adjustment or

relocation of water meters, and relocation of mailboxes (where applicable). Sewer and water laterals are proposed as an option in those areas where mainlines are existing, and will only be installed at the request of the property owners. THE COUNTY HAS NO OBLIGATION TO PROVIDE WATER AND SANITARY SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT AND MAKES NO GUARANTY AS TO THE AVAILABILITY OF SUCH SERVICE.

The proposed improvements on Walnut Road will extend the distance of the corner lots and consist of 16.5’ wide pavement to match existing pavement and create full width pavement with a northbound transition, “L” type curb and gutter, sidewalk, and one residential driveway approach. Sewer and water laterals are proposed as an option in those areas where mainlines are existing, and will only be installed at the request of the property owners. THE COUNTY HAS NO OBLIGATION TO PROVIDE WATER AND SANITARY SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT AND MAKES NO GUARANTY AS TO THE AVAILABILITY OF SUCH SERVICE.

The proposed improvements on Gateway Street will extend the distance of the corner lots and consist of 23’ wide pavement (south of Cleveland Avenue) and variable width pavement (north of Cleveland Avenue) to match existing pavement and creation of full width pavement with a southbound transition, “L” type curb and gutter and sidewalk. Sewer and water laterals are proposed as an option in those areas where mainlines are existing, and will only be installed at the request of the property owners. THE COUNTY HAS NO OBLIGATION TO PROVIDE WATER AND SANITARY SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT AND MAKES NO GUARANTY AS TO THE AVAILABILITY OF SUCH SERVICE.

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

<u>Total Cost</u>	<u>Estimated Amount of Special Assessment</u>	<u>Amount Available from Other Sources</u>
\$580,722.64	\$310,354.21	\$270,368.43

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market

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

The properties in the District will be assessed for a 36' wide pavement section on Cleveland Avenue, a 23' pavement section on Gateway Street, a 16.5' pavement section on Walnut Road, curb and gutter, sidewalk, driveways and sewer and water laterals where mainlines are existing.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac where one of the parcels fronting the cul-de-sac abuts a street to be improved.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat including a tabulation of parcels or Preliminary Assessment Roll, a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed and the portion of the cost to be assessed, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises, are on file in the office of the County Engineering Department, Department of Public Works, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada 89106, and at the office of the Clerk, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada 89106, and can be seen and examined by any property owner, or other interested persons, during regular business hours.

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

On Tuesday, October 21, 2008, at 10:00 a.m., at the Clark County Commission Chambers, in the Clark County Government Center, 500 South Grand Central Parkway, in Las Vegas, Clark County, Nevada, the Board will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any person interested. The owners of the property to be assessed, or any other person interested therein, may file a written protest or objection or may appear before the Board and be heard as to the propriety and advisability of acquiring or improving or acquiring and improving the Project, the estimated cost of the Project, the determination concerning the portion of the cost of the Project to be paid by assessments, the method of determining the amount of special benefits to be derived from the Project and corresponding market value increases, the method of apportioning the assessments, or the regularity, validity and correctness of any other proceedings or instruments taken, adopted or made before the date of the hearing.

The Board requests that any property owner or interested person wishing to make protest or objection, make such protest or objection in writing at the office of the Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, October 17, 2008. On the date and at the place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the Board, or present them orally, and the Board may adjourn the hearing from time to time. Any person filing a written protest or objection as hereinabove provided shall have the right within thirty (30) days after the Board has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be

perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING. A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

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

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

(1) He is entitled to be represented by counsel at the hearing;

(2) Any evidence he desires to present on these issues must be presented at the hearing; and

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

The Board has determined that the Project constitutes not more than 2,640 feet, including intersections, remaining unimproved in any street, including an alley, between improvements already made to either side of the same street or between improvements already made to intersecting streets. Accordingly, the Board may take advantage of the exception stated in paragraph (b) of subsection (2) of NRS 271.306 (which exception allows the County, at its option, to proceed with the improvements regardless of the percentage of protests).

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

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the

assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the Board). The Board shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the Board shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments of principal. The Board shall also provide the time and terms of payment of such assessments, and shall fix penalties (at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the County Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest) to be collected upon delinquent payments. The County Manager or the Chief Financial Officer of the County shall fix the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are issued, such rate will not exceed by more than 1.0% the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three (3%) per cent the "Index of Twenty Bonds" which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued for the District, such rate shall not exceed 9.0% per annum.

Pursuant to NRS 271.357, the Board has established a procedure to postpone the assessments for persons whose principal residence will be included in the District and who believe that the payment of the assessments will create a financial hardship. Persons who are interested in the eligibility criteria and application process for a hardship determination should contact the Clark County Department of Social Services at 1600 Pinto Lane, Las Vegas, Nevada 89106 or (702) 455-8687.

By order of the Board of County Commissioners of the County of Clark, Nevada, and dated this September 22, 2008.

/s/ Shirley B. Parraguire
County Clerk

(End of Form of Notice)