

Summary - An Ordinance Creating the Cave  
Rock Estates General Improvement District

Bill No.

ORDINANCE NO. CR-2  
(of Douglas County, Nevada)

AN ORDINANCE CREATING CAVE ROCK ESTATES  
GENERAL IMPROVEMENT DISTRICT PROPOSED FOR  
PAVING, CURBS, GUTTERS, SIDEWALKS, STORM  
DRAINAGE, WATER IMPROVEMENTS, STREET  
LIGHTING, AND GARBAGE AND REFUSE COLLECTION  
AND DISPOSAL: AND DECLARING AN EMERGENCY

WHEREAS, on the 5th day of September, 1975, this Board adopted an Ordinance numbered CR-I entitled "An Ordinance Initiating Proceedings for the Organization of the Cave Rock Estates General Improvement District Proposed for Paving, Curbs, Gutters, Sidewalks, Storm Drainage, Water Improvements, Street Lighting, and Garbage and Refuse Collection and Disposal: Providing for Publication and Notice of Hearing and Hearing on the creation of the District and Declaring an Emergency, wherein it did provide for the publication of notice of hearing on the creation of the District and declaring an emergency;

WHEREAS, as appears from the affidavit of publication of file in the office of the County Clerk, a copy of said Ordinance was published by title, together with a separate statement to the effect that typewritten copies of the Ordinance were available for inspection at the office of the County Clerk by all interested persons, together with the names of the County Commissioners voting for or against its passage, in the Record Courier, a newspaper of general circulation printed and published in the County of Douglas, and being the newspaper which was most likely to give notice to persons interested therein, at least once a week for a period of two weeks before said Ordinance became effective;

WHEREAS, as appears from the affidavit of publication on file in the office of the County Clerk, said Clerk gave notice by publication of the intention of this Board to establish such District, which notice set forth the name, statement of purposes, general description of its boundaries, and the time and place of hearing, in *The Record Courier*, a newspaper of general circulation in the District, and being the newspaper most likely to give notice to interested persons in said matter, once a week for three consecutive weeks, the first of which was at least fifteen days prior to the day of hearing;

WHEREAS, on the 6<sup>th</sup> day of September, 1975, as appears from the affidavit of mailing on file in the Office of the County Clerk, full, true and correct copies of the notice of intention to establish said District were mailed by first class mail in sealed envelopes, postage prepaid, by depositing them in the United States Post Office to each of the taxpaying electors within said proposed district as their names and addresses appear on the last equalized tax roll for the County of Douglas, and to all persons interested in any property within the District, and to all other persons interested therein as known to said affiant;

WHEREAS, at or before the time fixed in the initiating Ordinance and Notice, written protests were not filed with the County Clerk, signed by 51% or more of the taxpaying electors within said proposed District, and the percentage of said taxpaying electors who so filed written protests against the formation of the District was 2%.

WHEREAS, said matter came on regularly for hearing before this Board at the hour of 11:30 A.M. on the 6th day of October, 1975, in the Chambers of this Board in the County Court House, Minden, Nevada, being the time and place fixed for hearing;

WHEREAS, all persons interested who appeared were given an opportunity to and were fully heard, and all written communications were fully considered, and competent proof was presented that the boundaries of said proposed District were correct and close, that all of the lands within said District will be benefited by being formed into said District, and that said proposed boundaries contain all of the lands that at this time will be benefited by being formed into said District;

WHEREAS, due to the necessity of immediately providing for the exercise of the powers of the General Improvement District, the Board has determined, and does hereby declare, that an emergency exists requiring this ordinance to take effect from and after its passage and publication by title in accordance with law: and

WHEREAS, it will not be necessary to make any changes in said proceedings in order for them to be equitable;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, IN THE STATE OF NEVADA, DOES ORDAIN:

1. The Cave Rock Estates General Improvement District is hereby created and established.

2. The general description of the District and the territory to be included therein is described as follows:

All those lots in Cave Rock Estates  
Units 1 & 2 as recorded in the official  
record of Douglas County, State of Nevada

3. The general purposes for which the district is formed, are;

(a) To grade and regrade and to surface and to resurface streets, alleys, and public highways, and parts thereof, within the district, with suitable material, and to acquire street and alley improvements necessary and incidental thereto.

(b) To improve streets within the district by grading and regrading and by the construction and reconstruction of curb, gutter and combined curb and

gutter, in combination with sidewalks or otherwise, and to acquire improvements necessary and incidental to the foregoing improvements, including, without limiting the generality thereof, drains, catch basins, valley gutters, driveway inlets and the removal of existing improvements.

(c) To construct, replace or extend sidewalks, adjacent to or in combination with curb and gutter or otherwise, within the district, and to acquire improvements necessary and incidental thereto.

(d) To construct, reconstruct, replace or extend storm sewer and other drainage facilities and improvements necessary and incidental thereto within the district, including, without limiting the generality of the foregoing, the laying of pipes and the erection of catch basins, drains, and necessary inlets and outlets.

(e) To sell any product or by-product thereof and acquire the appropriate outlets within or without the district.

(f) To acquire, construct, reconstruct, improve, extend or better a works, system or facilities for the supply, storage and distribution of water for private and public purposes.

(g) To acquire, construct, reconstruct, improve, extend or better a works, system or facilities for lighting public streets, ways and places, or contract for providing such facilities and the electrical current necessary therefor, or such current, with any public utility serving the district, at uniform rates and charges established for the utility operator.

(h) To acquire, by purchase or lease, sites for the disposal of garbage and refuse, and to own and operate equipment for the collection and disposal of,

and collect and dispose of, garbage and refuse, or to contract for the collection and disposal of garbage and refuse from within the district.

(i) To operate, maintain and repair the improvements acquired by the district.

4. The following five taxpaying electors of the District are appointed to serve as the first Board of Trustees of said District, for the following terms, to wit:

Ted Kelty and Howard Roberts, who shall serve until, at the first biennial election following the formation of the District, there shall have been elected by the taxpaying electors of the District two members of said Board; and Tom Yturbide, Anita McCullough, and Al Dahle, who shall serve until, at the second biennial election after the formation of the District, there shall have been elected by said taxpaying electors three members of the Board.

5. The members of the Board of Trustees shall qualify by filing with the County Clerk oaths of office and corporate surety bonds, at the expense of the District, the bonds to be in the amount of \$1,000 each, in standard corporate official bond form which is hereby approved, conditioned for the faithful performance of their duties as Trustees.

6. That the Board of County Commissioners has expressed in the preamble to this ordinance the existence of an emergency, and does hereby find and declare that an emergency does exist and consequently, final action shall be taken immediately and this ordinance shall be in effect from and after its publication as hereinafter provided.

The facts constituting such urgency are as follows:

There is a substantial shortage of improved lands within the area to meet the demands of the growing influx of people therein. In the improvement of the lands of this proposed district it is necessary that the improvements herein proposed be provided for the protection of public health, safety and general welfare.

7. The County Clerk shall cause this Ordinance to be published by title, together with a separate statement to the effect that typewritten copies of the Ordinance are available for inspection at the office of the County Clerk by all interested persons, together with the names of the County Commissioners voting for or against its passage, in The Record Courier, a newspaper of general circulation printed and published in the County of Douglas, and being the newspaper which is most likely to give notice to persons interested herein, at least once a week for a period of two weeks before this Ordinance shall become effective.

8. Forthwith upon the effective date of this Ordinance and within thirty (30) days thereafter, the County Clerk shall file a copy of this Ordinance in his office and shall cause to be filed an additional copy of it in the Office of the Secretary of State.

Proposed on the 22<sup>nd</sup> day of September, 1975.

Proposed by Commissioner Munday

Passed the 6<sup>th</sup> day of October, 1975.

Vote

AYES: Commissioners: Dayton, Munday & Stone  
NAYES: Commissioners: none  
ABSENT: Commissioners: none

Harold P. Dayton  
Chairman of the Board

Attested:

Matt Bernard  
Matt Bernard, County Clerk

This Ordinance shall be in force and effect from and after the 17<sup>th</sup> day of October, 1975.