



Storey County Board of County Commissioners Agenda Action Report

Meeting date: September 4, 2018

Estimate of time required: 20 min

Agenda: Consent [] Regular agenda [X] Public hearing required []

1. **Title:** DISCUSSION/POSSIBLE ACTION: Approval of First Reading Ordinance 18-290 concerning Storey County, Nevada Special Assessment District No. 01 (Tahoe-Reno Industrial Center); and assessing the cost of local improvements against the assessable property benefited by the local improvements.
2. **Recommended motion** I, (Commissioner), move for approval of First Reading Ordinance 18-290 concerning Storey County, Nevada Special Assessment District No. 01 (Tahoe-Reno Industrial Center); and assessing the cost of local improvements against the assessable property benefited by the local improvements.

3. **Prepared by:** Pat Whitten

Department: Commissioner's Office

Telephone: 847-0968

4. **Staff summary:** As presented

5. **Supporting materials:** Draft Ordinance 18-290

6. **Fiscal impact:**

Funds Available:

Fund:

_____ Comptroller

7. **Legal review required:** n/a

_____ District Attorney

8. **Reviewed by:**

_____ Department Head

Department Name: Commissioners

_____ County Manager

Other agency review:

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item # 11

Summary – An ordinance levying assessments in Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center), ratifying action taken by County officers toward the levy of assessments, and providing other matters related thereto.

BILL NO. 101

ORDINANCE NO. 18-290

AN ORDINANCE CONCERNING STOREY COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 01 (TAHOE-RENO INDUSTRIAL CENTER) AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS.

WHEREAS, pursuant to NRS 271.325 an accurate estimate of cost, full and detailed plans and specifications, an assessment plat and other materials related to a water project (collectively, the "Project") to be acquired pursuant to NRS chapter 271 (the "Act") have been prepared and presented to the Board of County Commissioners (the "Board") of Storey County, Nevada (the "County"); and

WHEREAS, the Board hereby deems it necessary to create Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center) (the "District") for the purpose of acquiring and improving the Project, and for the purpose of financing the entire cost and expense of the Project by special assessments according to benefits levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, pursuant to the County's Developer Special Assessment District Guidelines, there has previously been presented to the Board a written petition in the form of an Economic Development Financing Proposal from Eagle Valley Acquisition LLC, TRIC Acquisition LLC, Silver Slate LLC, Comstock TRIC Associates LLC, Supernap Reno LLC, Tahoe-Reno Industrial Center LLC, Tesla Motors Inc., 1200 USA Parkway, Emerald City Empire LLC, (collectively, the "Owners"), requesting the County to initiate the acquisition and improvement of the Project, to issue bonds and to levy assessments pursuant to the Act, including, specifically, NRS 271.710 and 271.720; and

WHEREAS, the County and the Owners have entered into a District Financing Agreement (the "Financing Agreement"), for the acquisition and improvement of the Project which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Owners are the owners of 100% of the assessable property comprising the District; and

WHEREAS, the District has been created by an ordinance designated as the "District No. 01 Creation Ordinance" previously approved by the Board under the provisions of the Act; and

WHEREAS, pursuant to the District No. 01 Creation Ordinance, the Board has determined that the entire cost and expense to the County of the acquisition and improvement of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District (except for an amount of \$157,421.29 to be paid in cash in lieu of an assessment) ; and

WHEREAS, such cost and expense of the Project includes the costs and expenses of the County to be incurred in connection with the issuance of bonds by the County (the "Bonds") to finance the cost of the acquisition and improvement of the Project and the amount of reserve and other funds for the Bonds; and

WHEREAS, pursuant to the District No. 01 Creation Ordinance, the Board has determined and does hereby declare that the net cost to the County of the Project is \$35,000,000, of which \$157,421.29 is available from other sources and \$34,842,578.71 is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Board, by resolution duly adopted, directed the County Engineer and Farr West Engineering (collectively, the "Engineer"), to make out a preliminary assessment roll; and

WHEREAS, after determination of the cost and expense of the acquisition and improvement of the Project to be paid by the property specially benefited, the Board, together with the Engineer, made out an assessment roll containing, among other things, the name and address of the last-known owner of the property to be assessed, a description of each lot, tract and parcel of land to be assessed, and the amount of the assessment thereon and has heretofore filed the assessment roll with the County Clerk; and

WHEREAS, pursuant to the Engineer's Report for the District prepared by the Engineer and heretofore placed on file with the County Clerk (the "Engineer's Report"), together with certain recitations of the Owners contained within the Financing Agreement and the appraisal from ~~Harris and Associates, Inc.~~ Mark E. Stafford, Certified General Appraiser, the

Board has determined that the assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed; and

WHEREAS, it is incumbent upon the Board to provide when said assessments shall become due and the penalties payable after any delinquency.

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

Section 1. This ordinance shall be known as and may be cited by the short title "District No. 01 Assessment Ordinance" (this "Ordinance").

Section 2. All actions, proceedings and matters previously taken, had and done by the County and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of assessments for those purposes, and the validation and confirmation of the assessment roll and the assessments therein, are ratified, approved and confirmed.

Section 3. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the County, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District in the form on file in the office of the County Clerk on the date of adoption of this Ordinance, the amounts and assessments shown in the assessment roll (as so filed). Pursuant to the Engineer's Report, together with certain recitations of the Owners contained within the Financing Agreement, the Board hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 4. Pursuant to the Financing Agreement, the Owners 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 at the office of the County Treasurer on March 1 and September 1 of each year, commencing on March 1, 2019, in

fifty (50)] semi-annual 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. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), 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. 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 March 1 or September 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 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 3.00% of the principal amount so prepaid. If the Bonds may then be redeemed without the payment of any premium or with a premium of less than three percent (3%), the County, in its sole discretion, may waive the requirement of payment of the redemption premium; provided that the County shall collect a premium upon the prepayment of an assessment which is not less than the premium which is then due for redemption of the Bonds. No waiver for or modification of a particular prepayment premium shall be deemed to be a waiver for or modification of any other prepayment premium unless the County expressly waives or modifies the prepayment penalty for all assessments. 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 September 1, 2043.

Assessment installments or assessment prepayments shall be reduced by the amount of any credits available for such installments or prepayments as provided in the Financing Agreement. This Section does not prevent the County from amending this Ordinance, the Financing Agreement 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 established for the Bonds (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 5. The amounts assessed as aforesaid shall be a lien upon said lots, tracts and parcels of land from the effective date of this Ordinance until paid, coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes).

The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 6. (a) Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, the Board may require the County Treasurer to apportion the uncollected amounts upon the several parts of land so divided on a net assessable area basis; provided that the applicant, at the time of such apportionment, may request that the uncollected amounts be apportioned on a net area basis. The County may consider such request and, in its sole discretion, apportion the uncollected assessments accordingly. For purposes of such apportionment, the term "net assessable area" shall exclude (i) areas excluded from the definition of "assessable property" pursuant to NRS 271.040, (ii) areas designated on the assessment plat as being areas of non-assessment, and (iii) private streets, properties which are conveyed with restrictions limiting the uses of such properties to common areas, parks, landscaped areas and other permanent open space. In the event that any conflict exists between the provisions of the assessment plat and this Ordinance, the terms of this Ordinance shall control. The area of lands not included in the net assessable area may be estimated by the County in the case of any apportionment for which final legal descriptions of the excluded area are not yet available and any such estimate shall be final and conclusive absent fraud.

(b) The County may also reapportion assessments on tracts with the consent of property owners whose assessment will be increased thereby pursuant to NRS 271.425(3) or NRS 271.710(2) if the Board finds that the proposed action will not:

(i) materially or adversely impair the obligation of the County with respect to the Bonds; or

(ii) increase the principal balance of any assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the assessment.

(c) The report of such an apportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the

County Recorder, together with a statement that the current payment status of any of the assessments may be obtained from the County Treasurer. Neither the failure to record the report nor any defect in the report as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 7. In case any such lot, tract or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the County Treasurer promptly (but in no event later than 60 days after the installment due date) shall mark the assessment installment delinquent on the assessment roll for the District and shall notify the owner of such delinquent property, if known, in writing of such delinquency, by first class mail, postage prepaid, addressed to the addressee's last-known address. Said assessment shall be enforced by the County Treasurer and other officers of the County, as provided in NRS 271.545 to 271.630, and the assessment roll and certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings. Unless otherwise directed by the Board, in the case of such a collection, the County Treasurer shall determine whether to cause the whole amount of the unpaid assessment with respect to such property to be immediately due and payable. If any such collection is not promptly enforced by the County, any bondholder may file and prosecute a foreclosure action in the name of the County. Any bondholder may also proceed against the County to protect and enforce the rights of the owners of the Bonds under this Ordinance and the Act by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in the Act or in an award of execution of any power herein granted for the enforcement of any proper legal or equitable remedy as such bondholder may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds then outstanding. The failure of the bondholders so to foreclose upon the property which is the subject of such delinquent assessments or so to proceed against the County, or both, shall not relieve the County or any of its officers, agents or employees of any duty so to take the actions hereinabove set forth.

Section 8. The County Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the County Treasurer, a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the

assessment was made, together with a statement that the current payment status of any of the assessments may be obtained from the County Treasurer. Neither the failure to record the assessment roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The County Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land to which they were assessed.

Section 9. In accordance with NRS 271.390(2), the County Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the County Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the mailing shall be maintained in the permanent records of the office of the County Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Board hereby determines that the manner of giving notice herein provided by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 10. The notice provided for in NRS 271.390(2) and in Section 9 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN STOREY COUNTY, NEVADA, SPECIAL ASSESSMENT
DISTRICT NO. 01 (RENO-TAHOE INDUSTRIAL CENTER)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on September 18, 2018 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is designated as the "Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. 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 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 default had not been suffered.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from September 18, 2018, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem)

taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this September 18, 2018.

/s/ Vanessa Stephens
County Clerk

Amount of assessment \$ _____

Description of property assessed _____

(End of Form of Notice)

Section 11. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 12. All ordinances, bylaws, resolutions and orders, 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, bylaw, resolution or order, or part thereof, previously repealed.

Section 13. 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 Comstock Chronicle, 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 September 18, 2018, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Bill for an Ordinance)

BILL NO. _____

ORDINANCE NO. _____

**AN ORDINANCE CONCERNING STOREY COUNTY,
NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 01
(TAHOE-RENO INDUSTRIAL CENTER) AND ASSESSING
THE COST OF LOCAL IMPROVEMENTS AGAINST THE
ASSESSABLE PROPERTY BENEFITED BY THE LOCAL
IMPROVEMENTS.**

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled Ordinance are available for public examination at the office of the County Clerk of Storey County (the "County Clerk"), at her office located at 26 S. B St. Drawer D, Virginia City, Nevada.

The following is a brief summary of the provisions of the Ordinance: The Ordinance provides for special assessments to be levied within Storey County, Nevada, Special Assessment District No. 01 (Tahoe-Reno Industrial Center) (the "District") for the acquisition and improvement of a water project (the "Project"). The Ordinance sets forth the details of the assessments, including, but not limited to, the dates and amounts of principal of the assessments, as well as the manner of determining interest, prepayment premium, penalties and collection costs, where applicable. The Ordinance provides that amounts assessed shall be a lien upon said lots, tracts and parcels of land from the effective date of the Ordinance until paid, notwithstanding sale of any such lot, tract or parcel of land. The Ordinance provides for notification to and enforcement against owners of any such lot, tract or parcel of land delinquent in payment of assessments.

The Ordinance sets forth the form of written notice of the levy of assessments to be mailed by the County Clerk to the owners of all property upon which an assessment has been levied.

Such Ordinance was proposed on September 4, 2018 and will be considered for adoption at the regular meeting of the Board to be held on September 18, 2018. Prior to consideration of the Ordinance for final adoption, the Board will hold a public hearing on the proposed Ordinance at its regular meeting to be held on Tuesday, September 18, 2018 at 10:00 a.m. at the Storey County Commission Chambers, 26 South B Street, Virginia City, Nevada.

• Copies of the Bill are on file in the office of the County Clerk, 26 S. B St. Drawer D, Virginia City, 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 September __, 2018.

(SEAL)

/s/ Vanessa Stephens
County Clerk

(End of Form for Publication)

Section 14. 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 such Ordinance are available for inspection by all interested parties at the office of the County Clerk, such publication to be made in the Comstock Chronicle, a newspaper published and having general circulation in the County, at least once a week for a period of 2 weeks by 2 insertions, pursuant to NRS 244.100, and all laws thereunto enabling, such publication to be in substantially the following form:

(Form of Publication)

BILL NO. _____

ORDINANCE NO. _____
(of Storey County, Nevada)

**AN ORDINANCE CONCERNING STOREY COUNTY,
NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 01
(TAHOE-RENO INDUSTRIAL CENTER) AND ASSESSING
THE COST OF LOCAL IMPROVEMENTS AGAINST THE
ASSESSABLE PROPERTY BENEFITED BY THE LOCAL
IMPROVEMENTS.**

Public Notice is hereby given that copies of the above-numbered and entitled ordinance are available for inspection by all interested parties at the office of the County Clerk at _____, Virginia City, Nevada; and that such ordinance was proposed by Commissioner _____ on September 4, 2018, and was 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 held on September 18, 2018, by the following vote of the Board of County Commissioners:

Those Voting Aye:

Those Voting Nay:

Those Abstaining:

Those Absent:

This ordinance shall be in full force and effect from and after the ____ day of October, 2018, (i.e., the date of the second publication of such ordinance by its title only).

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

DATED this September 18, 2018.

/s/ Marshall McBride

Chairman
Board of County Commissioners
Storey County, Nevada

(SEAL)

Attest:

/s/ Vanessa Stephens

County Clerk

(End of Form of Publication)

Section 15. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Proposed on September 4, 2018.

Proposed by Commissioner _____

Passed September 18, 2018.

Vote:

Aye:

Nays:

Absent:

Attest:

Chairman
Board of County Commissioners
Storey County, Nevada

County Clerk

This Ordinance shall be in force and effect from and after the ____ day of October, 2018, i.e., the date of the second publication of such Ordinance by its title only.

STATE OF NEVADA)
) ss.
STOREY COUNTY)

I am the duly chosen, qualified and acting County Clerk of Storey County (the "County"), in the State of Nevada (the "State"), do hereby certify:

1. The foregoing pages constitute a true, correct and compared copy of an ordinance introduced at a regular meeting of the Board of County Commissioners (the "Board") held on September 4, 2018, and passed and adopted by the Board at a regular meeting of the Board held on September 18, 2018; such copy of such ordinance is a true, correct and compared copy of the original passed and adopted by the Board at the designated meeting and the original of such ordinance has been approved and authenticated by the signature of the Chairman of the Board and myself as Clerk, and has been recorded in the minute book of the Board kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

2. The members of the Board were present at each meeting and voted on the passage of such ordinance as provided therein.

3. All members of the Board were given due and proper notice of each meeting.

4. Public notice of each meeting attached as Exhibit A and Exhibit B was given and each such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of each such meeting and excerpt from the agenda for the meeting relating to the ordinance, as posted at least 3 working days in advance of the meeting at the Board's office, the County's website, the State's website, and three other locations, i.e., at:

- (i) Virginia City Post Office
- (ii) Storey County Courthouse
- (iii) Virginia City Fire Station
- (iv) Virginia City Highlands Fire Station
- (v) Lockwood Fire Station

5. At least three working days before such meeting, such notice was given to each member of the Board and to each person, if any, who has requested notice of meetings of the Board in accordance with the provisions of Chapter 241 of NRS.

6. Affidavits of publication of the notice of filing of the Ordinance and the notice of adoption of the Ordinance are attached hereto as Exhibit C.

IN WITNESS WHEREOF, I have hereunto set my hand on September 18, 2018.

County Clerk

EXHIBIT A

(Attach Copy of Notice of September 4, 2018 Meeting)

EXHIBIT B

(Attach Copy of Notice of September 18, 2018 Meeting)

EXHIBIT C

(Attach Affidavits of Publication of Ordinance)

Document comparison by Workshare 9.5 on Tuesday, August 28, 2018 9:59:35 AM

Input:	
Document 1 ID	interwovenSite://DMS.SHERMANHOWARD.COM/Active/48848533/3
Description	#48848533v3<Active> - Assessment Ordinance
Document 2 ID	F:\DMS\NRPortbl\Active\KFOLLETT\48848533_4.doc
Description	F:\DMS\NRPortbl\Active\KFOLLETT\48848533_4.doc
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	1
Deletions	1
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	2