

BILL 2009-4
ORDINANCE NO. 165

(Annexation of BUREAU OF LAND MANAGEMENT (BLM) lands identified for disposal.)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALIENTE, NEVADA, EXTENDING THE CITY LIMITS OF THE CITY BY ANNEXING THERETO APPROXIMATELY 28,800 ACRES OF BLM LAND IDENTIFIED FOR DISPOSAL IN THE RESOURCE MANAGEMENT PLAN, SAID LAND BEING GENERALLY LOCATED IN TOWNSHIPS THREE AND FOUR SOUTH, RANGES 66,67,68 EAST, MDM, AND OTHER MATTERS RELATING THERETO.

- WHEREAS, Nevada Revised Statutes (“NRS”) Section 268.670 authorizes a city to annex territory following receipt and acceptance of a petition signed by all owners of record of individual lots or parcels of land within the area to be annexed; and
- WHEREAS, the City Council of the City of Caliente, Nevada has received a letter of “no objection” from the BLM regarding the proposed annexation, and similar letters from private land owners, which comprise the annexation area, which is more particularly described in Exhibit A, which is, by reference incorporated herein and made part of this Ordinance, (the “Annexation Area”); and
- WHEREAS, the Petition was signed and submitted to the City Council by all owners of record of property situated within the Annexation Area as of the initiation of the petition; and
- WHEREAS, the individual lots or parcels of the Annexation Area meet the requirements of NRS 268.670, and that no part of the Annexation Area is included within the boundaries of another incorporated city or any unincorporated town as those boundaries existed on July 1, 1983; and
- WHEREAS, the City Council of the City of Caliente, Nevada has notified the Board of Lincoln County Commissioners of its intention to annex, pursuant to the requirement of NRS 268.670.
- NOW, THEREFORE, the City Council of the City of Caliente, Nevada does ordain:

SECTION 1. That, pursuant to NRS 268.670, the Annexation Area is hereby annexed to and made a part of the City of Caliente, Nevada, effective upon completion of those requirements set forth in Section 3 following.

SECTION 2. The City shall not be required to pay for the extension of municipal services to the territory annexed, but intends that municipal services shall be extended at the expense of the property owners and according to demand, need and benefit of the respective property owners, and in accordance with the City’s Charter, Caliente

Municipal Code and City policy.

SECTION 3. That City staff are hereby instructed as follows: (1) the City Clerk shall file a certified copy of this Ordinance with the State of Nevada Department of Taxation; (2) the City Clerk shall file a certified copy of this Ordinance with the Lincoln County Election Department; (3) the City Clerk shall publish this Ordinance in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS; (4) the City Clerk shall order the creation an official map of the annexation area, and when completed shall record a certified copy of this Ordinance, with a copy of the map of the Annexation Area attached thereto, in the office of the Lincoln County Recorder.

SECTION 4. That from and after completion of those requirements set forth in Section 3 of this ordinance, the Annexation Area and all property therein shall be a part of the City of Caliente, Nevada, shall be subject to all debts, laws, ordinances and regulations currently or hereafter in force in the City of Caliente, Nevada, and shall be entitled to the same privileges and benefits as are afforded to all properties within the City of Caliente, Nevada.

SECTION 5. The effective date of the annexation is one week after the final reading and passage of this annexation ordinance by the City Council of the City of Caliente, Nevada.

END OF ORDINANCE.

Passed, Adopted and Approved this 4th day of June , 2009.
Those voting aye: Council members Acklin, Tibbetts, Moore, Larson & Mayor Phillips.
Those voting nay: None
Those absent and not voting: None
Those abstaining from vote: None

Approved by:

_____ Patrice Lytle, City Clerk

Attest:

Kevin J. Phillips, Mayor