

City Council Action Letter



Separator Sheet



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON

LOIS TARKANIAN

STEVEN D. ROSS

BRENDA J. WILLIAMS
INTERIM

DOUGLAS A. SELBY
CITY MANAGER

April 6, 2007

Mr. Aaron Schein
Picerne Providence, LLC
1420 East Missouri Avenue, Suite #100
Phoenix, Arizona 85014

RE: VAC-19032 - VACATION
CITY COUNCIL MEETING OF APRIL 4, 2007

Dear Mr. Schein:

The City Council at a regular meeting held April 4, 2007 APPROVED the Petition to Vacate a 40-foot wide BLM right-of-way grant along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way. The Notice of Final Action was filed with the Las Vegas City Clerk on April 5, 2007. This approval is subject to:

Planning & Development

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. A public sewer easement acceptable to the Collection System Planning Section of the Department of Public Works shall record concurrent with the recordation of the Order of Vacation.
4. An addendum to the previously approved Drainage Plan and Technical Drainage Study for the parcels associated with this Vacation Application must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
5. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and Order of Vacation.

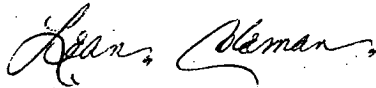
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

Mr. Aaron Schein
VAC-19032 – Page Two
April 6, 2007

6. The Order of Vacation and the Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public street light and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

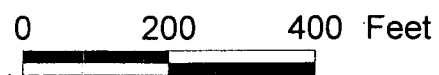
Sincerely,



Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, Acting City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Jolene Granberg
DRC Engineering
7180 Dean Martin Drive, Suite #800
Las Vegas, Nevada 89118



Action Letter



Separator Sheet



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

DOUGLAS A. SELBY
CITY MANAGER

March 9, 2007

Mr. Aaron Schein
Picerne Providence, LLC
1420 East Missouri Avenue, Suite #100
Phoenix, Arizona 85014

RE: ABEYANCE - VAC-19032 - VACATION

Dear Mr. Schein:

Your Petition to vacate a 40-foot wide BLM right-of-way grant along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way, Ward 6 (Ross), was considered by the Planning Commission on March 8, 2007.

The Planning Commission voted to recommend **APPROVAL** of your request, subject to the following:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. A public sewer easement acceptable to the Collection System Planning Section of the Department of Public Works shall record concurrent with the recordation of the Order of Vacation.
4. An addendum to the previously approved Drainage Plan and Technical Drainage Study for the parcels associated with this Vacation Application must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
5. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and Order of Vacation.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

6. The Order of Vacation and the Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public street light and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

This item will be considered by the City Council on ***April 4, 2007***, at 1:00 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,

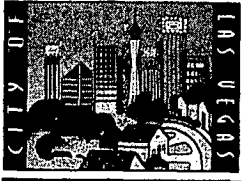


John Korkosz, Planning Supervisor
Planning and Development Department
Current Planning Division

JK:dm

cc: Ms. Jolene Granberg
DRC Engineering
7180 Dean Martin Drive, Suite #800
Las Vegas, Nevada 89118

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

TTY 702-386-9108

Voice:

Administration 229-6353

Comp Planning 229-6022

Current Planning 229-6301

www.lasvegasnevada.gov

February 23, 2007

Mr. Aaron Schein
Picerne Providence, LLC
1420 East Missouri Avenue, Suite #100
Phoenix, Arizona 85014

RE: VAC-19032 - VACATION

Dear Mr. Schein:

Your Petition to vacate a 40-foot wide BLM right-of-way grant along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way, Ward 6 (Ross), was considered by the Planning Commission on February 22, 2007.

The Planning Commission voted to hold this item in **ABEYANCE** in an effort to allow the applicant an opportunity to work with staff and adjacent property owners to resolve issues related to this request.

This item is scheduled to be heard again at the **March 8, 2007** Planning Commission meeting which will be held at 6:00 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada. The Planning Commission requires that you or your representative be present at this meeting. If you or your representative chooses not to attend, the Planning Commission may act in your absence without your input.

Sincerely,

Andrew P. Reed, Planning Supervisor
Planning and Development Department
Current Planning Division

AR:clb

cc: Ms. Jolene Granberg
DRC Engineering
7180 Dean Martin Drive, Suite #800
Las Vegas, Nevada 89118

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Lawrence Weekly
Steve Wolfson
Lois Tarkanian
Steven D. Ross

City Manager
Douglas A. Selby



Applicant Letter



Separator Sheet

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

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Voice:

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February 23, 2007

Mr. Aaron Schein
Picerne Providence, LLC
1420 East Missouri Avenue, Suite #100
Phoenix, Arizona 85014

RE: ABEYANCE - VAC-19032 - VACATION

Dear Mr. Schein:

Please be advised the City Planning Commission at its regular meeting on **March 8, 2007** as referred to above, will consider your request. This meeting will be held at 6:00 P. M. at the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the **final agenda** will be mailed to you prior to the meeting. If you do not receive these documents by the day of the meeting, please call the Current Planning Division at 229-6301 or come into the Development Services Center at 731 South Fourth Street to request your copies.

The Planning Commission requires that you or your representative be present at this meeting.

Sincerely,

John Korkosz, Planning Supervisor
Planning and Development Department
Current Planning Division

JK:clb

cc: Ms. Jolene Granberg
DRC Engineering
7180 Dean Martin Drive, Suite #800
Las Vegas, Nevada 89118

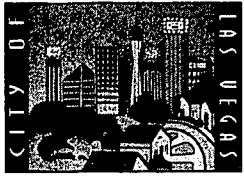
Mayor
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PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

TTY 702-386-9108

Voice:

Administration 229-6353

Comp Planning 229-6022

Current Planning 229-6301

www.lasvegasnevada.gov

February 9, 2007

Mr. Aaron Schein
Picerne Providence, LLC
1420 East Missouri Avenue, Suite #100
Phoenix, Arizona 85014

RE: VAC-19032 - VACATION

Dear Mr. Schein:

Please be advised the City Planning Commission at its regular meeting on **February 22, 2007** as referred to above, will consider your request. This meeting will be held at 6:00 P.M. at the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the **final agenda** will be mailed to you prior to the meeting. If you do not receive these documents by the day of the meeting, please call the Current Planning Division at 229-6301 or come into the Development Services Center at 731 South Fourth Street to request your copies.

The Planning Commission requires that you or your representative be present at this meeting.

Sincerely,

Andrew P. Reed, Planning Supervisor
Planning and Development Department
Current Planning Division

AR:clb

cc: Ms. Jolene Granberg
DRC Engineering
7180 Dean Martin Drive, Suite #800
Las Vegas, Nevada 89118

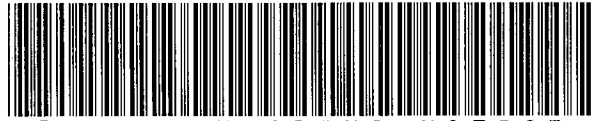
Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Lawrence Weekly
Steve Wolfson
Lois Tarkanian
Steven D. Ross

City Manager
Douglas A. Selby



Public Hearing Notice



PUBLIC HEARING NOTICE

Separator Sheet

NOTICE OF PUBLIC HEARING

VACATION

MEETING: PLANNING COMMISSION
DATE: FEBRUARY 22, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAC-19032

OWNER/APPLICANT: PICERNE PROVIDENCE, LLC - PETITION TO VACATE A 40-FOOT WIDE BLM RIGHT-OF-WAY GRANT ALONG THE NORTH SIDE OF DEER SPRINGS WAY COMMENCING APPROXIMATELY 340 FEET FROM THE NORTHWEST CORNER OF HUALAPAI WAY AND DEER SPRINGS WAY AND A 33-FOOT WIDE PORTION OF AN U.S. GOVERNMENT PATENT EASEMENT GENERALLY LOCATED WEST OF HUALAPAI WAY AND NORTH OF DEER SPRINGS WAY, WARD 6 (ROSS).

BLM RIGHT-OF-WAY GRANT:

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A FORTY FOOT (40') WIDE RIGHT-OF-WAY GRANT BEGINNING THREE HUNDRED AND FORTY FEET (340') WEST OF THE NORTHWEST CORNER OF DEER SPRINGS WAY AND HUALAPAI WAY AND EXTENDING APPROXIMATELY THREE HUNDRED AND FORTY FEET (340') WEST ALONG DEER SPRINGS WAY.

SAID PROPERTY BEING A PORTION OF THE WEST HALF (W $\frac{1}{2}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M.

U.S. PATENT EASEMENT:

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS A THIRTY-THREE FOOT (33') WIDE PORTION OF A PATENT EASEMENT.

SAID PROPERTY BEING THE NORTH, WEST, AND SOUTH THIRTY-THREE FEET (33') OF THE EAST HALF (E $\frac{1}{2}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M.;

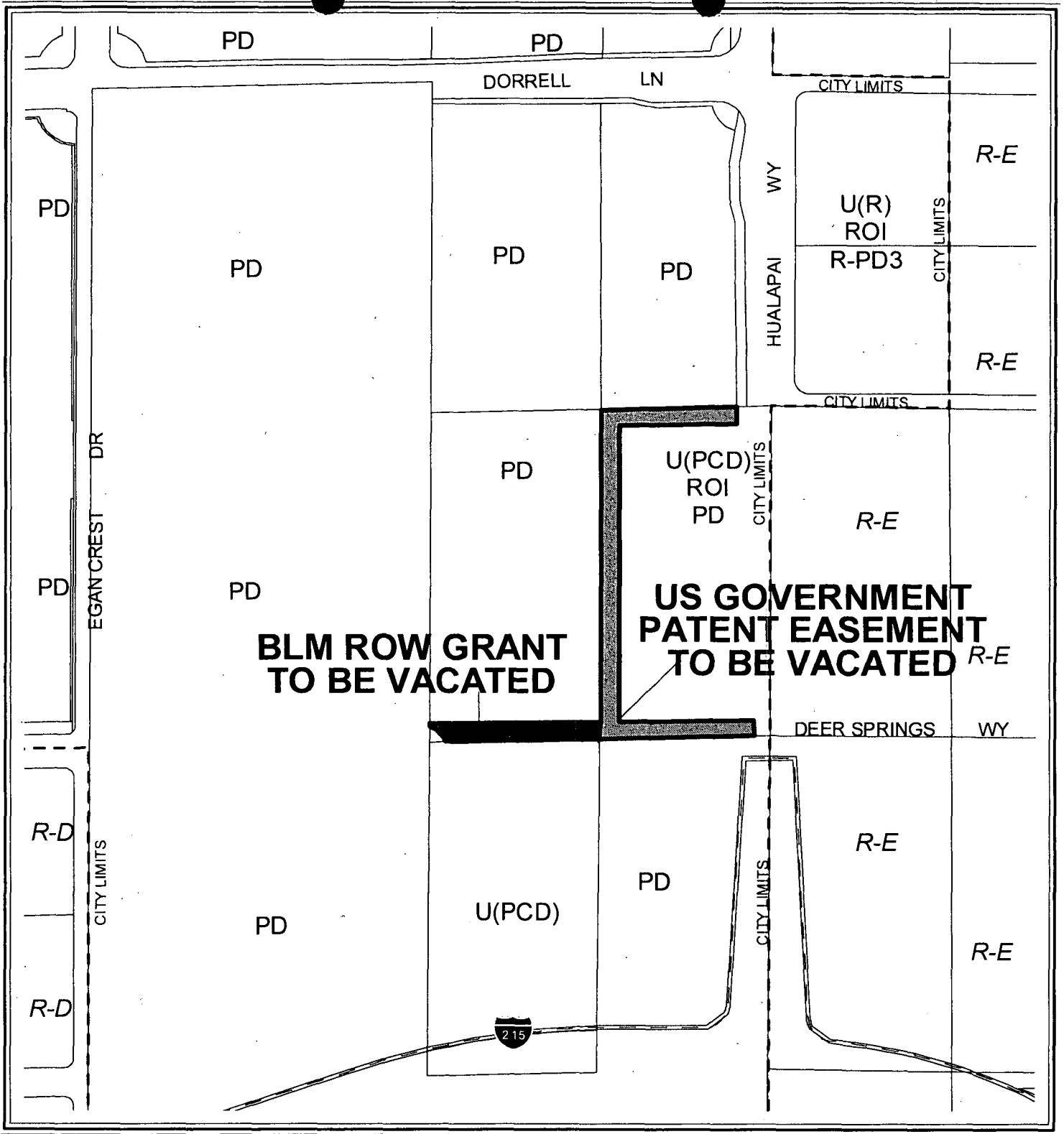
EXCEPTING THEREFROM THE EAST FIFTY FEET (50') OF SAID NORTH AND SOUTH THIRTY-THREE FEET (33').

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request will be determined by the City Council. The date of the City Council meeting will be announced at the Planning Commission meeting after the discussion of this item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



ANDREW P. REED, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE



CASE: VAC-19032



City Council Proof of Publication



Separator Sheet

Las Vegas, Nevada

MARCH 19, 2007

TO: LAS VEGAS REVIEW JOURNAL

FROM: CITY CLERK

SUBJECT: PUBLICATION OF NOTICE OF PUBLIC HEARINGS – VACATIONS:

VAC-19032, VAC-19234 and VAC-19235,

Please publish the attached LEGAL NOTICE

ON THE FOLLOWING DATE: FRIDAY, MARCH 23, 2007 (One time)

Send me three copies of the Affidavit of Publication at your earliest convenience [no later than seven (7) days following final publication].

ACTING CHIEF DEPUTY CITY CLERK

cc: Finance Department – Accounts Payable
City Attorney – (on Ordinances)
Planning and Development Department
Front Desk

NOTICE OF PUBLIC HEARINGS
APRIL 4, 2007

NOTICE IS HEREBY GIVEN THAT ON WEDNESDAY, APRIL 4, 2007 at the hour of 1:00 P.M. in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following Vacations:

VAC-19032 - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC - Petition to vacate a 40-foot wide BLM right-of-way grant along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way, Ward 6 (Ross).

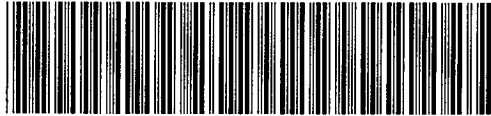
VAC-19234 - APPLICANT: MITCHELL HOLDINGS - OWNER: LIVEWORK, LLC - Petition to Vacate a 20-foot wide section of public right-of-way generally located south of Bonneville Avenue, north of Garces Avenue between Main Street and 1st Street, Ward 3 (Reese). LEGALLY DESCRIBED AS A TWENTY-FOOT (20') WIDE RIGHT-OF-WAY FROM BONNEVILLE AVENUE AND COMMENCING AT GARCES AVENUE GENERALLY LOCATED BETWEEN MAIN STREET AND FIRST STREET. SAID PROPERTY BEING A PORTION OF THE EAST HALF (E $\frac{1}{2}$) OF THE WEST HALF (W $\frac{1}{2}$) OF THE NORTH HALF (N $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

VAC-19235 - APPLICANT: MITCHELL HOLDINGS - OWNER: LIVEWORK, LLC, ET AL - Petition to Vacate a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and First Street, Ward 3 (Reese). LEGALLY DESCRIBED AS A TWENTY-FOOT (20') WIDE RIGHT-OF-WAY FROM LEWIS AVENUE AND COMMENCING AT CLARK AVENUE GENERALLY LOCATED BETWEEN MAIN STREET AND FIRST STREET. SAID PROPERTY BEING A PORTION OF THE WEST HALF (W $\frac{1}{2}$) OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall.

BEVERLY K. BRIDGES, ACTING CITY CLERK

Project Checklist



PROJECT CHECKLIST

Separator Sheet

City of Las Vegas

CURRENT PLANNING PROJECT CHECKLIST

Project Name: _____

Applicant Name: JOLENE GRANIBERG Telephone: 270-6119

Project Number: VAG-19032 Ward Number: _____

STAFF ACTIONS	<i>Initial/Date</i>		<i>Initial/Date</i>
☐ Pre-App. Meeting Date:	<u>12.15.06</u>	☐ DRT Outcome:	<u>1.24.07</u>
☐ App. Filing Date:	<u>1.9.07</u>	☐ Applicant Contacted:	_____
☐ App. Accuracy Checked:	_____	☐ Site Visit Completed:	_____
☐ Routing Form Sent:	<u>1.12.07</u>	☐ Photos Taken:	_____
☐ DRT Meeting Date:	<u>1.23.07</u>		
Notes: _____			

P. C. ACTIONS	<i>Initial/Date</i>		<i>Initial/Date</i>
☐ Hearing Notice Rec'd:	_____	☐ PC Meeting Date:	<u>2.22.07</u>
☐ Hearing Notices Mailed:	<u>2.9.07</u>	☐ PC Action:	_____
☐ Draft Report Sent to PC:	<u>2.15.07</u>	☐ Letter to Applicant:	<u>2.9.07</u>
☐ Final Report Reviewed:	_____	☐ PC Minutes Filed:	_____
Additional PC Conditions: _____			

C. C. ACTIONS	<i>Initial/Date</i>		<i>Initial/Date</i>
☐ CC Report Completed:	_____	☐ CC Resolution Filed:	_____
☐ CC Meeting Date:	_____	☐ CC Minutes Filed:	_____
☐ CC Action:	_____	☐ Final Plans Submitted:	_____
☐ Letter to Applicant:	_____	☐ Ordinance Completed:	_____
☐ Conditions Checked:	_____		

☐ RELATED FILES: _____

☐ See ADMINISTRATIVE ACTIONS Sheet
--

Hansen Sheet



Separator Sheet

City of Las Vegas

400 Stewart Ave
Las Vegas, NV 89101-2927

VAC Application

Report Date 01/04/2007 03:06 PM

Submitted By

Page 1

A/P # 19032 VACATION

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	01/03/2007 15:24	983538	Temp COO		
Approved			COO Issued		
Final			Expires		

Associated Information

Type of Work	# Plans	0	Declared Valuation	0.00
Dept of Commerce	# Plans	0	Calculated Valuation	0.00
Priority	☒ Auto Reviews	Bill Group	Actual Valuation	0.00

Description of Work

VAC-19032 - VACATION - PUBLIC HEARING - OWNERS/APPLICANTS: PICERNE PROVIDENCE, LLC - Petition to vacate a U.S. government right-of-way grant easement along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Deer Springs Way and Hualapai Way, Ward 6 (Ross).

Parent A/P

Project #	19032	Project/Phase Name	PROVIDENCE APARTMENTS	Phase #	
Size/Area	0.00	Size Description		Subdivision Code	
Proposed Start		Proposed Stop		% Completed	0.00
% Complete Formula					

Property/Site Information

Parcel
Location

Owner/Tenant

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

No Addresses are linked to this Application

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

No Parcels are linked to this Application

Applicants/Contacts

Primary	N	Capacity	OTHER	Other	REP	Contact ID	AC1324513	☐ Foreign
Effective		Expire						
Name	DRC ENGINEERING							
Day Phone	(702)270-6119 x		Eve Phone	Organization		DRC ENGINEERING		
Pager			PIN #	Position				
Fax	(702)270-4899		Mobile	Profession				
E-Mail								
Address	7180 DEAN MARTIN DR., #800 LAS VEGAS, NV 89118							
Seasonal Addr								

Valid From To

Comments

contact jolene grandberg 7022706119

City of Las Vegas

400 Stewart Ave
Las Vegas, NV 89101-2927

VAC Application

Report Date 01/04/2007 03:06 PM

Submitted By

Page 2

Applicants/Contacts

Primary Y Capacity APPL Contact ID AC1324512 ☐ Foreign
Effective Expire
Name PICERNCE PROVIDENCE, LLC
Day Phone (602)279-8484 x Eve Phone (602)285-6600 x Organization PICERNCE PROVIDENCE, LLC
Pager PIN # Position
Fax Mobile Profession
E-Mail
Address 1420 E. MISSOURI AVE.,#100
PHOENIX, AZ 85014
Seasonal Addr
Valid From To
Comments
Contact: Aaron Schein 602-279-8484

Contractors

No Contractors

Check Conditions	Approval	Approved By	Approved Date	Applied By	Applied Date	Assigned
Condition	Supervisor Required	Comments				

No Conditions

VACATION

N Parent Project link required? Vacation Routing Process after City Council

External (Utility) Comments required?

Final City Council letter received

Annotated minutes received

Meeting Information

Meeting Information	Meeting Type	Meeting Status	YES Votes	NO Votes	ABSTENTIONS
Meeting Date					
Comments	Add Date	Modified By			
Added By		Modified Date			
02/22/2007	PC	SCHEDULED	0	0	0
JMCCELLAND	01/03/2007				
02/23/2007	PC	SCHEDULED	0	0	0
JMCCELLAND	01/03/2007				

Vacation Final Review Process	Request for Legal	Devco Received Legal	Legal sent back to ROW	Recorded Date
CC Expiration Date	Request for Order	Order Received	Request for Recordation	
Planning Received Legal	Comments			
Recorded Doc Number				

There are no items in this list

Template Type A/P #	A/P Type	Status	Stage
---------------------	----------	--------	-------

No children exist for this project

Report Date 01/04/2007 03:06 PM

Submitted By

Page 3

Employee Employee ID	Last	First	MI	Comments
-------------------------	------	-------	----	----------

No Employee Entries

Log Action Comments	Description	Entered By	Start	Stop	Hours
---------------------------	-------------	------------	-------	------	-------

PAYMNT	CK NAME,# WHO PICKED UP PERMIT picerne development ck 226 / 270-6119 / Jolene	983657	01/03/2007 15:28		0.00
--------	--	--------	------------------	--	------

Application



Separator Sheet



COPY

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

RECEIVED
CITY CLERKCarmel M. Trade
2007 JAN -5 A 11:30

Application/Petition For: Vacation of Grant of Easement

Project Address (Location) Deer Springs and Hualapai

Project Name Providence Proposed Use _____

Assessor's Parcel #(s) 126-24-610-004 Ward # _____

General Plan: existing _____ proposed _____ Zoning: existing _____ proposed _____

Commercial Square Footage _____ Floor Area Ratio _____

Gross Acres 18.76 +/- Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER Picerne Providence, LLC Contact Aaron Schein

Address 1420 E. Missouri Ave., #100 Phone: 6022798484 Fax: 6022856600

City Phoenix State AZ Zip 85014

APPLICANT Same Contact _____

Address _____ Phone: _____ Fax: _____

City _____ State _____ Zip _____

REPRESENTATIVE DRC Engineering Contact Jolene Granberg

Address 7180 Dean Martin Dr., #800 Phone: 702-270-6119 Fax: 702-270-4899

City Las Vegas State NV Zip 89118

Picerne Providence, LLC

By: Ernesto R. Alvarez, Sr. Vice President
Picerne Development Corporation, "As Agent"

Property Owner Signature* [Signature]

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

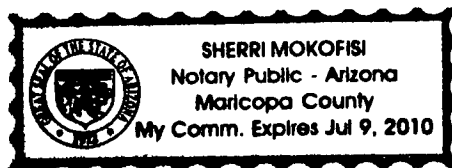
Print Name Ernesto R. Alvarez

Subscribed and sworn before me

This 10th day of November, 20 06.

[Signature]

Notary Public in and for said County and State



FOR DEPARTMENT USE ONLY

Case #	<u>VAC - 19032</u>
Meeting Date:	<u>2/23/07</u>
Total Fee:	<u>800.00</u>
Date Received:*	<u>1/3/07</u>
Received By:	<u>John M. Callahan</u>

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

JAN 03 2006

Justification Letter



Separator Sheet



Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

January 3, 2007

City of Las Vegas
731 S, Fourth St.
Las Vegas, NV 89101

Attention: Senior Planner

Subject: Providence Apartments
Vacation of Patents and BLM ROW Grant

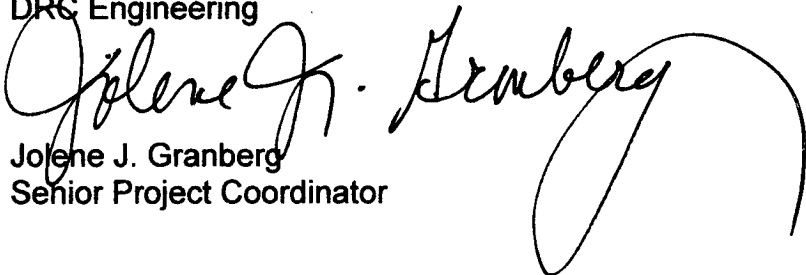
On behalf of our client, Picerne Development, DRC Engineering would like to submit a request for a Vacation and Abandonment of Patents and BLM ROW Grant on APN #126-24-610-004.

This Patent and BLM ROW Grant are no longer needed and will allow our client to move forward in the development of this site.

Thank you in advance for your favorable consideration. Please contact me if you should have any questions or require additional information.

Sincerely,

DRC Engineering


Jolene J. Granberg
Senior Project Coordinator

VAC-19032
02/22/07 PC

RECEIVED
JAN 03 2006

SOFI



Separator Sheet



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-19032** APN: 126-24-610-004

Name of Property Owner: Picerne Providence, LLC

Name of Applicant: Picerne Providence, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

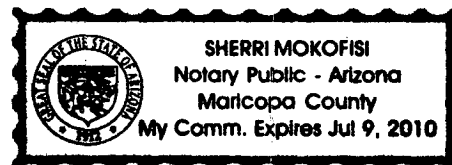
Signature of Property Owner: Picerne Providence, LLC
By: Ernesto R. Alvarez, Sr. Vice President
Picerne Development Corporation, "AS Agent"

Print Name: Ernesto R. Alvarez

Subscribed and sworn before me

This 10th day of November, 20 06

Sherrri Mokofisi
Notary Public in and for said County and State



DECLINED
JAN 03 2006

Deed



Separator Sheet

471030

585. 471090

The United States of America,

Be all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada,
has been issued showing that full payment has been made by the claimant

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

One-half section, 34.00 ac.

Section 34, T. 35 N.,

R. 2 E., S. 22 E.,

The area described contains . . . acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any valid and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving also to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 15 feet in width, for roadway and public utility purposes, to be located along the boundaries of said land.

RETURN TO

Sumner K. Brown
18226 *Sumner St*
Kissia, Calif.

In Testimony Whereof, the undersigned authorized officer of the Bureau of Land Management, at Reno, Nevada, has hereunto set his hand and the seal of the Bureau, this 18th day of January, 1940, at Reno, Nevada, and the seal of the Bureau of Land Management.

Given under my hand, in the District of Columbia, this 18th day of January, 1940.
For the Director, Bureau of Land Management,
Reith W. Taylor

SEAL
APPROVED

For the Director, Bureau of Land Management,

Reith W. Taylor

5545
A-1280
(Aug. 1951)

471090

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada,
has been issued showing that full payment has been made by the claimant

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for R. R. and other sites," and the acts supplemental thereto, for the following-described land:

Section 12, Township 36N, Range 12E, Nevada.

Section 13, Township 36N, Range 12E, Nevada.

Section 14, Township 36N, Range 12E, Nevada.

The area described contains 1.2 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management.

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 12 feet in width, for roadway and public utility purposes, to be located along the boundaries of said land.

RETURN TO:

Mike K. K. Khat
16226 Fresno St
Kissimmee, Calif

In TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1938 (52 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the SECOND day of MARCH in the year of our Lord one thousand nine hundred and SIXTY and of the Independence of the United States the one hundred and EIGHTY-FOURTH.

RECEIVED



For the Director, Bureau of Land Management.

By Ruth H. Talley
Chief Clerk

Patent Number 1205795

585

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Demiko Ruane Gohata

Nov 16 2 44 PM '04

585

585
KL

APN: 126-24-601-002/003

126-24-601-001 (New APN: 126-24-601-021)
Escrow No. 94-14-3049-112-LMH

R.P.T.T. \$ 28,006.65

MAIL TAX STATEMENTS TO:

**RECORDING REQUESTED BY, AND
WHEN RECORDED, RETURN TO:**

United Title of Nevada, Inc.
1700 West Horizon Ridge Parkway
Suite 203
Henderson, Nevada 89012
Attention: Lorraine Hill

(Space above line for Recorder's use only)

GRANT BARGAIN AND SALE DEED

CLIFFS EDGE, LLC a Nevada limited liability company ("Grantor"), having an office at 3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to PICERNE PROVIDENCE, LLC, a Nevada limited liability company, its successors and assigns, all right, title and interest in, to and under the tracts, pieces or parcels of real property situated in the County of Clark, State of Nevada, more particularly described in Attachment A attached hereto and incorporated herein by reference, together with all improvements thereon and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

RESERVING UNTO Grantor all mineral rights, but without right of entry on the surface of such real property nor the right to drill, mine, store, explore or operate through the surface of such real property or within five hundred feet (500') from the surface of such real property;

RESERVING UNTO Grantor an exclusive easement in, to, upon, over, under, across and through the Community Common Areas described in Attachment B hereto, to be used by Grantor, its agents and contractors, for the construction and installation of common area improvements and landscaping, which easement may be assigned by Grantor to the Cliffs Edge Master Association;

////

////

JAN 03 2006

COPY

SUBJECT TO current taxes and assessments and all ~~covenants~~ conditions, restrictions, easements, encumbrances, liens and other matters of record.

Dated as of the 17 day of June, 2004.

CLIFFS EDGE, LLC,

a Nevada limited liability company

By: Holdings Manager, LLC, a Nevada limited liability company, its Manager

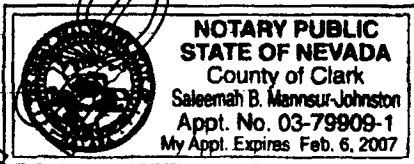
By:

John A. Ritter, Manager

STATE OF NEVADA)

COUNTY OF CLARK)

This instrument was acknowledged before me on June 17, 2004, by John A. Ritter as Manager of Holdings Manager, LLC, a Nevada limited liability company, Manager of Cliffs Edge, LLC, a Nevada limited liability company.



(Signature of notarial officer)

JAN 03 2006

COPY

ATTACHMENT "A"

TO GBS DEED

DESCRIPTION OF THE PROPERTY

ASSESSOR'S

COPY

Attachment "A"

All that land situated in the County of Clark, State of Nevada, more particularly described as follows:

PARCEL A:

PARCEL 1: POD 125

The West Half (W ½) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

PARCEL 2: POD 125

The East Half (E ½) of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 24, Township 19 South, Range 59 East, M.D.M., Clark County, Nevada.

PARCEL 3: POD 125

The West Half (W ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 24, Township 19 South, Range 59 East, M.D.M., Clark County, Nevada.

PARCEL B:

Non-exclusive easements for vehicular and pedestrian traffic, as provided for and subject to the terms and conditions as set forth in that certain "Master Declaration of Covenants Conditions and Restrictions and Reservation of Easements for Cliff's Edge", recorded October 15, 2003, in Book 20031013 as Document No. 02964, of Official Records.

JAN 03 2006

ATTACHMENT "B"

TO GBS DEED

COMMUNITY COMMON AREA EASEMENT

BEING A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH SIXTEENTH CORNER COMMON TO SECTION 19 AND SECTION 24, SAID TOWNSHIP AND RANGE, SAME BEING THE CENTERLINE INTERSECTION OF DORRELL LANE AND HUALAPAI WAY; THENCE SOUTH $88^{\circ}48'37''$ WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4) AND SAID CENTERLINE OF DORRELL LANE, 112.32 FEET; THENCE SOUTH $01^{\circ}11'23''$ EAST, DEPARTING SAID NORTH LINE AND SAID CENTERLINE, 50.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH $01^{\circ}11'23''$ EAST, 5.00 FEET RADIALLY TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 54.00 FEET; THENCE SOUTHEASTERLY, 94.99 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $100^{\circ}47'23''$ TO THE WESTERLY RIGHT-OF-WAY OF HUALAPAI WAY; THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID HUALAPAI WAY THROUGH THE VARIOUS FOLLOWING CURVES AND COURSES: THENCE SOUTH $09^{\circ}36'01''$ WEST, 48.23 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHERLY, 4.95 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $09^{\circ}27'44''$;

THENCE SOUTH $00^{\circ}08'16''$ WEST, 74.85 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHERLY, 7.35 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $14^{\circ}02'10''$; THENCE SOUTH $13^{\circ}53'54''$ EAST, 35.08 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHERLY, 4.90 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $14^{\circ}02'10''$; THENCE SOUTH $00^{\circ}08'16''$ WEST, 86.98 FEET; THENCE SOUTH $01^{\circ}08'07''$ EAST, 225.06 FEET; THENCE SOUTH $00^{\circ}08'16''$ WEST, 64.22 FEET; THENCE SOUTH $88^{\circ}49'24''$ WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY, 20.01 FEET; THENCE NORTH $00^{\circ}08'16''$ EAST, 64.46 FEET; THENCE NORTH $01^{\circ}08'07''$ WEST, 225.06 FEET; THENCE NORTH $00^{\circ}08'16''$ EAST, 87.20 FEET; THENCE NORTH $13^{\circ}53'54''$ WEST, 35.08 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY, 12.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $14^{\circ}02'10''$; THENCE NORTH $00^{\circ}08'16''$ EAST, 74.85 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY, 8.26 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $09^{\circ}27'44''$; THENCE NORTH $09^{\circ}36'01''$ EAST, 54.70 FEET TO THE BEGINNING OF A

COPY

NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 75.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH $19^{\circ}52'25''$ WEST; THENCE NORTHWESTERLY, 69.99 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $53^{\circ}28'14''$; THENCE SOUTH $88^{\circ}48'37''$ WEST, 108.65 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 100.00 FEET; THENCE WESTERLY, 34.93 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $18^{\circ}11'42''$ TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 90.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH $17^{\circ}00'19''$ EAST; THENCE WESTERLY, 28.53 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $18^{\circ}11'42''$; THENCE SOUTH $88^{\circ}48'37''$ WEST, 87.66 FEET; THENCE NORTH $89^{\circ}55'00''$ WEST, 225.06 FEET; THENCE SOUTH $88^{\circ}48'37''$ WEST, 74.38 FEET; THENCE NORTH $00^{\circ}08'34''$ EAST, 10.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF DORRELL LANE; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF DORRELL LANE THROUGH THE FOLLOWING VARIOUS CURVES AND COURSES: THENCE NORTH $88^{\circ}48'37''$ EAST, 74.26 FEET; THENCE SOUTH $89^{\circ}55'00''$ EAST, 225.06 FEET; THENCE NORTH $88^{\circ}48'37''$ EAST, 87.55 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 100.00 FEET; THENCE EASTERLY, 31.76 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $18^{\circ}11'42''$ TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 100.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH $17^{\circ}00'19''$ WEST;

THENCE EASTERLY, 31.76 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $18^{\circ}11'42''$; THENCE NORTH $88^{\circ}48'37''$ EAST, 120.51 FEET TO THE POINT OF BEGINNING.

Assessment

JAN 03 2005

State of Nevada Declaration of Value

1. Assessor's Parcel Number(s)

- a) 126-24-601-002
- b) 126-24-601-003
- c) 126-24-601-001(now 021)
- d)

2. Type of Property:

- a) ☒ Vacant Land
- b) ☐ Single Fam. Resi
- c) ☐ Condo/Twnhse
- d) ☐ 2-4 Plex
- e) ☐ Apt. Bldg.
- f) ☐ Comm'l/Ind'l
- g) ☐ Agricultural
- h) ☐ Mobile Home
- i) ☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Documentation/Instrument #: _____
Book: _____ Page: _____
Date of Recording: _____
Notes: _____

3. Total Value/Sales Price of Property:

\$5,491,500.00

Deed in Lieu of Foreclosure Only (value of property): ()

Transfer Tax Value: \$5,491,500.00

Real Property Transfer Tax Due: \$28,006.65

4. If Exemption Claimed:

a. Transfer Tax Exemption, per NRS 375.090, Section: _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____

Capacity Senior Vice President

Signature _____

Capacity _____

SELLER (GRANTOR) INFORMATION (REQUIRED)

Print Name: Cliffs Edge, LLC
Address: 3455 Cliff Shadows Pkwy #220
City: Las Vegas
State: NV Zip: 89129

BUYER (GRANTEE) INFORMATION (REQUIRED)

Print Name: Picerne Development Corporation
Address: 1420 E. Missouri #100
City: Phoenix
State: AZ Zip: 85014

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: United Title of Nevada
Address: P.O. Box 70480
City/State/Zip: Las Vegas, Nevada 89170-0480

Escrow #: 04143049-112

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/ MICROFILMED)

JAN 03 2006

VAC-19032

A REQUEST HAS BEEN RECEIVED FROM PICERNE PROVIDENCE, LLC TO VACATE A U.S. GOVERNMENT GRANT RIGHT-OF-WAY EASEMENT ALONG THE NORTH SIDE OF DEER SPRINGS WAY GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF DEER SPRINGS WAY AND HUALAPAI WAY, WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE WEST HALF (W $\frac{1}{2}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M.

ORIGINAL
when this statement
appears in the

20020225
01164

APN: 126-24-601-001, 126-24-801-001, 125-19-301-002, 125-19-301-006, 125-19-301-008, 125-19-601-007,
125-19-701-004, 125-19-701-007

NOTICE OF RIGHT-OF-WAY GRANT AMENDMENT

**LAS VEGAS BELTWAY, WESTERN/NORTHERN SEGMENT
BLM GRANT NO. N-61323 (AMENDMENT)**

The COUNTY OF CLARK, a political subdivision of the State of Nevada, has received a Right-of-Way Grant Amendment from the United States Department of the Interior, Bureau of Land Management, as set forth in the **RIGHT-OF-WAY GRANT AMENDMENT** attached, and by this reference made a part hereof. The purpose of this grant is to define right-of-way required on public lands for construction roads, public utilities and drainage purposes. The attached RIGHT-OF-WAY GRANT includes portions of **Section 24, Township 19 South, Range 59 East, M.D.M., and Section 19, Township 19 South, Range 60 East, M.D.M., Clark County, Nevada.**

Assessor's Parcel Nos.: 126-24-601-001, 126-24-801-001, 125-19-301-002,
125-19-301-006, 125-19-301-008, 125-19-601-007
125-19-701-004, 125-19-701-007

BLM Serial Number N-61323 (Amendment)
Dated February 20, 2002

M.J. MANNING
DIRECTOR OF PUBLIC WORKS

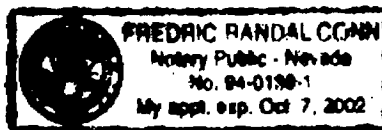
BY: 
BRIAN PODMENIK
Real Estate Acquisition Agent

STATE OF NEVADA)
COUNTY OF CLARK)

On this 25th day of February, 2002, personally appeared before me the undersigned, a notary public in and for said County and State Brian Podmenik who acknowledged to me that ~~he she they~~ executed the above instrument for the purposes stated therein.

WITNESS my hand and official seal.


NOTARY PUBLIC in and for said County and State



SEAL:

WHEN RECORDED, RETURN TO:
B.C. PODMENIK, REAL ESTATE ACQUISITIONS
DESIGN ENGINEERING DIVISION
CLARK COUNTY DEPT. OF PUBLIC WORKS
500 S. GRAND CENTRAL PARKWAY, #2001
LAS VEGAS, NV 89106

RECEIVED
JAN 03 2006

ORIGINAL
when this statement
appears in BLM

20070225

Form 2800-14
(August 1985)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT AMENDMENT

Issuing Office
LV Field Office
Serial Number
N-61323 Amendment

1. A (right-of-way) (permit) is hereby granted pursuant to:

a. ☒ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);

b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);

c. ☐ Other (describe) _____

2. Nature of Interest:

a. By this instrument, the holder, Clark County, a political subdivision of the State of Nevada, receives a right to construct, operate, maintain, and terminate a roadway, public utilities, and drainage systems on public lands described as follows:

Mount Diablo, Meridian, Nevada
See Exhibit A for complete legal description.

A map showing the location of the right-of-way is on file with the Bureau of Land Management, Las Vegas Field Office (N-61323).

- b. The additional right-of-way or permit area granted herein for the road area is a variable width between 30 feet and 40 feet and 10,330 feet in length and contains 6.43 acres, more or less.
- c. This instrument shall terminate on be granted in perpetuity years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument ☐ may ☐ may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. NOT APPLICABLE
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

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JAN 03 2006

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4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2860.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 120 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) B & C, dated _____, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

D. Herrera
(Signature of Holder)
Dario Herrera

Chairman, County Commission
(Title)

10-22-01
(Date)

Anna M. Whark
Rex Wells

Acting For
Assistant Field Manager Division of Lands
(Title)

21 00/02
(Date)

RECEIVED
JAN 03 2006

20020225
01164

Exhibit "A"
BLM Grant N-61323 (Amendment)
Legal Description

T. 19 S., R. 59 E., M.D.M.

- Sec. 24:
1. East 40' of E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
 2. South 30' of the East 40' of SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
 3. West 40' and North 30' of SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 4. West 30' of the North 30' of W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 5. South 30' of W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 6. North 40' of NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
 7. North 40' of E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
Portion of APN: 126-24-801-001
 8. South 40' of SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
 9. South 40' of SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
 10. South 40' of W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
Portion of APN: 126-24-601-001

T. 19 S., R. 60 E., M.D.M.

- Sec. 19:
11. North 40' of E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ (lot 23)
Portion of APN: 125-19-301-002
 12. North 40' of NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
Portion of APN: 125-19-301-006
 13. North 40' and East 40' of E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
Portion of APN: 125-19-301-008
 14. West 40' of the South 40' of W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
Portion of APN: 125-19-601-007
 15. South 30' of W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 16. North 30' of S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 17. North 30' of W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
Portion of APN: 125-19-701-004
 18. South 30' of E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
 19. South 30' of W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
 20. North 30' of SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$
Portion of APN: 125-19-701-007

Total area 843 acres, more or less

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1. Prior to construction activities, cacti and yucca that would be impacted by the project will be salvaged and appropriately transported. All salvaging actions will be coordinated with the Authorized Officer, who will determine how the plants will be used in revegetation. These activities would be coordinated with the Forestry program at BLM.

Mitigation measures for potential impacts to the California bear poppy will be determined on a case-by-case basis whenever this species is found in a proposed project area. These activities would be coordinated with the Authorized Officer.

2. Holder shall mark the exterior boundaries of the ROW with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the Authorized Officer. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the Holder. Holder shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed.

3. Holder shall conduct all activities associated with construction, operation, and termination of this right-of-way within its authorized limits.

4. Any cultural and/or paleontological resources (historic or prehistoric site or object) are discovered by the Holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the Authorized Officer after consulting with the Holder. Holder shall be responsible for the resultant mitigation costs.

5. Land surface treatment for areas previously disturbed: Following excavation, trenches will be backfilled with the excavated soil. The soil will be distributed and contoured evenly over the surface of the disturbed area. The soil surface will be left rough to help reduce potential wind erosion.

6. Land surface treatment for areas previously undisturbed: Strip the top six inches of soil material with associated plant material over all surfaces to be disturbed by construction. Stockpile this material along the course of construction (inside the right-of-way). At the conclusion, including trench backfilling and compaction, replace the stockpiled soil with plant debris uniformly back on the surface of the disturbed area.

7. The Holder shall not violate applicable air and water quality standards or related facility

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siting standards established by or pursuant to applicable Federal or State law. The Holder shall be responsible for dust abatement within the limits of the (right-of-way/permit/lease) area and is responsible for consultation with the Authorized Officer and local authorities for acceptable dust abatement and control methods (e.g., water or chemicals). The Holder agrees to indemnify the United States against any liability arising from the release of dust on the (right-of-way/permit/lease) area. This agreement applies without regard to whether a release is caused by the Holder, its agent or contractor, or unrelated third parties. If determined necessary by the Authorized Officer, the Holder shall install and maintain fencing or other means acceptable to the Authorized Officer on the boundaries of the (right-of-way/permit/lease) area to preclude vehicular travel or other activities that would increase airborne dust and soil erosion on adjacent public lands.

During excavation, backfilling, contouring, and rehabilitation, the disturbed soil should be sufficiently wetted, chemically treated, or treated by other means satisfactory to the Authorized Officer in order to effectively reduce airborne dust and reduce soil erosion. A regular maintenance program shall include, but is not limited to, soil stabilization and reapplication of dust abatement methods as necessary for the duration of the authorization.

Prior to relinquishment, abandonment, or termination of the (right-of-way/permit/lease), the Holder shall apply permanent dust abatement and control (e.g., rock mulch or other means) acceptable to the Authorized Officer.

8. Holder will comply with the terms and conditions of the Biological Opinion, File No. 1-5-96-23R, AMD2, on file at the Bureau of Land Management, Las Vegas District Office.
 - a. Applicants may voluntarily choose to search for and remove tortoises from lands to be disturbed. Applicants who choose to voluntarily search and remove tortoises shall contract or appoint a qualified individual to oversee the process. Only individuals trained to handle desert tortoises in accordance with U.S. Fish and Wildlife Service (FWS) approved guidelines shall be authorized to handle desert tortoises unless they are in imminent danger. Currently, the FWS approved handling guidelines are described in *Guidelines for Handling Desert Tortoises During Construction Projects*, Desert Tortoise Council, 1994. For tortoise removals, the applicant shall make arrangements with Clark County's tortoise pick-up service (702/593-9027) at least 10 days prior to the commencement of tortoise collection.

Tortoises shall not be placed on private lands or lands under management by an agency other than the Bureau of Land Management (BLM) without written permission of the landowner of agency. Results of the tortoise removal will be reported to the Authorized Officer on Form 2, Optional Tortoise Removal Form.

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- b. If a tortoise is in imminent danger with immediate death or injury likely (such as from an approaching vehicle or equipment), and the tortoise has been given the opportunity to move but has withdrawn in its shell and is not moving, on site personnel may capture the tortoise and place it in a clean unused cardboard box or similar container. The Clark County tortoise pick-up service, mentioned above, shall be notified immediately. The contained tortoise will be held in the shade or temperature-controlled environment until removed by the pick-up service.
- c. If the applicant desires, tortoises encountered during construction may be moved out of harm's way to adjacent habitat in accordance with FWS approved protocol described above. If adjacent habitat is not available, arrangements must be made with the Clark County pick-up service for disposition of collected tortoises. Tortoises shall only be moved to adjacent habitat during the period of March 1 through October 31. Between November 1 and March 1, tortoises shall be deposited with the Clark County pick-up service (702/593-9027).

Tortoises shall not be placed on private lands or lands under management by an agency other than the BLM without written permission of the landowner or agency. Results of the tortoise removal will be reported to Authorized Officer on Form 2, Optional Tortoise Removal Form.

- d. Holder will pay off-site mitigation (fees) of \$623.00 per acre of surface disturbance to the Desert Tortoise Habitat Conservation Fund (702/730-9999) administered by Clark County, for all projects that are outside of the "exclusionary zone". An exception is that there is no mitigation fees for projects impacting less than 0.25 acres.

Clark County
Department of Administrative Services
500 South Grand Central Parkway
P.O. Box 551712
Las Vegas, NV 89155-1712

The payment shall be accompanied by a cover letter from the payee that identifies the following information:

- 1) the project name, biological opinion number, BLM case serial number, and payee's name, address, and telephone number; and
- 2) the amount of payment enclosed, and the number of the check or money order.

The project proponent or Holder may receive credit for payment of these fees and deduct such costs from desert tortoise impact fees charged by local government entities.

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- e. Road rights-of-way issued to local governments (Clark County, Cities of Las Vegas, North Las Vegas, Henderson, and Boulder City) may be issued before payment of off-site mitigation fees. If payment of mitigation fees are postponed, the applicant shall submit a request for a Notice-to-Proceed before surface disturbance. The applicant shall provide the BLM with proof of payment of the required mitigation fees before the Notice-to-Proceed is issued. Both of these actions shall occur prior to surface disturbance. A Notice-to-Proceed shall be issued for each segment of right-of-way as payment is made.
- f. Upon locating a dead, injured, or sick endangered or threatened species, Holder shall notify the U.S. Fish and Wildlife Service, Division of Law Enforcement (FWSLE) in Las Vegas, Nevada at (702) 388-6380. Take care in handling sick or injured desert tortoises to ensure effective treatment and care of the handling of dead specimens to preserve biological material in the best possible state for later analysis of cause of death. In conjunction with the care of sick or injured desert tortoises or preservation of biological materials from a dead animal, the Holder is responsible to perform instructions provided by the FWSLE to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.
- g. Sick or injured desert tortoises shall be delivered to any qualified veterinarian for appropriate treatment or disposal. Dead desert tortoises suitable for preparation as museum specimens shall be frozen immediately and provided to an institution (per their instructions) holding appropriate Federal and State permits. Should no institutions want the desert tortoise specimens, or if it is determined that they are too damaged (crushed, spoiled, etc.) for preparation as a museum specimen, then they shall be buried away from the project area or cremated, upon authorization by the FWSLE. The Holder/permittee shall bear the cost of any required treatment of injured desert tortoises, euthanasia of sick desert tortoises, or cremation of dead desert tortoises. Sick or injured desert tortoises that are treated by a veterinarian and survive shall be transferred as directed by the FWS.
- 9. Holder shall construct, maintain, operate and/or modify structures and facilities as directed by the District Manager to protect and minimize adverse effects upon raptors and other wildlife.
- 10. Holder shall report wildlife fatalities, including raptor electrocutions, that are discovered or near project facilities.
- 11. During excavation, backfilling, contouring, and rehabilitation, the disturbed soil should be sufficiently wetted, chemically treated, or treated by other means satisfactory to the Authorized Officer in order to effectively reduce airborne dust and reduce soil erosion. A regular maintenance program shall include, but is not limited to, soil stabilization and re-application of

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dust abatement methods as necessary for the duration of the authorization.

12. The Holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The Holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods within limits imposed in the grant stipulations.

13. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Holder shall obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers and any other information deemed necessary by the Authorized Officer. The plan must provide the type and quantity of material to be used, the pest, insect, storage and disposal of containers, and other information that the Authorized Officer may require. The plan shall be submitted no later than December 1 of any calendar year that covers the proposed activities for the next fiscal year.

Pesticides shall not be permanently stored on public lands authorized for use under this grant/permit.

14. Construction sites shall be maintained in a sanitary condition at all times. Waste material at those sites shall be disposed of promptly at an approved waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, construction waste, petroleum products, ashes and equipment.

15. No hazardous material or waste, as defined in this paragraph, shall be used, produced, transported, or stored within the right-of-way area at any time. Holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, et seq.) on this right-of-way. This agreement applies without regard to whether a release is caused by the Holder/permittee, their agent, or unrelated third parties.

16. The Holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, Holder/permittee shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by or stored on the right-of-way or on facilities authorized under this right-of-way grant (See 40 CFR, Part 702-799 and especially, provisions on

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Polychlorinated biphenyls, 40 CFR 761.1-761.193.)

17. Holder shall report any release of hazardous substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release of spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.

18. Holder shall immediately notify the Authorized Officer of any release of hazardous substances, toxic substances, or hazardous waste on or near the area authorized by this right-of-way.

19. Holder shall maintain the right-of-way in a safe, useable condition, as directed by the Authorized Officer. A regular maintenance program shall include, but is not limited to, soil stabilization.

20. Holder shall provide the Authorized Officer with a final as-built Arc/INFO compatible export file or a corrected Global Positioning System survey file on a 3.5 DOS formatted diskette delineating the centerline of this linear right-of-way or boundary of the site use area. All files shall be in the NAD 27 datum and shall have the appropriate metadata delineating how the data were collected, when the data was collected, who collected the data, and other pertinent information. This information shall be submitted to the Assistant District Manager for Renewable Resources at the Las Vegas District of the Bureau of Land Management.

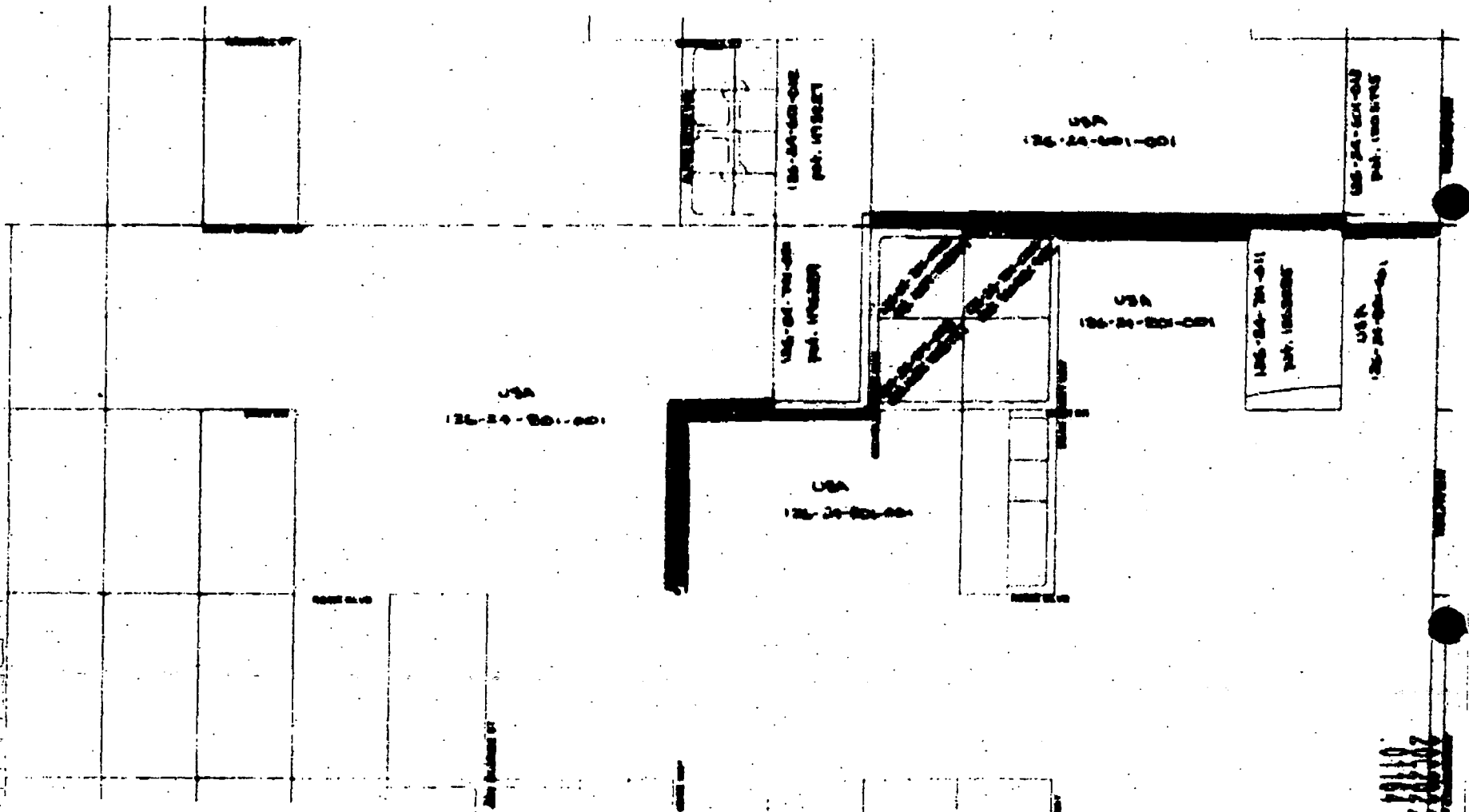
21. The holder shall protect all survey monuments found within the authorization area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic Survey benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. If any of the above are to be disturbed during operations the holder shall secure the services of a Professional Land Surveyor or Bureau cadastral surveyor to perpetuate the disturbed monuments and references using surveying procedures found in the Manual of Instructions for the Survey of the Public Lands of the United States and NRS Chapter 329, Perpetuation of Corners. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the holder shall be responsible for the survey cost.

22. The right-of-way is issued subject to all valid and existing rights.

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PROJECT MAP

SEC. 24. T19S, R29E



JAN 03 2006

■ R/W Required

Exhibit C

①

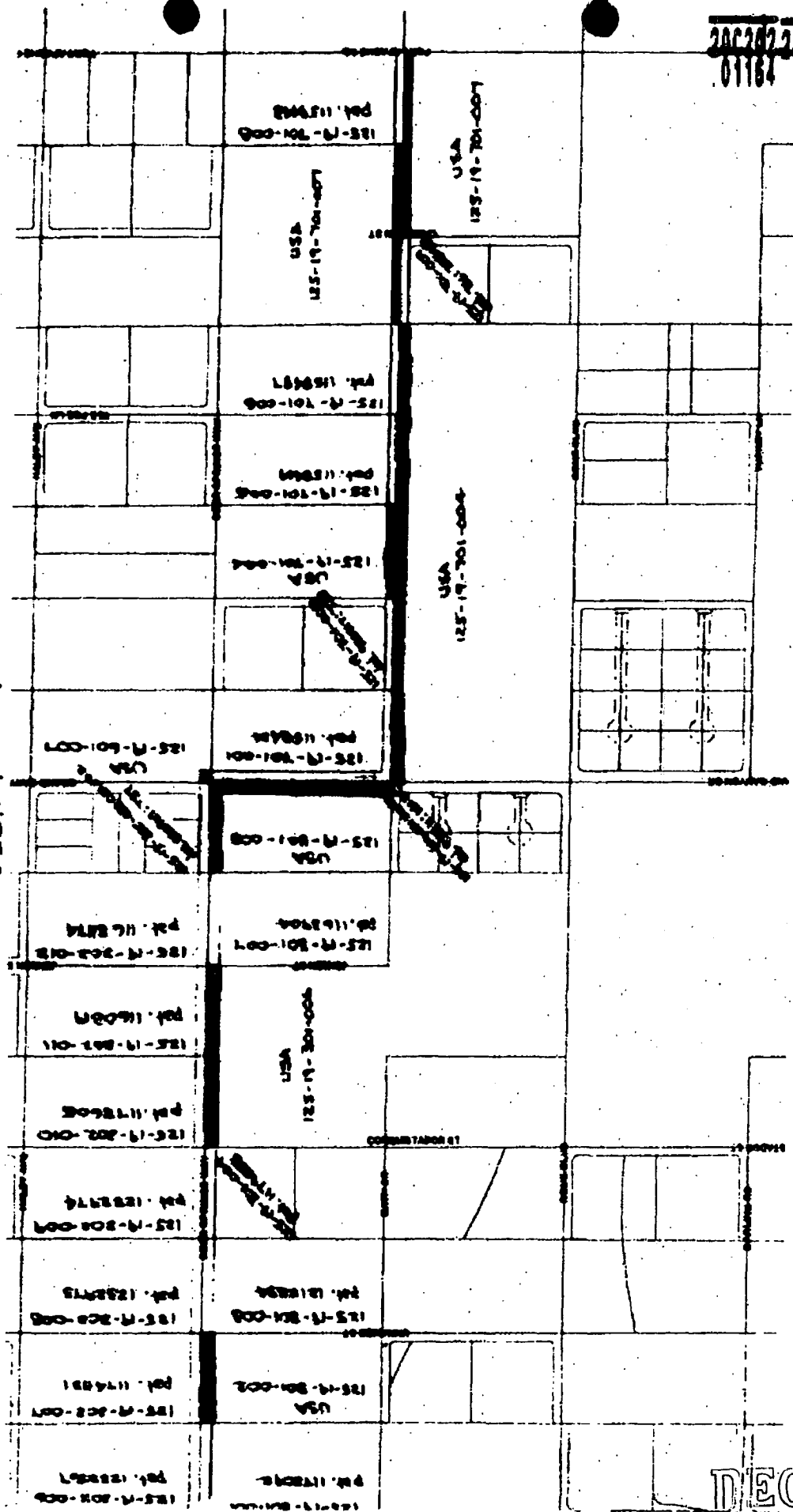
N 61323

2007/2/25
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Sec. 19, 7795, R60E



Exh. b.1 C (2)

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JAN 03 2003

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:

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JAN 03 2006

PUBLIC WORKS CLARK COUNTY
01-25-2006 11:17 AM

BOOK 20060225 INST. 21164

FEE:

AMT:

The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada,
has been issued showing that full payment has been made by the claimant
JAMES HOWARD HOWARD

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An
Act to provide for the purchase of public lands for home and other sites," and the acts supplemental there-
to, for the following-described land:

East of the Nevada, Nevada.

T. 19 N., R. 59 E.,

Sec. 2, S. 12E.

The area described contains 0.00 acres, according to the Official Plat of the Survey of the said Land,
on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and
in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND
GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs
of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all
the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the
said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and
accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and
reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local
customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way
thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving,
also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the
right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938.
This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities
purposes, to be located along the boundaries of said land.

RETURN TO:

*James Howard Howard
18326 1/2 Ave. St.
Kissala, Calif.*

IN TESTIMONY WHEREOF, the undersigned authorized officer of
the Bureau of Land Management, in accordance with the
provisions of the Act of June 17, 1948 (62 Stat., 476), has,
in the name of the United States, caused these letters to be
made Patent, and the Seal of the Bureau to be hereunto
affixed.

GIVEN under my hand, in the District of Columbia, the
SECOND day of MARCH in the year of
our Lord one thousand nine hundred and SIXTY
and of the Independence of the United States the one hundred
and SIXTY-FOUR.

[SEAL]

SEAL
AFFIXED

For the Director, Bureau of Land Management.

By *Ruth H. Talley*
Chief, Patent Section

Patent Number 1205795

OFF 000007

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Item 6
of that certain Preliminary Report
05-809859-T06
JAN 03 2006

P-585

471090

NO 471090
RECORDED AT THE REQUEST OF

Demiko Ravene Gobata

Nov 16 2 52 PM '64

OFFICIAL RECORDS DIVISION 585
CLARK COUNTY, NEVADA
FILING UNIT, RECORDED
PER *See 585* REPORT

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DEAN HELLER
 Secretary of State
 204 North Carson Street, Suite 1
 Carson City, Nevada 89701-4299
 (775) 684-6708
 Website: secretaryofstate.biz

Entity #
LLC12631-2004
 Document Number
20060323640-26

Date Filed:
 5/23/2006 9:00:27 AM
 In the office of

Dean Heller

Dean Heller
 Secretary of State

ABOVE SPACE IS FOR OFFICE USE ONLY

**Amendment to
 Articles of Organization**
 (PURSUANT TO NRS 86.221)

Certificate of Amendment to Articles of Organization
For a Nevada Limited-Liability Company
 (Pursuant to NRS 86.221)

1. Name of limited-liability company:

Picorne Providence, LLC

2. The company is managed by (check one): ☒ managers or ☐ members

3. The articles have been amended as follows (provide articles numbers, if available):*

Article 5 (as previously amended) is amended to read:

5. Name and address of the sole Member and Manager:

Ronald E.S. Picorne
 c/o Picorne Development Corporation
 1420 E. Missouri, Suite 100
 Phoenix, AZ 85014

4. Signature (must be signed by at least one manager or by a managing member).

By: *National Safe Harbor Exchanges*
To: Entity Sole Member

Signature *Karen A. Chisolm, Vice Pres.*

* 1) If amending company name, it must contain the words "Limited-Liability Company," "Limited Company," or "Limited" or the abbreviations "Ltd.," "LLC," or "LC." "LLC" or "LC." The word "Company" may be abbreviated as "Co."

2) If adding managers, provide names and addresses.

FILING FEE: \$175.00

IMPORTANT: Failure to include any of the above information and submit the proper fees may cause this filing to be rejected.

This form must be accompanied by appropriate fees.

Nevada Secretary of State AM 86.221 Amend 2003
 Revised 05/19/05

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DEVELOPMENT AGREEMENT

THIS AGREEMENT is made and entered into as of March 9, 2006, between PICERNE PROVIDENCE, LLC, a Nevada limited liability Company (the "Company") and PICERNE DEVELOPMENT CORPORATION, an Arizona corporation (referred to herein as the "Developer").

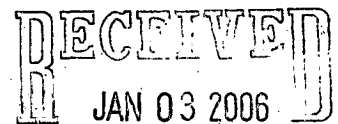
WHEREAS, the Company has been formed to develop, construct, own, maintain and operate a 515 unit multifamily apartment complex, to be known as The Pavillions Apartments, to be located at the southwest corner of Hualapai Way and Dorrell Lane and the northwest corner of Deer Springs Way and Hualapai Way in Las Vegas, Clark County, Nevada (the "Apartment Complex" or the "Project"); and

WHEREAS, the Company desires to appoint the Developer to provide certain services for the Company with respect to overseeing the development of the Apartment Complex until all development work is completed; and

NOW, THEREFORE, in consideration of the foregoing, of the mutual promises of the parties hereto and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed as follows:

1. Appointment. The Company hereby appoints the Developer to render services for the Company, and confirms and ratifies the appointment of the Developer with respect to services rendered for the Company to date, in supervising and overseeing the development of the Apartment Complex as herein contemplated.
2. Authority. Pursuant to this Agreement, the Developer shall have, and has had (and the same are hereby ratified by the Company), the authority and the obligation to enter into agreements and execute documents on behalf of the Company, in its capacity as Developer, that may be deemed necessary or required to implement the construction of improvements, including but not limited to, easements, utility agreements, dedications, permits, and as further defined below:
 - (a) select the architect ("Architect"), coordinate the preparation of the plans and specifications (the "Plans and Specs") and recommend alternative solutions whenever design details affect construction feasibility or schedules;
 - (b) insure that the Plans and Specs are in material compliance with applicable codes, laws, ordinances, rules and regulations;
 - (c) negotiate and execute a construction contract with Picerne Construction Corp. (hereinafter "General Contractor"), an affiliate of the Developer, or such other general contractor selected by the Developer, for the construction of the Apartment Complex ("Construction Contract");

- (d) negotiate and execute all other necessary contracts in connection with the development of the Apartment Complex;
- (e) choose the products and materials necessary to equip the Apartment Complex in a manner which satisfies all requirements of a lender (the "Lender") in connection with the financing of the construction of the Apartment Complex (the "Loan") and the Plans and Specs;
- (f) monitor, approve and submit construction loan draws in accordance with the terms of the Construction Loan Agreement between Picerne Providence, LLC and Charter One Bank, NA, dated May 2006, for the development of the Apartment Complex, which defines Authorized Draw Representatives in Article 1, Section 1.2;
- (g) monitor and approve disbursements and payments of amounts owed to Architects, the General Contractor and other vendors;
- (h) cause the Apartment Complex to be constructed free and clear of all mechanic's and materialmen's liens other than those in the ordinary course of business which are timely discharged;
- (i) execute and provide to the title company in connection with construction loan closings an indemnification and security agreement for mechanic's liens/creditors rights for "broken priority" in lieu of and on behalf of the Company.
- (j) obtain an Architect's certificate that the work on the Apartment Complex is substantially complete;
- (k) secure building code approvals and obtain certificates of occupancy for all of the units of the Apartment Complex;
- (l) cause the Apartment Complex to be completed in a reasonably prompt and expeditious manner, consistent with good workmanship, and in substantial compliance with the following:
 - (i) the Plans and Specs for the Project; and
 - (ii) zoning regulations, county ordinances, including health, fire and safety regulations, and any other requirements of federal, state and local laws, rules, regulations and ordinances applicable to construction of the Apartment Complex;
- (m) cause to be performed in a diligent and efficient manner the following:
 - (i) construction of the Apartment Complex substantially in accordance with the Plans and Specs, including any required off-site work; and



(ii) general administration and supervision of construction of the Apartment Complex, including but not limited to activities of the General Contractor and their employees and agents in a manner which complies in all material respects with the Loan and the Plans and Specs;

- (n) keep, or cause to be kept, accounts and cost records as to the construction of the Project;
- (o) maintain, or cause to be maintained, at its expense, all office and accounting facilities and equipment necessary to adequately perform the foregoing functions;
- (p) make available to the Company, during normal business hours and upon the Company's written request, copies of all material contracts and subcontracts;
- (q) deliver to the Company a dimensioned as-built survey of the real property (locating only buildings) and as-built drawings of the Apartment Complex construction;
- (r) provide and periodically update an Apartment Complex construction time schedule;
- (s) investigate and recommend a schedule for purchase by the Company of all materials and equipment requiring long lead time procurement, and expedite and coordinate delivery of such purchases;
- (t) prepare pre-qualification criteria for bidders interested in the Apartment Complex, establish bidding schedules and conduct pre-bid conferences to familiarize bidders with the bidding documents and management techniques with any special systems, materials or methods;
- (u) receive bids, prepare bid analyses and make recommendations to the Company for award of contracts or rejection of bids;
- (v) coordinate the work of General Contractor to complete the Apartment Complex in accordance with the objectives as to cost, time and quality, as set by the Companies, and provide sufficient personnel at the Apartment Complex with authority to achieve such objectives;
- (w) provide a detailed schedule of realistic activity sequences and durations, allocation of labor and materials and processing of shop drawings and samples;
- (x) provide regular monitoring of the schedule as construction progresses, identify potential variances between scheduled and probable completion dates, review the schedule for work not started or incomplete, recommend to the Company adjustments in the schedule to meet the probable completion date, provide summary reports of such monitoring, and document all changes in the schedule;
- (y) recommend courses of action to the Company when requirements of the Construction Contract are not being fulfilled;

- (z) revise and refine the estimate of construction cost which are approved by the Company, incorporate changes as they occur, and develop cash flow reports and forecasts as needed;
 - (aa) provide regular monitoring of the estimate of construction cost which are approved by the Company, show actual costs for activities in process and estimates for uncompleted tasks, identify variances between actual and budgeted or estimated costs and advise the Company whenever projected costs exceed budgets or estimates;
 - (bb) develop and implement a system for review and processing of change orders as to construction of the Apartment Complex;
 - (cc) develop and implement a procedure for the review and processing of applications for progress and final payments;
 - (dd) in collaboration with Architect, establish and implement procedures for expediting the processing and approval of shop drawings and samples; and
 - (ee) record the progress of the Apartment Complex and submit written progress reports to the Company, including the percentage of completion and the number and amounts of change orders.
3. Development Fee. For services performed and to be performed under Sections 1 and 2 of this Agreement, the Company shall pay the Developer a Predevelopment fee and Development Fee in the aggregate amount of \$2,322,000 as its sole compensation for the performance of its services under and in connection with this Agreement. The Development Fee will be based on 3.34% of the Gross Project Cost and may be subject to adjustment as needed when the Final Budget has been approved by the Lender. Payment of the Development Fee shall be made as follows: considering the significant up-front work performed under the terms of this Agreement, 80% of the Development Fee shall be deemed earned and payable within 45 days of effective date of this Agreement. The balance shall be payable on a monthly basis prior to the completion of construction of the Project.
4. Assignment of Fees. The Developer shall not assign, pledge or otherwise encumber, for security or otherwise, the Development Fee set forth above to be made by the Company, or any portion(s) thereof or any right(s) of the Developer thereto, without the written consent of the Company.
5. Construction Warranty.
- (a) The Developer shall engage a contractor that shall warrant to the Company that the materials and equipment furnished in accordance with this Agreement will be of good quality, that the work will be free from defects, and that the work will conform in all material respects with the requirements of the Plans and Specs. Work not conforming to these requirements, including substitutions not properly approved and authorized, may be considered defective. If requested by the Company or the Lender, the Developer shall

furnish satisfactory evidence as to the kind or quality of materials and equipment used in the construction of the Apartment Complex.

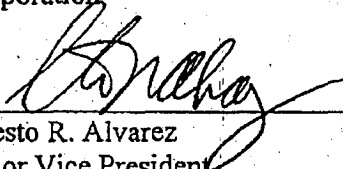
6. Successors and Assigns. This Agreement shall be binding on the parties hereto, their heirs, successors and assigns. However, this Agreement may not be assigned by any party hereto without the written consent of the Company, nor may it be terminated without the written consent of the Company.
7. Termination. If an early termination occurs, the Developer shall be entitled to any earned but unpaid Development Fees, commensurate with the level of work performed through the date of termination. All Development Fees paid are considered earned and shall not be refundable to the Company. The Developer shall remain liable for all damages, liabilities and claims ("Claims") arising under or in connection with this Agreement which are based on acts or omissions prior to the date of such termination, including Claims which do not become manifest until after the date of such termination. Unless the Company has failed to make payments rightfully due to the Developer, the Developer shall have no right to terminate this Agreement without the consent of the Company, which consent may be withheld in the sole discretion of either party.
8. Separability of Provisions. Each provision of this Agreement shall be considered separable and if for any reason any provision which is not essential to the effectuation of the basic purposes of this Agreement is determined to be invalid and contrary to any existing or future law, such invalidity shall not impair the operation of or affect those provisions of this Agreement which are valid.
9. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original copy and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all the parties shall not have signed the same counterpart.
10. No Continuing Waiver. The waiver by any party of any breach of this Agreement shall not operate or be construed to be a waiver of any subsequent breach.
11. Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of Nevada.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have caused this Development Agreement to be duly executed as of the date first written above.

DEVELOPER:

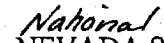
PICERNE DEVELOPMENT CORPORATION, an
Arizona corporation

By: 

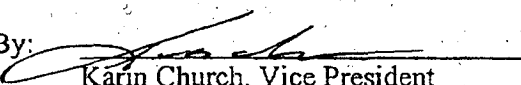
Ernesto R. Alvarez
Senior Vice President

COMPANY:

PICERNE PROVIDENCE, LLC, a Nevada limited
liability company

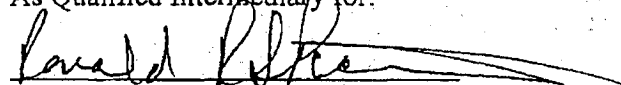
By: 

~~NEVADA~~ SAFE HARBOUR
EXCHANGES, Its Manager *Solo Member*

By: 

Karin Church, Vice President

As Qualified Intermediary for:


Ronald R.S. Picerne

Legal Description

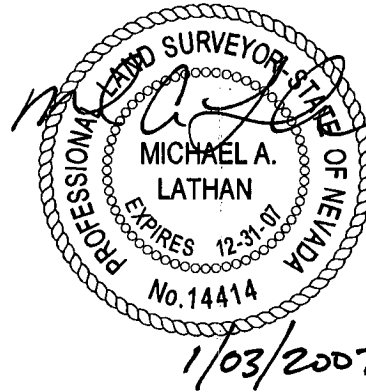


LEGAL DESCRIPTION

Separator Sheet

DRC Surveying Nevada, Inc.
7180 INDUSTRIAL BLVD., SUITE 800
LAS VEGAS, NV 89118

LV06-311
LV06-311 VAC.DOC
PAGE 1 OF 2
NOVEMBER 15, 2006



EXPLANATION

THIS LAND DESCRIPTION DESCRIBES A PORTION OF A B.L.M. RIGHT-OF-WAY GRANT (SERIAL NO. N-61323) GENERALLY LOCATED WEST OF HUALAPAI WAY AND NORTH OF DEER SPRINGS WAY FOR VACATION PURPOSES.

APN 126-24-610-004
B.L.M. RIGHT-OF-WAY GRANT, SERIAL NO. N-61323
(RECORDED IN BOOK 20020225, INSTRUMENT NO. 01164)

THE SOUTH 40.00 FEET OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THAT PORTION OF SAID SOUTH 40.00 FEET AS DEDICATED ON THE PLAT OF "CLIFFS EDGE PARENT" ON FILE IN THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE IN BOOK 118, PAGE 88 OF PLATS, DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (NE 1/4) OF SECTION 24; THENCE SOUTH 88°50'11" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE 1/4), A DISTANCE OF 340.21 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24; THENCE CONTINUING SOUTH 88°50'11" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 307.71 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DEER SPRINGS WAY AS DEDICATED ON SAID PLAT OF "CLIFFS EDGE PARENT", SAME BEING THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE AND CONTINUING SOUTH 88°50'11" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 32.50 FEET TO THE SOUTHWEST CORNER OF SAID WEST HALF (W 1/2); THENCE DEPARTING SAID SOUTH LINE, NORTH 00°08'34" EAST ALONG THE WEST LINE OF SAID WEST HALF (W 1/2), A DISTANCE OF 32.53 FEET TO SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF DEER SPRINGS WAY, SAME BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 70.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 25°34'03" EAST; THENCE DEPARTING SAID WEST LINE, SOUTHEASTERLY 46.29 FEET ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 37°53'30" TO THE **POINT OF BEGINNING**, AS SHOWN ON THE "EXHIBIT TO ACCOMPANY LAND DESCRIPTION", ATTACHED HERETO AND MADE A PART HEREOF.

AREA OF VACATED PORTION OF BLM RIGHT-OF-WAY GRANT, 12,964 SQUARE FEET (0.29 ACRES)

RECEIVED
JAN 03 2006

LV06-311 VAC.DOC
PAGE 2 OF 2
NOVEMBER 15, 2006

BASIS OF BEARINGS

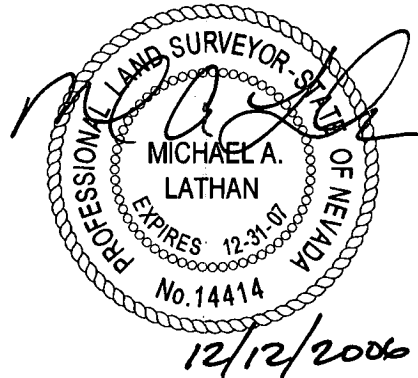
SOUTH 88°50'11" WEST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE IN BOOK 118, PAGE 88 OF PLATS.

END OF DESCRIPTION.

RECEIVED
JAN 03 2006

DRC Surveying Nevada, Inc.
7180 INDUSTRIAL BLVD., SUITE 800
LAS VEGAS, NV 89118

LV05-226
LV05-226 VAC.DOC
PAGE 1 OF 1
JUNE 6, 2005



EXPLANATION

THIS LAND DESCRIPTION DESCRIBES A PORTION OF A PATENT EASEMENT GENERALLY LOCATED WEST OF HUALAPAI WAY AND NORTH OF DEER SPRINGS WAY FOR VACATION PURPOSES.

APN 126-24-610-004
PATENT EASEMENT BOOK 585, INSTRUMENT NO. 471090

THE NORTH, SOUTH AND WEST 33.00 FEET OF THE EAST HALF (E 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA;

EXCEPTING THEREFROM THE EAST 50.00 FEET OF SAID NORTH AND SOUTH 33.00 FEET;

END OF DESCRIPTION.

RECORDED
JAN 03 2006

Recordation Memo



RECORDATION MEMO

Separator Sheet

When recorded mail to:
City Hall - City Clerk
400 Stewart Ave
Las Vegas, Nevada 89101

APN: 126-24-610-004

ORDER OF RELINQUISHMENT OF INTEREST

Receipt/Conformed Copy

Requestor:

LAS VEGAS CITY

06/25/2007 11:05:19 T20070114321

Book/Instr: 20070625-0001214

Order

Page Count: 5

Fees: \$18.00

N/C Fee: \$0.00

Debbie Conway

Clark County Recorder

WHEREAS, a petition dated the 3rd day of January, 2007, signed by a property owner(s) abutting the area affected thereby, was filed with the Clerk of the City Council of the City of Las Vegas, Nevada (hereinafter the "City Clerk" and the "City Council" respectively), requesting the relinquishment of the City's interest in certain real property, hereinafter described.

The petition having been in order, the City Council referred it to the City Planning Commission (hereinafter the "Planning Commission") for its recommendation, and the Planning Commission having filed its report with the City Council approved and recommended such relinquishment; and

COPY

WHEREAS, The City Council, by an order made at its regular meeting held on the 21st day of March, 2007, having set the 4th day of April, 2007, at the hour of 1:00 P.M. in the City Council Chambers of Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, Nevada, as the date, time and place for a public hearing on the petition and recommendation, and having ordered the City Clerk to notify, by registered mail, each owner of property abutting the area with respect to which relinquishment is proposed and to cause a notice to be published at least once in a newspaper of general circulation in the City setting forth the date, time and place of the public hearing and the extent of the proposed relinquishment; and

copy to
posting

WHEREAS, it appears from the Affidavit of Mailing filed by the City Clerk, and the Affidavit of Publication filed with the City Clerk, that the notices provided for in the Order, were mailed on the 20th day of March, 2007, and that a notice of hearing was published on the 23rd day of March, 2007, in the manner prescribed in the order; and

WHEREAS, the City Council having held a public hearing on the 4th day of April, 2007, on the petition and the recommendation of the Planning Commission thereon, and the City Council having heard evidence in support of and against the petition; and

WHEREAS, following the hearing, the City Council having approved the petition by finding that the interest to be relinquished is no longer required for the public use and convenience and that relinquishment will inure to the benefit of the City of Las Vegas and that neither the public, nor any person, will be materially injured thereby, and that utility company requirements, if any, will be satisfied;

COPY

THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Las Vegas, Nevada, that the City's interest in the following described real property, situated in the City of Las Vegas, Nevada, County of Clark, State of Nevada, and more particularly described as follows:

Those portions of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., VAC 19032 (A)

in the City of Las Vegas, County of Clark, State of Nevada, being those CITY OF LAS VEGAS interests in those portions of those patent easements as reserved by the United States Government by Patent Number 1205795, recorded November 16, 1964 in Book 585 as Document Number 471090, of Clark County, Nevada Records, but exclusive of any private easements that may exist now of record, all lying within those parcels of land described as follows:

The south 33 feet and the west 33 feet and the north 33 feet of said East Half (E 1/2)

EXCEPT THEREFROM the east 50.00 feet of said south 33 feet and the east 50.00 feet of said north 33 feet.

COPY

be, and the same hereby is, relinquished subject to the following conditions:

1. Reservations of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required;
2. All development shall be in conformance with code requirements and design standards of all city Departments;
3. A public sewer easement acceptable to the Collection System Planning Section of the Department of Public Works shall record concurrent with the recordation of the Order of Vacation;
4. An addendum to the previously approved Drainage Plan and Technical Drainage Study for the parcels associated with this Vacation Application must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study;
5. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and Order of Vacation;
6. The Order of Vacation and the Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way

requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easements corridors and sight visibility or other easements that would/should cross any right of way being vacated must be retained; and

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

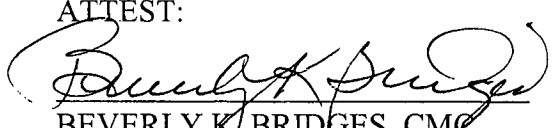
This Order relinquishes only the City's interest in the above-described property and shall not be deemed to affect the interest therein of any other governmental entity, public utility or person.

DATED this 15TH day of JUNE, 2007.

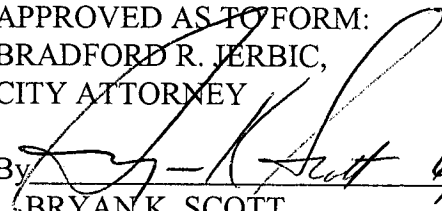
COPY


OSCAR B. GOODMAN, MAYOR

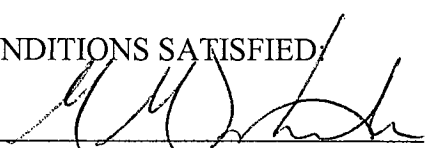
ATTEST:


BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK

APPROVED AS TO FORM:
BRADFORD R. IERBIC,
CITY ATTORNEY

By  6/14/07
BRYAN K. SCOTT
ASSISTANT CITY ATTORNEY

CONDITIONS SATISFIED:

By 
PLANNING AND DEVELOPMENT DEPARTMENT
M. MARGO WHEELER, DIRECTOR

When recorded mail to:
City Clerk-City Hall
400 Stewart Ave
Las Vegas, Nevada 89101

APN: 126-24-610-004

ORDER OF VACATION

Receipt/Conformed Copy

Requestor:

LAS VEGAS CITY

06/25/2007 11:05:19 T20070114321

Book/Instr: 20070625-0001215

Vacation Page Count: 5

Fees: \$18.00 N/C Fee: \$0.00

Debbie Conway
Clark County Recorder

WHEREAS, a petition dated the 3rd day of January, 2007, signed by a property owner(s) abutting the area affected thereby, was filed with the City Clerk of the City Council of the City of Las Vegas, Nevada (hereinafter the "City Clerk" and the "City Council" respectively), applying for the vacation of certain real property, hereinafter described. The petition having been in order, the City Council referred it to the City's Planning Commission (hereinafter the "Planning Commission") for its recommendation, and the Planning Commission having filed its report with the City Council approved and recommended such vacation; and

COPY

WHEREAS, the City Council, by an order made at its regular meeting held on the 21st day of March, 2007, having set the 4th day of April, 2007, at the hour of 1:00 p.m. in the City Council Chambers of Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, Nevada, as the date, time and place for a public hearing on the petition and recommendation, and having ordered the City Clerk to notify, by registered mail, each owner of property abutting the area proposed for vacation and to cause a notice to be published at least once in a newspaper of general circulation in the City setting forth the date, time and place of the public hearing and the extent of the proposed vacation; and

*copy to
posting*

WHEREAS, the notices provided for in the Order, were mailed by certified mail by the City Clerk on the 20th day of March, 2007, and that a notice of hearing was published on the 23rd day of March, 2007, in the manner prescribed in the Order; and

WHEREAS, the City Council having held a public hearing on the 4th day of April, 2007, on the petition for vacation and the recommendation of the Planning Commission thereon, and the City Council having heard evidence in support of and against the petition; and

WHEREAS, following the hearing, the City Council having approved the petition by finding that the portion of the real property to be vacated is no longer required for the public use and convenience and that the vacation will inure to the benefit of the City of Las Vegas and that neither the public, nor any person, will be materially injured thereby, and that utility company requirements, if any, will be satisfied;

COPY

THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Las Vegas, Nevada, that the following described real property, situated in the City of Las Vegas, Nevada, County of Clark, State of Nevada, and more particularly described as follows:

That portion of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being those rights granted to the City of Las Vegas by the UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, by that NOTICE OF RIGHT-OF-WAY GRANT AMENDMENT, recorded February 25, 2002 in Book 20020225 as Instrument Number 01164 of

Clark County, Nevada Records, but exclusive of any other public or private easements that may exist now of record, and also exclusive of all easement interests granted to the City of Las Vegas by the plat of CLIFFS EDGE PARENT, as filed in Book 118 of Plats, Page 88, of Clark County, Nevada Records, all lying within that parcel of land described as follows:

The south 40 feet of said West Half (W 1/2).

COPY

EXCEPT THEREFROM any portion of said south 40 feet that lies within that parcel of land dedicated to the City of Las Vegas by said CLIFFS EDGE PARENT plat.

be, and the same hereby is, vacated subject to the following conditions:

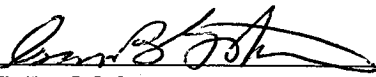
1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required;
2. All development shall be in conformance with code requirements and design standards of all City Departments;
3. A public sewer easement acceptable to the Collection System Planning Section of the Department of Public Works shall record concurrent with the recordation of the Order of Vacation;
4. An addendum to the previously approved Drainage Plan and Technical Drainage Study for the parcels associated with this Vacation Application must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study;
5. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and Order of Vacation;
6. The Order of Vacation and the Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation

actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easements corridors and sight visibility or other easements that would/should cross any right of way being vacated must be retained; and

7. If the Order of Vacation and Order of Relinquishment of Interest are not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

COPY

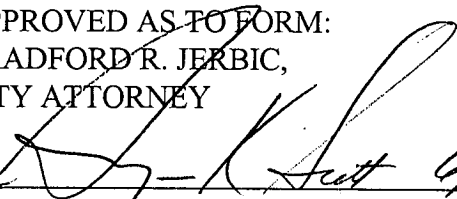
DATED this 15TH day of June, 2007.


OSCAR B. GOODMAN, MAYOR

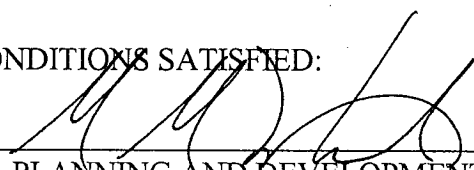
ATTEST:


BEVERLY K. BRIDGES, CMC
ACTING CITY CLERK

APPROVED AS TO FORM:
BRADFORD R. JERBIC,
CITY ATTORNEY

By  6/14/07
BRYAN K. SCOTT
ASSISTANT CITY ATTORNEY

CONDITIONS SATISFIED:

By 
PLANNING AND DEVELOPMENT DEPARTMENT
M. MARGO WHEELER, DIRECTOR

VAC-19032-B
W 1/2, SE 1/4, SE 1/4, NE 1/4, SEC 24, T19S, R59E, MDM
VACATE PORTION OF BLM R/W GRANT

COPY



$E \frac{1}{16}$
C-S24

W 1/2, SE 1/4, SE 1/4, NE 1/4,
SEC 24

E 1/2, SE 1/4, SE 1/4, NE 1/4,
SEC 24

HUALAPAI WAY

$\frac{1}{4}$
S24-S19

S88°50'11"W
680.43'

40.00'

S88°50'11"W
340.21'

S88°50'11"W
340.21'

DEER SPRINGS WAY

LEGEND

RIGHT-OF-WAY GRANT
AREA BEING VACATED



004
APN: 126-24-610-003

WHEN RECORDED MAIL & SEND TAX STATEMENTS TO:
CITY OF LAS VEGAS - CITY CLERK
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

RIGHT OF WAY GRANT FOR SEWER PURPOSES

Receipt/Conformed Copy

Requestor:

LAS VEGAS CITY

06/25/2007 11:05:19 T20070114321

Book/Instr: 20070625-0001217

Easement Page Count: 5

Fees: \$0.00 N/C Fee: \$0.00

Debbie Conway
Clark County Recorder

I (WE) PICERNE PROVIDENCE, LLC, a Nevada Limited Liability Company, the undersigned, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant and convey to CITY OF LAS VEGAS, a Municipal Corporation of the County of Clark, State of Nevada, its successors and assigns, all rights necessary for the construction, operation, maintenance, repair and renewal of subsurface sanitary sewer pipes, conduits and attached appurtenances, and the perpetual right to construct, operate, add to, maintain, renew and remove sewer lines and appurtenances thereto, upon, over, under and across the parcel of land hereinafter described, and the right of ingress and egress to and over said parcel; together with permission to cut and trim brush and trees as deemed reasonably necessary to insure the safe and proper maintenance and operation of said sewer lines and appurtenances. Said parcel(s) of land being described as follows:

**FOR COMPLETE LEGAL DESCRIPTION, SEE EXHIBIT 'A' ATTACHED HERETO
AND BY THIS REFERENCE MADE A PART HEREOF**

FOR: Sewer Easement located along the Deer Springs Way alignment, west of Hualapai Way (Ref: VAC 6685 Condition) & VAC 19032

The grantor(s) retain(s) the right to fence, to plant, to maintain and to use said parcel for its own purpose so long as such use is consistent with standard safety factors and does not interfere with the rights herein granted.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

COPY

Page 1 of 2
CLV-051001
CONTINUED:

copy to
posting

CONTINUED:

APN: 126-24-601-013, 126-24-610-⁰⁰⁴003

OWNER: PICERNE PROVIDENCE, LLC

TYPE DOC: Sewer Easement

LOCATION: Along the Deer Springs Way alignment, west of Hualapai Way ;

Witness _____ hand(s) _____ this 27th day of March, 2006

PICERNE Providence, LLC, a Nevada Limited Liability Co
By: National Safe Harbor Exchanges, a California Corporation
Its: Sole Member


BY: KARIN A. CHURCH
TITLE: Vice President

Arizona
STATE OF NEVADA)
Maricopa ss.
COUNTY OF ~~CLARK~~)

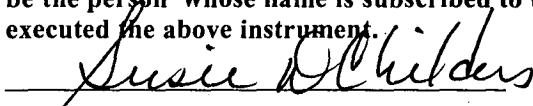
COPY

On 3-27-06 personally appeared before me, a Notary Public,
(DATE)

Karin A. Church

(Person(s) appearing before Notary)

_____ personally known (or proved) to me to
be the person whose name is subscribed to the above instrument who acknowledged that he
executed the above instrument.


(Notary Public Signature)

DUE TO CLARK COUNTY
RECORDING STANDARDS,
PLEASE DO NOT WRITET/TYPE
AND/OR STAMP WITHIN THE 1"
BORDER OF THIS DOCUMENT



Notary Public State of Arizona
Maricopa County
Susie D Childers
Expires May 05, 2006

A.P.N. 126 24 610 ⁰⁰⁴~~003~~
20' SEWER EASEMENT NORTH OF DEER SPRINGS WAY
WEST OF HUALAPAI WAY

That portion of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of that parcel of land conveyed to PICERNE PROVIDENCE, LLC, a Nevada limited liability company, by GRANT, BARGAIN, SALE DEED, recorded July 1, 2004 in Book 20040701 as Instrument Number 00784 of Clark County, Nevada Records, described as follows:

COPY

COMMENCING at the southeast corner of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 24; thence along the south line thereof, South 88°50'11" West, 340.21 feet to the southeast corner of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 24, also being the TRUE POINT OF BEGINNING; thence along the east line of said West Half (W 1/2), North 00°08'25" East, 14.87 feet; thence South 88°50'11" West, 15.22 feet; thence North 46°09'49" West, 46.03 feet; thence South 88°50'42" West, 252.82 feet; thence South 45°03'21" West, 35.00 feet to a point on the northeasterly line of that parcel of land dedicated to the City of Las Vegas by the plat of CLIFFS EDGE PARENT, on file in Book 118 of Plats, Page 88 of Clark County, Nevada Records, also being a point on a non-tangent curve, concave southwesterly and having a radius of 70.00 feet, the line radial to said point bears North 39°19'12" East; thence southeasterly along the northeasterly line of said City of Las Vegas parcel and along said curve through a central angle of 16°26'31" and an arc distance of 20.09 feet; thence North 45°03'21" East, 27.83 feet; thence North 88°50'42" East, 236.50 feet; thence South 46°09'49" East, 38.78 feet to the south line of said West Half (W 1/2); thence along said south line, North 88°50'11" East, 28.29 feet to the TRUE POINT OF BEGINNING.

The above-described parcel of land contains an area of 6,683 square feet, or 0.153 acres, more or less.

The Basis of Bearings for this land description is North 88°50'11" East, being the south line of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., Clark County, Nevada, as shown on that certain map on file in File 123 of Surveys, Page 32, of Clark County, Nevada Records.

Written By:
Ed Dibble, P.E.
City of Las Vegas, Department of Public Works
731 South Fourth Street
Las Vegas, NV., 89101
(702) 229-2069
edibble@lasvegasnevada.gov

OWNER'S INITIALS

COPY

COPI



LINE #	BEARING	LENGTH
L 1	N00°08'25"E	14.87'
L 2	S88°50'11"W	15.22'
L 3	N46°09'49"W	46.03'
L 4	S45°03'21"W	35.00'
L 5	N45°03'21"E	27.83'
L 6	S46°09'49"E	38.78'
L 7	N88°50'11"E	28.29'

CURVE #	RADIUS	DELTA	LENGTH
C 1	70.00'	16°26'31"	20.09'

SEWER EASEMENT
TO BE DEDICATED

RIGHT-OF-WAY DEDICATED BY
CLIFFS EDGE PARENT PLAT

Extraction List



Separator Sheet

13/9

PARCELS	3
LABELS	3

Report of All Selected Parcels

Case Number: VAC-19032

Printed On: Fri: January 12, 2007

Owner

MASSI ALBERT D & EILEEN F ETAL
PICERNE PROVIDENCE L L C
USA

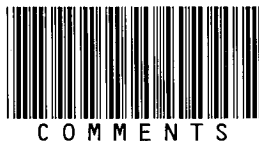
Address

3202 W CHARLESTON BLVD LAS VEGAS NV
%MERITAX PPTY TAX CONSULTANTS 9201 N 25TH AVE #140 PHOENIX AZ
WASHINGTON DC

Parcel Numbe

12624701011
12624610004
12624701014

Comments



Separator Sheet

Steven Letus

Distribution List Name: VAC distribution

6/25/2007

VAC 19032(A) - RECORDED

VAC 19032(B) - RECORDED

Sent copies of Vac to:

HARD COPIES TO:

Sharon Ozuna - Alarm Office

Aaron Schein, Picerne Providence - Owner

EMAIL (300 dpi TIFF) William Raikes - City Clerk's Office

EMAIL (200 dpi PDF) TO LIST BELOW

Jolene Granberg

jgranberg@drc-lasvegas.com

Members:

Alan Riekki

Dan Defiesta (E-mail)

Dennis Gartland

Fred Gyrckowski

Jerry Walker

Linda Pisonte

Merle Jensen

Parker, Dennis D

Paul Bryan (E-mail)

Paul Webster

Roger Bailey

Sharon McShea (E-mail)

Tom Wilking

ariekki@lasvegasnevada.gov

dan.defiesta@cox.com

dgartland@LasVegasNevada.GOV

fjg@co.clark.nv.us

jwalker@LasVegasNevada.GOV

linda.pistone@swgas.com

MJensen@LasVegasNevada.GOV

Dennis.D.Parker@embarq.com

paul.bryan@lvvwd.com

PWebster@LasVegasNevada.GOV

rbailey@lasvegasnevada.gov

smcshea@nevpa.com

TWilking@LasVegasNevada.GOV

Carolyn Caviness

VAC 19032

From: Robert Summerfield
Sent: Thursday, January 18, 2007 8:25 AM
To: Gina Venglass
Cc: Carolyn Caviness
Subject: RE: VAC-19032

Gina - The Hansen header and legal description (under the supplementary tab) have been updated. Carmen is going to re-route the memo and map for this case as soon as she can. Please let me know if there are any questions.

Thanks - Robert

From: Gina Venglass
Sent: Wednesday, January 17, 2007 2:24 PM
To: Robert Summerfield
Cc: Carolyn Caviness
Subject: VAC-19032

Hi Robert,
Your name is in Hansen as the appropriate planner and I am hoping you can help me out.

This vacation is 2 parts:

- 1) Portion of a BLM Right of Way Grant
- 2) Relinquishment of Government Patent Easements

Can you revise the Planning header to reference both of these specific parts and also create a second sketch that reflects the patents being vacated? The applicant (Jolene at DRC) stated they did submit the proper documentation for both parts of this vacation. Please call me if you have any questions or need additional information. Can you get me a copy of the new sketch also?? Thank you so much!

Gina
x6145

Roger Bailey

From: Mitchell Kolber
Sent: Tuesday, June 12, 2007 10:57 AM
To: Roger Bailey
Cc: Ed Byrge; Bart Anderson; Carolyn Caviness; Mary A. Wulff; Brian Yu; Neil Wacaser; Mitchell Kolber
Subject: VAC-19032 (A) & (B)
Attachments: Id070603.doc; VAC_19032_A.pdf; Id070602.doc; VAC_19032_B.pdf

Roger,

Please see the attached files to be used to vacate a 40' wide BLM ROW Grant along the north side of Deer Springs Way and a 33' wide portion of a U.S. Gov't Patent Easement west of Hualapai, north of Deer Springs Way.

Condition #1 is satisfied: No utility easements can be reserved. ✓

Condition #3 is satisfied: We have a signed sewer easement to record concurrent with VAC in file. ✓

Condition #4 is satisfied: DS3903 is approved per email from Raul. ✓



Id070603.doc (37 KB)



VAC_19032_A.pdf (63 KB)



Id070602.doc (37 KB)



VAC_19032_B.pdf (60 KB)

If you have any questions, please call me.

Mitch

*Legal appears to
be in order
RB 6/12/07*

2 VAS

*Okay to Record
JA 6/12/07*

VACATION TRANSMITTAL RESPONSE SHEET

DEER SPRINGS WAY AND HAUALAPAI
126-24-610-004 AREA
EXPIRES – 4-4-08

	VAC – 19032				(EOT)			
	EASEMNT				EASEMENT			
	REC'D		REQ'D		REC'D		REQ'D	
	YES	NO	YES	NO	YES	NO	YES	MO
NEVADA POWER	X			X				
SOUTHWEST GAS	X							
LAS VEGAS VALLEY WATER DIST	X			X				
EMBARQ	X			X				
COX	X		X					

5/26/07 COX LTR – WANTS EASEMENTS BUT SAYS NO ADDL FACILITIES ON PROPERTY AND HAVE NO OBJECTION TO VACATING AREAS OUTSIDE OF HUALAPAI WAY – SO NO EASEMENT!



www.nevadapower.com

6226 W. Sahara Avenue :: Las Vegas, NV 89146 :: P.O. Box 98910, Las Vegas, NV 89151-0001 :: 702.367.5000

February 27, 2007

Ms. Carolyn Caviness
CITY OF LAS VEGAS
Public Works/Engineering Planning
731 S. Fourth Street
Las Vegas, Nevada 89101

Reference: VAC-19032
NPC# RV 07-022

Dear Ms. Caviness,

Nevada Power Company has **no objection** to the vacation of the patent easement and public rights of way as described in VAC-19032.

It is the intent and understanding of Nevada Power Company that this Vacation shall not reduce our rights to any other existing easements we have on this site or in the area.

Nevada Power Company will prepare and record the relinquishment document.

Sincerely,

Sharon McShea

Sharon McShea
Supervisor, Special Projects & ROW Management

NVPO
NO-ESMNT



SOUTHWEST GAS CORPORATION

May 10, 2007

DRC Civil Engineering
Jolene Granberg
9330 W. Martin Avenue
Las Vegas, NV 89148

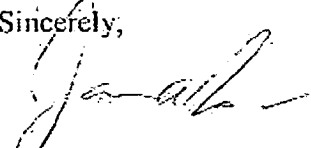
**RE: Vacation and Abandonment of Patents and BLM ROW Grant on APN
#126-24-610-004 Vac-19032**

Dear Ms. Granberg,

Southwest Gas Corporation has no objection to the vacation and abandonment of patents and BLM ROW Grant on APN 126-24-610-004 for VAC-19032.

If you have any questions, please feel free to contact me at 365-2097.

Sincerely,



James Brown
Southern Nevada Division

SWG
NO Esmat

February 26, 2007

Ms. Carolyn Caviness
Department of Public Works
Right of Way Division
City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101-2927

Dear Ms. Caviness:

SUBJECT: VACATION AND ABANDONMENT OF U.S. GOVERNMENT
PATENT RESERVATION(S) WITHIN VAC-19032-07

The Las Vegas Valley Water District (District) has no objections to the vacation and abandonment of the U.S. Government Patent Reservation(s) as described in VAC-19032-07 received by the District on January 19, 2007. However, the District retains the right to use any easements or other property rights in which it may have an interest or interests that may be located within the area being vacated and abandoned.

If you have any questions, please contact Paul Bryan at 822-8520.

Sincerely,



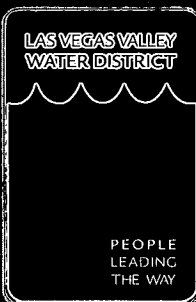
Joseph D. Freeman, SR/WA
Principal Right-of-Way Agent

JDF:PMB:ieb

THE LAS VEGAS VALLEY WATER DISTRICT (DISTRICT) HAS NO OBJECTIONS TO THE VACATION AND ABANDONMENT OF THE U.S. GOVERNMENT PATENT RESERVATION(S) AS DESCRIBED IN VAC-19032-07 RECEIVED BY THE DISTRICT ON JANUARY 19, 2007. HOWEVER, THE DISTRICT RETAINS THE RIGHT TO USE ANY EASEMENTS OR OTHER PROPERTY RIGHTS IN WHICH IT MAY HAVE AN INTEREST OR INTERESTS THAT MAY BE LOCATED WITHIN THE AREA BEING VACATED AND ABANDONED.

BY: JDF:ieb (2) WITHIN 14 DAYS OF RECEIPT
DATE: 02/26/07

**LVVWD
NO-ESMAY**



1001 SOUTH VALLEY VIEW BLVD.
LAS VEGAS, NV 89153
TELEPHONE: 702/870-2011

Board of Directors
Chip Maxfield
PRESIDENT

Yvonne Atkinson Gates
VICE PRESIDENT

Susan Brager

Tom Collins

Chris Giunchigliani

Rory Reid

Bruce Woodbury

Patricia Mulroy
GENERAL MANAGER



EMBARQ
330 South Valley View Boulevard
Las Vegas, Nevada 89107
(702) 244-7171

January 23, 2007

RE: VAC-

RE VAC 19032

ND

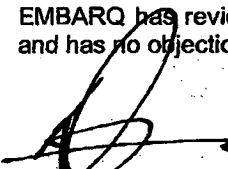
City of Las Vegas
Department of Public Works
Right-of-Way Division
731 South Fourth Street
Las Vegas, NV 89101

Attn: Carolyn Caviness

SUBJECT: VAC-19032 Vacate US Government a patent easement, generally located on the north side of Deer Springs east of Hualapai Way as depicted and described in the application, being within the SE4 of the NE4 of Section 24, Township 19 South, Range 59 East, M.D.M., City of Las Vegas, Clark County, Nevada. (per graphic submitted by applicant)

Dear Ms. Caviness:

EMBARQ has reviewed the request for the vacation of patent easements as referenced above, and has no objection to its adoption as proposed.


Dennis Parker
Real Estate Manager II
EMBARQ

PRN 396102

EMBARQ
ND - Esmut



5/25/07
Send
E-mail to
Solen G.
JGRANBERG@DRC-
LAS VEGAS.
COM

May 21, 2007

City of Las Vegas Department of Public Works
Right of Way Division
731 South Fourth Street
Las Vegas, NV 89101
Attn: Carolyn Caviness

Subject: VAC-19032 Vacate Patent Easements and BLM Grant on APN 126-24-610-004 at Deer Springs Way and Hualapai Way

We have reviewed your request to vacate the following 33' Patent easements granted by Book 585 Inst. 471090 being the North, South and West 33' of the East Half (E ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 24, Township 19 South, Range 59 East, M.D.M., City of Las Vegas, Clark County, Nevada; excepting therefrom the East 50.00 feet of said North and South 33' and that portion of a BLM Grant, Serial No. N-61323, recorded in Book 20020225 Inst. No 01164 being the South 40.00 feet of the West Half (W ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 24, Township 19 South, Range 59 East, M.D.M., City of Las Vegas, Clark County, Nevada; excepting therefrom that portion of said 40.00 feet as dedicated on Plat of "CLIFF'S EDGE PARENT" on file in the Clark County, Nevada Records Office in Book 118 Page 88 of Plats, as shown on the attached vacation exhibits and land descriptions; all being a portion of APN 126-24-610-004, and being located on the North side of Deer Springs Way generally located West of the Northwest corner of deer Springs Way and Hualapai Way.

It is likely that there are developer installed conduits along Hualapai Way. It has not been verified in our recent records whether cable has been installed or if the conduits are in place. If field verification confirms our facilities in place, we would require a reservation of rights over the subject property. We request a minimum width of 5 feet, being 2.5 feet either side of the centerline of our lines.

Note that we do not show any additional facilities on the property, so have no objection to the vacation of any areas outside of Hualapai Way.

Please note: all underground facilities must be line located prior to any construction.

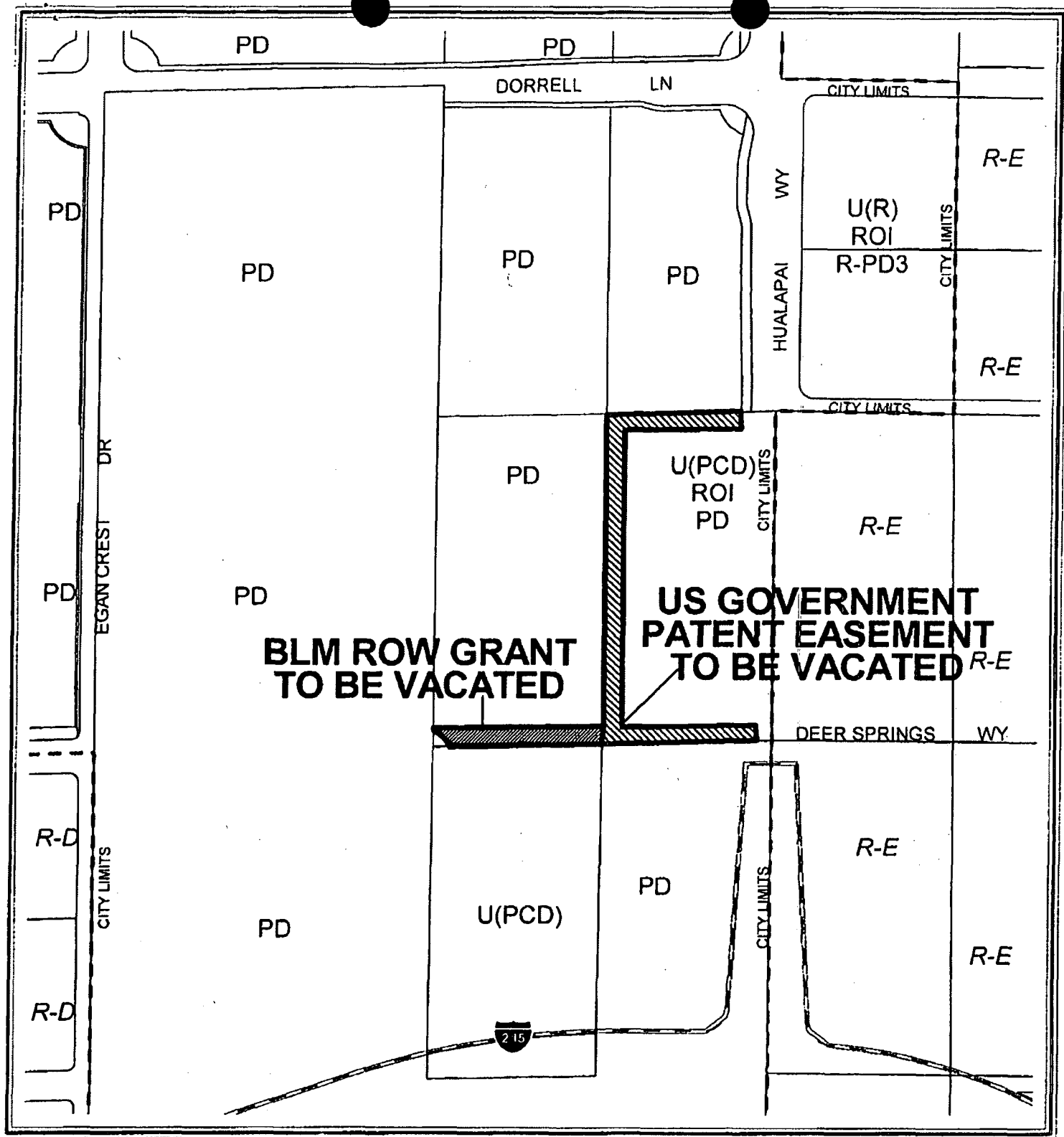
Please feel free to contact me should you have any questions.

COX
ND EASEMENTS
Rigid AS WE
ARE NOT VACATING
ANY A.M. B.O. G.
GRANTS OR
PATENTS
Affecting
H. 1000

Sincerely,

A handwritten signature in cursive script that reads "Terry Sovey".

Terry Sovey
Supervisor, Right-of-Way



CASE: VAC-19032

0 200 400 Feet





SOUTHWEST GAS CORPORATION

May 18, 2007

Department of Public Works
Right-of-Way Division
Attn: Carolyn Caviness
731 South Fourth Street
Las Vegas, NV 89101

RE: Vacation and Abandonment for VAC 19032

To Whom It May Concern:

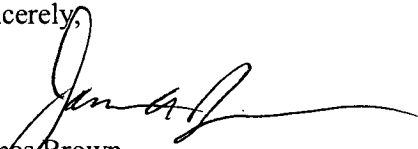
Southwest Gas Corporation (SWG) objects to the vacation of the existing right of way as referenced on **VAC 19032** unless the final order of vacation to be recorded names SWG as having a permanent easement reservation for the area being vacated. The petitioner may have SWG facilities relocated, if approved by SWG, at the petitioner's expense. If SWG facilities are to remain where they are and not be relocated, then the language identified below should be added to the final order of vacation to be recorded.

Add the following to the final order of vacation to be recorded **VAC 19032**. Reserving a permanent easement to Southwest Gas Corporation; over, across, above and under the above described parcel of land with the following conditions and requirements.

1. No building, structures, fences or tress shall be placed upon or under said parcel of land to be vacated now or hereafter.
2. Southwest Gas Corporation shall not be liable for any damages to any of the improvements placed within said easement due to normal or necessary operation using reasonable care.

Please provide a copy of the final order of vacation to my attention at the address below. If you have any questions or concerns, please feel free to contact me at 365-2361.

Sincerely,


James Brown
Southern Nevada Division

*Can't Reserve
in
VAC of BLM
& Grand
Patent
as they are
only
document
C*

REQUEST FOR COMMENTS
CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM

RECEIVED

APR 30 2007

DIV. ENG.

FROM: PLANNING AND DEVELOPMENT DEPARTMENT		DATE: 01/12/07
TO:	COX COMMUNICATIONS NEVADA POWER COMPANY SOUTHWEST GAS CORPORATION SOUTHERN NEVADA WATER AUTHORITY EMBARQ LAS VEGAS VALLEY WATER DISTRICT	DAN DeFIESTA SHARON KENNEMER SUE MULANAX
SUBJECT:	PETITION OF VACATION	
APPLICANT:	PICERNE PROVIDENCE, LLC	
FILE NUMBER:	VAC-19032	

A REQUEST HAS BEEN RECEIVED FROM PICERNE PROVIDENCE, LLC TO VACATE A U.S. GOVERNMENT GRANT RIGHT-OF-WAY EASEMENT ALONG THE NORTH SIDE OF DEER SPRINGS WAY GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF DEER SPRINGS WAY AND HUALAPAI WAY, WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE WEST HALF (W½) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 24, T

COMMENTS DUE BY: JAN

PLEASE SEND COMMENTS TO:
DEPARTMENT OF PUBLIC WORKS
RIGHT-OF-WAY DIVISION
731 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
ATTN: CAROLYN CAVINESS

PLANNING COMMISSION MEETING:

ATTACHMENT:
Nevada Power: application
All others: location map

VAC-19032

object
exhibits - unclear
we have proposed gas
in conflict in Grinnell
JB

ST EXIST GAS
GRINNELL 2" PE
5/16/07

x576, 558

Proposed WR# 185175 S-Cliff's Edge 4" PE Approach

Carolyn Caviness

From: Carolyn Caviness
Sent: Wednesday, May 30, 2007 4:11 PM
To: Linda Pistone
Cc: Jolene Granberg
Subject: VAC 19032 (SOUTHWEST GAS EASEMENTS)

Reference: Southwest Gas letter, dated May 10, 2007 - No objection - no easements
Southwest Gas letter, dated May 18, 2007 - Requested easements

The City is only vacating a portion of a BLM Grant and patent reservations. The items being vacated are easment uses only and therefore we cannot reserve Southwest Gas an easement as requested in the May 18, 2007 letter.

If Southwest Gas has existing easements located in the vacation area, they are still there.

Carolyn

Memorandum

City of Las Vegas
Department of Public Works
Development Coordination

To: Department of Planning and Development
From: Bart Anderson, Manager, Development Coordination, Department of Public Works *BA*
CC: Ed Byrge, Right-of-Way; Wayne Dowdey, Land Development; O. C. White, Traffic Engineering; Alan R. Riekkki, Survey (FM, PM, & A's only)
Date: January 25, 2007
Re: **VAC-19032** Piceme Providence, LLC N side of Deer Springs Way, W of Hualapai Way
Request for a Petition of Vacation of U.S. Government Patent Reservations and BLM Right-of-Way Grant

COMMENTS:

Public Works has no objection to the Vacation Application request for a BLM Right-of-Way Grant and U.S. Government Patent Reservations generally located on the north side of Deer Springs Way, west of Hualapai Way.

CONDITIONS OF APPROVAL:

1. A public sewer easement acceptable to the Collection System Planning Section of the Department of Public Works shall record concurrent with the recordation of the Order of Vacation.
2. An addendum to the previously approved Drainage Plan and Technical Drainage Study for the parcels associated with this Vacation Application must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
3. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and Order of Vacation.
4. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**REQUEST FOR COMMENTS
CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM**

FROM: PLANNING AND DEVELOPMENT DEPARTMENT		DATE: 01/12/07
TO:	COX COMMUNICATIONS NEVADA POWER COMPANY SOUTHWEST GAS CORPORATION SOUTHERN NEVADA WATER AUTHORITY EMBARQ LAS VEGAS VALLEY WATER DISTRICT	DAN DeFIESTA SHARON KENNEMER SUE MULANAX
SUBJECT:	PETITION OF VACATION	
APPLICANT:	PICERNE PROVIDENCE, LLC	
FILE NUMBER:	VAC-19032	

A REQUEST HAS BEEN RECEIVED FROM PICERNE PROVIDENCE, LLC TO VACATE A U.S. GOVERNMENT GRANT RIGHT-OF-WAY EASEMENT ALONG THE NORTH SIDE OF DEER SPRINGS WAY GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF DEER SPRINGS WAY AND HUALAPAI WAY, WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE WEST HALF (W½) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M.

COMMENTS DUE BY: JANUARY 23, 2007

PLEASE SEND COMMENTS TO:
DEPARTMENT OF PUBLIC WORKS
RIGHT-OF-WAY DIVISION
731 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
ATTN: CAROLYN CAVINESS

PLANNING COMMISSION MEETING: FEBRUARY 22, 2007

ATTACHMENT:
Nevada Power: application
All others: location map

**REQUEST FOR COMMENTS
CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM**

FROM: PLANNING AND DEVELOPMENT DEPARTMENT		DATE: 01/12/07						
<table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top; padding-right: 20px;">TO: OFFICE OF BUSINESS DEVELOPMENT CCSD FIRE ENGINEERING FIRE SERVICES, COMMUNICATIONS NEIGHBORHOOD SERVICES METRO</td><td style="width: 50%; vertical-align: top;">BILL ARENT GUY CORRADO OZZIE MIRKHAH ANNE KILPONEN SGT. ROBERT ROSHACK</td></tr></table>			TO: OFFICE OF BUSINESS DEVELOPMENT CCSD FIRE ENGINEERING FIRE SERVICES, COMMUNICATIONS NEIGHBORHOOD SERVICES METRO	BILL ARENT GUY CORRADO OZZIE MIRKHAH ANNE KILPONEN SGT. ROBERT ROSHACK				
TO: OFFICE OF BUSINESS DEVELOPMENT CCSD FIRE ENGINEERING FIRE SERVICES, COMMUNICATIONS NEIGHBORHOOD SERVICES METRO	BILL ARENT GUY CORRADO OZZIE MIRKHAH ANNE KILPONEN SGT. ROBERT ROSHACK							
<table style="width: 100%; border: none;"><tr><td style="width: 20%;">SUBJECT:</td><td>PETITION OF VACATION</td></tr><tr><td>APPLICANT:</td><td>PICERNE PROVIDENCE, LLC</td></tr><tr><td>FILE NUMBER:</td><td>VAC-19032</td></tr></table>			SUBJECT:	PETITION OF VACATION	APPLICANT:	PICERNE PROVIDENCE, LLC	FILE NUMBER:	VAC-19032
SUBJECT:	PETITION OF VACATION							
APPLICANT:	PICERNE PROVIDENCE, LLC							
FILE NUMBER:	VAC-19032							

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THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE WEST HALF (W½) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M.

COMMENTS DUE BY: JANUARY 23, 2007

PLANNING COMMISSION MEETING: FEBRUARY 22, 2007

ATTACHMENT:
All others: location map

(Revised 3/02)

**REQUEST FOR COMMENTS
CITY OF LAS VEGAS
INTER-OFFICE MEMORANDUM**

FROM: PLANNING AND DEVELOPMENT DEPARTMENT		DATE: 01/12/07
TO:	DEVELOPMENT COORDINATION TEFO FLOOD CONTROL LAND DEVELOPMENT RIGHT-OF-WAY ROADWAY PLANNING SANITARY SEWERS SID SURVEY TRAFFIC ENGINEERING GARY REID TOM WILKING RAUL CRUZ JEFF GALAMBAS CAROLYN CAVINESS TIM PARKS TIM McDANIEL ALAN RIEKKI RICK SCHROEDER	
SUBJECT: PETITION OF VACATION APPLICANT: PICERNE PROVIDENCE, LLC FILE NUMBER: VAC-19032		

A REQUEST HAS BEEN RECEIVED FROM PICERNE PROVIDENCE, LLC TO VACATE A U.S. GOVERNMENT GRANT RIGHT-OF-WAY EASEMENT ALONG THE NORTH SIDE OF DEER SPRINGS WAY GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF DEER SPRINGS WAY AND HUALAPAI WAY, WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE WEST HALF (W½) OF THE SOUTHEAST QUARTER (SE¼) OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M.

COMMENTS DUE TO BART ANDERSON BY: JANUARY 23, 2007

PLANNING COMMISSION MEETING: FEBRUARY 22, 2007

ATTACHMENT:

1. Right-of-way & Devco (Map, Petition, Justification Letter, Deed)
2. All others (Map)

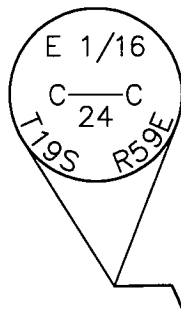
(Revised 1/02)

Plans (PMT)



Separator Sheet

EXHIBIT TO ACCOMPANY LAND DESCRIPTION



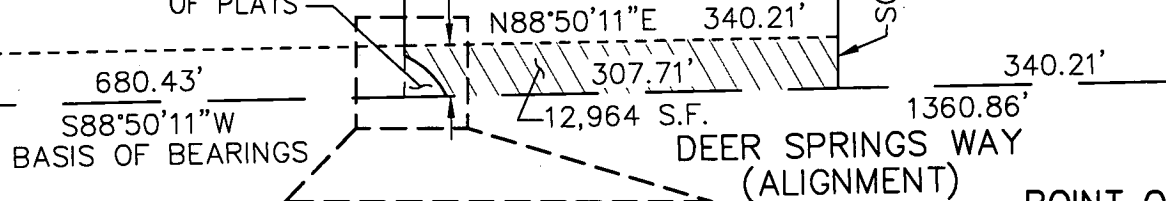
APN 126-24-701-014
SW 1/4
SE 1/4, NE 1/4
NOT A PART

W 1/2, SE 1/4
SE 1/4, NE 1/4
APN 126-24-610-004
PICERNE PROVIDENCE, LLC
LOT 125, BLOCK 11
BOOK 118, PAGE 88
OF PLATS

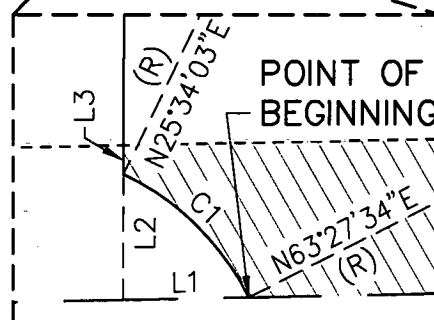
APN 126-24-610-004
PICERNE PROVIDENCE, LLC
E 1/2, SE 1/4
SE 1/4, NE 1/4
NOT A PART

PUBLIC R/W
DEDICATED PER
BOOK 118, PAGE 88
OF PLATS

40' WIDE BLM R/W GRANT
(SERIAL NO. N-61323)
PER OR: 20020225:01164



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S88°50'11"W	32.50'
L2	N00°08'34"E	32.53'
L3	N00°08'34"E	7.48'

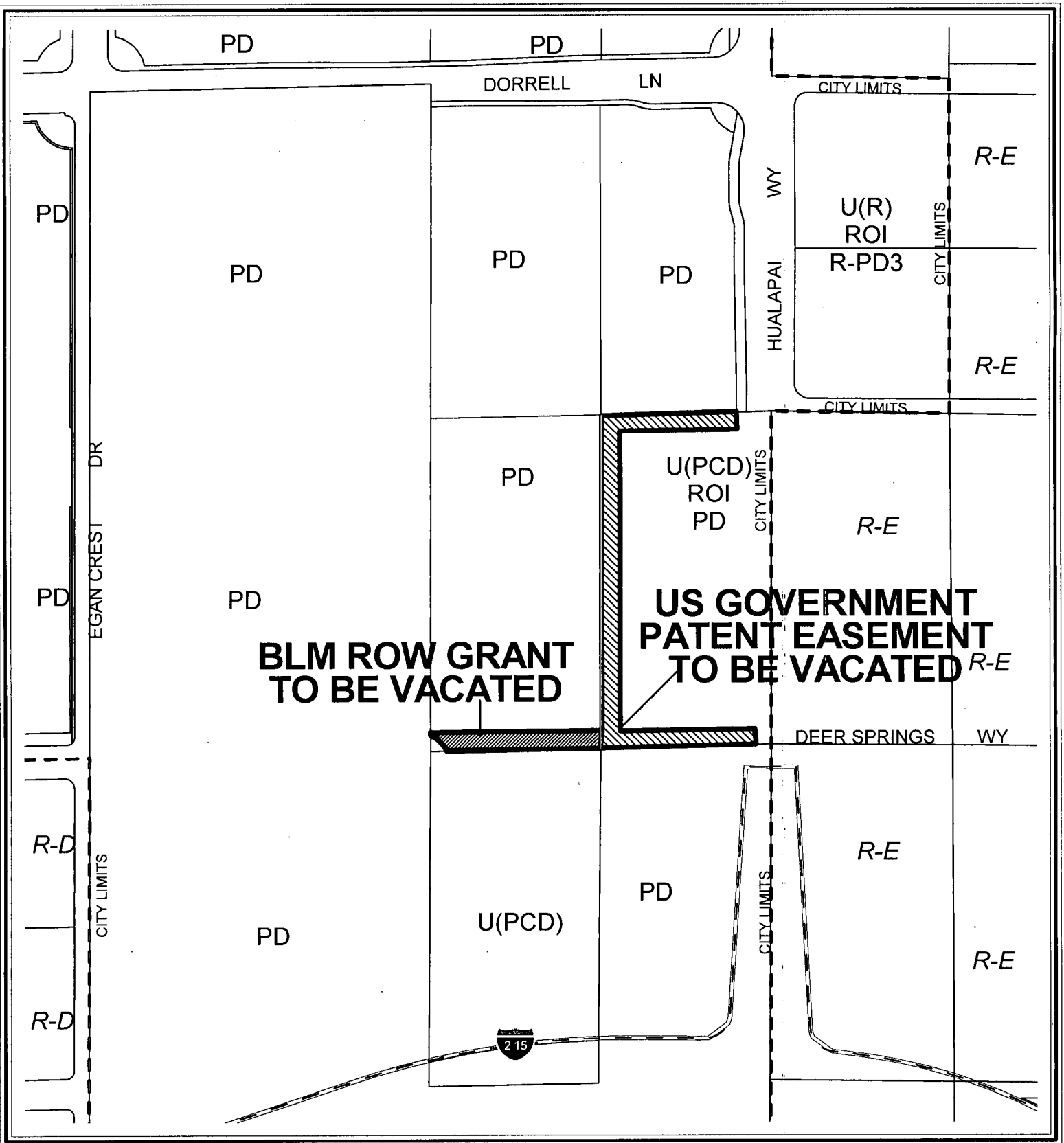


CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	37°53'30"	70.00'	46.29'	24.03'

15 NOVEMBER 2006
LV06-311 VAC.DWG

DRC  **DRC Surveying Nevada, Inc.**
7180 DEAN MARTIN DRIVE, SUITE 800
LAS VEGAS, NV 89118 (702) 270-6119

VAC-19032 **RECEIVED**
02/22/07 PC **JAN 03 2006**



CASE: VAC-19032



APN Map



Separator Sheet

NOTES

This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

USE THIS SCALE(Feet) WHEN MAP REDUCED FROM 11x17 ORIGINAL

AVERAGE
QA VALUE
35

MAP LEGEND

PARCEL BOUNDARY

SUBD BOUNDARY

ROAD EASEMENT

PM/LD BOUNDARY

NON-PARCEL LOT LINE

MATCH LINE / LEADER LINE

ROAD ID NUMBER

001
1.00

202
PB 25-45

5

5

GL5

PARCEL NUMBER
ACREAGE

PARCEL SUB/SEQ NUMBER
PLAT RECORDING NUMBER

BLOCK NUMBER

LOT NUMBER

GOV. LOT NUMBER

001

1.00

202

5

5

GL5

T19S R59E

R58E R59E R60E

T18S 98 99 100

T19S 127 126 125

T20S 136 137 138

24

6 5 4 3 2 1

7 8 9 10 11 12

18 17 16 15 14 13

19 20 21 22 23 24

30 29 28 27 26 25

31 32 33 34 35 36

S 2 NE 4

8 4 8 4

5 1 5 1

6 2 6 2

7 3 7 3

8 4 8 4

5 1 5 1

126-24-6

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