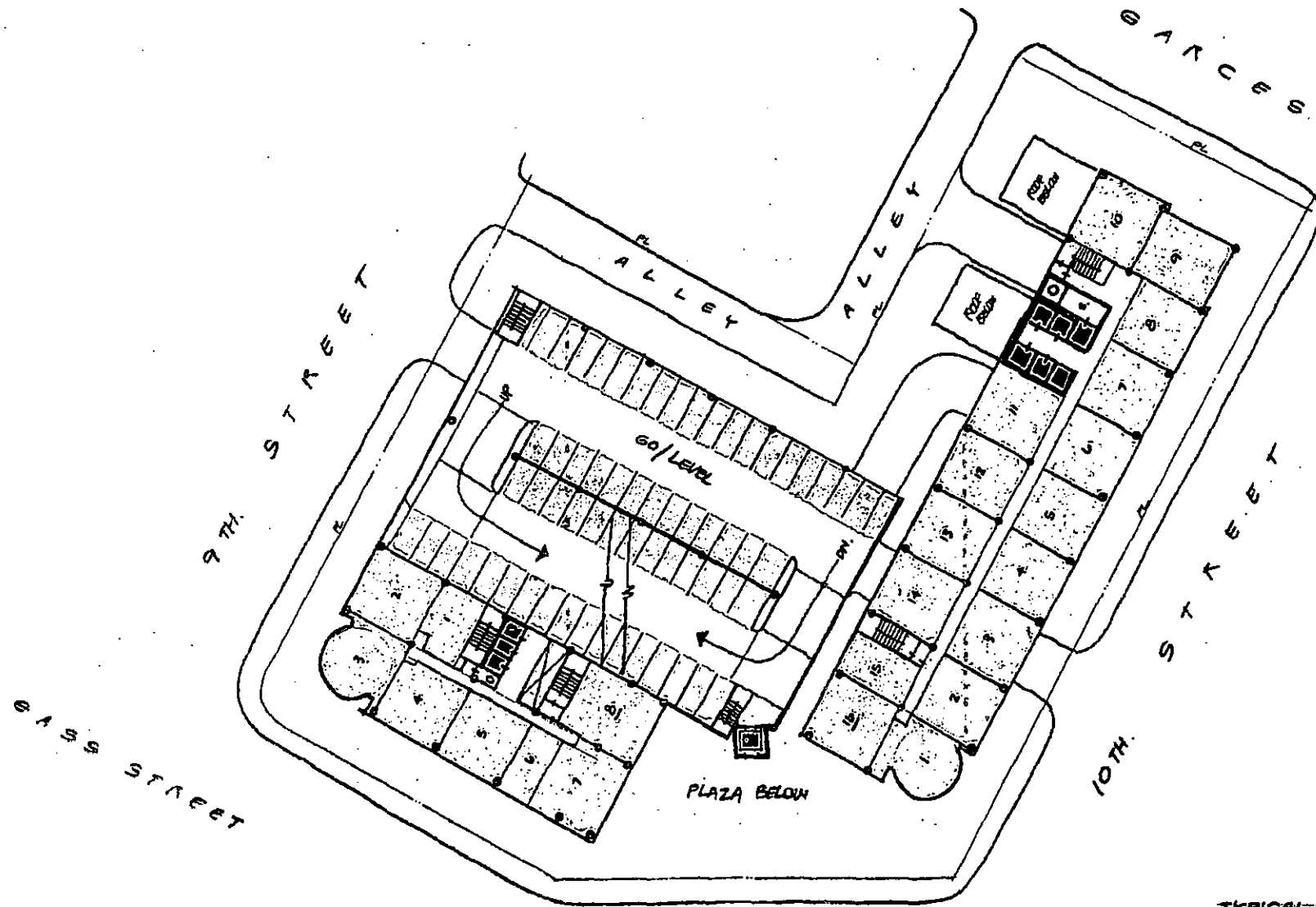
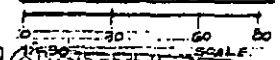




CHARLESTON BLVD.

TYPICAL FLOOR PLAN



RECEIVED
OCT 07 2010

EOT-39848

PROJECT SUMMARY

PROPERTY SIZE: 87,679 SF (2.03 AC)

IT INCLUDES EXIST. ALLEY UNDEVELOPED

LOT COVERAGE: 51000 S.F. + 5% 2

PAR. 0.228 DENSITY: 171/AC.

TOTAL CONDO UNITS PROVIDED: 350

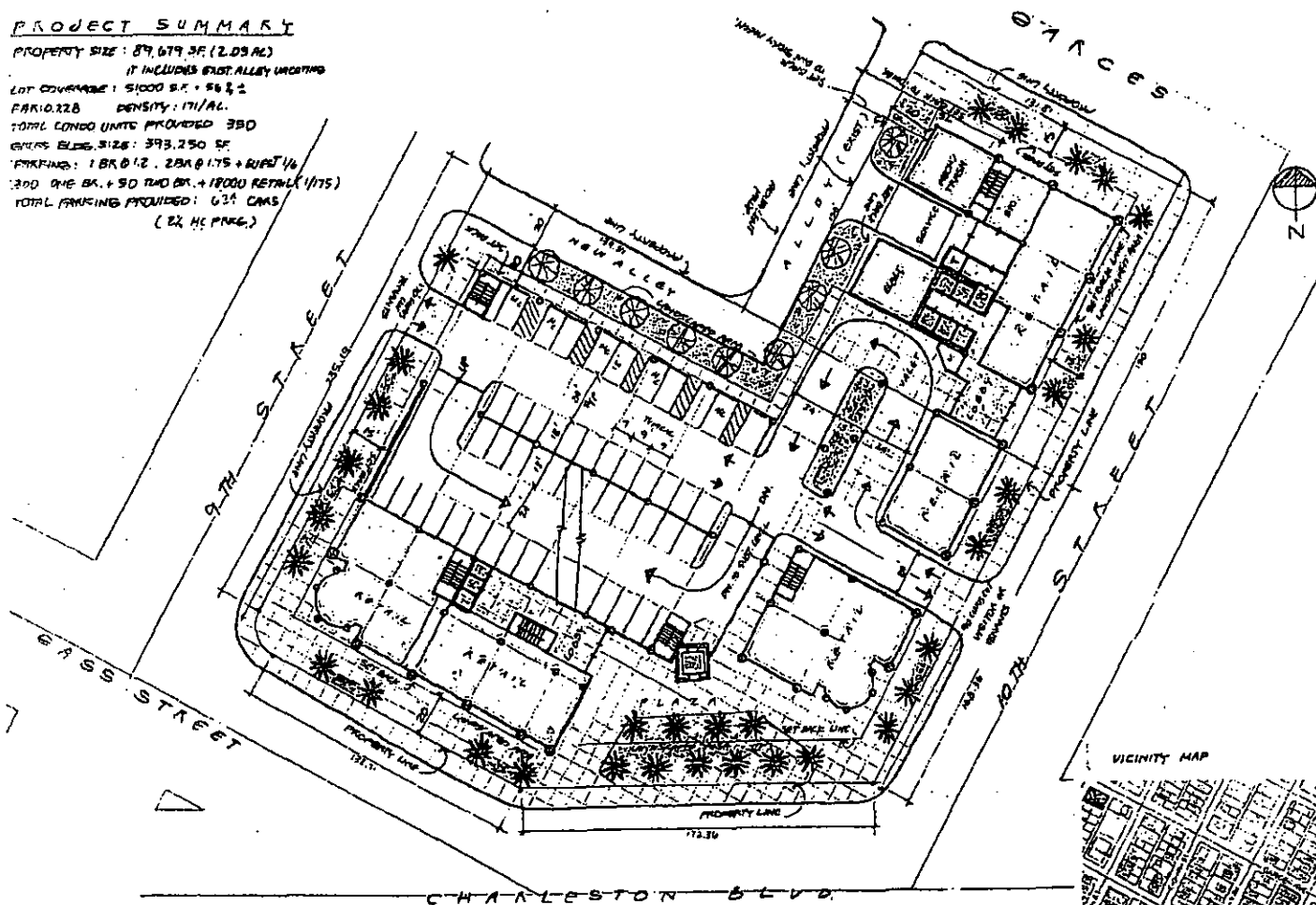
GROSS BLDG. SIZE: 393,250 SF

PARKING: 1 BR @ 1/2, 2 BR @ 1/25 + RUPRT 1/4

300 ONE BR. + 50 TWO BR. + 18000 RETAIL (1/175)

TOTAL PARKING PROVIDED: 634 CARS

(2% HC PARK.)



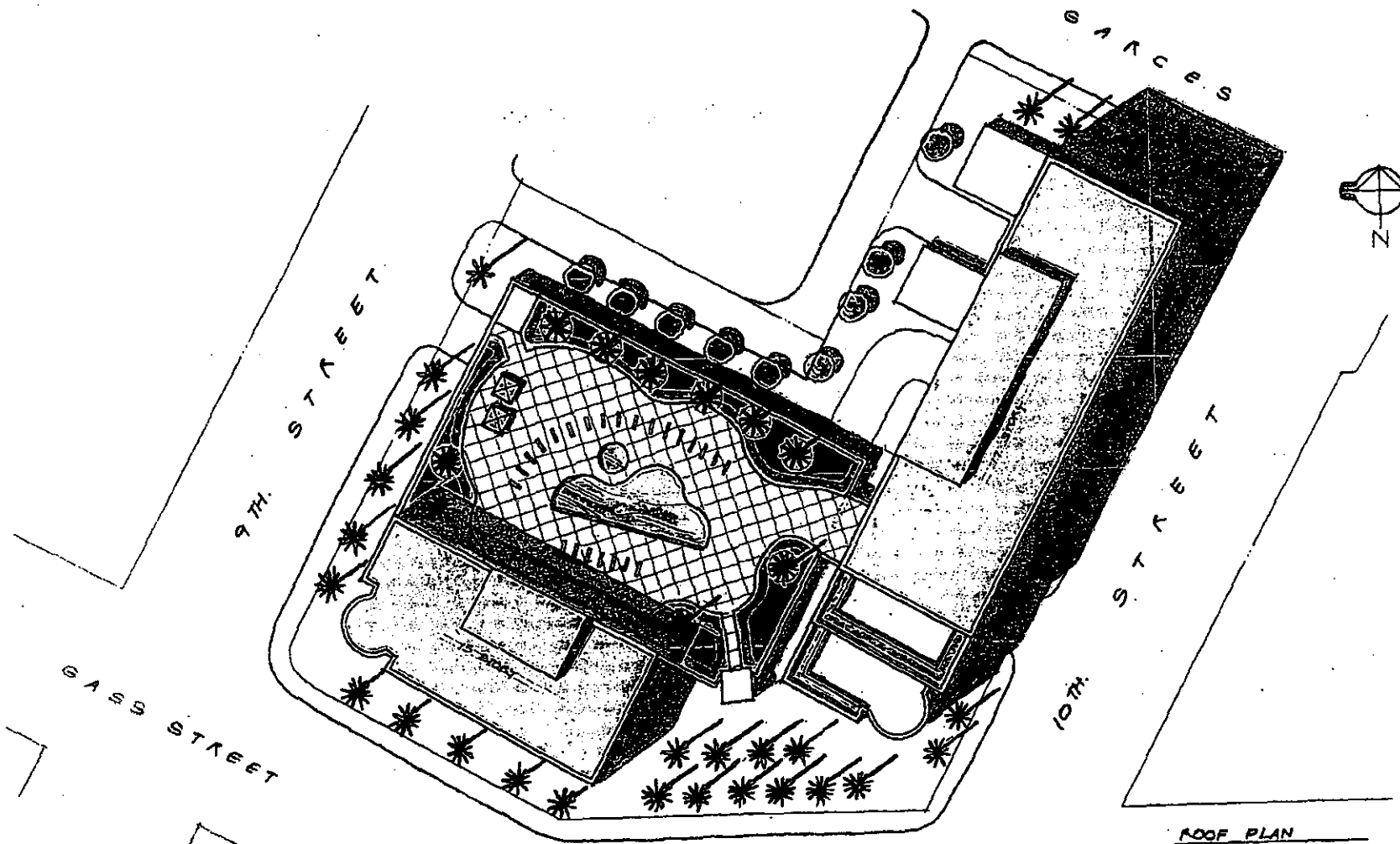
JMG
ARCHITECTS
P.C.

CASINO CENTER PROPERTIES, LLC

SITE PLAN
1"=30'
70'
60'
50'
NOT TO SCALE



RECEIVED
OCT 07 2010
EOT-39848



GASB STREET

9TH. STREET

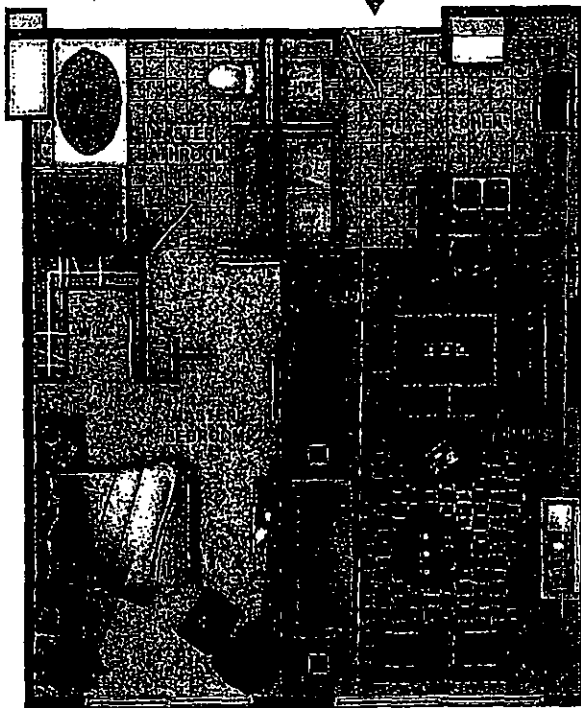
10TH. STREET

SARCES

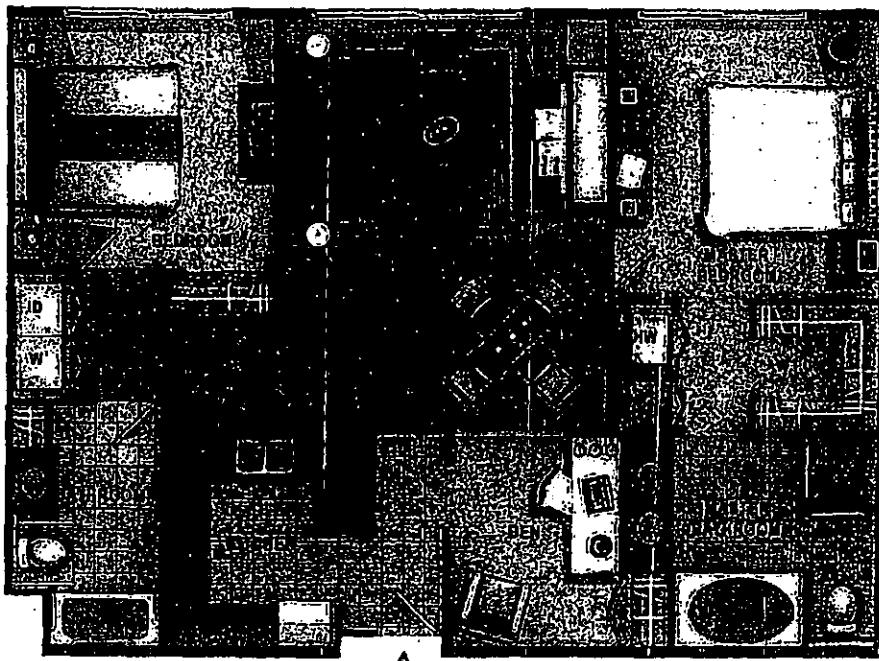
CHARLESTON BLVD.

ROOF PLAN
0 10 20 30 40 50 60 70 80
SCALE

RECEIVED
OCT 07 2010
EOT-39848

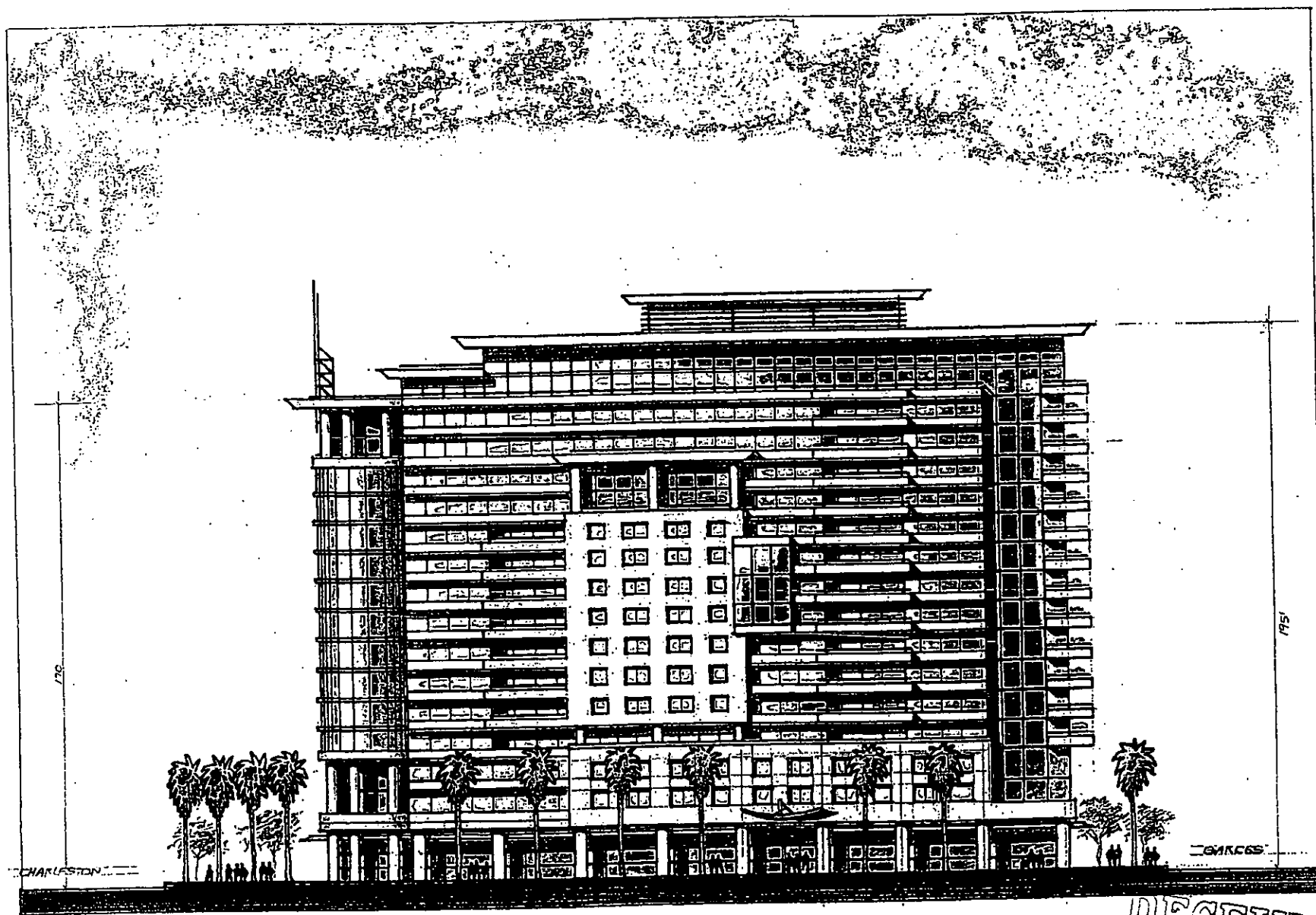


ONE BEDROOM 750-800 SF.



TWO BEDROOM & DEN 1,180 ± SF.

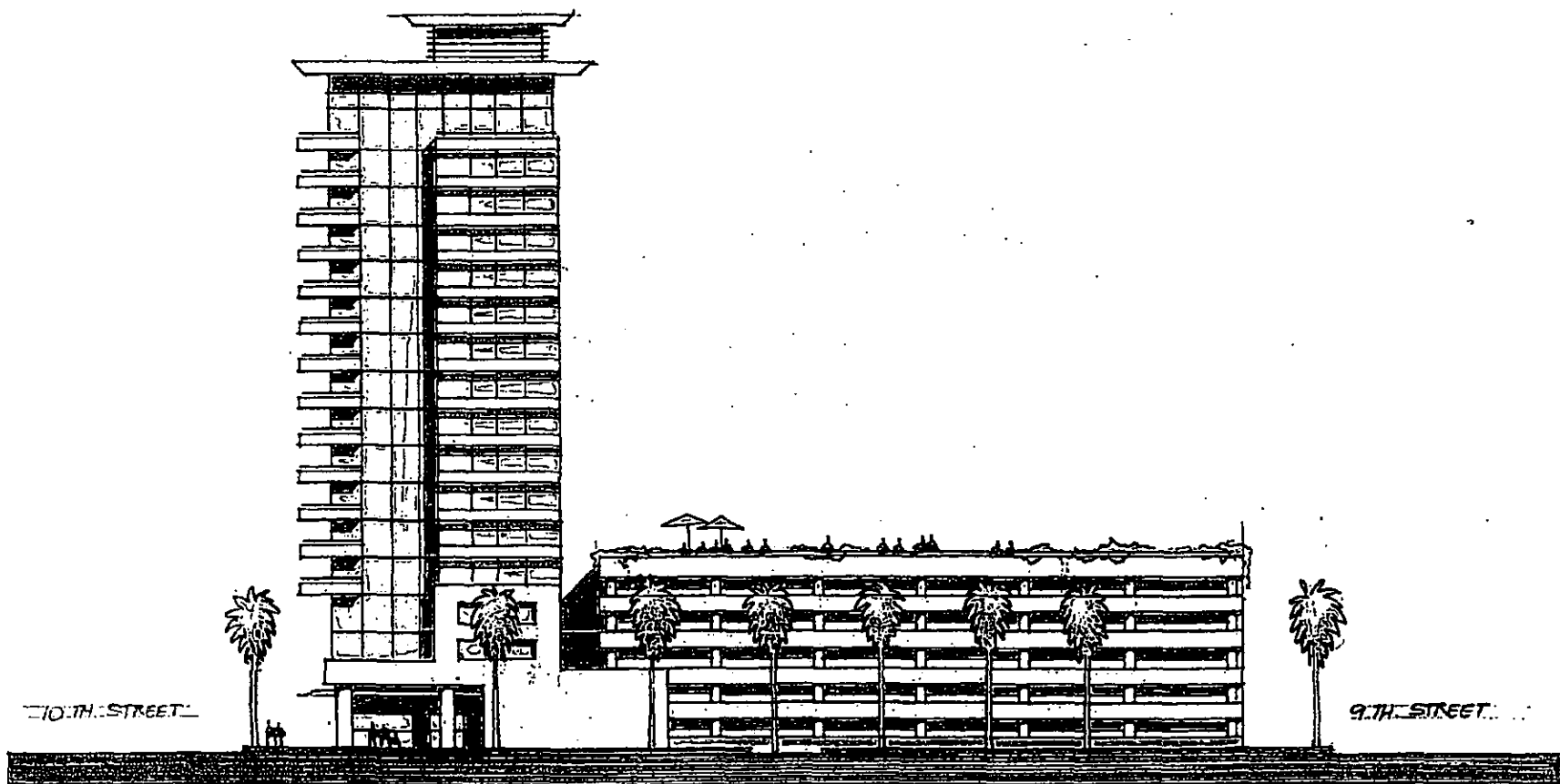
RECEIVED
OCT 07 2010
EOT-39848



10TH STREET ELEVATION

EOT-39848

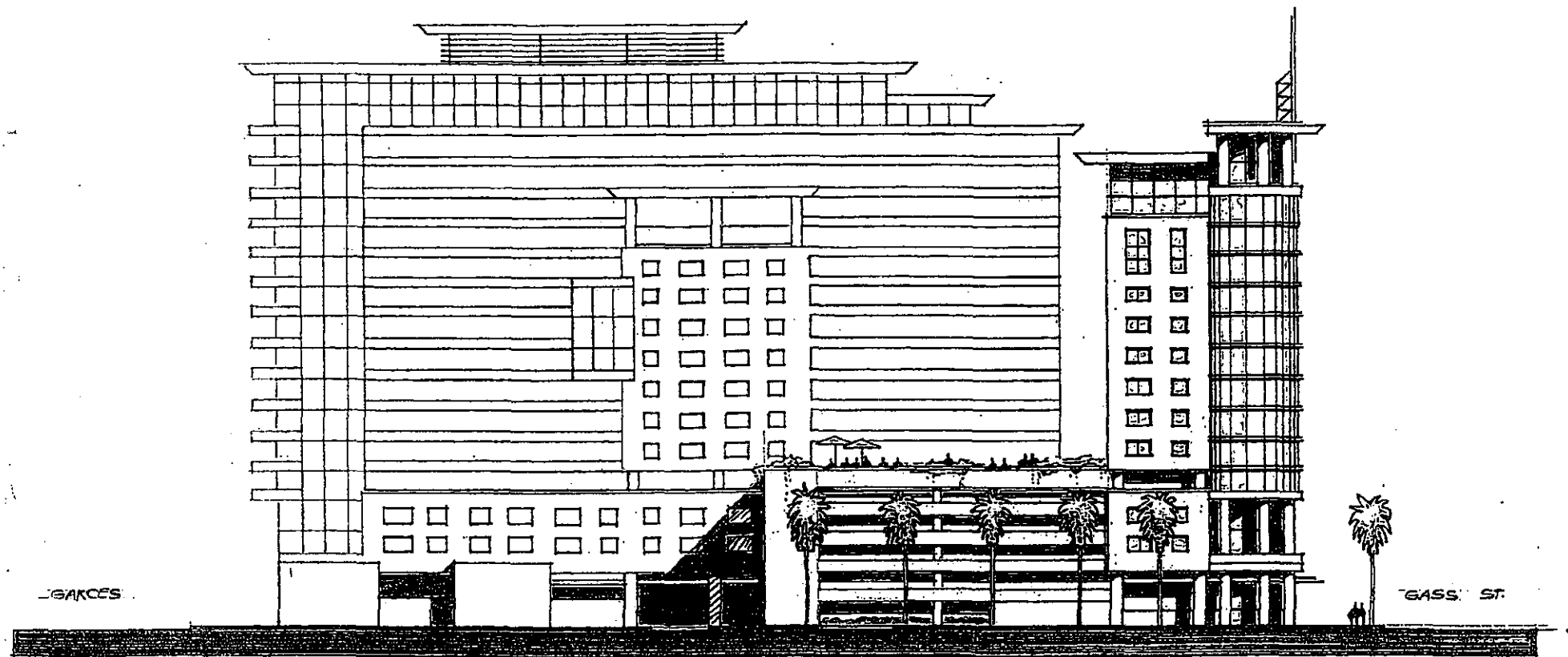
RECEIVED
OCT 07 2010



G A C E S - A L L E Y - E L E V A T I O N

RECEIVED
OCT 07 2010

EOT-39848



9TH STREET ELEVATION

RECEIVED
OCT 07 2010
EOT-39848



November 18, 2010

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

STEVE WOLFSON

LOIS TARKANIAN

STEVEN D. ROSS

RICKI Y. BARLOW

STAVROS S. ANTHONY

ELIZABETH N. FRETWELL
CITY MANAGER

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

RE: EOT-39848 – EXTENSION OF TIME
CITY COUNCIL MEETING OF NOVEMBER 17, 2010

Dear Mr. Dix:

The City Council at a regular meeting held November 17, 2010 APPROVED the request for an Extension of Time of a previously approved Variance (VAR-14345) TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, 075; and 139-34-812-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2010. This approval is subject to:

Planning and Development

1. This Variance (VAR-14345) shall expire on November 1, 2012 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of Variance (VAR-14345) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

A handwritten signature in cursive script that reads "Vicky Skilbred".

Vicky Skilbred
Chief Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

cc: Mr. David Goldwater
Schmidt Family Trust
3259 East Warm Springs Road
Las Vegas, Nevada 89120

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

FM 0044-08-00



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY: 702-386-9108

www.lasvegasnevada.gov

November 4, 2010

Mr. Mark Dix
Charleston Towers, LLC
18501 Collier Avenue, Suite B-106
Lake Elsinore, California 92530

**RE: EOT-39848 - EXTENSION OF TIME - VARIANCE
CITY COUNCIL MEETING OF NOVEMBER 17, 2010**

Dear Mr. Dix:

Please be advised the City Council at its regular meeting on **November 17, 2010** as referred to above, will consider your request. This meeting will be held at 1:00 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 available on-line on **Friday, November 12, 2010** at www.lasvegasnevada.gov. If you do not have access to the Internet and would prefer receiving hard copies of the documentation, please call the Case Planning Division at (702) 229-6301 or come into the Development Services Center at 731 South Fourth Street to request your copies.

The City Council requires that you or your representative be present at this meeting.

Sincerely,

M. Margo Wheeler, AICP
Director, Planning and Development Department

MMW:clb

cc: Mr. David Goldwater
Schmidt Family Trust
3259 East Warm Springs Road
Las Vegas, Nevada 89120

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow
Stavros S. Anthony
City Manager
Elizabeth N. Fretwell



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: Nancy Almanzan, Right-of-Way; Tom Hayes, Land Development; O. C. White, Traffic Engineering; Alan Riecki, Survey (FM, PM, & A's only)
Date: October 15, 2010
Re: **EOT-39848** Charleston Towers, LLC NWC Charleston Blvd. & 10th St.
Request for an Extension of Time of an approved Variance (VAR-14345)

COMMENTS:

We have no comment on the Request for an Extension of Time application of an approved Variance which allowed lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed mixed-use development located at northwest corner of Charleston Boulevard and 10th Street as long as all previously imposed conditions of approval for VAR-14345 and all other subsequent site-related actions are ultimately complied with.

CITY OF LAS VEGAS

DEVELOPMENT REVIEW COMMENT FORM



Planning and Development Department

Current Planning Division

731 South Fourth Street

Las Vegas, Nevada 89101

(702) 229-6301 phone (702) 385-7268 fax

EOT-39848 - EXTENSION OF TIME - VARIANCE - APPLICANT: CHARLESTON TOWERS, LLC - OWNER: CHARLESTON TOWERS, LLC AND SCHMIDT FAMILY TRUST - Request for an Extension of Time of a previously approved Variance (VAR-14345) TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

CITY COUNCIL: NOVEMBER 17, 2010

CASE PLANNER: DEBBIE SULLIVAN



CONSENT

Comments Due: OCTOBER 18, 2010

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet and routed via interoffice mail, U.S. mail, fax, or e-mailed to **Carman Burney** (cburney@lasvegasnevada.gov), the Agenda Tech responsible for this case. If you desire to meet with the case planner you may schedule an appointment by calling (702) 229-6301.

LIST COMMENTS BELOW:

City of Las Vegas
400 Stewart Ave
Las Vegas, NV 89101-2927

EOT Application

Report Date 10/11/2010 08:50 AM

Submitted By

Page 1

A/P # 39848 EXTENSION OF TIME

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	10/07/2010 15:15	982998	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

EOT-39848 - EXTENSION OF TIME - VARIANCE - APPLICANT: CHARLESTON TOWERS, LLC - OWNER: CHARLESTON TOWERS, LLC AND SCHMIDT FAMILY TRUST - Request for an Extension of Time of a previously approved Variance (VAR-14345) TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, 075; and 139-34-812-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

Parent A/P # 14345
Project # 39848 Project/Phase Name CHARLESTON TOWERS, LLC Phase #
Size/Area 2.05 ACRE Size Description Subdivision Code
Proposed Start Proposed Stop % Completed 0.00
% Complete Formula

Property/Site Information

Parcel 13934810074

Location

Owner/Tenant

Contact ID AC1790293 Name CHARLESTON TOWERS L L C
Mailing Address 18501 COLLIER AVE #B-106 Organization
City LAKE ELSINORE State/Province CA
ZIP/PC 92530-2764 Country ☐ Foreign
Day Phone (951)245-7511 x Evening Phone
Fax (951)245-9221 Mobile #

Contact ID AC1828174 Name SCHMIDT FAMILY TRUST
Mailing Address 3259 WARM SPRINGS Organization
City LAS VEGAS State/Province NV
ZIP/PC 89120 Country ☐ Foreign
Day Phone (702)933-2366 x Evening Phone
Fax Mobile #

A/P Linked Addresses

No Addresses are linked to this Application

Linked Addresses

717 S 9TH ST
LAS VEGAS, 89101-

A/P Addresses

No Other Addresses are associated to this Application

City of Las Vegas
400 Stewart Ave
Las Vegas, NV 89101-2927

EOT Application

Report Date 10/11/2010 08:50 AM

Submitted By

Page 2

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

13934810074
13934810075
13934810101
13934810102
13934810103
13934810104
13934810105
13934812003

Applicants/Contacts

<u>Primary</u>	N	<u>Capacity</u>	OWNER	<u>Contact ID</u>	AC1828174 ☐	<u>Foreign</u>
<u>Effective</u>		<u>Expire</u>				
<u>Name</u>	SCHMIDT FAMILY TRUST					
<u>Day Phone</u>	(702)933-2366 x	<u>Eve Phone</u>		<u>Organization</u>		
<u>Pager</u>		<u>PIN #</u>		<u>Position</u>		
<u>Fax</u>		<u>Mobile</u>		<u>Profession</u>		
<u>E-Mail</u>						
<u>Address</u>	3259 WARM SPRINGS LAS VEGAS, NV 89120					
<u>Seasonal Addr</u>						

Valid From To
Comments No Comments

<u>Primary</u>	Y	<u>Capacity</u>	OWNER	<u>Contact ID</u>	AC1790293 ☐	<u>Foreign</u>
<u>Effective</u>		<u>Expire</u>				
<u>Name</u>	CHARLESTON TOWERS L L C					
<u>Day Phone</u>	(951)245-7511 x	<u>Eve Phone</u>		<u>Organization</u>		
<u>Pager</u>		<u>PIN #</u>		<u>Position</u>		
<u>Fax</u>	(951)245-9221	<u>Mobile</u>		<u>Profession</u>		
<u>E-Mail</u>						
<u>Address</u>	18501 COLLIER AVE #B-106 LAKE ELSINORE, CA 92530-2764					
<u>Seasonal Addr</u>						

Valid From To
Comments No Comments

Contractors

No Contractors

<u>Project #</u>	<u>A/P Type</u>	<u>Status</u>	<u>Stage</u>	<u>Relation</u>
------------------	-----------------	---------------	--------------	-----------------

No children exist for this project

<u>Planning Condition</u>	<u>Description</u>	<u>Effective</u>	<u>Expire</u>	<u>Comments</u>
---------------------------	--------------------	------------------	---------------	-----------------

There is no planning condition for this project.

Report Date 10/11/2010 08:50 AM

Submitted By

Page 3

EXTENSION OF TIME

Y Will this go to the City Council?

Y Will this go DIRECTLY to City Council?

Parent Application Type VAR

Hearing Type

Parent Project # 14345

Public, Non-Public or Admin? NON-PUBLIC

Staff Recommendation

Meeting Information

<u>Meeting Grid</u> <u>Meeting Date</u> <u>Comments</u> <u>Added By</u>	<u>Meeting Type</u> <u>Add Date</u>	<u>Meeting Status</u> <u>Modified by</u> <u>Modified Date</u>	<u>YES Votes</u>	<u>NO Votes</u>	<u>ABSTENTIONS</u>
11/17/2010	CC	SCHEDULED	0	0	0
JMARSHALL	10/07/2010				

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

No children exist for this project

<u>Employee</u> <u>Employee ID</u>	<u>Last</u>	<u>First</u>	<u>Mi</u>	<u>Comments</u>
984478	SULLIVAN	DEBDRAH	J	Planning x6895

<u>Log</u> <u>Action</u> <u>Comments</u>	<u>Description</u>	<u>Entered By</u>	<u>Start</u>	<u>Stop</u>	<u>Hours</u>
PAYMNT	CO NAME WHD PICKED UP CONTACT#	970040	10/07/2010 15:37		0.00
	NICK CAPRIOTTI, 951.660.2313, CHARLESTON TDWERS LLC CK 1034 (EOT 39845-846, 848-850)				



PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extension of Time Request - VAR-14345

Project Address (Location) Charleston and 10th

Project Name Charleston Towers, LLC Proposed Use Mixed Use

Assessor's Parcel #(s) Review item Additional Info for list Ward # 5

General Plan: existing MXU/C proposed C Zoning: existing pr/r4/c1 proposed C-1

Commercial Square Footage 18,000 Floor Area Ratio 0.228

Gross Acres 2.05 +/- Lots/Units 350 Density 170.7 DU/AC

Additional Information Assessor's Parcel # 139-34-810-074; 075; 101; 102; 103; 104; 105; 139-34-812-003

PROPERTY OWNER Charleston Towers, LLC Contact Mark S. Dix

Address 18501 Collier Avenue, Suite B-106 Phone: (951) 245-7511 Fax: (951) 245-9221

City Lake Elsinore State CA Zip 92530

E-mail Address mark.dix@tiltupsbysci.com

APPLICANT Charleston Towers, LLC Contact Mark S. Dix

Address 18501 Collier Avenue, Suite B-106 Phone: (951) 245-7511 Fax: (951) 245-9221

City Lake Elsinore State CA Zip 92530

E-mail Address mark.dix@tiltupsbysci.com

REPRESENTATIVE Mark S. Dix Contact _____

Address 18501 Collier Avenue, Suite B-106 Phone: (951) 245-7511 Fax: (951) 245-9221

City Lake Elsinore State CA Zip 92530

E-mail Address mark.dix@tiltupsbysci.com

Property Owner Signature* [Signature]

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

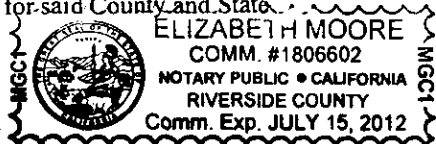
Print Name Mark S. Dix

Subscribed and sworn before me

This 29th day of SEPTEMBER, 20 10

[Signature]

Notary Public in and for said County and State



Revised 10/27/08

FOR DEPARTMENT USE ONLY VAR-14345

Case #	<u>EOT-39848</u>
Meeting Date:	<u>11-17-10</u>
Total Fee:	<u>300.00</u>
Date Received:*	<u>10-7-10</u>
Received By:	<u>[Signature]</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.

f:\depot\Application Packet\Application Form.pdf



PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Extention of Time Request
Project Address (Location) Charleston & 10th
Project Name: Charleston Towers, LLC Proposed Use Mixed Use
Assessor's Parcel #(s) 139-34-810-102 Ward # 5
General Plan: existing MXU2C proposed C Zoning: existing pr/4/C1 proposed C-1
Commercial Square Footage 18,000 Floor Area Ratio 0.228
Gross Acres 2.05+/- Lots/Units 350 Density 170.7 DU/AC
Additional Information _____

PROPERTY OWNER Schmidt Family Trust Contact David Goldwater
Address 3259 East Warm Springs Phone: (702) 933-2366 Fax: _____
City Las Vegas State Nevada Zip 89120
E-mail Address dgoldwater@goldcapnv.com

APPLICANT Charleston Towers LLC Contact Mark Dix
Address 18501 Collier Ave Suite B-106 Phone: (951) 471-2689 Fax: _____
City Lake Elsinore State CA Zip 92530
E-mail Address Mark.Dix@tiltupsbysci.com

REPRESENTATIVE Mark Dix Contact Mark Dix
Address 18501 Collier Ave Suite B-106 Phone: (951) 471-2689 Fax: _____
City Lake Elsinore State CA Zip 92530
E-mail Address Mark.Dix@tiltupsbysci.com

Property Owner Signature

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

Print Name MARVIN L. SCHMIDT, TRUSTEE

Subscribed and sworn before me

This 4th day of October, 2010

Notary Public in and for said County and State



LOCKI LAROE

Notary Public, State of Nevada
Appointment No. 93-1442-1
My Appt. Expires Feb. 16, 2014

FOR DEPARTMENT USE ONLY VAR-14345

Case #	<u>EDT-39843</u>
Meeting Date:	<u>11-17-10</u>
Total Fee:	<u>300.00</u>
Date Received:*	<u>10-7-10</u>
Received By:	<u>[Signature]</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.



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-39848** APN: 139-34-810-074;075;101;102;103;104;105;
139-34-812-003

Name of Property Owner: Charleston Towers, LLC

Name of Applicant: Charleston Towers, LLC

Name of Representative: Mark S. Dix

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: _____

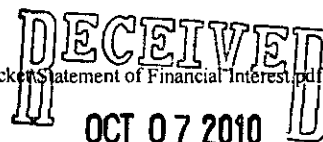
Signature of Property Owner: _____

Print Name: Mark S. Dix

Subscribed and sworn before me

This 29th day of SEPTEMBER, 20 10

Elizabeth Moore
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-39848** APN: 139-34-810-102

Name of Property Owner: Schmidt Family Trust

Name of Applicant: Charleston Towers, LLC

Name of Representative: Mark Dix

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: _____

Print Name: MARVIN L. SCHMIDT, TRUSTEE

Subscribed and sworn before me

This 4th day of October, 2010
[Signature]
Notary Public in and for said County and State



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OCT 07 2010

Charleston Towers, LLC

18501 Collier Ave., Suite B106
Lake Elsinore, CA. 92530

September 24, 2010

City of Las Vegas
731 South Fourth Street
Las Vegas, NV, 89101

RE: Letter of Justification for the North side of Charleston Boulevard, between 9th and 10th Streets . General Plan Amendment, Special Use Permit for Mixed Use: Variance to Residential Adjacency Standards and Site Development Plan Review; APN: 139-34-810-074; 075; 101; 102; 103; 104; 105; 812-003..

Dear to whom it may concern:

Please accept the application package for the 2.05 +/- acre property located on the north side of Charleston Blvd, between 9th and 10th Streets. The proposal is a mixed – use project consisting of 18,000 square feet of ground floor office and/or retail space, with 350 condominiums within two structures - one 14 story, 170 foot high building oriented toward the southwest corner of the parcel and a second 17 story, 195 foot high building oriented toward the southwest corner of Garces and 10th Street. The following applications are submitted with this request:

- 1) General Plan Amendment from MXU to C for the entire site with the exception of APN: 139-34-812-003, which is currently designated Commercial (C) on the City of Las Vegas Redevelopment Plan;
- 2.) Rezoning from Professional Office and Parking (P-R) to Limited Commercial (C-1) for APN: 139-34-810-102 and 103; High Density Residential (R-4) to Limited Commercial (C-1) for APN: 139-34-810-101;
- 3.) Special Use Permit for a Mixed Use Project in Limited Commercial (C-1) for entire property;
- 4.) Variance to Tile 19.08.060 of the City of Las Vegas Zoning Ordinance Residential Adjacency Standards to allow a setback of 45 feet from Single Family Residential (R-1), where 510 feet is required.
- 5.) Variance to Tile 19.08, Table 3, Commercial District Development Standards to allow maximum lot coverage of 56% where 50% is the maximum allowed.

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EOT-39848 OCT 07 2010

- 6.) Variance to allow 624 parking spaces, where 634 are required to provide for some sort of future restaurant or café space.
- 7.) Site Development Plan Review for a Mixed Use Project in Limited Commercial (C-1)

CURRENT LAND USE AND ZONING CONDITIONS

The southern portion of the site is currently designated Commercial (C) on the City of Las Vegas Downtown Redevelopment Area Land Use Designations Map of the Redevelopment Plan; the remainder of the site is designated Mixed Use District (MXU). The entire block to the east, from Charleston Boulevard to Garces, Between 10th and 11th Street is designated Commercial (C) as well as all the properties fronting along the south side of Charleston Boulevard are also designated Commercial (C). The blocks to the north and west of the site are all designated Mixed Use (MXU); in fact the entire area north of Charleston is shown for both Mixed Use and Commercial development.

The majority of the subject site is already zoned Limited Commercial (C-1), the three remaining parcels on the southwest corner of Garces and 10th Street are Professional Offices and Parking (P-R) and High Density Residential (R-4). The overall zoning pattern for the area is more intense General Commercial (C-2) to the east of 10th Street, Limited Commercial (C-1) to the south and a mixture of C-1, P-R and R-1 to the north, with the majority of the properties developed as professional offices.

APPROVAL CRITERIA – GENERAL PLAN AMENDMENT

Title 19.18.030 (1)

The determinations for the Planning Commission and City Council for approval of a General Plan Amendment are as follows:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;**

The entire area north of Charleston Boulevard is projected to be Commercial or Mixed Use Development as clearly shown on the Downtown Redevelopment Area Land Use Designations Map. In fact, all of the properties fronting along the north and south sides of the project, to the east and west, are all designated for Commercial (C), which allows mixed use projects.

The subject site is designated both MXU and C; both allow mixed use projects with approval of a Special Use Permit. It was determined, through the pre-application process, that a General Plan Amendment was needed to prevent a split land use on the site, as it was being assembled into one project for the purposes of development. Either designating the entire site for MXU or C would be appropriate, however, as a result of a subsequent meeting with staff, changing the northern part of the property

EOT-39848

RECEIVED
OCT 07 2010

from MXU to C was preferable, as a consistent Commercial land use designation would result along the south side of Garces from 9th to 11th streets.

Essentially there is no change in the density and intensity of permitted land uses as a result of this amendment to the General Plan, it will merely result in a consistent land use designation on the Redevelopment Plan Map;

- 2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts.**

The proposed Limited Commercial (C-1) zoning district is conforming to either the Mixes Use District (MXC) or Commercial (C) land use designations of the Redevelopment Plan Map. In fact, over 75% of the site is already zoned C-1. This application only applies to the three parcels along the northeast corner of the property. Therefore, it will result in a consistent zoning for the entire project. It is compatible with the C-1 zoned properties along the south side of Charleston Boulevard, and the General Commercial (C-2) properties to the east of 10th Street and south of Garces.

- 3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation; and**

There are adequate facilities and utilities available to serve the needs of this property. It is a developed, infill piece with services already in place.

- 4. The proposed amendment conforms to other applicable adopted plans and policies.**

The General Plan Amendment and the related applications implement the following objectives of the Redevelopment Plan:

- A. The elimination of environmental deficiencies and blight in the Redevelopment. Area, which constitute either social or economic liabilities or both and require redevelopment in the interests of the health, safety and general welfare of the people, including among others, small and/or irregular lots, obsolete and aged building types, economic and social deficiencies deteriorated public improvements, inadequate parking facilities and inadequate utilization of land and public facilities.

This block is in need of redevelopment as current development has been stagnant and become an eyesore to this area of the City. It will result in a modern; mixed use development that will result in additional reinvestment and redevelopment of other properties in the area. It will eliminate development which has resulted in a blighted area and provide an enhanced streetscape and vibrancy to development along the north side of the Charleston Boulevard corridor.

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- B. The assembly of land into parcels suitable for modern, integrated development and allowing for improved pedestrian and vehicular circulation in the Redevelopment Area:

The Project has assembled eight of the eleven parcels in the block bounded by Garces to the north, 9th Street to the west, 10th Street to the east and Charleston Boulevard to the south. The only parcels that have not been acquired are the three parcels on the northwest corner of the block. The applicant has had discussions with these property owners.

This assemblage will allow development of a modern mixed-use project envisioned by the Redevelopment plan. One of the companion items is a vacation of the public alleys on the site; vacation of the north-south alley will not incur any changes to access in terms of traffic flow or private access; the east-west alley will be relocated to allow for a more cohesive development and improved traffic flow.

- C. The replanning, redesign and development of undeveloped areas which or stagnant or improperly utilized.

While this piece is developed, it has become stagnant, underutilized and is not contributing to the economic diversification and well-being of the City.

- D. The strengthening of retail, office and other commercial and residential functions in the downtown area;

This project will add much needed office space, retail uses and opportunities for people to live and work in this area of the City. It will enhance the vitality of this area and provide an impetus for other redevelopment projects to occur.

- E. The strengthening and diversification of the economic base of the Redevelopment Area and the community by the installation of needed site improvements to stimulate new commercial expansion, employment and economic growth.

Modern mixed-use compact development, such as that proposed for this site, can do nothing but enhance the economic base of the redevelopment area. It will provide employment opportunities, stimulate new commercial and residential redevelopment in the area, and increase the tax base generated along the Charleston Boulevard corridor.

In summary, this proposal meets the requirements for approval of a General Plan Amendment, as it will not increase the intensity or density of development in the area, since both current plan designation allow and

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encourage mixed use development,. It also implements the long-term vision and objectives of the Redevelopment Plan as it assembles underutilized and decaying parcels into a modern, compact mixed-use development that will reinvigorate interest and future investments along the Charleston Boulevard corridor.

APPROVAL CRITERIA – REZONING
Title 19.18.040 (K)

The following are the criteria for approval of a proposed rezoning:

1) The proposal conforms to the General Plan.

The proposed Limited Commercial (C-1) is a conforming zone change for both the Mixed-Use District (MXU) and Commercial (C) land use categories of the City of Las Vegas Redevelopment Plan.

2) The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

As previously stated, approximately 75% of the site is currently zoned C-1. This application only applies to the three parcels located on the more northeast corner of the site; it essentially is a single zoning designation for the portion of the block that has been assembled by the applicant.

3) Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

This area of the City, along the Charleston Boulevard corridor is ripe for redevelopment activity that will contribute to the economic base of the area.. Current development on this site is in disrepair, stagnant, and has contributed to long term blight and decay. Rezoning the site to C-1, allowing for mixed use development, should result in stimulating additional redevelopment activity in the area.

4) Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

This action adds a small additional amount of C-1 property to the area. Street and highway facilities should provide adequate access and traffic carrying capacity;

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APPROVAL CIRTERIA – SPECIAL USE PERMIT

Title 18.18.060 – (L)

The following are the determinations to be made for approval of a Special Use Permit:

- 1) **The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses as projected by the General Plan;**

The Redevelopment Plan Land Use Map shows that the entire area of the City north of this site and the Charleston Boulevard corridor, from Main Street to Bruce Street, up to Bonanza Road, is designated predominately Commercial or for Mixed Use, which clearly indicated that modern, mixed use projects are a key component to encouraging reinvestment and redevelopment in this area of the City. The proposed use is oriented toward the Charleston Boulevard corridor, and should not be readily visible from the professional offices located to the north of the site. The Redevelopment Plan encourages the assemblages of parcels to promote the type and intensity of development to stimulate the economy of the downtown area.

- 2) **The subject site is physically suitable for the type and intensity of land use being proposed.**

In terms of land use designation, a portion of the site is already designated for Commercial land uses; the remainder is MXU, which allows Service Commercial and General Commercial uses. In terms of the actual project proposed for the property, it can accommodate the proposed mix of residential and commercial uses, while providing all parking in a six level parking garage. Adequate on-site access will be provided to ensure free-flow of traffic movements and accommodate all emergency services.

- 3) **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed uses; and**

The surrounding street network should be adequate to provide access and traffic carrying capacity. A traffic study will be submitted to determine additional improvements that will be needed to accommodate traffic and circulation needs.

- 4) **Approval of this Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.**

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Approval of this Special Use Permit will implement the core vision and objectives of the Redevelopment Plan of the City of Las Vegas. It will spur economic activity; provide places for new and current residents to live, work, shop and play. It will lead to additional investment and needed redevelopment in the immediate area and other parcels located within the Redevelopment Plan area. Therefore, it will contribute to the overall well-being of the City, and enhance the public health, safety and welfare.

APPROVAL CRITERIA – VARIANCES

Title 19.18.070 (L)

The following is the substantive criterion for determining approval of variance applications:

- 1) **Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.**

There are three variances requested from the strict application of the Code. They are:

19.08.060: the residential adjacency standards, which states that no non-residential building shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly in to the property subject to the standards of the chapter. A 15 foot tall building can be constructed at the applicable setback line : any building height above the 15 feet must fall below the slope.

There are two adjacent properties zoned R-1 in very close proximity to the site- 707 S. 9th Street , which is to the west of the 20 foot wide east/west alley and 630 S. 10th Street, located on the northwest corner of Graces and 10th Street. We believe the variance is warranted for these reasons:

- a. Strict application of the Code standard would make it difficult for any reasonable commercial property to be built on the site without some variance to the standard. This development pattern is not a result of any action taken by the applicant, or their predecessor in title. Also, this and all

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the other surrounding properties are designated for Commercial or for Mixed Use Development, which should be a factor in determining the appropriateness of a variance application.

- b. While on its face the variance may seem excessive, it is not in terms of factoring the overall objectives of the Redevelopment Plan. The long term vision of the plan is for re-planning and re-developing stagnant areas of the City that no longer contribute to its tax or economic base. Therefore, the variance to allow a modern, forward-looking mixed use development should be considered.
- c. Paragraph 5.b entitled Waiver, states any mixed-use development that contains a significant residential element is eligible for a waiver by the City Council. The gross building size of the project is 393,250 square feet; of that, only 18,000 square feet is non-residential space. Clearly, this is a residential driven project that given its importance to continued implementation of the Redevelopment Plan should be considered for a wavier.
- d. The boundaries of the Downtown Centennial Plan extend to one half block east of 6th Street, north of Charleston Boulevard. This is only two blocks away from the western edge of this project. If the project were in the Downtown Centennial Plan, Code standards would not be automatically applied. This is, obviously, in close proximity to the Plan area, and when reviewing the Future Land Use Maps of the Downtown Plan, Redevelopment Plan and Southeast Sector of the General Plan, all allow and encourage either commercial or mixed-use development; there is no real difference of lying within, or outside the Downtown Plan boundaries in terms of actual land use.

19.08- Figure 3- Commercial Development Standards allow a maximum building coverage of 50%, where 56% is requested. The variance is warranted for the following reasons.

- a. The six percent increase in lot coverage is minor and will not result in any detriment to the overall health, safety and general welfare to this area of the City.
- b. As previously identified, the site is in close proximity to the area covered by the City of Las Vegas Downtown Centennial Plan, where the automatic application of Code standards is not applied.

Title 19.10, Parking Requirements states that for a restaurant, café, tavern, bar and eating establishment, one space for each 50 square feet of public seating area, plus one space for each 200 square feet of the total remaining GFA, with a minimum of 10 spaces.

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Based on the minimum 10 spaces, a variance is requested to allow 624 spaces where 634 are required. The variance is warranted for the following reasons:

- 1) The provided 624 spaces accommodate the 350 condominium units, based on a mix of 300 one bedroom and 50 two bedroom units and 18,000 square feet of commercial, based on the 1/175 square feet required by Code. It is not known at this time, if a restaurant will be included in the ground floor space, or how much square footage it will need. The variance is intended to "free up" some parking to accommodate a future eating/drinking establishment.
- 2) Normally in the downtown area, the goal is to provide at least one parking space per unit and one space/3,000 square feet of retail area. The provided parking exceeds this goal.
- 3) The parking standards of the City of Las Vegas do not account for shared, or captured trips in a mixed use environment. This should also be taken into consideration when examining the parking standards for this type of proposal.

APPROVAL CRITERIA – SITE DEVELOPMENT PLAN REVIEW
Title 19.18.050 (E)

The following criteria are to be considered for approval of a Site Development Plan Review:

- 1) **The proposed development is compatible with adjacent development and development in the area;**

While the predominant existing development pattern to the north of Charleston Boulevard is a mixture of professional office and some remaining single family units, the Redevelopment Plan encourages mixed-use as a major tool for redevelopment. Also, the project is constructed so as to not encourage any cut-through traffic for the businesses north of Charleston, or any of the residential neighborhoods south of Charleston Boulevard. The parcels to the east are zoned C-2, which not only allows mixed use with a special use permit, but more intense commercial uses as well.

- 2) **The proposed development is consistent with the General Plan this title, the Design Standards Manual, the Landscape Wall and Buffer Standards and other duly adopted city plans, policies and standards:**

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The project is in substantial accordance with development related ordinances of the City. All landscaping, open space and required recreational amenities for a project of this size and scale will be provided. The variances to the residential adjacency standards, parking and building coverage are reasonable not beyond the scope of the type of intensity and density that will be needed to reinvigorate this area of the City.

3) Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

All access will be directed to Charleston Boulevard, to minimize any impacts to business owners or residents in the area. The north/south alley, if vacated, will continue to operate as it currently does, in terms of access and traffic flow.

4) Building and landscape material are appropriate for the area and for the City.

The buildings will be constructed of Low E clear glass, vision and spandrel glazing in aluminum framed curtain walls, with storefront retail glazing. This will be an exciting, vibrant addition to this area of the City, spurring additional redevelopment and reinvestment in the area. Therefore, the building and landscape material effectively implement the long-term vision of the Redevelopment Plan.

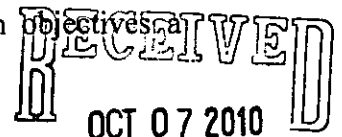
5) Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment, and are harmonious and compatible with the area.

The existing development on the property is unsightly, undesirable and obnoxious in appearance, which has led to an overall decay along the Charleston Boulevard corridor. This project will bring an attractive, exciting environment to Charleston Boulevard and will be an important first step in changing the face of this area of the City.

6) Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The redevelopment of this area is in the highest interest of all resident of the City of Las Vegas. Making the Redevelopment Plan objectives a

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reality will bring new development, new investment and a new, much needed vibrant atmosphere to this area.

SUMMARY

We believe, when the upcoming high rise condo market will allow, this project will be the impetus for the north side of the Charleston Boulevard corridor. It assembles parcels that are stagnant, underutilized and in need of redevelopment into an exciting mixed-use project that will spur future redevelopment activity. The intent is to enhance the environment of the business owners to the north, while having minimal impacts, in terms of views, traffic and shading to the John S. Park Neighborhood to the South. It is the first step in implementing the overall objectives of the Redevelopment Plan along the north side Charleston Boulevard.

We respectfully ask for favorable consideration for the time extension of this project; please do not hesitate to contact us if you have any questions or need additional information.

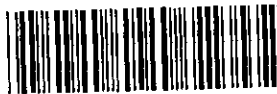
Sincerely,



Mark Dix
President

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064671

November 2, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEMLARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSSDOUGLAS A. SELBY
CITY MANAGERFirst Street Properties, LLC
916 South Casino Center Boulevard
Las Vegas, Nevada 89101RE: VAR-14345 - VARIANCE
CITY COUNCIL MEETING OF NOVEMBER 1, 2006
RELATED TO GPA-14325, ZON-14338, VAR-14342, VAR-14347,
SUP-14339 AND SDR-14349

Dear Applicant:

The City Council at a regular meeting held November 1, 2006 APPROVED the request for a Variance TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), R-4 (High Density Residential) Zone, P-R (Professional Office and Parking) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on November 2, 2006. This approval is subject to:

Planning and Development

1. Conformance to the Conditions for General Plan Amendment (GPA-14325), Rezoning (ZON-14338), Variance (VAR-14342), Variance (VAR-14347), Special Use Permit (SUP-14339), Vacation (VAC-12884) and Site Development Plan Review (SDR-14349) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Sincerely,

Ydoleena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City ClerkCITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

cc: See Attached List

EOT-39848

First Street Properties, LLC
VAR-14345 – Page Two
November 2, 2006

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

Ms. Glenda Shaw
Casino Center Properties
916 South Casino Center Boulevard
Las Vegas, Nevada 89101

Mr. David Clapsaddle
GC Garcia, Inc.
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014

EOT-39848



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

December 19, 2008

M. Singer
Work at Home, LLC
4475 South Pecos Road
Las Vegas, Nevada 89121

RE: EOT-31563 – EXTENSION OF TIME
CITY COUNCIL MEETING OF DECEMBER 17, 2008

Dear Applicant:

The City Council at a regular meeting held December 17, 2008 APPROVED the request for an Extension of Time of an approved Variance (VAR-14345) TO ALLOW LOT COVERAGE OF 56 PERCENT WHERE 50 PERCENT IS THE MAXIMUMM ALLOWED IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05 acres at the northwest corner of Charleston Boulevard and 10th Street (APN 139-34-801-101 through 105, 074, and 075; and 139-34-812-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 18, 2008. This approval is subject to:

Planning & Development

1. This Variance (VAR-14345) shall expire on 11/01/10 unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval of Variance (VAR-14345) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Dave Clapsaddle
G.C. Garcia
1711 Whitney Mesa Drive, Suite #110
Henderson, Nevada 89014

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

VOICE 702.229.6011
TTY 702.386.9108
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EXHIBIT A

(LEGAL)

PARCEL I:

Lots Seven (7), Eight (8), Nine (9), Ten (10), Twenty-Three (23), Twenty-Four (24), Twenty-Five (25) and Twenty-Six (26), inclusive in Block Twenty-One (21) of WARDIE ADDITION, as shown by map thereof on file in Book 1 of Plats, Page 13, in the Office of the County Recorder of Clark County, Nevada.

PARCEL II:

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20), inclusive in Block Twenty-One (21) of Resubdivision of Block Thirteen (13) and portions of Block Twenty-Two (22) of WARDIE ADDITION as shown by map thereof on file in Book 1 of Plats, Page 116, in the Office of the County Recorder of Clark County, Nevada.

EXCEPTING THEREFROM that portion granted to the City of Las Vegas for roads, utilities and other public purposes as follows:

Commencing at the most Easterly corner of Lot Twenty (20) of said Block Twenty-One (21); thence South $27^{\circ}45'$ West along the Southeasterly line of said Lot Twenty (20) a distance of 56.8 feet to a point which bears North $27^{\circ}45'$ East a distance of 9.2 feet from the Southeast corner of said Lot Twenty (20) said point being the TRUE POINT OF BEGINNING; thence continuing South $27^{\circ}45'$ West along said Southeasterly line a distance of 9.2 feet to the North line of the South 40.00 feet of said Section 34, said North line being the South line of Lots Seventeen (17) through Twenty (20); inclusive, of said Block Twenty-One (21); thence Westerly along the North line of said South 40.00 feet a distance of 144 feet, more or less, to a point in the Southwesterly line of said Block Twenty-One (21), said point being an angle point in the Southwesterly line of Lot Seventeen (17), Block Twenty-One (21); thence North $62^{\circ}15'$ West along the Southwesterly line of said Lot Seventeen (17), Block Twenty-One (21) a distance of 11.0 feet; thence Easterly in a direct line to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that portion of said land as conveyed to the City of Las Vegas by Deed recorded May 3, 1991 in Book 910503 of Official Records as Document No. 00842 and re-recorded May 29, 1991 in Book 910529 of Official Records as Document No. 00777.

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CHARLESTON TOWERS MANAGEMENT, LLC

Business Entity Information

Status:	Active	File Date:	5/17/2010
Type:	Domestic Limited-Liability Company	Entity Number:	E0241212010-2
Qualifying State:	NV	List of Officers Due:	5/31/2011
Managed By:	Managers	Expiration Date:	
NV Business ID:	NV20101371234	Business License Exp:	5/31/2011

Registered Agent Information

Name:	NEVADA CORPORATE RESIDENCY	Address 1:	955 SOUTH VIRGINIA STREET
Address 2:		City:	RENO
State:	NV	Zip Code:	89502
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent - Corporation		
Jurisdiction:	NEVADA	Status:	Active

Financial Information

No Par Share Count:	0	Capital Amount:	\$ 0
No stock records found for this company			

Officers

☐ Include Inactive Officers

Manager - MARK S DIX			
Address 1:	955 S VIRGINIA ST STE 116	Address 2:	
City:	RENO	State:	NV
Zip Code:	89502	Country:	USA
Status:	Active	Email:	

Actions\Amendments

Action Type:	Articles of Organization		
Document Number:	20100342598-84	# of Pages:	1
File Date:	5/17/2010	Effective Date:	
(No notes for this action)			
Action Type:	Initial List		
Document Number:	20100343282-95	# of Pages:	1
File Date:	5/18/2010	Effective Date:	
(No notes for this action)			

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A.P.N.: 139-34-810-074, 139-34-810-075, 139-34-810-101, 139-34-810-103, 139-34-810-104, 139-34-810-105, 139-34-812-003
R.P.T.T.: \$9,307.50

Escrow #10-03-1442-SDV

Mail tax bill to and when recorded mail to:
Charleston Towers, LLC, a Nevada limited liability company
18501 Collier Ave. Suite B-106
Lake Elsinore, CA 92530

Inst #: 201005280000231
Fees: \$18.00 N/C Fee: \$0.00
RPTT: \$9307.50 Ex: #
05/28/2010 08:03:11 AM
Receipt #: 368950
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: ADF Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH, That **Clark County Credit Union,,** for a valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to **Charleston Towers, LLC, a Nevada limited liability company**, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

**SEE LEGAL DESCRIPTION ATTACHED HERETO
AND MADE A PART HEREOF AS EXHIBIT "A".**

SUBJECT TO:

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

TOGETHER WITH all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

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A.P. N.: 139-34-810-074, 139-34-810-075, 139-34-810-101, 139-34-810-103, 139-34-810-104, 139-34-810-105, 139-34-812-003
R.P.T.T.: \$9,307.50

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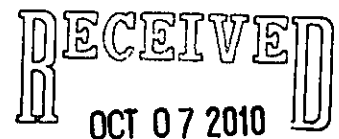
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TOGETHER WITH all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

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IN WITNESS WHEREOF, this instrument has been executed this _____ day of
May, 2010.

Clark County Credit Union

By: Wayne Tew, CEO

CLARIFICATION
page

State of NEVADA }
County of Clark } ss:

This instrument was acknowledged before me on _____
Wayne Tew, CEO on behalf of
by Clark County Credit Union

NOTARY PUBLIC
My Commission
Expires: _____

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EXHIBIT "A"

PARCEL I

LOTS SEVEN (7) THROUGH TEN (10), INCLUSIVE AND LOTS TWENTY-THREE (23) THROUGH TWENTY-SIX (26), INCLUSIVE, IN BLOCK TWENTY-ONE (21) OF WARDIE ADDITION, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL II

LOTS ELEVEN (11) THROUGH TWENTY (20), INCLUSIVE, IN BLOCK TWENTY-ONE (21) OF RESUBDIVISION OF BLOCK THIRTEEN (13) AND PORTIONS OF BLOCKS TWENTY-ONE (21) AND TWENTY-TWO (22) OF WARDIE ADDITION, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 116, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THAT PORTION GRANTED TO THE CITY OF LAS VEGAS BY DEED RECORDED JUNE 20, 1972 IN BOOK 240 AS DOCUMENT NO. 199572 FOR ROADS, UTILITIES AND OTHER PUBLIC PURPOSES AS FOLLOWS

COMMENCING AT THE MOST EASTERLY CORNER OF LOT TWENTY (20) OF SAID BLOCK TWENTY-ONE (21); THENCE SOUTH 27°45' WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT TWENTY (20) A DISTANCE OF 56.8 FEET TO A POINT WHICH BEARS NORTH 27°45' EAST A DISTANCE OF 9.2 FEET FROM THE SOUTHEAST CORNER OF SAID LOT TWENTY (20), SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 27°45' WEST ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 9.2 FEET TO THE NORTH LINE OF THE SOUTH 40.00 FEET OF SAID SECTION 34, SAID NORTH LINE BEING THE SOUTH LINE OF LOTS SEVENTEEN (17) THROUGH TWENTY (20), INCLUSIVE, OF SAID BLOCK TWENTY-ONE (21); THENCE WESTERLY ALONG THE NORTH LINE OF SAID SOUTH 40.00 FEET A DISTANCE OF 144 FEET, MORE OR LESS, TO A POINT IN THE SOUTHWESTERLY LINE OF SAID BLOCK TWENTY-ONE (21), SAID POINT BEING AN ANGLE POINT IN THE SOUTHWESTERLY LINE OF LOT SEVENTEEN (17), BLOCK TWENTY-ONE (21); THENCE NORTH 62°15' WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT SEVENTEEN (17), BLOCK TWENTY-ONE (21) A DISTANCE OF 11.0 FEET; THENCE EASTERLY IN A DIRECT LINE TO THE TRUE POINT OF BEGINNING.

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FURTHER EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE CITY OF LAS VEGAS BY DEED RECORDED MAY 3, 1991 IN BOOK 910503 OF OFFICIAL RECORDS AS DOCUMENT NO. 00842, AND RE-RECORDED MAY 29, 1991 IN BOOK 910529 OF OFFICIAL RECORDS AS DOCUMENT NO. 00777, OF OFFICIAL RECORDS.

PARCEL III

LOTS THIRTY-ONE (31) AND THIRTY-TWO (32) IN BLOCK TWENTY ONE (21) OF WARDIE ADD, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1, OF PLATS, PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

TOGETHER WITH THAT PORTION OF SAID LAND AS VACATED BY THAT ORDER OF VACATION RECORDED MAY 9, 2002 IN BOOK 20020509 AS DOCUMENT NO. 01844, OF OFFICIAL RECORDS, WHICH WOULD PASS THROUGH BY OPERATION OF LAW.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO THE CITY OF LAS VEGAS BY DEED RECORDED JUNE 3, 2003 IN BOOK 20030603 AS DOCUMENT NO. 00545, OF OFFICIAL RECORDS.

PARCEL IV

LOT TWENTY-SEVEN (27) AND TWENTY-EIGHT (28) IN BLOCK TWENTY ONE (21) OF WARDIE ADD, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1, OF PLATS, PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

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**State of Nevada
Declaration of Value Form**

1. Assessor Parcel Number(s)

a) 139-34-810-074, 139-34-810-075, 139-34-810-101, 139-34-810-103, 139-34-810-104, 139-34-810-105, 139-34-812-003

b) _____
c) _____
d) _____

2. Type of Property:

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

**FOR RECORDER'S OPTIONAL USE
ONLY**

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3 a. Total Value/Sales Price of Property

\$1,825,000.00

b. Deed in Lieu of Foreclosure Only (value of property)

c. Transfer Tax Value:

\$1,825,000.00

d. Real Property Transfer Tax Due

\$9,307.50

4. **If Exemption Claimed:**

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

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

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: [Signature] Capacity: Escrow Officer

Signature: Valerie Bussey, Escrow Officer / Nevada Title Co. on behalf of Grantor and Grantee

SELLER (GRANTOR) INFORMATION
(REQUIRED)

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: Clark County Credit Union

Print Name: Charleston Towers, LLC, a Nevada limited liability company

Address: 2625 North Tenaya Way

Address: 18501 Collier Ave. Suite B-106

City: Las Vegas

City: Lake Elsinore

State: NV Zip: 89128

State: CA Zip: 92530

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

Print Name: Nevada Title Company

Esc. #: 10-03-1442-SDV

Address: 2500 N. Buffalo Drive, Suite 150

City: Las Vegas State: NV Zip: 89128

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

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APN: 139-34-810-102

RETURN/MAIL TAX STATEMENTS TO:

SCHMIDT FAMILY TRUST
736 EMDEN STREET
HENDERSON, NV. 89015

Inst #: 201008310004527

Fees: \$17.00 N/C Fee: \$0.00

RPTT: \$867.00 Ex: #

08/31/2010 02:12:21 PM

RECORDED 483269

Requestor:

NEVADA TITLE LAS VEGAS

Recorded By: ADF Pgs: 5

DEBBIE CONWAY

CLARK COUNTY RECORDER

TRUSTEE'S DEED UPON SALE

FCL NO. B0-03-0010 FCL R.P.T.T \$ 867.00

THIS INDENTURE, made AUGUST 31, 2010 between NEVADA TITLE COMPANY a Nevada corporation, as Trustee as hereinafter stated, herein called Trustee, and

SCHMIDT FAMILY TRUST, UNDER AGREEMENT DATE AUGUST 29, 1982, MARVIN L. SCHMIDT AND JUDEAN A. SCHMIDT, TRUSTEES herein called Grantee, WITNESSETH:

WHEREAS, FIRST STREET PROPERTEIS, LLC, A NEVADA LIMITED LIABILITY COMPANY, by Deed of Trust dated OCTOBER 23, 2006, and recorded on OCTOBER 31, 2006, in Book 20061031, as Document No. 0000757, in the Office of the County Recorder of CLARK County, State of Nevada as modified or amended, if applicable (the "Deed of Trust"), did grant and convey to said Trustee, upon the trusts therein expressed, the property hereinafter described, among other uses and purposes to secure the payment of that certain promissory note and interest according to the terms thereof, and other sums of money advanced, with interest thereon, to which reference is hereby made; and,

WHEREAS, breach and default was made under the terms of said Deed of Trust in the particulars set forth in the Notice of Breach and Election to Sell Under Deed of Trust hereinafter referred to, to which reference is hereby made; and,

WHEREAS, the Beneficiary or holder of said note did execute and deliver to the Trustee written Declaration of Default and made demand for sale and thereafter there was filed for record on MAY 10, 2010 in the Office of the County Recorder of CLARK County, Nevada, a Notice of Breach and Election to Sell Under Deed of Trust to cause the Trustee to sell said property to satisfy the obligation secured by said Deed of Trust, which said Notice was recorded as Instrument No. 201005100000394 in the Office of the County Recorder of CLARK County, Nevada; and,

WHEREAS, Trustee, in consequence of said election, declaration of default, and demand for sale, and in compliance with said Deed of Trust and with the statutes in such cases made and

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provided, made and published three (3) times, once each week for three (3) consecutive weeks, before the date of sale therein fixed in a newspaper of general circulation in the county and state in which the premises to be sold are situated, Notice of Sale as required by law, containing a correct description of the property to be sold and stating that the Trustee would under the provisions of said Deed of Trust sell the property therein and herein described at public auction to the highest bidder for cash in lawful money of the United States on AUGUST 31, 2010, at the hour of 9:30 AM of said day, at the front entrance to Nevada Legal News, 930 S. Fourth Street, in the city of Las Vegas, County of Clark, State of Nevada; and,

WHEREAS, three (3) true and correct copies of said Notice of Sale were posted in three (3) public places in the township or city where the property is situated and where the property is to be sold, for not less than twenty (20) days successively before the date of sale therein fixed; and,

WHEREAS, compliance having been made with all of the statutory provisions of the State of Nevada and with all of the provisions of said Deed of Trust as to the acts to be performed and notices to be given, and in particular, full compliance having been made with all requirements of law regarding the service of notices required by statute, and with the Servicemembers Civil Relief Act (108 P.L. 189; 117 Stat. 2835; 2003 Enacted H.R. 100), said Trustee, at such time and place did then and there at public auction sell the property hereinafter described to the said Grantee for the sum of ONE HUNDRED SEVENTY THOUSAND AND NO/100 DOLLARS (\$170,000.00), said Grantee being the highest and best bidder therefore.

NOW, THEREFORE, Trustee, in consideration of the premises recited and the sum herein mentioned bid and paid by the Grantee, the receipt whereof is hereby acknowledged, and by virtue of these premises, does GRANT AND CONVEY, but without warranty or covenants, express or implied, unto said Grantee all right and interest under said Deed of Trust in that certain property situated in the County of CLARK, State of Nevada, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

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

IN WITNESS WHEREOF the said NEVADA TITLE COMPANY, has this day, caused its corporate name to be affixed hereto and this instrument to be executed by its authorized officers.

DATED: AUGUST 31, 2010

NEVADA TITLE COMPANY, Trustee

BY: [Signature]
SUE DUDZINSKI, SR VICE PRESIDENT
SR VICE

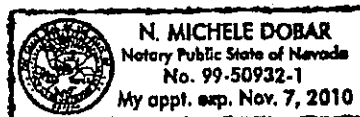
BY: [Signature]
TROY LOCHHEAD, SR VICE PRESIDENT

STATE OF: NEVADA

COUNTY OF: CLARK

This instrument was acknowledged before me on
AUGUST 31, 2010 by SUE DUDZINSKI AND TROY LOCHHEAD
LOCHHEAD AS SR VICE PRESIDENTS OF NEVADA TITLE COMPANY

Signature: N. Michele Dobar
(Notary Public)



N. Michele Dobar
No. 99-50932-1
Exp. Nov. 7, 2010

(B0-03-0010 FCL / TRUSTEE'S DEED)

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Escrow No.: B0-03-0010-FCL

EXHIBIT "A"

LEGAL DESCRIPTION

LOTS TWENTY-NINE (29) AND THIRTY (30) IN BLOCK TWENTY-ONE (21) OF
WARDIE ADDITION TO LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE
IN BOOK 1, OF PLATS, PAGE 13, IN THE OFFICE OF THE COUNTY
RECORDER OF CLARK COUNTY, NEVADA.

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**State of Nevada
Declaration of Value Form**

1. Assessor Parcel Number(s)

- a) 139-34-810-102
b) _____
c) _____
d) _____

2. Type of Property:

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

FOR RECORDERS'S OPTIONAL USE ONLY

Book: _____ Page: _____
Date of Recording: _____
Notes: _____

3. a. Total Value/Sales Price of Property

\$170,000.00

b. Deed in Lieu of Foreclosure Only (value of property)

c. Transfer Tax Value:

\$170,000.00

d. Real Property Transfer Tax Due

\$867.00

4. If Exemption Claimed:

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

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

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: Nichelle Dolan

Capacity: Trustee Sale Officer

Signature: _____

Capacity: Foreclosing Beneficiary

**SELLER (GRANTOR) INFORMATION
(REQUIRED)**

**BUYER (GRANTEE) INFORMATION
(REQUIRED)**

Print Name: Nevada Title Company
Address: 2500 N. Buffalo Drive, Suite 150
City: Las Vegas,
State: NV Zip: 89128

Print Name: Schmidt Family Trust
Address: 736 Emden Street
City: Henderson
State: NV Zip: 89015

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

Print Name: Nevada Title Company Esc. #: B0-03-0010-FCL
Address: 2500 N. Buffalo Drive, Suite 150
City: Las Vegas State: NV Zip: 89128

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

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