

1 RESOLUTION OF THE CITY OF LAS VEGAS
2 DOWNTOWN REDEVELOPMENT AGENCY DECLARING
3 THE PUBLIC NECESSITY FOR THE TAKING OF
 CERTAIN PROPERTY FOR REDEVELOPMENT PURPOSES

4 WHEREAS, the City of Las Vegas Downtown Redevelopment
5 Agency (the "Agency") adopted on January 22, 1989, that plan of
6 redevelopment entitled, to wit: The Redevelopment Plan for the
7 Downtown Las Vegas Redevelopment Area (the "Redevelopment
8 Plan"); and

9 WHEREAS, the Redevelopment Plan identifies and
10 designates that area within the corporate boundaries of the City
11 of Las Vegas (the "Redevelopment Area") as in need of
12 redevelopment in order to eliminate the environmental
13 deficiencies and blight existing therein; and

14 WHEREAS, in furtherance of the goals and objectives
15 of the Redevelopment Plan, the Agency has approved the execution
16 of an Owner Participation Agreement between the Agency and
17 Blackhawk Enterprises, Incorporated which provides for the
18 elimination of environmental deficiencies and blight upon
19 certain real property more specifically identified below (the
20 "Acquisition Property") which are located within the
21 Redevelopment Area and for the construction of the development
22 more fully described in the aforementioned Agreement (the
23 "Development"); and

24 WHEREAS, the acquisition of the Acquisition Property
25 is essential and necessary to accomplishing the goals and
26 objectives of the Redevelopment Plan, to the elimination of
27 environmental deficiencies and blight in the Redevelopment Area
28 and to the construction of the Development set forth in the
29 Owner Participation Agreement; and

30 WHEREAS, the Agency will advise each person whose
31 property must be acquired of the need to acquire their property
32 prior to the commencement of any condemnation proceeding;

1 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Governing
2 Board of the City of Las Vegas Downtown Redevelopment Agency:

3 1. That the Acquisition Property consisting of those
4 parcels of real property and interests therein indicated on
5 Exhibit "A" and legally described in Exhibit "B", both of which
6 are attached hereto and incorporated herein as part of this
7 Resolution, is necessary to, and in furtherance of the goals and
8 objectives of the Redevelopment Plan.

9 2. The Agency has found and determined:

10 a. That the Development is planned and located
11 in the manner that will be most compatible with the greatest
12 public good and the least private injury.

13 b. That acquisition of the Acquisition Property
14 is for a public purpose.

15 c. That the owners and/or tenant(s) of the
16 Acquisition Property have been offered just compensation for the
17 acquisition of their property.

18 3. In the event that it is not possible to acquire
19 the Acquisition Property by negotiation, the General Counsel for
20 the Agency is hereby authorized and directed to initiate
21 condemnation proceedings to acquire the Acquisition Property
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1 needed for the Development through the exercise of the Agency's
2 power of eminent domain in accordance with the authority of NRS
3 279.424 and 279.470.
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5 THE FOREGOING RESOLUTION was approved this 20th day
6 of December, 1989, by the following vote:

7 VOTING "AYE": Nolen, Miller, Adamsen, and Higginson
8 VOTING "NAY": Chairman Lurie
9 ABSENT: None
ABSTAIN: None

10 CITY OF LAS VEGAS
11 DOWNTOWN REDEVELOPMENT AGENCY

12 BY 
13 RON LURIE, Chairman
OK 12-27-89 RAD

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15 ATTEST:

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17 KATHLEEN M. TIGHE, Secretary
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CITY OF LAS VEGAS
DOWNTOWN REDEVELOPMENT AGENCY

000161

December 20, 1989 ^{DEC} 20 1989

AGENDA DOCUMENTATION

Date

TO: REDEVELOPMENT AGENCY

FROM: *Ashley Hall*
ASHLEY HALL/
EXECUTIVE DIRECTOR

SUBJECT: DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION OF THE CITY OF LAS VEGAS
DOWNTOWN REDEVELOPMENT AGENCY DECLARING THE PUBLIC NECESSITY FOR THE TAKING OF
CERTAIN PROPERTY FOR PURPOSES OF THE CHURCH STREET STATION PROJECT

PURPOSE/BACKGROUND

As part of the Owner Participation Agreement entered into between the Agency and Blackhawk Enterprises, Inc., the Agency has agreed to acquire certain parcels of land which are a part of the project site. The Agency will enter into negotiations with the property owners in an effort to acquire such property under mutually agreeable terms. In the event that the property owners do not accept the Agency's offer of just compensation, the Agency requests authorization pursuant to the attached Resolution to commence condemnation proceedings to acquire all rights, title and interest in the real properties identified more fully in said Resolution.

As a condition to adopting the Resolution, the Agency must find (i) that the redevelopment project set forth in the Owner Participation Agreement is planned and located in the manner that will be most compatible with the greatest public good and least private injury, (ii) that the acquisition of the real properties is for a public purpose, and (iii) that the owners have been offered just compensation for the acquisition of their property.

FISCAL IMPACT

Adoption and execution of the Resolution has no fiscal impact on the Agency.

RECOMMENDATIONS

It is the recommendation of the Executive Director that the Agency Board adopt this Resolution declaring the Public Necessity for the acquisition of certain properties for the Church Street Station Project.