

Agreement to Adopt, Extend and Amend
Agreement No. P624-03-063

30th This Agreement to Adopt, Extend and Amend is made and entered into this day of APRIL, 2007, between the State of Nevada, Department of Transportation, hereinafter referred to as the DEPARTMENT and the City of Las Vegas, 400 East Stewart Street, Las Vegas, NV 89101, hereinafter referred to as the CITY.

WITNESSETH

WHEREAS, on the 27th day of May 2003, the parties hereto entered into Agreement No. P624-03-063, in furtherance of the design, advertisement, award and construction management of improvements to the intersection of Charleston Boulevard and Valley View; and on December 31, 2003, the parties entered into Amendment No. 1 to the agreement to extend the termination date; and on September 15, 2004 the parties entered into Amendment No. 2 to the agreement to extend the termination date; and on December 30, 2005 the parties entered into Amendment No. 3 to the agreement to change the scope of work and the money involved and to extend the termination date; and

WHEREAS, following the 31st day of December 2006, the parties hereto have continued to perform their respective obligations and duties provided under Agreement No. P624-03-063, in furtherance of the objectives of said Agreement; and

WHEREAS, the parties hereto desire to ratify and adopt their respective conduct and actions performed subsequent to the 31st day of December 2006, and performed in furtherance of the objectives of Agreement No. P624-03-063 and desire to continue their respective performance of obligations and duties, in furtherance of the objectives of said Agreement; and

WHEREAS, it is in the best interests of the parties hereto and the people of the State of Nevada that this Agreement to Adopt, Extend and Amend be executed.

NOW, THEREFORE, in consideration of the terms and conditions of this Agreement to Adopt, Extend and Amend, and those set forth within Agreement No. P624-03-063 dated May 27, 2006, the parties hereto agree as follows:

- A. Agreement No. P624-03-063 shall be extended and amended.
- B. The parties hereto adopt and ratify their respective conduct and actions performed subsequent to the 31st day of December 2006, and performed in furtherance of the objectives of Agreement No. P624-03-063.
- C. Paragraph 1 of ARTICLE III-IT IS MUTUALLY AGREED, of Agreement No. P624-03-063 is hereby deleted in its entirety and is replaced by the following:

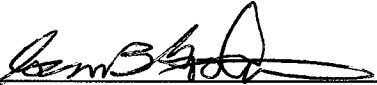
"1. The term of this Agreement shall be from the date first written above through and including December 31, 2008, or until the construction of all improvements contemplated herein have been completed and accepted by the DEPARTMENT, save and except the responsibility for maintenance as specified herein, whichever first, unless a change is further agreed to by written amendment signed by all parties."

D. The parties hereto shall continue to perform each and every term and condition set forth in Agreement No. P624-03-063, as amended by this Agreement to Adopt, Extend and Amend, until termination of said Agreement as provided for within ARTICLE III-IT IS MUTUALLY AGREED, of Agreement No. P624-03-063.

IN WITNESS WHEREOF, the above parties have hereunto set their hands and executed this Agreement to Adopt, Extend And Amend, on the date first written above.

CITY OF LAS VEGAS

STATE OF NEVADA, acting by and through
its DEPARTMENT OF TRANSPORTATION



Oscar B. Goodman
Mayor




Asst. Director - ENG

Reviewed:

Attest:




Beverly K. Bridges
Acting City Clerk



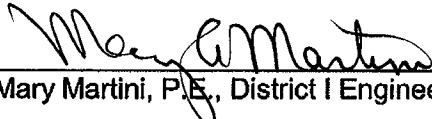
R. Scott Rawlins, P.E., Assistant Director -
Engineering

Approved as to Form:

Recommended:

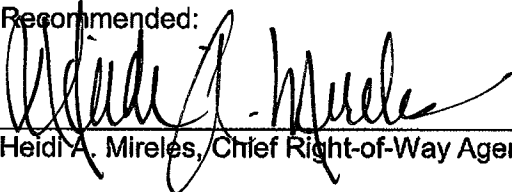


Robert S. Sylvain
Deputy City Attorney



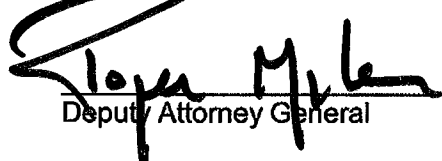
Mary Martini, P.E., District I Engineer

Recommended:



Heidi A. Mireles, Chief Right-of-Way Agent

Approved as to Legality & Form:



Deputy Attorney General