

Summary – An ordinance repealing Ordinance No. 5916, which created the City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24); approving a Termination and Release Agreement with the Howard Hughes Corporation in connection therewith; and providing other matters related thereto.

**BILL NO. 2007-66**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 5916, WHICH CREATED THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 811 (SUMMERLIN VILLAGE 24); APPROVING A TERMINATION AND RELEASE AGREEMENT WITH THE HOWARD HUGHES CORPORATION IN CONNECTION THEREWITH; AND PROVIDING OTHER MATTERS RELATED THERETO.**

**WHEREAS**, in March 2007, the City Council (the “Council”) of the City of Las Vegas (the “City”), in the State of Nevada, received a petition from the Howard Hughes Corporation (the “Developer”) requesting the Council to initiate the formation of a special improvement district to be designated as the City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24) (the “District”); and

**WHEREAS**, the Council has previously adopted and approved Ordinance No. 5916 (the “Creation Ordinance”), which created the District for the purpose of acquiring and improving various public improvements, and

**WHEREAS**, the Developer has requested the Council to terminate all proceedings relating to the District and to repeal the Creation Ordinance; and

**WHEREAS**, there is currently on file with the City Clerk the proposed form of a Termination and Release Agreement by and between the City and the Developer (the “Termination Agreement”) which will, among other things, terminate the Development and Financing Agreement dated June 20, 2007 by and between the City and the Developer (the “Financing Agreement”) and release the lien of the Financing Agreement and the assessments against the property in the District.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:**

Section 1. This ordinance shall be known as and may be cited by the short title "District No. 811 Repealing Creation Ordinance" (this "Ordinance").

Section 2. The Creation Ordinance is hereby repealed in its entirety and, upon the effective date of this Ordinance, shall no longer be of any legal force or effect.

Section 3. The Termination Agreement is hereby approved and the officers and employees of the City are hereby authorized and directed to execute and deliver the Termination Agreement as required by this Ordinance.

Section 4. All actions, proceedings and matters previously taken, had and done by the Council and the officers of the City (not inconsistent with the provisions of this Ordinance), concerning the termination of the District are hereby, ratified, approved and confirmed.

Section 5. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, previously repealed.

Section 6. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE REPEALING ORDINANCE NO. 5916, WHICH CREATED THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 811 (SUMMERLIN VILLAGE 24); APPROVING A TERMINATION AND RELEASE AGREEMENT WITH THE HOWARD HUGHES CORPORATION IN CONNECTION THEREWITH; AND PROVIDING OTHER MATTERS RELATED THERETO.**

**PUBLIC NOTICE IS HEREBY GIVEN** that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed November 7, 2007, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on November 21, 2007.

/s/ BEVERLY K. BRIDGES, CMC  
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 7. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

**ORDINANCE NO. \_\_\_\_\_**

**(of Las Vegas, Nevada)**

**AN ORDINANCE REPEALING ORDINANCE NO. 5916, WHICH CREATED THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 811 (SUMMERLIN VILLAGE 24); APPROVING A TERMINATION AND RELEASE AGREEMENT WITH THE HOWARD HUGHES CORPORATION IN CONNECTION THEREWITH; AND PROVIDING OTHER MATTERS RELATED THERETO.**

**PUBLIC NOTICE IS HEREBY GIVEN** that such Ordinance was proposed on November 7, 2007, and was passed at the meeting held on November 21, 2007, by the following vote of the City Council:

Those Voting Aye:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Those Voting Nay:

\_\_\_\_\_

Those Absent:

\_\_\_\_\_

This Ordinance shall be in full force and effect from and after the \_\_ day of November, 2007, i.e., the day after the publication of such Ordinance by its title only.

**IN WITNESS WHEREOF**, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this November \_\_\_, 2007.

/s/ OSCAR B. GOODMAN  
Mayor

Attest:

/s/ BEVERLY K. BRIDGES, CMC  
City Clerk

(End of Form of Publication)

Section 8. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

(SEAL)

Attest:

\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC,  
City Clerk

Approved as to Form:

10-25-07      *Vallteed*  
Date                      Deputy City Attorney

This Ordinance shall be in full force and effect from and after November \_\_, 2007, i.e., the date after the publication of such ordinance by its title.

STATE OF NEVADA     )  
                                          )  
COUNTY OF CLARK     :ss.  
                                          )  
CITY OF LAS VEGAS    )

I, Beverly K. Bridges, CMC, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council of the City (the "Council") on November 7, 2007 and finally adopted and approved on November 21, 2007.

2. The following members of the Council were present at the November 7, 2007 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Ricki Y. Barlow

Those Absent: \_\_\_\_\_  
\_\_\_\_\_

3. The foregoing Ordinance was first proposed and read by title to the Council on November 7, 2007, and referred to a committee composed of \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on November 21, 2007, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the Council and adopted. The members of the Council were present at the November 21, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Ricki Y. Barlow

Those Voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_  
\_\_\_\_\_

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as the City Clerk, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on November 7 and November 21, 2007. Pursuant to Section 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) Court Clerk's Office Bulletin Board  
City Hall Plaza  
Las Vegas, Nevada
- (ii) City Hall Plaza  
Special Outside Posting Bulletin Board  
Las Vegas, Nevada
- (iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada
- (iv) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada
- (v) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on November 7, 2007 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on November 21, 2007 is attached to this certificate as Exhibit B.

7. A copy of the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

9. Upon request, the Council, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the Council for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this November \_\_, 2007.

\_\_\_\_\_  
BEVERLY K. BRIDGES, City Clerk

(SEAL)

**EXHIBIT A**

**(Attach Copy of Notice of November 7, 2007 Meeting)**

**EXHIBIT B**

**(Attach Copy of Notice of November 21, 2007 Meeting)**

**EXHIBIT C**

**(Attach Affidavit of Publication of Notice of Deposit of  
the Ordinance)**

**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Ordinance)**