



February 19, 2008

Councilman Steve D. Ross  
 City of Las Vegas, City Hall  
 400 Stewart Avenue, 10<sup>th</sup> Floor  
 Las Vegas, NV 89101

RE: Surrender of SUP & SDR

Dear Councilman Ross:

Thank you for taking the time to meet with us last month to discuss Moon Valley Nursery, Inc.'s application. We regret that you were mis-informed by city staff members that Moon Valley Nursery, Inc. was not making an attempt to move forward with their plans for the city portion of the property located on Tule Springs.

It was our strong desire to come to your office and explain the reason for no areas of improvement and to discuss ideas on how we could work together to move forward. However, you were not interested in allowing us to inform you that the reason progress had not been made was due to city staff still not approving the drainage report submitted almost a year ago on March 29, 2007. Once again, you chose to treat us in a very unprofessional manner by both belittling our positions with the company, as well as accusing us of being lax in our obligations. You took the same attitude you had at the November Council meeting where you publicly chastised us from your pulpit. We took your actions on both occasions as an insult to the integrity of Moon Valley Nursery, Inc.. As your constituents, we were deeply offended by what is obviously a prejudiced, personal agenda on the part of you and staff.

It is clearly apparent, after reviewing the enclosed timeline prepared by our engineers, that Moon Valley Nursery, Inc. has been actively pursuing our obligations over the last 1½ years in order to comply with the city's requests. We would also like for you to note that the city is overstepping their jurisdictional boundaries in requiring conditions be applied to property not in the city.

Therefore, this letter is official notification to the City of Las Vegas that Moon Valley Nursery, Inc. has decided to surrender the SUP & SDR for the nursery and will not be continuing business on the Town Center part of the property located on Tule Springs. As a result of this decision, Moon Valley Nursery, Inc. has removed all plant materials and fencing from the city portion of the property and will leave the property vacant.

Please note that no response to this letter is necessary.

Sincerely,

Mark Nusall  
 Chief Operations Officer  
 602-526-1406

Submitted at City Council

Date 2/20/08 Item 90 e 91

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www.moonvalleynursery.com

**Moon Valley time line****July 12, 2006 Land use applications approved****September 15, 2006 Consulting Civil Engineers retained****March 29, 2007 First submittal of drainage study to City of Las Vegas****March 30, 2007 First submittal of drainage study to Clark County****April 10, 2007 Comments received from City of Las Vegas****April 24, 2007 Comments received from Clark County****August 2, 2007 First addenda submitted to City of Las Vegas****August 2, 2007 First addenda submitted to Clark County****August 16, 2007 Comments received from City of Las Vegas****August 21, 2007 Comments received from Clark County on first addenda****September 18, 2007 Second Addenda submitted to City of Las Vegas****October 9, 2007 City approval with conditions of approval from Clark County and NDOT****November 21, 2007 Second addenda submitted to Clark County****December 3, 2007 Submittal of improvement plans to City of Las Vegas****December 12, 2007 County approval received with conditions of approval from City and NDOT****December 17, 2007 Received improvement plans comments from City of Las Vegas**