

MEMORANDUM OF UNDERSTANDING
FOR CADASTRAL SURVEYING
BETWEEN

U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
NEVADA STATE OFFICE

AND

CITY OF LAS VEGAS
LAS VEGAS, NEVADA

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to promote a collaborative, harmonious and effective relationship between the Bureau of Land Management (BLM) and Local Government Agencies in cadastral survey activities, by establishing general terms of cooperative efforts & procedures for accomplishing cadastral surveys on BLM administered lands within local government administrative boundaries.

With Nevada's rapid growth and urban interface abutting BLM land, and private land availability for community expansion diminishing, BLM managed lands are increasingly looked at by the community for expansion and growth. The Nevada BLM Cadastral Survey program has at their disposal a number of mechanisms available to complete official BLM authority surveys required prior to public land conveyances. In addition, the City of Las Vegas Survey Section conducts numerous land surveys that may identify the boundary lines between private and federal interest lands.

Under this memorandum, BLM and the City of Las Vegas will collaboratively perform official Federal authority public land surveys which will: increase BLM and City survey capabilities and effectiveness; provide newer up-to-date surveys for future land management, expansion and development efforts by the City and BLM; provide official BLM survey's necessary for conveyance purposes in a timelier, cost effective manner; facilitate public land transactions for BLM and the City of Las Vegas; as well as meet the standards and regulatory requirements of Federal Authority surveys necessary prior to the conveyance of public lands to the City.

Survey mechanisms available for the completion of federal authority surveys are: BLM survey staff, BLM contract personnel, BLM Contributed Service Agreements (CSA); City survey staff, and City contract personnel.

II. Authority

- A. United States Code: 43 U.S.C. 2, 751, 752, 753, 766, 772, 773, 774.
- B. Federal Land Policy and Management Act, 43 U.S.C. 1737, 1738.
- C. Executive Order "Facilitation of Cooperative Conservation", August 26, 2004.

III. Definitions

- A. **Official Federal Survey (Cadastral Survey):** Consists of the creation and reestablishment of public land boundaries; the subdivision of these areas; the determination of the amount of area within such surveys; and the preparation of the official plat and written record of these surveys to be used in describing public lands for patent, leases, and Federal management purposes. Once the survey is completed, approved and accepted, it is officially filed through the Federal Register and becomes an official public land record. Federal lands are not eligible for disposal without an accurate official survey.
- B. **BLM Cadastral:** The office statutorily designated responsibility from Congress through the Secretary of Interior, for establishing, reestablishing, and describing the boundaries of federal lands of the United States, prior to disposal and for BLM land management purposes. Provides survey administration, coordination, execution, approval and filing for all official BLM surveys.
- C. **Administrative Survey:** A survey made to identify boundary lines of ownership previously established by a cadastral survey (official Federal survey) or property line survey, executed under the laws of a State or other authorized political entity. No legal property corner monuments are established or reestablished by the administrative process. Does not become an official Federal survey, and can not be used to dispose of Federal interest lands.

BLM official federal surveys are not necessary under the following situations:

- 1. To perform administrative surveys.
- 2. To perform state authority surveys.

IV. Roles and Responsibilities

A. City of Las Vegas Survey Section (CLVSS):

- 1. CLVSS will identify the BLM lands to be surveyed subject to the provisions in this agreement.
- 2. CLVSS will collaborate with BLM to identify the most efficient survey mechanism; available resource; and survey requirement appropriate for the execution of the actual "official federal survey".
- 3. CLVSS will, as authorized by the BLM, perform Official Federal Surveys according to standards and procedures as outlined in the current Manual of Surveying Instructions, (Manual) its circulars and addendums, and Special Instructions issued by BLM Cadastral, Nevada State Office (NSO).
- 4. CLVSS will coordinate with BLM during the execution of all surveys identifying the boundaries of public domain land, which are being completed for the purpose of future public land conveyances, on behalf of the community.

5. CLVSS will collaborate with BLM on the actual execution of the survey mechanism identified pursuant to this MOU.

B. U.S. Bureau of Land Management - Cadastral Survey (BLM):

1. The BLM will collaborate with the City of Las Vegas Survey Section to identify the most efficient survey mechanism; available resource; and survey requirement appropriate for the execution and completion of the actual "official federal survey".
2. BLM will perform Official Federal Surveys according to standards and procedures as outlined in the current Manual of Surveying Instructions, (Manual) its circulars and addendums, and Special Instructions issued by BLM Cadastral, Nevada State Office (NSO), and provide direction, guidance and policy interpretation for Cadastral Survey issues.
3. BLM will coordinate with the City during the execution of all surveys identifying the boundaries of public domain land, which are being completed for the purpose of future public land conveyances, on behalf of the community.
4. BLM will collaborate with the City of Las Vegas on the actual execution of the survey mechanism identified pursuant to this MOU.

V. Non-fund Document

This instrument is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this instrument may be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This instrument does not provide such authority. Specifically, this instrument does not establish authority for non-competitive award to the cooperator of any contract or other agreement. Any contract or agreement for other services must fully comply with all applicable requirements for competition.

VI. Amendment

Amendments within the scope of this instrument shall be made by the issuance of a bilaterally written amendment prior to any changes being performed.

VII. Goal

The ultimate goal of this memorandum of understanding is to leverage federal and local government survey resources, eliminate duplicated survey efforts when possible and create a proactive approach to the BLM and City of Las Vegas' public land survey needs.

VIII. Principal Contacts

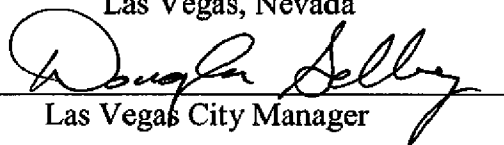
Bureau of Land Management
David J. Clark, Supervisory Land Surveyor
P.O. Box 12000
1340 Financial Blvd.
Reno, Nevada 89520-0006

City of Las Vegas
Alan R. Riecki, City Surveyor
3001 Ronemus Drive
Las Vegas, Nevada 89128

IX. Effective Date and Termination

This MOU shall become effective when signed by both parties hereto and shall remain in effect until terminated in writing by one or both parties. This agreement may be terminated by either party, with, or without cause, upon thirty (30) days written notice.

Douglas A. Selby
City of Las Vegas
Las Vegas, Nevada



Las Vegas City Manager

2-22-08

Date

Department of Interior
Bureau of Land Management
Nevada State Office

State Director

Date

Approved as to form

 2/27/08

John S. Ridilla Date
Deputy City Attorney