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May 14, 2009

Kimber Liebhauser, Assistant Field Manager
Bureau of Land Management – Las Vegas Field Office
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130

RE: City of Las Vegas R&PP Lease N-57555 – Durango Hills

Dear Ms. Liebhauser,

Pursuant to the City of Las Vegas Lease N-57555 with the Bureau of Land Management (BLM) for the property located at 3521 N. Rampart Drive, Las Vegas, Nevada 89129, the City of Las Vegas (City) is requesting a written determination from the BLM with regards to the following request:

The Young Men's Christian Association (YMCA), a registered 501(c) (3) non-profit and the City have an Operating Agreement that allows the YMCA to manage our Durango Hills Community Center, a part of the City's R&PP lease. This Operating Agreement was reviewed and approved by the BLM. The YMCA has requested permission from the City to allow a Charter School, Imagine School in the Valle, to provide elementary education to approximately 250 students during the typical nine-month school days and hours. They are requesting this agreement be for the 2009-2010 and 2010-2011 school years. The classrooms will be used from approximately 8am to 2pm, when demand for the facility is low. When the classrooms are not in session, the rooms will be utilized for other youth programs.

Imagine School in the Valle has purchased land near the YMCA to construct a facility. They plan on having it completed and ready for occupancy by the beginning of the 2011 school year.

The proposed agreement would specify the YMCA as the recipient of the funds generated for use of the classrooms. The YMCA and the City shall have use of the funds for operating and capital expenses at the Durango Hills facility.

Nevada Revises Statutes (NRS) 386.549 defines the governing body of a charter school as a public entity. As a result of it being a public entity, the charter school is required to "zero out" its budget and thus cannot make a profit or operate at a deficit. Based on this provision, the Imagine School in the Valle has elected to not continue efforts to secure a 501(c) (3) status.

Based on the above information, the City is requesting a determination from BLM as to whether or not Imagine is a qualified applicant. If it is determined that Imagine is qualified, the City of Las Vegas would then move forward with an agreement and amendments to the City's operating agreement with the YMCA. Both will be submitted to BLM for approval, prior to signature.

If you require additional information or would like to speak to any of the aforementioned stakeholders, please contact me at 702.229.1022.

Sincerely,

A handwritten signature in cursive script that reads "Robin Yoakum".

Robin Yoakum, Administrator
Real Estate & Utilities

Cc: Orlando Sanchez, City of Las Vegas
Brian Knudsen, City of Las Vegas
James B. Lewis, City of Las Vegas

RY:rlr