

**FIFTH SUPPLEMENTAL TO INTERLOCAL CONTRACT
OAKLEY DRAIN, BIRCH STREET TO CAHLAN DRIVE**

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 19th day of May, 2011 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are the same as those identified in the 2008 Master Plan as Structure No. FWOK 0020, 0040, 0060 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley; and

WHEREAS, the Interlocal Contract dated August 11, 2005 and Supplemental Interlocal Contracts dated July 13, 2006, June 12, 2008, October 9, 2008, and February 11, 2010 were entered into between the CITY and the DISTRICT; and

WHEREAS, the CITY wishes to extend project completion date; and

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION III – GENERAL, paragraph 14 shall be revised to read as follows:

14. The items covered in SECTION II – PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 2011. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

The remainder of the original Interlocal Contract dated August 11, 2005, the First Supplemental Interlocal Contract dated July 13, 2006, the Second Supplemental Interlocal Contract dated June 12, 2008, the Third Supplemental Interlocal Contract dated October 9, 2008, and the Fourth Supplemental Interlocal Contract dated February 11, 2010 shall remain unchanged.

///

///

///

///

///

///

///

///

///

///

///

///

///

IN WITNESS WHEREOF, the Parties have caused this Fifth Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

Date of District Action

May 19, 2011

City of Las Vegas

Regional Flood Control District

By: _____

~~Oscar B. Goodman, Mayor~~
CAROLYN G. GOODMAN, MAYOR

By: _____

Lawrence L. Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

Attest

By: _____

Beverly K. Bridges, MMC
City Clerk

By: _____

Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to form

Approved as to Form

By: _____

John S. Ridilla 6/7/11
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

By: _____

Ch. Figgins 5/19/2011
Christopher Figgins Date
Chief Deputy District Attorney



LEGEND

- EXISTING STORM DRAIN
- FUTURE REGIONAL FACILITY
- PROPOSED REGIONAL STORM DRAIN FACILITY

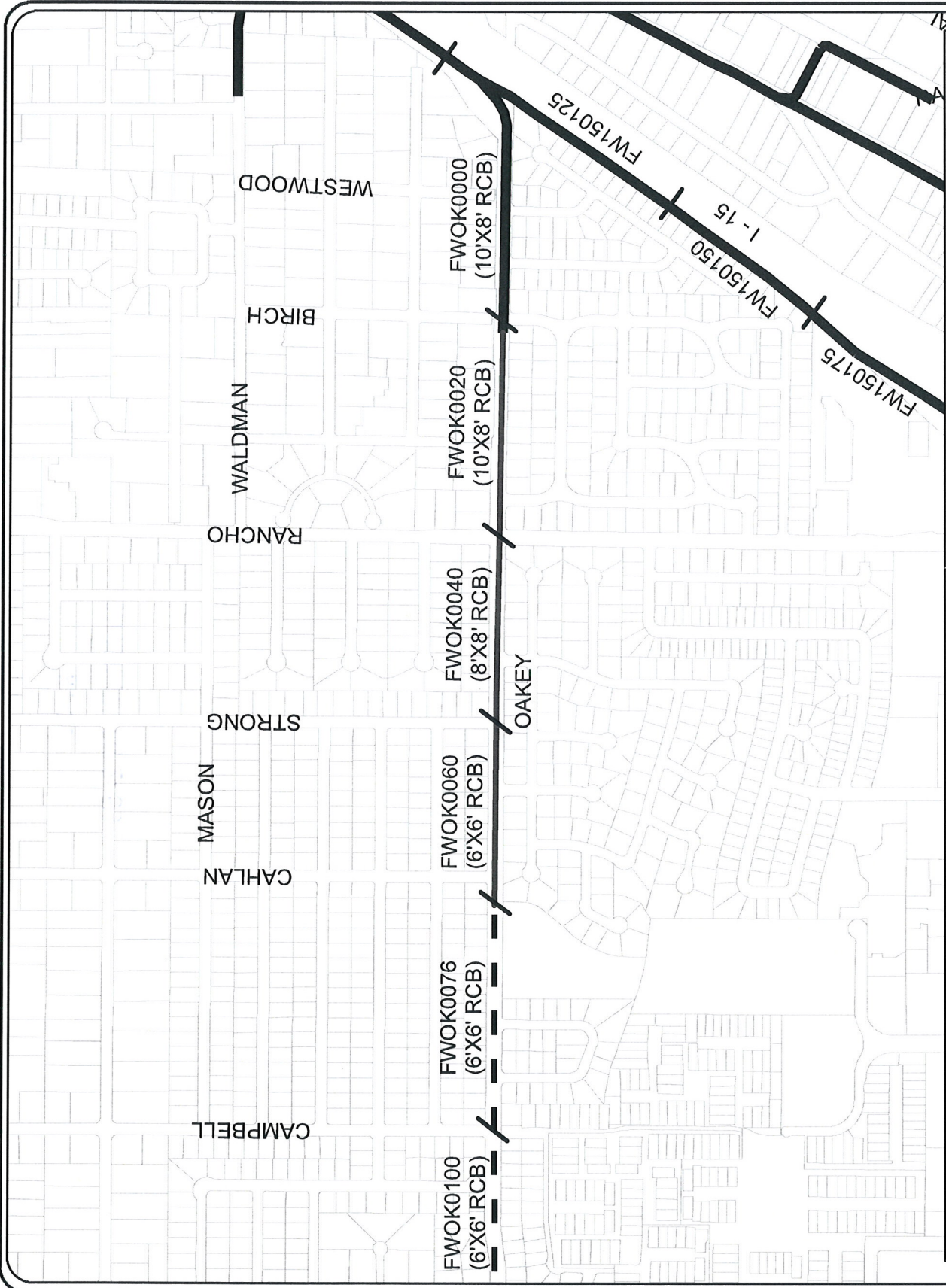
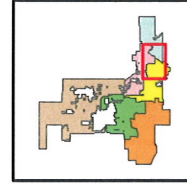
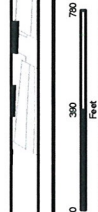


EXHIBIT A
OAKLEY DRAIN - BIRCH TO CAHLAN
(LAS09V05)



Due to continuous development activity
this map is for reference only.