

RESOLUTION NO. R-36-2023

**A RESOLUTION ADDING QUALIFIED PROPERTY INTO
ENERGY IMPROVEMENT DISTRICT NO. 1;
ALLOWING QUALIFIED PARTIES TO PARTICIPATE IN THE CITY OF LAS VEGAS
COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM; AND
PROVIDING OTHER MATTERS RELATED THERETO**

WHEREAS, the City Council of the city of Las Vegas (the "City") has adopted resolutions creating the Las Vegas Commercial Property Assessed Clean Energy Program ("C-PACE") (Resolution No. R-13-2022) and Energy Improvement District No. 1 (Resolution No. R-61-2018) pursuant to Nevada Revised Statutes ("NRS") Chapter 271; and

WHEREAS, a project application has been received from a qualified commercial or industrial real property owner for the completion of an energy efficiency or renewable energy project(s) that wishes to defray the costs and expenses of the project through a C-PACE Assessment and lien; and

WHEREAS, the Las Vegas C-PACE Program Administrator has reviewed and verified the contents of the project application and recommends the project to the City for approval; and

WHEREAS, the City of Las Vegas Program Manager concurs that the commercial or industrial real property has an approved application and consent for an energy efficiency or renewable energy project, that it meets the criteria and requirements described in the Program Guide, Resolution No. R-13-2022, and NRS Chapter 271, and recommends to the City Council that it be added into Energy Improvement District No. 1 for participation in the Las Vegas C-PACE Program.

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS CITY COUNCIL AS FOLLOWS:

1. That, the Applicant, JSC Symphony Park Hotel, LLC, a Delaware limited liability company, will own at the time of recording of the C-Pace transaction, a qualified commercial or industrial real property within the City currently addressed as 330 South Grand Central Parkway, Las Vegas, NV 89101 (Assessor's Parcel Number 139-33-610-029) (the "Property") and legally described and depicted on **Exhibit A**.
2. That, the Applicant desires to construct a hotel project on the Property (the "Project") and the Applicant desires that the Property be included in Energy Improvement District No. 1.
3. That, the Applicant has duly met the requirements set forward in Resolution No. R-13-2022 and the City's Program Guide, and will complete the energy efficiency or renewable energy improvements at the Property with the estimated maximum benefit. Authority is herein expressly granted to the Mayor, acting on the authority of the Las Vegas City Council, to execute the all transaction documents, approved as to form by the City Attorney, necessary for the C-PACE Assessment and Lien, including by way of example and not limitation, the following:
 - A. C-PACE Project Eligibility Report;
 - B. C-PACE Assessment Agreement (to be executed by the City);
 - C. C-PACE Notice of Assessment and Assessment Lien (to be executed by the City);
 - D. C-PACE Assignment of Assessment and Assessment Lien (to be executed by the City);and
 - E. Consent of Assessment and Assessment Lien by Lender.
4. That, the Las Vegas City Council has also determined and does hereby declare that the Property is to be added into Energy Improvement District No. 1.

5. That, the City Program Manager is hereby authorized and directed to take all necessary actions necessary or appropriate to effectuate the provisions of this Resolution, including the preparation of any necessary or desirable documents as set forth in this Resolution No. R-13-2022, and NRS Chapter 271 and shall promptly record this Resolution and all applicable transaction document in the official records of the Clark County Recorder's Office.

6. That, pursuant to Resolution No. R-13-2022, the Property will automatically exit Energy Improvement District No. 1 upon the remittance of the final installment payment that terminates the financing associated with the recorded C-PACE Notice of Assessment and Assessment Lien of Energy Assessment.

7. This Resolution shall be effective upon its passage and approval.

PASSED, ADOPTED and APPROVED this 20th day of September, 2023.

CITY OF LAS VEGAS

"CITY"

By: 
Carolyn G. Goodman, Mayor

Date: 10/4/2023

Attest:

By: 
LuAnn D. Holmes, MMC
City Clerk

Approved as to Form:

By: John S. Ridilla 9/5/23
John S. Ridilla Date
Assistant City Attorney

EXHIBIT A

JSC Symphony Park Hotel, LLC

APN: 139-33-610-029

Address: 330 South Grand Central Parkway, , Las Vegas, NV 89101

Property Current Owner: City Parkway V, Inc.

Legal Description:

The purpose of this legal description is to describe a parcel of land being subdivided out of lot 5 of parkway center as recorded in book 53, page 61 of plats.

Being a portion of said lot 5, same being a portion of the west half (W1/2) of section 34 and the east half (E1/2) of section 33, township 20 south, range 61 east, M.D.M., City of Las Vegas, Clark County, Nevada, and being more particularly described as follows:

BEGINNING at the southeast corner of said lot 5, being on the north line of Bonneville Avenue (100 foot right-of-way), same being on the west line of the Union Pacific Railroad right-of-way (100 foot wide);

THENCE, along the north line of said Bonneville Avenue the following four (4) courses and distances:

1. North 62°04'12" West, a distance of 204.98 feet to a point of curvature to the left;
2. With said curve to the left, concave southerly, having a radius of 550.00 feet, a central angle of 36°45'51", and along the arc 352.91 feet to a point of tangency;
3. South 81°09'57" West, a distance of 485.41 feet to a point of curvature to the right;
4. With said curve to the right, concave northeasterly, having a radius of 55.00 feet, a central angle of 95°00'00", and along the arc 91.19 feet to a point of tangency on the east line of Grand Central Parkway (100 foot right-of-way);

THENCE, along the east, southeasterly, and southerly line of said Grand Central Parkway the following (10) courses and distances:

1. North 03°50'03" West, a distance of 94.71 feet to a point of curvature to the right;
2. With said curve to the right, concave easterly, having a radius of 450.00 feet. A central angle of 31°45'19", and along the arc 249.41 feet to a point of tangency;
3. North 27°55'16" East, a distance of 1058.21 feet to a point of curvature to the right;
4. With said curve to the right, concave southeasterly, having a radius of 450.00 feet, a central angle of 20°42'14", and along the arc 162.61 feet to a point of tangency;
5. North 48°37'30" East, a distance of 1217.02 feet to a point of curvature to the right;
6. With said curve to the right, concave southeasterly, having a radius of 450.00 feet, a central angle of 25°40'39", and along the arc 201.67 feet to a point of tangency;
7. North 74°18'09" East, a distance of 331.32 feet to a point of curvature to the right;
8. With said curve to the right, concave southerly, having a radius of 350.00 feet, a central angle of 43°37'41", and along the arc 266.51 feet to a point of non-tangency from which a radial line bears South 27°55'50" West;
9. South 27°55'50" West, a distance of 5.00 feet to an interior angle point;

10. South 62°04'10" East, a distance of 68.80 feet to a point on said west line of the Union Pacific Railroad;

THENCE, along said west line South 27°55'16" West, a distance of 741.16 feet to a point of non-tangent curvature to the left from which a radial line bears South 31°53'35" East;

THENCE, leaving said west line and crossing a portion of said lot 5, from a tangent bearing South 58°06'25" West, with said curve to the left, concave southeasterly, having a radius of 1510.00 feet, a central angle of 30°11'04", and along the arc 795.50 feet to a point of tangency;

THENCE, South 27°55'21" West, a distance of 150.00 feet to a point of curvature to the left;

THENCE, with said curve to the left, concave easterly, having a radius of 1510.00 feet, a central angle of 30°11'15", and along the arc 795.57 feet to a point of non-tangency from which a radial line bears North 87°44'06" East, same point being on said west line of the Union Pacific Railroad;

THENCE, with said west line, South 27°55'16" West, a distance of 365.64 feet to the POINT OF BEGINNING, containing 56.03 acres of land.

