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**BILL NO. 2012-1**

**ORDINANCE NO. 6174**

**AN ORDINANCE TO ADOPT THAT CERTAIN AGREEMENT ENTITLED "FIRST AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT BETWEEN KAG PROPERTY, LLC," AND TO PROVIDE FOR OTHER RELATED MATTERS.**

**Sponsored by: Councilman Steven D. Ross      Summary: Adopts an amended development agreement with KAG Property, LLC relating to the development of property generally located southwest of the intersection of Fort Apache Road and Moccasin Road.**

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1: That certain development agreement entitled "First Amendment and Restatement to the Development Agreement Between KAG Property, LLC," which was approved by the City Council on November 16, 2011, and which is on file with the City Clerk's Office, is hereby adopted in conformance with the provisions of NRS Chapter 278.**

**SECTION 2: The development agreement adopted by Section 1 is intended to replace and supersede that certain development agreement entitled "Development Agreement Between City of Las Vegas and Kyle Acquisition Group, LLC," which was approved by the City Council on May 16, 2007, and thereafter adopted by Ordinance No. 5910.**

1 SECTION 3: This Ordinance, as well as the development agreement adopted  
2 by Section 1, shall be recorded in the office of the County Recorder in accordance with the  
3 provisions of NRS Chapter 278.

4 SECTION 4: If any section, subsection, subdivision, paragraph, sentence,  
5 clause or phrase in this ordinance or any part thereof is for any reason held to be  
6 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such  
7 decision shall not affect the validity or effectiveness of the remaining portions of this  
8 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that  
9 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or  
10 phrase thereof irrespective of the fact that any one or more sections, subsections,  
11 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid  
12 or ineffective.

13 SECTION 5: All ordinances or parts of ordinances or sections, subsections,  
14 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las  
15 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 1<sup>ST</sup> day of February,  
17 2012.

18 APPROVED:  
19  
20 By Carolyn Goodman  
CAROLYN G. GOODMAN, Mayor

21 ATTEST:  
22 Beverly K. Bridges  
23 BEVERLY K. BRIDGES, MMC  
City Clerk

24 APPROVED AS TO FORM:  
25 Val Steed 12-13-11  
Date

26  
27  
28


1 The above and foregoing ordinance was first proposed and read by title to the City Council  
2 on the 4<sup>th</sup> day of January, 2012, and referred to a committee for recommendation;  
3 thereafter the committee reported favorably on said ordinance on the 1<sup>st</sup> day of February,  
4 2012, which as a regular meeting of said Council; that at said regular meeting, the  
5 proposed ordinance was read by title to the City Council as first introduced and adopted by  
6 the following vote:

- 7 VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Tarkanian, Ross,  
Barlow and Coffin  
8 VOTING "NAY": None  
9 EXCUSED: None  
10 ABSTAINED: None  
11 DID NOT VOTE: Councilmember Wolfson

13 APPROVED:

14   
15 CAROLYN G. GOODMAN, Mayor

16 ATTEST:

17   
18 BEVERLY K. BRIDGES, MMC City Clerk



**AFFIDAVIT OF PUBLICATION**

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

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was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 02/04/2012 to 02/04/2012, on the following days:

02/04/2012

BILL NO. 2012-1  
ORDINANCE NO. 6174

AN ORDINANCE TO ADOPT THAT CERTAIN AGREEMENT ENTITLED "FIRST AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT BETWEEN KAG PROPERTY, LLC," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross  
Summary: Adopts an amended development agreement with KAG Property, LLC relating to the development of property generally located southwest of the intersection of Fort Apache Road and Moccasin Road.

The above and foregoing ordinance was first proposed and read by title to the City Council on the 4th day of January 2012 and referred to a committee for recommendation; thereafter the committee reported favorably on said ordinance on the 1st day of February 2012, which was a regular meeting of said City Council; and that at said regular meeting the proposed ordinance was read by title to the City Council as introduced and was adopted by the following vote:

VOTING "AYE": Mayor Goodman and Councilmembers Anthony, Tarkanian, Ross, Barlow, and Coffin

VOTING "NAY": NONE  
EXCUSED: NONE

NOT VOTING: Councilman Wolfson

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 1ST FLOOR, 400 STEWART AVENUE, LAS VEGAS, NEVADA.

PUB: February 4, 2012  
LV Review-Journal

Signed:

*Stacey M. Lewis*

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

6th day of February 2012.

*Mary Lee*  
Notary Public

