

RESOLUTION OF THE CITY OF LAS VEGAS DECLARING THE
PUBLIC PURPOSE AND NECESSITY FOR THE ACQUISITION
OF CERTAIN PROPERTY FOR REDEVELOPMENT PURPOSES

WHEREAS, the City Council on October 20, 1993 (Ordinance No. 3748) authorized execution of that Agreement entitled, to wit: Fremont Street Experience Project Development Agreement" (the "Agreement"); and

WHEREAS, pursuant to the provisions of the Agreement, the City was authorized to acquire by negotiation the airspace easements (the "Airspace Easements") described on Exhibit "A" and depicted on Exhibit "B", both of which are attached hereto, for the purpose of the redevelopment project commonly known and referred to as the "Fremont Street Experience"; and

WHEREAS, the City has not been able to reach an agreement with the property owners and/or tenants for the acquisition of the Airspace Easements;

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Las Vegas the following:

Section 1: The City Council finds and determines that:

(a) The City needs to acquire the Airspace Easements to expand the right-of-way for Fremont Street in order to allow construction of the Fremont Street Experience Redevelopment Project.

(b) Acquisition of the Airspace Easements is for a public purpose.

(c) The redevelopment project proposed to be constructed within the Airspace Easements has been planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

Section 2: The City Attorney's Office is hereby authorized and directed to initiate such condemnation proceedings as may be necessary to acquire the Airspace Easements through exercise of the City's power of eminent domain in accordance with the provisions of



chapter 37 and 268 of the Nevada Revised Statutes.

PASSED, ADOPTED and APPROVED this 16th day of March,

1994, by the following vote:

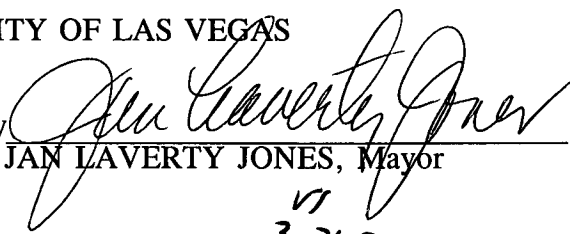
VOTING "AYE": Councilmen Higginson, Hawkins Jr., Brass and Mayor Jones

VOTING "NAY": NONE

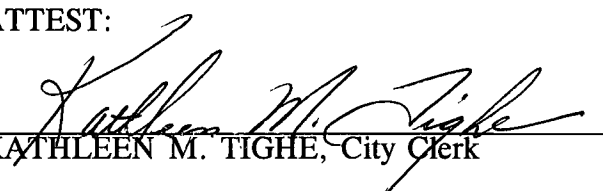
ABSENT: NONE

ABSTAIN: Did not Vote Councilman Adamsen

CITY OF LAS VEGAS

By 
JAN LAVERTY JONES, Mayor

ATTEST:


KATHLEEN M. TIGHE, City Clerk

VI
3-21-94

A.P.N. 139-34-111-027 (020-401-009)
FIRST INTERSTATE BANK OF NEVADA
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 2 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 20 and 21 in Block 2 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-111-028 (020-401-010)
WAYNE UPCHURCH, PRISCILLA WILSON, JOHN L. FUNK AND
GEORGIA J. SILVA, in equal shares as tenants in common
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

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The Southwesterly 18 feet of Lot 19 in Block 2 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-510-026 (020-404-007)
DAVID P. BOYER AND RICHARD SEFMAN TRUSTEES OF
LAND TRUST AGREEMENT DATED MARCH 28, 1975
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 31 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 19 and 20 in Block 31 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-111-029 & -030 (020-401-011 & 012)
GOLDEN COIN LTD., a Nevada Limited Partnership
AND GOLDEN COIN LTD., a Nevada Partnership
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 2 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 17 and 18 in Block 2 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-510-024 & -025 (020-404-008 & 009)

HORST SCHMIDT, an unmarried man

18' EASEMENT FREMONT STREET EXPERIENCE

CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 31 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 14 through 18 in Block 31 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-510-23 (020-404-010)
MCWALSH APARTMENTS, INC., a Nevada corporation
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 31 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 11, 12 and 13 in Block 31 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-111-035 (020-405-001)
FIRST INTERSTATE BANK OF NEVADA, N.A., W. OWEN NITZ AND
AUDREY SINCLAIR, AS CO-TRUSTEES OF THE HAROLD J. STOCKER
AND MAYME V. STOCKER 1980 TRUST
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 3 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Northeasterly 18 feet of Lot 27 in Block 3 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-610-008 (020-408-003)
JOHN D. KRAMER; JOHN A. KRAMER SR. TRUSTEE;
HELEN M. AND ALLAN KRAMER; ELIZABETH THATCHER BROOKS
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 30 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Northeasterly 18 feet of Lots 7 and 8 in Block 30 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-610-009 (020-408-004)

ROBERT SCHIFF

18' EASEMENT FREMONT STREET EXPERIENCE

CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 30 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Northeasterly 18 feet of Lots 9 and 10 in Block 30 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-610-010 (020-408-005)

CRAIG WILLIAM CLARK as to an undivided one fifth interest,
CAROLYN JULIA CLARK as to an undivided one fifth interest,
RICHARD BURNS CLARK as to an undivided one fifth interest,
CHRISTOPHER STUART CLARK as to an undivided one fifth interest,
MICHELE CLARK CADWALLADER as to an undivided one fifth interest
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 30 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Northeasterly 18 feet of Lots 11 and 12 in Block 30 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-610-005 (020-411-006)

BANK OF AMERICA NEVADA, as Successor Trustee, under trust agreement dated September 1, 1966, an undivided one-half (1/2) interest BARBARA F. DOYLE, as to an undivided one-fourth (1/4) interest; SHIRLEY F. SWANSON as trustee, or successor Trustee, of The Shirley F. Swanson Trust under agreement dated July 6, 1990, as amended, an undivided one-fourth (1/4) interest;
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 34 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 11, 12 and 13 in Block 34 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

A.P.N. 139-34-610-006 (020-411-005)
ROBERT P. JOHNSON A.K.A ROBERT PAUL JOHNSON
as to an undivided one-half interest
RICHARD VANDENBERG, JR. and JOYLIN J. VANDENBERG,
Trustees of The Richard and Joylin Vandenberg 1990
Living Trust Agreement, dated June 22, 1990, as to
an undivided fifty percent (50%) interest
18' EASEMENT FREMONT STREET EXPERIENCE
CLARK'S LAS VEGAS TOWNSITE

That portion of the North Half (N 1/2) of Section 34, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of Block 34 of CLARK'S LAS VEGAS TOWNSITE as shown on the plat thereof on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records, described as follows:

The Southwesterly 18 feet of Lots 14, 15 and 16 in Block 34 of said CLARK'S LAS VEGAS TOWNSITE.

The above described easement is to begin at a height of 40 feet above the existing ground and terminate at a height of 97 feet above the existing ground.

The legal description of the aforescribed airspace easements shall also include the following language:

Together with the right to construct, operate, maintain, repair, use and remove a skirt or curtain from the bottom of the improvements located on the above-described property to the top of any improvements that may be maintained by Grantor from time to time below such property. Should Grantor desire to construct any additional improvements which would require removal of all or a portion of such skirt or curtain, Grantor shall notify Grantee at least 60 days in advance.

EXHIBIT "B"
SCHEMATIC

