

**Case No. 84345**

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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CITY OF LAS VEGAS, a political subdivision of the State of Nevada,  
*Appellant,*  
v.

Electronically Filed  
Mar 18 2022 03:24 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

180 LAND CO, LLC, a Nevada limited-liability company, and FORE STARS  
LTD., a Nevada limited-liability company,  
*Respondents.*

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Eighth Judicial District Court, Clark County, Nevada  
Case No. A-17-758528-J  
Honorable Timothy C. Williams, Department 16

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**APPENDIX TO OPPOSITION TO APPELLANT'S MOTION TO STAY  
VOLUME 15**

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*Attorneys for 180 Land Co, LLC and Fore Stars Ltd.*

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## **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing APPENDIX TO OPPOSITION TO APPELLANT'S MOTION TO STAY - **VOLUME 15** was filed electronically with the Nevada Supreme Court on the 18<sup>th</sup> day of March, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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/s/ Sandy Guerra

An Employee of the Law Offices of Kermitt L. Water

20020715  
.00066

THENCE FROM A TANGENT BEARING SOUTH 71°02'01" WEST, CURVING TO THE RIGHT ALONG THE ARC OF A 109.54 FOOT RADIUS CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 64°30'20", AN ARC LENGTH OF 123.33 FEET;

THENCE NORTH 44°27'39" WEST, 119.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,655 SQUARE FEET.

**FURTHER EXCEPTING THEREFROM** THAT PORTION OF LOT 1 OF BLOCK A OF "SUMMERLIN VILLAGE 1 SOUTH - UNIT NO. 6" ON FILE IN BOOK 54, PAGE 44 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA AS SHOWN BY AMENDED BOUNDARY LINE ADJUSTMENT SURVEY IN FILE 102, PAGE 90 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHERLY CORNER OF LOT 32 OF BLOCK A OF "COUNTRY CLUB HILLS 2 IN THE HILLS AT SUMMERLIN - UNIT 2" ON FILE IN BOOK 64, PAGE 77 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOT 32 THE FOLLOWING TWO (2) COURSES:

1) NORTH 23°12'37" EAST, 33.81 FEET;

2) THENCE NORTH 62°26'55" EAST, 39.26 FEET TO THE EASTERLY CORNER OF SAID LOT 32;

THENCE DEPARTING THE SOUTHEASTERLY LINE OF SAID LOT 32, SOUTH 44°21'11" WEST, 68.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 420 SQUARE FEET.

TOTAL EXCEPTION AREA = 5,272 SQUARE FEET (0.12 ACRES)

TOTAL AREA OF PARCEL 1 = 189.15 ACRES.

**PARCEL II**

BEING LOT 3 OF BLOCK A OF "SUMMERLIN VILLAGE 1 SOUTH - UNIT NO. 6" ON FILE IN BOOK 54, PAGE 44 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE WEST HALF (W 1/2) OF SECTION 29 AND THE EAST HALF (E 1/2) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 60 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONTAINING 39.18 ACRES

003778

RA 03155

20020715  
.00066

**PARCEL III**

BEING COMMON LOT "E" OF BLOCK B OF "SUMMERLIN VILLAGE 2 - UNIT NO. 2" ON FILE IN BOOK 50, PAGE 53 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 20, TOWNSHIP 20 SOUTH, RANGE 60 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONTAINING 16,905 SQUARE FEET (0.39 ACRES).

**PARCEL IV**

BEING COMMON LOT "F" OF BLOCK B OF "SUMMERLIN VILLAGE 2 - UNIT NO. 2" ON FILE IN BOOK 50, PAGE 53 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 20, TOWNSHIP 20 SOUTH, RANGE 60 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

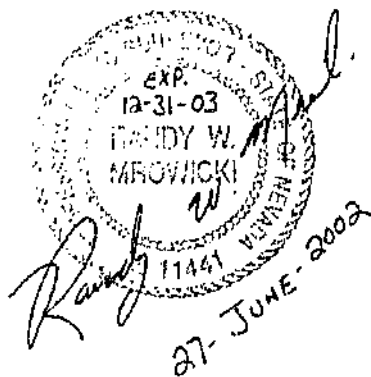
CONTAINING 3.34 ACRES.

**PARCEL V**

BEING LOT 20 OF BLOCK B OF "TOURNAMENT HILLS - UNIT 3" CN FILE IN BOOK 55, PAGE 25 OF PLATS IN THE CLARK COUNTY RECORDERS OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONTAINING 79,008 SQUARE FEET (1.81 ACRES).

THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION FOR THE AFOREDESCRIBED PARCEL 1. CORRECTIONS ARE INDICATED BY UNDERLINED ITALIC TYPESET.



003779

RA 03156

20020715  
.0066

EXHIBIT "B"  
TO CORRECTION DEED  
PERMITTED ENCUMBRANCES

[SEE NEXT 9 PAGES ATTACHED]

G:\LEGAL\WP\FIDOC\CORRECTD GDSVIS WPD

003780

RA 03157

20020715  
00066

Order No.: 01-10-2662-JKH

Policy No.: -PROFORMA-

**SCHEDULE B**

**PART I**

This policy does not insure against loss of damage (and the company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- 1) **SUBSEQUENT YEAR TAXES:** Taxes for the fiscal year 2002-2003 and subsequent years, a lien not yet due or payable.  
Taxes for the fiscal year 2001-2002, are paid in full.

Affects: PARCEL I

- 2) **SUBSEQUENT YEAR TAXES:** Taxes for the fiscal year 2002-2003 and subsequent years, a lien not yet due or payable.  
Taxes for the fiscal year 2001-2002, are paid in full.

Affects: PARCEL II

- 3) **SUBSEQUENT YEAR TAXES:** Taxes for the fiscal year 2002-2003 and subsequent years, a lien not yet due or payable.  
Taxes for the fiscal year 2001-2002, are paid in full.

Affects: PARCEL III

- 4) **SUBSEQUENT YEAR TAXES:** Taxes for the fiscal year 2002-2003 and subsequent years, a lien not yet due or payable.  
Taxes for the fiscal year 2001-2002, are paid in full.  
Affects: PARCEL IV

- 5) **SUBSEQUENT YEAR TAXES:** Taxes for the fiscal year 2002-2003 and subsequent years, a lien not yet due or payable.  
Taxes for the fiscal year 2001-2002, are paid in full.

Affects: PARCEL V

- 6) Any supplemental taxes which may become a lien on the subject property by reason of increased valuations due to land use or improvement, NRS 361.260, or otherwise.

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03066

- 7) SPECIAL IMPROVEMENT: The fact that the herein property lies within the City of Las Vegas' Special Improvement District No. 404, as evidenced by: DEVELOPMENT AND FINANCING AGREEMENT recorded November 16, 1989 in Book 891116 as Document No. 01046; CERTIFIED LIST OF TRACTS TO BE ASSESSED AND AMOUNT OF MAXIMUM BENEFITS TO EACH TRACT recorded December 6, 1989 in Book 891206 as Document No. 00827; FINAL ASSESSMENT ROLL recorded December 6, 1989 in Book 891206 as Document No. 00828; FIRST AMENDMENT TO DEVELOPMENT AND FINANCING AGREEMENT recorded January 11, 1990 in Book 900111 as Document No. 01353; AMENDED CERTIFIED LIST OF TRACTS TO BE ASSESSED AND AMOUNT OF MAXIMUM BENEFITS TO EACH TRACT recorded January 11, 1990 in Book 900111 as Document No. 01354; AMENDED FINAL ASSESSMENT ROLL recorded January 11, 1990 in Book 900111 as Document No. 01355; APPLICATION AND APPORTIONMENT recorded October 10, 1990 in Book 901010 as Document No. 00807; SECOND AMENDED ASSESSMENT ROLL recorded October 10, 1990 in Book 901010 as Document No. 00808; THIRD ASSESSMENT APPORTIONMENT REPORT recorded July 19, 1991 in Book 910719 as Document No. 00898; SEVENTH ASSESSMENT APPORTIONMENT REPORT recorded September 9, 1992 in Book 920909 as Document No. 01216 and AMENDED SEVENTH ASSESSMENT APPORTIONMENT REPORT recorded June 1, 1993 in Book 930601 as Document No. 00513; and NINTH ASSESSMENT APPORTIONMENT REPORT recorded June 1, 1993 in Book 930601 as Document No. 00524, all in the Official Records of Clark County, Nevada.

Reference is made to the record for full and further particulars. Please refer to said document for the amount due and owing.

- 8) Reservations and Easements in the patent from the United States of America, recorded September 15, 1955, in Book 67 as Document No. 56940 of Official Records.

A Restated Patent was recorded March 27, 1956 in Book 88 as Document No. 73769 of Official Records.

- 9) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded April 12, 1990, in Book 900412 as Document No. 00504 of Official Records.

Affects: PARCEL II

- 10) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded June 21, 1990, in Book 900621 as Document No. 00533 of Official Records.

Affects: PARCEL I

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RA 03159



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- 11) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of CITY OF LAS VEGAS, for sewer purposes, recorded August 3, 1990, in Book 900803 as Document No. 00562 of Official Records.

Affects: PARCEL II

- 12) Covenants, Conditions and Restrictions: (But deleting restrictions, if any, indicating any preference, limitation or discrimination based upon race, color, religion, sex, handicap, familial status or national origin) as contained in the AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR SUMMERLIN NORTH COMMUNITY ASSOCIATION, recorded August 15, 1997 in Book 970815 as Document No. 00692 of Official Records.

Said instrument provides that a violation thereof shall not defeat nor render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value.

The right to levy certain charges or assessments against said land which shall become a lien if not paid as set forth in the above Declaration of Restrictions, and is conferred upon SUMMERLIN NORTH COMMUNITY ASSOCIATION, including any unpaid delinquent assessment as provided therein.

Said Declaration provides for the annexation of the herein described property.

The provisions of the above stated Covenants, Conditions and Restrictions were purportedly annexed to include the herein described land by an instrument recorded February 8, 1993 in Book 930208 as Document No. 00046 of Official Records.

The above stated Covenants, Conditions and Restrictions were purportedly modified by an instrument recorded September 28, 1994 in Book 940928 as Document No. 00249, of Official Records.

Terms, conditions and provisions in an instrument entitled "Summerlin North Community Association Delegate District Designation" recorded October 16, 1998 in Book 981016 as Document No. 01503.

Affects: PARCEL V AND A PORTION OF PARCEL I

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- 13) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded November 2, 1990, in Book 901102 as Document No. 00669 of Official Records.

Affects: PARCEL I

- 14) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded November 2, 1990, in Book 901102 as Document No. 00678 of Official Records.

Affects: PARCEL I

- 15) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of NEVADA POWER COMPANY, for electrical lines, recorded April 25, 1991, in Book 910425 as Document No. 00948 of Official Records.

Affects: PARCEL I

- 16) Dedications and Easements as shown on the recorded Map referred to herein, on file in Book 50 of Plats, Page 53, of Official Records.

The above Plat has been amended by CERTIFICATE OF AMENDMENT recorded on February 26, 1992 in Book 920226 as Document No. 00800 of Official Records.

Affects: PARCELS III AND IV

- 17) Covenants, Conditions and Restrictions and Easements: (But deleting restrictions, if any, indicating any preference, limitation or discrimination based upon race, color, religion, sex, handicap, familial status or national origin) as contained in the Supplemental Declaration of Covenants, Restrictions and Reservation of Easements for The Tournament Hills Community Association recorded August 21, 1991 in Book 910821 as Document No. 00120 of Official Records.

Said instrument provides that a violation thereof shall not defeat nor render invalid the lien of any Mortgage or Deed of Trust made in good faith and for value.

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The right to levy certain charges or assessments against said land which shall become a lien if not paid as set forth in the above Declaration of Restrictions, and is conferred upon  
✓ TOURNAMENT HILLS COMMUNITY ASSOCIATION, including any unpaid delinquent assessment as provided therein.

The above stated Covenants, Conditions and Restrictions were purportedly modified by an instrument entitled "First Amendment to Supplemental Declaration of Covenants,  
✓ Conditions, Restrictions and Reservation of Easements for The Tournament Hills Community Association" recorded June 19, 1992 in Book 920619 as Document No. 00338, of Official Records.

✓ The provisions of the above stated Covenants, Conditions and Restrictions were purportedly annexed to include the herein described land by an instrument recorded February 8, 1993 in Book 930208 as Document No. 00647 of Official Records.

Affects: PARCEL V AND A PORTION OF PARCEL I

- 18) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded September 3, 1991, in Book 910903 as Document No. 00594 of Official Records.

Affects: PARCEL IV

- 19) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of NEVADA POWER COMPANY, for electrical lines, recorded September 4, 1991, in Book 910904 as Document No. 00779 of Official Records.

Affects: PARCELS III AND IV

- 20) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of NEVADA POWER COMPANY, for electrical lines, recorded October 3, 1991, in Book 911003 as Document No. 00891 of Official Records.

Affects: PARCEL I

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RA 03162

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- 21) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 5, 1992, in Book 920305 as Document No. 00767 of Official Records.

Affects: PARCEL I

- 22) Dedications and Easements as shown on the Map recorded March 20, 1992 referred to herein, on file in Book 52 of Plats, Page 37, of Official Records.

The above Plat has been amended by CERTIFICATE OF AMENDMENT recorded on February 5, 1993 in Book 930205 as Document No. 00643 of Official Records.

Affects: A PORTION OF PARCEL I

- 23) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of CITY OF LAS VEGAS, for sewer purposes, recorded April 2, 1992, in Book 920402 as Document No. 00720 of Official Records.

Affects: PARCEL I

- 24) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded April 21, 1992, in Book 920421 as Document No. 01149 of Official Records.

Affects: PARCEL II

- 25) The effect of the following BOUNDARY LINE ADJUSTMENT performed by ALLEN L. HAGEN, filed in File 63 of Surveys at Page 34, recorded June 30, 1992, in Book 920630, as Document No. 02373 of Official Records.

Affects: PARCEL I

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- 26) The effect of the following BOUNDARY LINE ADJUSTMENT performed by ALLEN L. HAGEN, filed in File 63 of Surveys at Page 46, recorded July 9, 1992, in Book 920709, as Document No. 00516 of Official Records.

Affects: PARCEL I

- 27) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of NEVADA POWER COMPANY, for electrical lines, recorded August 7, 1992, in Book 920807 as Document No. 00606 of Official Records.

Affects: PARCEL I

- 28) Dedications and Easements as shown on the Map recorded October 28, 1992 referred to herein, on file in Book 54 of Plats, Page 44, of Official Records.

Affects: PARCELS I AND II

- 29) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of CITY OF LAS VEGAS, for sewer purposes, recorded October 29, 1992, in Book 921029 as Document No. 01373 of Official Records.

Affects: PARCEL II

- 30) Dedications and Easements as shown on the Map recorded January 13, 1993 referred to herein, on file in Book 55 of Plats, Page 25, of Official Records.

Affects: PARCEL V

- 31) The effect of the following BOUNDARY LINE ADJUSTMENT performed by ALLEN L. HAGEN, filed in File 65 of Surveys at Page 40, recorded January 19, 1993, in Book 930119, as Document No. 01174 of Official Records.

Affects: PARCEL I

- 32) Non-exclusive easements for utilities and boundary walls together with rights incidental thereto, as reserved in the Deed, recorded May 3, 1993, in Book 930503 as Document No. 00885, of Official Records.

Affects: PARCEL III

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RA 03164

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- 33) The effect of the following BOUNDARY LINE ADJUSTMENT performed by ALLEN L. HAGEN, filed in File 79 of Surveys at Page 90, recorded December 7, 1995, in Book 951207, as Document No. 01096 of Official Records.

Affects: PARCEL I

- 34) The effect of the following BOUNDARY LINE ADJUSTMENT performed by DANNY L. RIDER, JR., filed in File 88 of Surveys at Page 81, recorded May 5, 1997, in Book 970505, as Document No. 00688 of Official Records.

Affects: PARCEL I

- 35) Order of Vacation: Any easements not vacated by that certain Order of Vacation recorded February 20, 1998 in Book 980220 as Document No. 01557 of Official Records.

Affects: PARCEL II

- 36) Order of Vacation: Any easements not vacated by that certain Order of Vacation recorded February 20, 1998 in Book 980220 as Document No. 01558 of Official Records.

Affects: PARCEL I

- 37) A claim of Mechanic's Lien by A-G SOD FARMS INC: INTENTIONALLY OMITTED

Affects: PARCELS I AND II

- 38) The effect of the following BOUNDARY LINE ADJUSTMENT performed by PAUL BURN., filed in File 102 of Surveys at Page 90, recorded June 2, 1999, in Book 990602, as Document No. 00823 of Official Records.

Affects: PARCEL I

- 39) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded April 12, 2000, in Book 20000412 as Document No. 00819 of Official Records.

Affects: PARCEL I

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- 40) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded April 12, 2000, in Book 20000412 as Document No. 00820 of Official Records.

Affects: PARCEL I

- 41) An easement affecting that portion of said land and for the purposes therein and incidental purposes thereto, in favor of LAS VEGAS VALLEY WATER DISTRICT, a Quasi Municipal Corporation, for pipelines, recorded June 5, 2000, in Book 20000605 as Document No. 00432 of Official Records.

Affects: PARCEL I

- 42) Non-exclusive easements for utilities and boundary walls together with rights incidental thereto, as reserved in the Deed, recorded September 19, 2000, in Book 20000919 as Document No. 01481, of Official Records.

Affects: PARCEL III

- 43) The effect of the following BOUNDARY LINE ADJUSTMENT performed by RANDY W. MROWICKI, filed in File 114 of Surveys at Page 20, recorded January 26, 2001, in Book 20010126 as Document No. 01225 of Official Records.

Affects: PARCEL I

- 44) Water rights, claims or title to water, whether or not shown by the public records.

- 45) The following matters as disclosed by ALTA/ACSM Land Title Survey, Job No. 62001.TPC, prepared by Randy Mrowicki, undated and unsigned:

- (a) an underpass is located under Rampart Boulevard; and
- (b) an equipment building encroaches onto easement in favor of Las Vegas Valley Water District located in Parcel I.

**NOTE:** This is a pro-forma policy, furnished to and at the request of the insured named herein. It is understood and agreed by the proposed insured that this pro-forma does not reflect the present condition of title, but rather indicated the policy, together with the schedules and any endorsements to be made a part thereof, which the Company would expect to issue when all necessary documentation has been furnished and all acts performed, all to the satisfaction of the Company, in order that such policy may issue.

CLARK COUNTY, NEVADA  
JUDITH A. VANDEVER, RECORDER  
RECORDED AT REQUEST OF:

NEVADA TITLE COMPANY  
07-15-2002 08:01 MSH  
OFFICIAL RECORDS  
BOOK: 20020715 INSTR: 00066  
FEE: 31.00 RPTT: EX#003

CLARK COUNTY, NEVADA			
JUDITH A. VANDEVER, RECORDER			
RECORDED AT REQUEST OF:			
NEVADA TITLE COMPANY			
85-01-0000000000	338	18	
BOOK: 20020715	INSTR: 00066		
FEE: 31.00	RPTT: 31.00		
COMPANIES COPIES NOTED HEREIN COMPARED TO THE ORIGINAL 003789			

RA 03166



## 1700 VILLAGE CENTER

### Property Information

Parcel: 13820413017

Owner Name(s): TOURNAMENT PLAYERS CLUB

Site Address: 1700 VILLAGE CENTER CIR

Jurisdiction: Las Vegas - 89134

Sale Date: 12/2012

Sale Price: \$250,000

Estimated Lot Size: 188.95

Construction Year: 1992

Recorded Doc Number: 20020715 00000066

Aerial Flight Date: 03/19/2016

### Zoning and Planned Landuse

Zoning Classification: **Planned Community District (P-C)**

Community District:

### Legal Description

Subdivision Name: TOURNAMENT HILLS-UNIT 2

Book Page: 52 37

Lot Block: Lot:21 Block:A

T-R-S: 20-60-20

Tax District: 200

Census Tract:

### Ownership

(filter owners...)

Parcel	Owners	Re
138-20-413-017	TOURNAMENT PLAYERS CLUB	20

Flood Zone

Elected Officials

Links

Print



o.clark.nv.us/ow/?@740593.26770545.5

003790

RA 03167

# Property Account Inquiry - Summary Screen

**New Search**

**Recorder**

**Treasurer**

**Assessor**

**Clark County Home**

Parcel ID	138-20-413-017	Tax Year	2018	District	200	Rate	3.2782
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Situs Address: 1700 VILLAGE CENTER CIR LAS VEGAS

Legal Description: ASSESSOR DESCRIPTION: TOURNAMENT HILLS-UNIT 2 PLAT BOOK 52 PAGE 37 PT LOT 21 BLOCK A PB 54-44 PTL1BA PB 54-51 PTL12BAPLAT BOOK 85-88 PT LOT 1 BLK D GEOID: PT S2 SW4 SEC 20 20 60

Status:	Property Characteristics		Property Values		Property Documents	
Active	Tax Cap Increase Pct.	2.6	Land	228649	2002071500066	7/15/2002
Taxable	Tax Cap Limit Amount	44820.83	Improvements	3464097		
	Tax Cap Reduction	76234.77	Total Assessed Value	3692746		
	Land Use	3-48 Golf Course, Private	Net Assessed Value	3692746		
	Cap Type	OTHER	Exemption Value New Construction	0		
	Acreage	188.9500	New Construction - Supp Value	0		
	Agriculture	DEFERRED GOLF OR AGRICULTURE				
	Exemption Amount	0.00				

Role	Name	Address	Since	To
Owner	TOURNAMENT PLAYERS CLUB	1700 VILLAGE CENTER CIR , LAS VEGAS, NV 89134-6302 UNITED STATES	7/3/2009	Current

## Summary

Item	Amount
Taxes as Assessed	\$121,055.60
Less Cap Reduction	\$76,234.77
Net Taxes	\$44,820.83

## PAST AND CURRENT CHARGES DUE TODAY

Tax Year	Charge Category	Amount Due Today
THERE IS NO PAST OR CURRENT AMOUNT DUE as of 1/8/2018		\$0.00

## NEXT INSTALLMENT AMOUNTS

Tax Year	Charge Category	Installment Amount Due
2018	Property Tax Principal	\$11,205.21
NEXT INSTALLMENT DUE AMOUNT due on 3/5/2018		\$11,205.21

## TOTAL AMOUNTS DUE FOR ENTIRE TAX YEAR

Tax Year	Charge Category	Remaining Balance Due
2018	Property Tax Principal	\$11,205.21
2018	Las Vegas Artesian Basin	\$0.00
TAX YEAR TOTAL AMOUNTS DUE as of 1/8/2018		\$11,205.21

## PAYMENT HISTORY

Last Payment Amount	\$11,205.21
Last Payment Date	12/29/2017
Fiscal Tax Year Payments	\$33,617.42
Prior Calendar Year Payments	\$55,896.79
Current Calendar Year Payments	\$0.00

003791

RA 03168



## 150 RAMPART

### Property Information

Parcel: 13829801002  
Owner Name(s): CITY OF LAS VEGAS  
Site Address: 150 S RAMPART BLVD  
Jurisdiction: Las Vegas - 89145  
Sale Date: Not Available  
Sale Price: Not Available  
Estimated Lot Size: 139.71  
Construction Year: 1988  
Recorded Doc Number: [19960531 00001354](#)  
Aerial Flight Date: 03/19/2016

 Print

### Zoning and Planned Landuse

Zoning Classification: [Civic District \(C-V\)](#)  
Community District:

### Legal Description

Subdivision Name:  
Book Page:  
Lot Block: Lot: Block:  
T-R-S: 20-60-29  
Tax District: 200  
Census Tract:

### Ownership

[filter owners...](#)

Parcel	Owners	Recorded Doc
138-29-801-002	CITY OF LAS VEGAS	<a href="#">19960531:01:</a>
138-29-801-002	CITY OF LAS VEGAS	<a href="#">19960531:01:</a>
138-29-801-002	CITY OF LAS VEGAS	<a href="#">19960531:01:</a>
138-29-801-002	CITY OF LAS VEGAS	<a href="#">19960531:01:</a>
138-29-801-002	CITY OF LAS VEGAS	<a href="#">19960531:01:</a>
138-29-501-002	CITY OF LAS VEGAS	<a href="#">19960531:01:</a>



003792

RA 03169

# Property Account Inquiry - Summary Screen

**New Search**

**Recorder**

**Treasurer**

**Assessor**

**Clark County Home**

Parcel ID 138-29-801-002 Tax Year 2018 District 200 Rate 3.2782

Situs Address: 150 S RAMPART BLVD LAS VEGAS

Legal Description: ASSESSOR DESCRIPTION: PT S2 SE4 SEC 29 20 60 & PT N2 NE4 SEC 32 20 60 GEOID: MOR S2 SE4 SEC 29 20 60

Status:	Property Characteristics		Property Values		Property Documents	
Active	Tax Cap Increase Pct	2.6	Land	142021	96053101354	5/31/1996
Taxable	Tax Cap Limit Amount	87863.10	Improvements	2474236		
	Tax Cap Reduction	0.00	Total Assessed Value	2616257		
	Land Use	3-48 Golf Course, Public	Net Assessed Value	2616257		
	Exemption Percentage	100	Exemption Value New Construction	0		
	Cap Type	OTHER	New Construction - Supp Value	0		
	Acreage	139.7100	Tax % Exemption Value	2616257		
	Agriculture	DEFERRED GOLF OR AGRICULTURE				
	Exemption Amount	85766.14				
	Exemption Type	H : Municipal Exempt				

Role	Name	Address	Since	To
Owner	CITY OF LAS VEGAS	%REAL ESTATE DIVISION 333 N RANCHO DR 8TH FL , LAS VEGAS, NV 89106-3703 UNITED STATES	1/11/2013	Current

## Summary

Item	Amount
Taxes as Assessed	\$85,766.14
ss Cap Reduction	\$0.00
Net Taxes	\$85,766.14

## PAST AND CURRENT CHARGES DUE TODAY

Tax Year	Charge Category	Amount Due Today
THERE IS NO PAST OR CURRENT AMOUNT DUE as of 1/8/2018		\$0.00

## NEXT INSTALLMENT AMOUNTS

Tax Year	Charge Category	Installment Amount Due
THERE IS NO NEXT INSTALLMENT AMOUNT DUE as of 1/8/2018		

## TOTAL AMOUNTS DUE FOR ENTIRE TAX YEAR

Tax Year	Charge Category	Remaining Balance Due
THERE IS NO TOTAL AMOUNT DUE FOR THE ENTIRE TAX YEAR as of 1/8/2018		

## PAYMENT HISTORY

Last Payment Amount	\$47.88
Last Payment Date	8/6/2015
Fiscal Tax Year Payments	\$0.00
Prior Calendar Year Payments	\$0.00

003793

RA 03170

GENERAL INFORMATION	
PARCEL NO.	138-31-702-004
OWNER AND MAILING ADDRESS	180 LAND CO L L C %V DEHART 1215 S FORT APACHE RD #120 LAS VEGAS NV 89117
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	LAS VEGAS
ASSESSOR DESCRIPTION	PARCEL MAP FILE 121 PAGE 100 LOT 4
RECORDED DOCUMENT NO.	* 20151116:00238
RECORDED DATE	Nov 16 2015
VESTING	NS

\*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	200
APPRAISAL YEAR	2017
FISCAL YEAR	2018-19
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2017-18	2018-19
LAND	4223310	4223310
IMPROVEMENTS	0	0
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	4223310	4223310
TAXABLE LAND+IMP (SUBTOTAL)	12066600	12066600
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	4223310	4223310
TOTAL TAXABLE VALUE	12066600	12066600

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	33.80 Acres
ORIGINAL CONST. YEAR	0
LAST SALE PRICE MONTH/YEAR SALE TYPE	0
LAND USE	12.000 - Vacant - Single Family Residential
DWELLING UNITS	0

PRIMARY RESIDENTIAL STRUCTURE				
1ST FLOOR SQ. FT.	0	CASITA SQ. FT.	0	ADDN/CONV
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL
				NO

003794

RA 03171



# Property Account Inquiry - Summary Screen

**New Search**   **Recorder**   **Treasurer**   **Assessor**   **Clark County Home**

Parcel ID: 138-31-702-004   Tax Year: 2018   District: 200   Rate: 3.2782

Situs Address: UNASSIGNED SITUS LAS VEGAS

Legal Description: ASSESSOR DESCRIPTION: PARCEL MAP FILE 121 PAGE 100 LOT 4

Status:	Property Characteristics		Property Values		Property Documents	
Active	Tax Cap Increase Pct.	2.6	Land	4223310	2015111600238	11/16/2015
Taxable	Tax Cap Limit Amount	0.00	Total Assessed Value	4223310		
	Tax Cap Reduction	0.00	Net Assessed Value	4223310		
	Land Use	0-00 Vacant - Single Family Res	Exemption Value New Construction	0		
	Cap Type	OTHER	New Construction - Supp Value	0		
	Acreage	33.8000				
	Exemption Amount	0.00				

Role	Name	Address	Since	To
Owner	180 LAND CO L L C	%V DEHART 1215 S FORT APACHE RD #120, LAS VEGAS, NV 89117 UNITED STATES	2/7/2017	Current

## Summary

Item	Amount
Taxes as Assessed	\$138,448.55
Less Cap Reduction	\$0.00
Net Taxes	\$138,448.55

## PAST AND CURRENT CHARGES DUE TODAY

Tax Year	Charge Category	Amount Due Today
2018	Property Tax Principal	\$34,612.14
<b>RRRENT AMOUNTS DUE as of 1/8/2018</b>		<b>\$34,612.14</b>

## NEXT INSTALLMENT AMOUNTS

Tax Year	Charge Category	Installment Amount Due
2018	Property Tax Principal	\$34,612.14
<b>NEXT INSTALLMENT DUE AMOUNT due on 3/5/2018</b>		<b>\$34,612.14</b>

## TOTAL AMOUNTS DUE FOR ENTIRE TAX YEAR

Tax Year	Charge Category	Remaining Balance Due
2018	Property Tax Principal	\$69,224.28
2018	Las Vegas Artesian Basin	\$0.00
2018	Property Tax Penalty	\$0.00
<b>TAX YEAR TOTAL AMOUNTS DUE as of 1/8/2018</b>		<b>\$69,224.28</b>

## PAYMENT HISTORY

Last Payment Amount	\$70,610.63
Last Payment Date	10/16/2017
Fiscal Tax Year Payments	\$70,610.63
Prior Calendar Year Payments	\$70,610.63
Current Calendar Year Payments	\$0.00

003795

RA 03172

## 1780 FORT APACHE

### Property Information

Parcel: 16305711088  
 Owner Name(s): CANYON GATE LAS VEGAS INC  
 Site Address: 1780 S FORT APACHE RD  
 Jurisdiction: Las Vegas - 89117  
 Sale Date: Not Available  
 Sale Price: Not Available  
 Estimated Lot Size: 99.8  
 Construction Year: 1990  
 Recorded Doc Number: 19920708 00000905  
 Aerial Flight Date: 03/19/2016

### Zoning and Planned Landuse

Zoning Classification: Residential Planned Deveopment  
 District (R-PD4)  
 Community District:

### Legal Description

Subdivision Name: FOOTHILLS COUNTRY CLUB UNIT #2  
 AMD  
 Book Page: 42 4  
 Lot Block: Lot:A Block:  
 T-R-S: 21-60-5  
 Tax District: 200  
 Census Tract:

### Ownership

Ownership History

Parcel	Owners	Re
163-05-711-088	CANYON GATE LAS VEGAS INC	19
163-05-711-088	CANYON GATE LAS VEGAS INC	19

### Flood Zone



003796

RA 03173



# Property Account Inquiry - Summary Screen

**New Search**

**Recorder**

**Treasurer**

**Assessor**

**Clark County Home**

Parcel ID	163-05-711-088	Tax Year	2018	District	200	Rate	3.2782
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Situs Address: 1780 S FORT APACHE RD LAS VEGAS

Legal Description: ASSESSOR DESCRIPTION: FOOTHILLS COUNTRY CLUB UNIT #2 AMD PLAT BOOK 42 PAGE 4 LOT A & LOTS G,S & PT LOT 2 BLOCK 13 PB 88-48 LOT B,PM 83-14 LOTS 1,2 GEOID: PT N2 SE4 SEC 05 21 60

Status:	Property Characteristics		Property Values		Property Documents
Active	Tax Cap Increase Pct.	2.6	Land	125118	
Taxable	Tax Cap Limit Amount	46684.26	Improvements	1877800	
	Tax Cap Reduction	18975.40	Total Assessed Value	2002918	
	Land Use	3-48 Golf Course, Private	Net Assessed Value	2002918	
	Cap Type	OTHER	Exemption Value New Construction	0	
	Acreage	99.8000	New Construction - Supp Value	0	
	Exemption Amount	0.00			

Role	Name	Address	Since	To
Owner	CANYON GATE LAS VEGAS INC	%PPTY TAX DEPT P O BOX 790830 , SAN ANTONIO, TX 78279-0830 UNITED STATES	5/8/2010	Current

## Summary

Item	Amount
Taxes as Assessed	\$65,659.66
Less Cap Reduction	\$18,975.40
Net Taxes	\$46,684.26

## PAST AND CURRENT CHARGES DUE TODAY

Tax Year	Charge Category	Amount Due Today
THERE IS NO PAST OR CURRENT AMOUNT DUE as of 1/8/2018		\$0.00

## NEXT INSTALLMENT AMOUNTS

Tax Year	Charge Category	Installment Amount Due
2018	Property Tax Principal	\$11,671.07
NEXT INSTALLMENT DUE AMOUNT due on 3/5/2018		\$11,671.07

## TOTAL AMOUNTS DUE FOR ENTIRE TAX YEAR

Tax Year	Charge Category	Remaining Balance Due
2018	Property Tax Principal	\$11,671.07
2018	Las Vegas Artesian Basin	\$0.00
TAX YEAR TOTAL AMOUNTS DUE as of 1/8/2018		\$11,671.07

## PAYMENT HISTORY

Last Payment Amount	\$11,671.07
Last Payment Date	1/4/2018
Fiscal Tax Year Payments	\$35,014.99
Prior Calendar Year Payments	\$34,719.23
Current Calendar Year Payments	\$11,671.07

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~~RECORDING REQUESTED BY,~~  
AND WHEN RECORDED, MAIL TO:

Canyon Gate Country Club  
8625 W. Sahara Ave  
Las Vegas, Nevada 89117

90 01 0751 RJM

(Space above for Recorder's Use)

NOTICE OF AMMENDMENT OF THE MASTER DECLARATION  
OF  
COVNENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS  
FOR

**CANYON GATE COUNTRY CLUB**

WHICH WAS RECORDED JANUARY 19, 1989 IN BOOK 891119, AS DOCUMENT  
NUMBER 00141 AND ALSO RECORDED JULY 27, 1989 IN BOOK 890727 AS  
DOCUMENT NUMBER 00284, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

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#### AMENDMENT TO MASTER DECLARATION

Delete Current Section 13.15 of the CC&Rs.

Set forth below is New Article XV. The purpose of Article XV is to: (i) restrict use of the Golf Course Property to Country Club use; (ii) reserve memberships for issuance at the direction of West Sahara as developer of the Residential Community; the Golf Course Property with respect to Country Club operations so as to protect the interest of owners of Lots who become Club Members. The defined terms used below are those which correspond with the defined terms in the CC&Rs. Such defined terms were not necessarily adopted in connection with the Country Club Policy Statement which had adopted a different set of defined terms.

#### NEW ARTICLE XV

##### 15. GOLF COURSE PROPERTY AND GOLF CLUB MEMBERSHIP

15.1 No Absolute Right to Country Club Membership. EACH OWNER ACKNOWLEDGES THAT THE PURCHASE OF A LOT BY SUCH OWNERS DOES NOT CONFER UPON SUCH OWNER THE RIGHT TO USE THE GOLF COURSE OR ANY OTHER FACILITIES COLLECTIVELY THE "CLUB FACILITIES") ON THE GOLF COURSE PROPERTY. IN ORDER TO USE THE CLUB FACILITIES, EACH OWNER WILL BE REQUIRED TO PAY SUCH FEES AND SATISFY SUCH OTHER CONDITIONS AS MAY BE IN EFFECT FROM TIME TO TIME WITH RESPECT TO THE USE OF THE FACILITIES, WHICH FEES AND CONDITIONS SHALL AT ALL TIMES BE SUBJECT TO THIS DECLARATION.

15.2 Restriction on Use of Golf Course Property. Notwithstanding the foregoing, Declarant covenants and agrees for his own account, and for that of Declarant's successors and assign owning the fee interest in the Golf Course Property (the "Club Owner"), that the Golf Course Property shall be used solely as a private country club with related golf course and recreational facilities, such as a swimming pool, tennis courts, and clubhouse and for no other purpose. Subject to such limitations set forth in this Article 15, the Club Owner shall have the right and power to:

a. To limit the non-exclusive use and enjoyment of the Club Facilities on the Golf Course Property to those who are Club Members ("Club Members") in good standing, and to limit golf playing privileged and tennis playing privileges to not more than one (1) Owners and such Owners's Family per Lot in the case of multiple ownership, or other than individual ownership, whether in

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the form of tenancy-in-common, or firm, partnership or corporate ownership; provided, however, that all golf playing privileges and tennis playing privileges may be subject to the requirements of the payment of additional fees as provided in this Article XV. For the purposes of this Section, the term "Family" shall mean an Owner's spouse and their dependent children who live with them and are either under the age of twenty-one (21) or are full time students under the age of twenty-four (24) and living with the Member and his or her spouse.

b. To limit the number of guests of Club Members.

c. To charge and bill each Club Member reasonable dues in consideration of such Club membership and the maintenance and operation of the Club by the Club Owner.

d. To adopt, promulgate and impose separate rules, regulations and policies ("Policies") regulating the use of the Golf Club by Club Members, as well as their guests, Family, invitees and licensees, and the use of golf, tennis and all other facilities of the Club. No such Policies shall, directly or indirectly, impair the effective use and enjoyment of the Golf Club and the Club Facilities by Residential Regular Members as defined below or shall otherwise be inconsistent with this Article 15.

e. To suspend the right of enjoyment and use of the Golf Club by a Club Member for any period during which such Member's Club membership dues remain unpaid and delinquent and to impose a reasonable penalty for any infraction of the Policies of the Golf Club. No such suspension or monetary penalty shall be imposed except after notice to a Club Member and an opportunity for a hearing.

f. To cancel a Club membership permanently upon the failure of a Club Member to pay the Club membership dues or any other monetary obligation owed to the Club Owner in connection with such Club Member's use of the Club Facilities (including but not limited to transfer fees, monetary penalties and charges for goods, services and the use of facilities).

g. Subject to such limitations set forth in Section 15.3 below, to charge the Golf Club Members fees for golf or tennis playing privileges, together with other fees for the use of particular facilities or services provided in connection with the operation of the Club, in accordance with rules and regulations adopted by the Club Owners from time to time.

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h. To charge the Club Members for services, food and beverages, and personal property purchased at the Golf Club.

i. To admit additional persons, firms or corporations, who are not Owners of Lots as Members of the Golf Club entitled to use the tennis, golf and all other facilities of the Club in accordance with the Club Policies, and upon the payment of such dues or fees as the Club Owner shall deem reasonable.

j. To conduct golf, tennis and other recreational tournaments, whether professional or amateur, or for profit or charity; provided, the conduct thereof does not unreasonably interfere with the Club Member's use and enjoyment of the Club on a regular basis nor unreasonably interferes with Owner's use and enjoyment of the their Lots or any Common Areas.

Notwithstanding anything in this Article 15 to the contrary, the Club Owner, absent an amendment to the Master Declaration as provided in Article 13., Section 13.2 therein, shall not adopt any Policies or implement any rule or regulations which limit or restrict the rights and privileges accorded a classification of membership as set forth below.

15.3 Memberships. The Club Owner shall, from time to time, prescribe reasonable qualifications and requirements for membership, and shall have the power to confer such rights and privileges and impose such obligations as may from time to time be determined by the Club owner in the Club Owner's discretion. Notwithstanding the foregoing, there shall be not more than four (4) classes of memberships in the Golf Club, as follows:

a. House Membership. There shall be not more than Three Hundred (300) House Memberships issued and outstanding. House Memberships shall be issued solely to Owners of Lots. House Membership shall entitle the Member and his or her Family to use the Club's dining and lounge facilities during operating hours on such terms and conditions as established by Club Owner.

House Memberships shall not be deemed appurtenant to any Lot owned by an Owner. At such time as a House Member sells all or any portion of such Member's interest in his or her Lot, the Club Owner shall have the right to terminate such House Member's membership upon written notice to such Member.

b. Social Membership. Social Memberships shall be divided into two (2) subclassifications: General Social Members and Residential Social Members. There shall be not more than Five Hundred (500) Social Memberships outstanding in the aggregate at

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any one time. Social Memberships, regardless of classification, shall entitle the Club Member and his or her Family to use the Golf Club's dining, lounge, tennis and pool facilities during operating hours subject to such terms and conditions as established by Club Owner.

(1) General Social Memberships. General Social Memberships shall be issued solely by the Club Owner in Club Owner's discretion. General Social Membership shall have all the rights and privileges, and shall be subject to all obligations of a Social membership as described above.

(2) Residential Social Memberships. A Residential Social Membership shall be entitled to the same rights and privileges, and shall be subject to the same obligations, as a Social Member except as provided for herein. Residential Social Memberships shall be issued by the Club Owner solely upon the direction of Declarant, or its successor and assigns, even if Declarant or its successors and assigns are not the then current Club Owner, to Owners of Lots as defined herein.

Residential Social Memberships shall not be deemed appurtenant to any Lot owned by a Residential Social Member. At such time as a Residential Social Member sells all or any portion of such Member's interest in his or her Lot, the Club Owner shall have the right to prepay without penalty the entire unpaid balance due under any Member Loan made by any such Club Member, if any as a condition to membership. Upon such prepayment in full (less any amounts due and owing by the Club member to the Golf Club), the Residential Social Membership may be deemed terminated by Club Owner.

c. Regular Membership. Regular Membership shall be divided into four (4) sub-classifications: General Regular Member, Initial Regular Member, Residential Regular Member and Corporate Regular Member. Any Regular Membership, regardless of sub-classification, shall entitle the regular member and his or her Family to use of all Club recreational and dining facilities, including use of the Golf Club's golf course. Nothing herein shall be construed as to confer on a Regular Member the right to use or occupy any portion of the Club reserved by the Club Owner exclusively for administration, operations, or management purposes. Subject to such limitations otherwise provided herein, use of the Club Facilities shall be subject to such terms and conditions and payment of such charges, including cart fees, as are established by Club Owner from time to time. A Regular Member shall not be required to pay court fees or green fees. Except as otherwise provided herein, all Regular Memberships shall terminate upon the

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repayment to the Regular Members of all amounts due and payable to the Regular Member with respect to such Regular Member's Member Loan. There shall not be more than a total of five hundred (500) issued and outstanding Regular Memberships allocated among the sub-classifications as set forth below:

(1) General Regular Members. There shall be not more than Two Hundred and Fifty (250) General Regular Memberships. The Two Hundred and Fifty (250) General Regular Memberships limitation may be increased from time to time by that number of retired Initial Regular Memberships and retired Residential Regular Memberships as described in subsections (2) and (3) below. General Regular Memberships shall be issued solely by the Club Owner in Club Owner's discretion. General Regular Memberships shall have all the rights and privileges, and be subject to all of the obligations, of a Regular Membership as described above. In the event that a General Regular Member purchases a Lot, such General Regular Member shall have no right to a reduction or any other change in the terms and conditions of any Member Loan or any other membership obligation.

(2) Initial Regular Members. There shall be not more than Forty Five (45) Initial Regular Members ever issued. An Initial Regular Member and his or her Family shall be entitled to the same rights and privileges, and shall be subject to the same obligations, of Regular Membership except as provided for herein. An Initial Regular Membership shall not terminate upon the repayment of any Initial Regular Member's member loan ("Member Loan") to the Club Owner made as a condition of Membership and shall continue until terminated as otherwise provided herein or any Policies adopted by the Club Owner. In the event of the termination of an Initial Regular Membership for any reason provided herein or in any Policies adopted by the Club Owner, such Initial Regular Membership shall be deemed to have been retired and thereafter converted to a General Regular Membership as defined above. In the event that an Initial Regular Member desires to have such Member's Member Loan repaid prior to maturity for any reason, upon such prepayment in full, less any amounts due Club Owner, then such Member's membership shall be deemed terminated, retired and thereafter converted to a General Regular Membership as set forth herein.

(3) Residential Regular Members. There shall be not more than Two Hundred Five (205) Residential Regular Members. A Residential Regular Membership shall be entitled to the same rights and privileges, and shall be subject to the same obligations, as a Regular Membership except as provided for herein. Resident Regular Members shall not be required to pay any fees for



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golf or tennis playing privileges. Residential Regular Memberships shall be issued by the Club Owner solely upon the direction of Declarant or its successor and assigns, even if Declarant or its successors and assigns are not the then current Club Owner, to initial Owners of Lots. At such time Declarant sells or otherwise transfers Declarant's interest in the Golf Course Property, Declarant shall have no obligations of any nature whatsoever to Residential Regular Members with respect to their membership, including repayment of obligations under any Member Loans made by Residential Regular Members; provided any such obligations have been assumed by Declarant's transferee. In the event of the termination of a Residential Regular Membership for any reason provided for herein and in any Policies adopted by Club Owner consistent with this Master Declaration, such Residential Regular Membership shall be deemed to have been retired and thereafter converted to a General Regular Membership as defined above. Residential Regular Memberships shall not be deemed appurtenant to any Lot owned by a Residential Regular Membership. At such time as a Residential Regular Member sells all or any portion of such Member's interest in his or her Lot, the Club Owner shall have the right to prepay without penalty the entire unpaid balance due under any Member Loan made by such Club Member as a condition to membership. Upon such prepayment in full (less any amounts due any owing by the Club Member to the Golf Club), the Residential Regular Member's membership may be deemed terminated by Club Owner. Any such membership so terminated shall be retired, then converted to a General Regular Membership as provided above. In the event that a Residential Regular Member's membership is subject to termination as provided for herein, such Residential Regular Member shall have the right to become General Regular Member upon Club Owner's then prevailing terms and conditions of such membership, to the extent any General Regular Memberships are then available for issuance. In the event that the required Member Loan for a General regular Member is more than the amount owed to a Residential Regular Member who is converting his or her membership to a General regular Membership, such Member shall loan the difference to Club Owner on the same terms and conditions as required of new General Regular Members; provided, however, under no circumstances shall the remaining term of the Member Loan be extended by reason of such additional loan. A Residential Regular Member shall cooperate in executing any new documents, including a new promissory note evidencing the Club Member's Member Loan and any new amounts loaned.

Any dues or other fees payable by Residential Regular Members may be subject to change along with dues and fees payable by any other classification of Memberships; provided, however, in no event shall dues and fees payable by Residential Regular Members increase annually by more than ten percent (10%).

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(4) Corporate Regular Memberships. Corporate Regular Membership shall be any other Regular Membership issued to a corporation. Corporate Regular Membership shall entitle one (1) Corporate Designee and his or her family to all of the rights and privileges, and subject such Member to all the obligations of a Residential Regular Member (if issued at the direction of Declarant or its successors and assigns, whether or not Declarant or its successors and assigns are the then current Club Owner,) or all the rights and privileges, and obligations of a General Regular Member (if issued solely by Owner), as the case may be. The number of Corporate Regular Memberships issued at the direction of Declarant and its successors and assigns shall be counted as Residential Regular Memberships for the purpose of determining whether the Two Hundred Fifty (250) Residential Regular Membership limitation has been met. The number of Corporate Regular Memberships issued at the direction of Club Owner shall be counted as General Regular Memberships for the purposes of determining whether the Two Hundred and Fifty (250) General Regular Membership limitation (as adjusted from time to time) has been satisfied.

d. Founder Membership. There shall be not more than twelve (12) Founder Memberships ever issued. Founder Memberships shall be issued solely by Club Owner solely upon the direction of Declarant or its successors and assigns (whether or not Declarant or its successors and assigns are then the current Club Owner). Founder Memberships shall entitle the Founder Member and his or her family to all of the rights and privileges of Regular Members. Founder Members shall have no obligations to pay any fees or charges now or hereafter adopted by Club Owner, including without limitation, regular or special dues or membership fees or food and beverage minimums, nor shall a Founder Member be required to make a Member Loan as a condition to membership. Notwithstanding anything herein to the contrary, any Founder Membership which is terminated shall be retired and not subject to reissuance.

15.4 Cooperation in Effecting Lot Line Adjustments. The Master Association and each Owner shall cooperate with Developer and Club Owner as reasonably required to effect any non-material lot line adjustments necessary or desirable to accommodate Club Owner's use and operation of the Golf Club for the purposes stated herein. A non-material lot line adjustment shall mean any proposed lot line adjustment which does not materially or detrimentally affect an Owner's use and enjoyment or value of his or her Lot. The Board of Directors of the Master Association, upon the majority vote of such Board, shall be empowered to execute such documents and instruments, including deeds, necessary or desirable to effect any lot line adjustment affecting any of the Common Areas deemed by the Board to be in the best interests of the Lot Owner and Members.

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15.5 Architectural Review. Although the golf course properties are not annexed under this Master Declaration, the golf course shall be subject to Article VIII, Architectural and Landscaping Control of this Master Declaration.

CANYON GOLF MASTER ASSOCIATION,  
a Nevada Corporation

By: Francis P. Torino  
Francis P. Torino, Treasurer


"Master Association"

WEST SAHARA PARTNERSHIP,  
A Nevada Limited Partnership,

By: RED ROCK CANYON CORP.  
a Nevada Corporation, and  
a General Partner of West  
Sahara Properties

By: Francis P. Torino  
Francis P. Torino, President

"Developer"

(Individual)	On <u>7/7/90</u>
STATE OF NEVADA, COUNTY OF <u>Clark</u>	Before me, a Notary Public, personally appeared <u>FRANCIS P. TORINO</u>
	personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that he (she or they) executed it.
	<u>Paulette J. Ogden</u> PAULETTE J. OGDEN NAME (TYPE OR PRINTED)
63-B PDO PRINTING 678-1701	

CLARK COUNTY, NEVADA  
JOAN L. SWIFT, RECORDER  
RECORDED AT REQUEST OF:  
NEVADA TITLE CO

03-15-90 00:00 CLK 10  
BOOK 900315 INST: 00477  
FEE 14.00 RPT: .00

003807

RA 03184

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(17)

## GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH, That West Sahara Partnership, a Nevada Limited Partnership, for a valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to Canyon Gate at Las Vegas, Inc. a Nevada Corporation, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows.

See Exhibit "A" attached hereto and by referenced made a part hereof

APN: 440-56D-073 440-56D-074 440-56D-081 440-56D-087  
APN: 440-56F-151 440-56F-156 440-56F-152 440-56F-153  
RPTT: 440-56F-160 440-56F-167 440-56F-169 440-56G-115  
\$9,191.00

### SUBJECT TO:

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any;
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.
3. Reservations in the patent from the United States of America recorded December 5, 1958, Book 180, as Document No. 146618, of Official records and recorded October 23, 1985, in Book 2205 as Document No. 2164188 of Official Records.
4. the effect of the following Record of Survey performed by JERRY E BARNSON, filed in Book 36 of Surveys at Page 89, recorded december 23, 1980, in Book 1332 as Document No. 1291552 of Official Records.
5. An easement affecting a portion of the property in favor of VENETIAN ASSOCIATES, a Nevada Partnership, its successors and/or assigns, for sewer lines and facilities, recorded March 31 1986, in Book 860331 as Document No. 00074 of Official Records.
6. Dedications and Easements as shown on said recorded Map on File in Book 37 of Plats, Page 20 of Official records.

West Sahara QESD.DOC

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7. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY and CENTRAL TELEPHONE COMPANY, for electrical and communications facilities, recorded October 2, 1986 in Book 861002 as Document No. 00718 of Official Records.
8. The terms, covenants, conditions, restrictions and provisions in an instrument entitled "Encroachment Agreement" by and between CITY OF LAS VEGAS, a municipal corporation and VENETIAN ASSOCIATES, recorded July 3, 1987 in Book 870723 as Document No. 00587 of Official Records.
9. An Easement affecting a portion of the property in favor of LAS VEGAS VALLEY WATER DISTRICT, for pipelines for conducting water, recorded September 18, 1987 in Book 870918 as document No. 00687 of Official records.
10. Covenants, conditions and restrictions, (but deleting restrictions if any, based upon race, color, religion, or national origin) as contained in a Declaration of Restrictions recorded January 19, 1989, in book 890119 as Document No. 00141, of Official Records and recorded July 27, 1989 in Book 890727 as Document No. 00284, Official Records. Said covenants, conditions, restrictions were purportedly modified by an instrument recorded March 15, 1990, in Book 900315 as Document No. 00477, of Official Records.
11. Covenants, conditions, provisions and easements in an instrument entitled "Easement and Maintenance Agreement", recorded February 7, 1989 in Book 890207, as Document No. 00292, of Official Records.
12. Dedications and Easements as shown on the recorded map, on File in Book 42 of Plats, Page 4 of Official Records.
13. Dedications and Easements as shown on the recorded Map, on File in Book 44 of Plats, Page 12, of Official Records.
14. An easement affecting the portion of the property in favor of GARY CORWIN AND SHARON CORWIN, husband and wife as joint tenants, for ingress and egress and driveway purposes, recorded March 20, 1990, in Book 900320 as Document 00483, of Official Records.
15. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 13, 1991, in Book 910313 as Document No. 00682 of Official Records.
16. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 13, 1991, in Book 910313 as Document No. 00683, of Official Records.
17. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 13, 1991, in Book 910313 as document no. 00684 of Official Records.

Checklist  
Page 3

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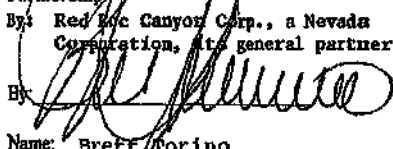
18. An easment affecting a portion of the property in favor of MARTIN AND ROBIN BARRETT, for water easement, recorded May 27, 1992, in Book 920527 Document No. 00755, of Official Records.

TOGETHER WITH all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, this instrument has been executed this 7th day of July, 1992.

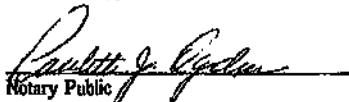
Checklist  
Page 4

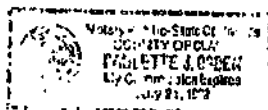
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West Sahara Partnership, a Nevada Limited  
Partnership  
By: Red Rock Canyon Corp., a Nevada  
Corporation, its general partner  
By:   
Name: Brett Torino  
Title: Partner/Secretary & Treasurer

STATE OF NEVADA }  
                              }SS  
County of Clark }

On this 7 day of July, 1993 before me a Notary Public personally appeared  
Brett Torino personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that  
he (she or they) executed it.

  
Notary Public



Recorded at the Request of: Nevada Title Company  
Escrow No: 92-06-0871 RMG

Mail tax bill to and  
When recorded mail to:  
Grantee's Care Of:  
Nevada Title Company  
3320 W. Sahara Ave.  
Las Vegas, Nevada 89102

West Sahara08SD.DOC

003811

RA 03188



Commonwealth 9 2 0 7 0 3 0 9 0 5  
Lead Link Inc. et al. Complainant

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A"

PARCEL ONE (1):

All of lots C, D, E, G, H, I, J, K and P, as delineated on the plat of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by the map thereof on file in Book 37 of Plats, page 20, and as amended by Document recorded December 7, 1989 in Book 891207 as Document No. 00400, in the Office of the County Recorder of Clark County, Nevada.

TOGETHER with that portion of Lot 17 in Block 4 of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37 of Plats, page 20 and as amended by Document recorded December 7, 1989 in Book 891207 as Document No. 00400, in the Office of the County Recorder of Clark County, Nevada as described in Deed to West Sahara Partnership, a Nevada limited partnership recorded June 28, 1990 in Book 900628 as Document No. 00537, Official Records.

EXCEPTING THEREFROM the following Four (4) parcels of land:

Parcel A:

That portion of Lot C of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37, page 20, in the Clark County Recorder's Office, lying within the South Half (S 1/2) of Section 5, Section 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE South 89°50'13" West along the South line of said Section 5, a distance of 1,085.25 feet to the intersection with the centerline of Peccole Ranch Road (a private street 64.00 feet wide);

THENCE departing said South line North 00°09'47" West along said centerline, the following Three (3) courses:

North 00°09'47" West, 227.33 feet;

THENCE curving to the left along a 300.00 foot radius curve, being concave Southwesterly, through a central angle of 42°55'15", an arc length of 224.73 feet;

THENCE North 43°05'02" West, 292.91 feet to the intersection with the centerline of Diamond Springs Drive, (a private street 32.00 feet wide);

THENCE North 47°01'36" East along said centerline, 191.56 feet;

THENCE departing said centerline South 42°58'24" East, 16.00 feet to the most Westerly corner of Lot B of FOOTHILLS COUNTRY CLUB UNIT NO. 1;

Exhibit "A" continued.....

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RA 03189

Commonwealth 9 2 0 7 0 0 0 9 0 5  
Land Title Insurance Company

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE South 58°35'54" East along the Southerly line of said Lot B, 10.38 feet to the POINT OF BEGINNING;

THENCE Easterly along said Southerly line the following Three (3) courses:

CONTINUING South 58°35'54" East, 128.19 feet;

THENCE South 83°16'12" East, 471.33 feet;

THENCE South 69°35'39" East, 165.33 feet;

THENCE departing said Southerly line South, 58°48'16" West, 11.31 feet;

THENCE North 70°44'35" West, 100.50 feet;

THENCE North 83°16'12" West, 366.92 feet;

THENCE North 79°31'51" West, 109.34 feet;

THENCE North 66°46'58" West, 188.87 feet to a point on the Southeasterly line of Lot K of said FOOTHILLS COUNTRY CLUB UNIT NO. 1;

THENCE North 47°01'36" East along said Southeasterly line, 23.29 feet to the POINT OF BEGINNING.

Parcel B:

That portion of Lot K of FOOTHILLS COUNTRY CLUB UNIT NO. 1 as shown by map thereof on file in Book 37, page 20 in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Section 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE South 89°50'13" West along the South line of said Section 5, a distance of 1,085.25 feet to the intersection with the centerline of Peccole Ranch Road (a private street 64.00 feet wide);

THENCE departing said South line along said centerline, the following Three (3) courses:

North 00°09'47" West, 227.33 feet;

THENCE curving to the left along a 300.00 foot radius curve, being concave Southwesterly, through a central angle of 42°55'15", an arc length of 224.73 feet;

Exhibit "A" continued.....

003813

RA 03190

Commonwealth 92070310905  
Land Title Insurance Company

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE North 43°05'02" West, 292.91 feet to the intersection with the centerline of Diamond Springs Drive, (a private street 32.00 feet wide);

THENCE North 47°01'36" East along said centerline, 166.65 feet;

THENCE departing said centerline South 42°58'24" East, 16.00 feet to the POINT OF BEGINNING on the Northwesterly line of said Lot K;

THENCE North 47°01'36" East, along said Northwesterly line, 24.91 feet to the most Westerly corner of Lot B of FOOTHILLS COUNTRY CLUB UNIT NO. 1;

THENCE South 58°35'54" East, along the Southerly line of said Lot B, 10.38 feet to the most Easterly corner of said Lot K;

THENCE South 47°01'36" West, along the Southeasterly line of said Lot K, 23.30 feet;

THENCE North 66°47'58" West, 10.93 feet to the POINT OF BEGINNING.

Parcel C:

That portion of Lot C of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37, page 20, in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Section 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE South 89°50'13" West, along the South line of said Section 5, a distance of 1,085.25 feet to the intersection with the centerline of Peccole Ranch Road (a private street, 64.00 feet wide);

THENCE departing said South line along said centerline, the following Three (3) courses:

North 00°09'47" West, 227.33 feet;

THENCE curving to the left, along a 300.00 foot radius curve, being concave Southwesterly, through a central angle of 42°55'15", an arc length of 224.73 feet;


THENCE North 43°05'02" West, 292.91 feet to the intersection with the centerline of Diamond Springs Drive, (a private street 32.00 feet wide);

THENCE North 47°01'36" East, along said centerline, 191.56 feet;

EXHIBIT "A" continued.....

003814

RA 03191

 Commonwealth Land Title Insurance Company 9 2 0 7 0 3 0 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE departing said centerline South 42°58'24" East, 16.00 feet to the most Westerly corner of Lot 8 of said FOOTHILLS COUNTRY CLUB UNIT NO. 1;

THENCE Easterly along the Southerly line of said Lot 8, the following Four (4) courses:

South 56°35'54" East, 138.57 feet;

THENCE South 83°16'12" East, 471.33 feet;

THENCE South 69°35'39" East, 208.57 feet;

THENCE South 69°07'41" East, 97.63 feet to the POINT OF BEGINNING;

THENCE departing said Southerly line of Lot 8, South 29°47'24" East, 70.44 feet;

THENCE South 75°27'19" East, 108.67 feet;

THENCE North 85°46'26" East, 77.04 feet to a point on the aforementioned Southerly line of said Lot 8;

THENCE North 69°07'41" West along said Southerly line, 232.25 feet to the POINT OF BEGINNING.

Parcel D:

That portion of Lot 1 of "FOOTHILLS COUNTRY CLUB UNIT - NO. 1", as shown by map thereof on file in Book 37, Page 20 of Plats, in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Township 20 South, Range 60 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot Seventeen (17) in Block Four (4) of said "FOOTHILLS COUNTRY CLUB UNIT NO. 1";

THENCE North 47°29'46" West, along the Southwesterly line of said Lot Seventeen (17), a distance of 126.73 feet to the most Westerly corner thereof;

THENCE North 42°30'14" East, along the Northwesterly line of said Lot Seventeen (17), a distance of 60.00 feet to the POINT OF BEGINNING and the most Northerly corner of said Lot Seventeen (17);

THENCE continuing North 42°30'14" East, along the Northeasterly prolongation of the Northwesterly line of said Lot Seventeen (17), a distance of 51.64 feet;

THENCE South 27°26'31" East, 105.73 feet;

EXHIBIT "A" continued.....

003815

RA 03192

**Commonwealth** 9 2 0 7 0 0 0 9 0 5  
Land Title Insurance Corporation

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

**EXHIBIT "A" (CONT.)**

THENCE South 53°37'34" West, 13.63 feet;

THENCE curving to the left along a 12.50 foot radius curve, concave Southeasterly, through a central angle of 09°16'45", an arc length of 2.02 feet to a point on the aforementioned Northeasterly line of said Lot Seventeen (17), to which a radial line bears North 45°39'11" West;

THENCE North 47°29'46" West, along said Northeasterly line, 96.46 feet to the POINT OF BEGINNING.

**PARCEL TWO (2):**

Lots A, B, C, D, E, F, G, H, I, J, Q and S as delineated on the plat of FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by the map thereof on file in Book 42 of Plats, page 4, in the Office of the County Recorder of Clark County, Nevada, that portion of Lot 2 in Block 13 of "AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2" as shown by map thereof on file in Book 42, Page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the Southeast Quarter (SE 1/4) of Section 5, Township 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot 1 in said Block 13;  
THENCE North 28°55'37" East along the Easterly line of said Lot 1, a distance of 34.62 feet to an angle point therein;  
THENCE North 00°00'00" East along said Easterly line 145.94 feet to a point on the Southerly line of Lot A (Golf Course) of said "Amended Plat of Foothills Country Club Unit No. 2";  
THENCE North 72°33'40" East along said Southerly line, 77.06 feet to the point of beginning;  
THENCE South 08°36'26" East, 111.82 feet;  
THENCE South 90°00'00" East, 29.75 feet to an angle point on the Boundary line of Lot S in said Block 13;  
THENCE Northerly along said boundary line, the following two (2) courses:

North 00°00'00" East, 74.67 feet;  
THENCE North 36°00'00" West, 42.54 feet to an angle point on the boundary line of the aforementioned Lot A (Golf Course);  
THENCE along said boundary line, the following two (2) courses:

Continuing North 36°00'00" West, 8.29 feet;  
THENCE South 72°33'40" West 17.41 feet to the point of beginning.

AND

continued.....

003816

RA 03193

Commonwealth  
Land Title Insurance Company 9 2 0 7 0 3 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT)

That portion of Lot 2 in Block 13 of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 42, Page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the Southeast Quarter (SE 1/4) of Section 5, Township 21 South, Range 60 East M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot 1 in said Block 13;  
THENCE North 28°55'37" East along the Easterly line of said Lot 1, a distance of 34.62 feet to an angle point therein;  
THENCE North 00°00'00" East along said Easterly line, 145.94 feet to a point on the Southerly line of Lot A (Golf Course) of said "AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2";  
THENCE North 72°33'40" East along said Southerly line, 77.06 feet;  
THENCE South 08°36'26" East, 111.82 feet to the POINT OF BEGINNING;  
THENCE continuing South 08°36'26" East, 76.18 feet to a point of the Northerly boundary line of Lot C in said Block 13;  
THENCE Northerly along said boundary line, the following two (2) courses:

North 54°16'25" East, 22.60 feet;  
THENCE North 00°00'00" East 62.12 feet;  
THENCE North 90°00'00" West, 29.75 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described Seven (7) parcels of land:

Parcel A:

That portion of Lot B of AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE North 04°13'34" West along the East line of said Section 5, a distance of 1,034.21 feet to the Southeast (SE) corner of said AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE departing said East line, South 85°46'26" West along a South line of said tract, 101.00 feet to a point on the East line of CANYON GATE COUNTRY CLUB, as shown by map thereof on file in Book 43, page 43 of Plats in the Clark County Recorder's Office, Clark County, Nevada;

THENCE North 04°13'34" West along said East line, 84.00 feet to the Northeast (NE) corner of said tract, being the Southeast (SE) corner of Lot Q of the aforementioned AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE South 85°46'26" West along the boundary common to said tracts, 20.00 feet to the POINT OF BEGINNING;


THENCE Westerly along said common boundary, the following Seven (7) courses:

EXHIBIT "A" continued.....

003817

RA 03194



 Commonwealth Land Title Insurance Company 9 2 3 7 3 8 7 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

South 85°46'26" West, 15.00 feet;

THENCE South 86°00'00" West, 70.87 feet;

THENCE North 79°31'51" West, 411.44 feet;

THENCE North 56°43'12" West, 139.65 feet;

THENCE North 66°49'56" West, 122.08 feet;

THENCE South 71°26'53" West, 123.86 feet;

THENCE North 49°37'56" West, 33.52 feet to the most Easterly corner of Lot Eighty-seven (87) in Block One (1) of CANYON GATE COUNTRY CLUB, AS SHOWN BY MAP THEREOF ON FILE IN Book 43, page 43 of Plats in the Clark County Recorder's Office, Clark County, Nevada;

THENCE departing the boundary line of said CANYON GATE COUNTRY CLUB, South 81°54'37" East 50.00 feet;

THENCE North 71°26'53" East 96.94 feet;

THENCE South 66°49'56" East, 94.48 feet;

THENCE South 65°45'28" East, 97.81 feet;

THENCE South 61°27'45" East, 102.03 feet;

THENCE North 69°30'19" East, 29.15 feet;

THENCE South 79°31'51" East, 234.00 feet;

THENCE South 72°13'39" East, 125.09 feet;


THENCE North 68°05'09" East, 82.04 feet to a point on the West line of the aforementioned Lot Q;

THENCE South 04°13'34" East along said West line, 33.62 feet to the POINT OF BEGINNING.

EXHIBIT "A" continued.....

003818

RA 03195

 Commonwealth 9 2 0 7 0 3 0 9 0 5  
Land Title Insurance Company

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

Parcel B:

That portion of Lot Q of AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, M.D.M., City, of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE North  $04^{\circ}13'34''$  West along the East line of said Section 5, a distance of 1,034.21 feet to the Southeast (SE) corner of said AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE departing said East line South  $85^{\circ}46'26''$  West along a South line of said tract, 101.00 feet to a point on the East line of CANYON GATE COUNTRY CLUB, as shown by map thereof on file in Book 43, page 43 of Plats in the Clark County Recorder's Office, Clark County, Nevada;

THENCE North  $04^{\circ}13'34''$  West along said East line, 84.00 feet to the Northeast (NE) corner of said tract, being the Southeast (SE) corner of Lot Q of the aforementioned AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2 and the POINT OF BEGINNING;

THENCE South  $85^{\circ}46'26''$  West along the boundary common to said tract, 20.00; to the Southwest (SW) corner of said Lot Q;

THENCE North  $04^{\circ}13'34''$  West along the West line of said Lot Q, 33.62 feet;

THENCE departing said West line North  $68^{\circ}05'09''$  East, 20.99 feet to a point on the Westerly line of Dia. and Foothills Drive (a private street being 32.00 feet wide);

THENCE South  $04^{\circ}13'34''$  East along said West line, 40.00 feet to the POINT OF BEGINNING.

Parcel C:

That portion described as follows:

BEGINNING at the Northwest (NW) corner of Lot One (1), Block Five (5) of AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2, as recorded in Book 42, page 4 of Plats, County of Clark, State of Nevada;

THENCE South  $04^{\circ}14'20''$  East, along the West line of above said Lot One (1) of Block Five (5), a distance of 120.06 feet to the Southwest (SW) corner of Lot One (1);

EXHIBIT "A" continued.....

003819

RA 03196

Commenced by  
Land Title to said Parcel 2 0 7 0 3 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE South 87°32'23" West, a distance of 30.10 feet to the Southeast (SE) corner of Lot Two (2), Block Nine (9) of said AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE North 04°14'20" West, along the East line of said Lot Two (2), Block Nine (9), a distance of 120.06 feet;

THENCE North 87°32'23" East, a distance of 30.10 feet, more or less, to the POINT OF BEGINNING.

Parcel D:

That portion of Lot A of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2 as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County Nevada, described as follows:

BEGINNING at the Northeast corner of Lot One (1), Block One (1) of said Tract;

THENCE from a tangent bearing North 73°48'28" East, curving to the right along a 359.00 foot radius curve, concave Southeasterly, through a central angle of 12°26'37", an arc length of 15.31 feet to a point to which a radial line bears North 13°44'55" West;

THENCE South 04°14'20" East, 120.33 feet; thence South 76°14'32" West, 15.25 feet to the Southeast (SE) corner of said Lot One (1);

THENCE North 04°14'20" West along the East line of said Lot One (1), a distance of 120.00 feet to the POINT OF BEGINNING to which a radial line bears North 16°11'32" West.

Parcel E:

That portion of Lot A of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2 as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

BEGINNING at the Southeast corner of Lot Three (3) in Block Eight (8) of said tract;

THENCE North 04°14'20" West along the East line of said Lot Three (3), a distance of 120.06 feet to the Northeast (NE) corner thereof;

THENCE South 72°04'56" East, 32.48 feet to an angle point in the West line of Lot One (1) in Block Seven (7) of said tract;

EXHIBIT "A" continued.....

003820

RA 03197

**Commonwealth**  
Land Title Insurance Company 9 2 0 7 0 8 0 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE South 04°14'20" East along said West line and it's Southerly prolongation, 108.74 feet to the Southwest (SW) corner of Lot K in said tract;

THENCE South 87°32'23" West, 30.10 feet to the POINT OF BEGINNING.

Parcel F:

That portion of Lot A of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2 as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Northwest (NW) corner of Lot Twenty-two (22) in Block Two (2) of said Tract;

THENCE South 34°14'20" East along the West line of said Lot Twenty-two (22), a distance of 120.00 feet to the Southwest (SW) corner thereof;

THENCE South 76°14'32" West, 15.25 feet;

THENCE North 04°14'20" West, 120.33 feet;

THENCE from a tangent bearing North 76°15'05" East, curving to the right along a 359.00 foot radius curve, concave Southeasterly, through a central angle of 02°25'34", an arc length of 15.20 feet to the POINT OF BEGINNING to which a radial line bears North 11°19'21" West.

Parcel G:

That portion of Lot C of "AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT - NO. 2", as shown by map thereof on file in Book 42, Page 4 of Plats, in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Township 20 South, Range 60 East, M.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot Seventeen (17) in Block Four (4) of said "FOOTHILLS COUNTRY CLUB UNIT - NO. 1";


THENCE North 47°29'46" West, along the Southwesterly line of said Lot Seventeen (17), a distance of 126.73 feet to the most Westerly corner thereof, being the POINT OF BEGINNING on the Southeasterly line of the aforementioned Lot C;

THENCE continuing North 47°29'46" West, along the Northwesterly prolongation of the Southwest .ly line of said Lot Seventeen (17), a distance of 15.96 feet;

EXHIBIT "A" continued.....

003821

RA 03198

 Commonwealth Land Title Insurance Company 9 2 3 7 0 3 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE North 33°29'28" East, 67.71 feet;

THENCE North 37°38'18" East, 19.22 feet;

THENCE North 45°19'06" East, 19.76 feet;

THENCE from a tangent bearing South 18°44'45" East, curving to the left along a 12.50 foot radius curve, concave Northeasterly, through a central angle of 110°14'21", an arc length of 24.05 feet to a point to which a radial line bears South 38°59'06" East;

THENCE South 27°26'31" East, 9.42 feet to a point on the boundary line common to "FOOTHILLS COUNTRY CLUB UNIT - NO. 1" and "FOOTHILLS COUNTRY CLUB UNIT - NO. 2";

THENCE South 42°30'14" West, along said boundary line, 111.64 feet to the POINT OF BEGINNING.


PARCEL THREE (3):

All of Lot B as delineated on the plat of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 3, as shown by map thereof on file in Book 44 of Plats, Page 12, and as amended by Document recorded May 10, 1991 in Book 910510 as Document No. 00895, in the Office of the County Recorder of Clark County, Nevada.

Exhibit "A" continued.....

003822

RA 03199

 Commonwealth  
Land Title Insurance Company 92 07 08 10 90 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

PARCEL FOUR (4):

Lot B as delineated on the plat of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37 of Plats, Page 20, and as amended by Document recorded December 7, 1989 in Book 891207 as Document No. 00400, in the Office of the County Recorder of Clark County, Nevada.


EXCEPTING THEREFROM any portion thereof lying within the boundaries of CANYON GATE COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 44 of Plats, Page 100, in the Office of the County Recorder of Clark County, Nevada.

Exhibit "A" continued

003823

RA 03200



 Commonwealth  
Land Title Insurance Company 9 2 0 7 0 8 3 0 9 0 5

Order No.: 92-06-0871 RMG  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

PARCEL FIVE (5):

The following description is appurtenant to Parcels One (1), Two (2), Three (3) and Four (4), previously described herein.

A non-exclusive easement for access, ingress, egress and maintenance purposes over that certain "Private Drive" and related areas as more fully set forth and described in that certain instrument entitled "Easement and Maintenance Agreement", recorded February 7, 1989 in Book 890207 as Instrument No. 00292 of Official Records of Clark County, Nevada.

CLARK COUNTY, NEVADA  
JOAN L. SWIFT, RECORDER  
RECORDED AT REQUEST OF:  
A GALLEGOS  
07-08-92 15125 15J 17  
OFFICIAL RECORDS  
BOOK: 920708 INST: 00305  
FEE: 21.00 RPT: 9,191.00

003824

RA 03201

RE-RECORDED

92171.319903

## GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH. That West Sahara Partnership, a Nevada Limited Partnership, for a valuable consideration, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to Chugan Gate at Las Vegas, Inc. a Nevada Corporation, all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof

APN: 449-340-073 449-340-074 449-340-081 449-340-087  
 APN: 449-340-111 449-340-112 449-340-113 449-340-114  
 RPT: 12/1/87

## SUBJECT TO:

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any;
2. Easements, conditions, reservations, rights, rights of way and encumbrances now of record, if any, or any that actually exist on the property;
3. Reservations in the patent from the United States of America recorded December 5, 1958, Book 100, as Document No. 44618, of Official records and recorded October 23, 1963, in Book 2505 as Document No. 216488 of Official Records;
4. the effect of the following Record of Survey performed by JERRY E. BARNESON, filed in Book 36 of Surveys at Page 59, recorded December 23, 1963, in Book 1332 as Document No. 1291552 of Official Records;
5. An easement affecting a portion of the property in favor of VENETIAN ASSOCIATES, a Nevada Partnership, its successors and/or assigns, for sewer lines and facilities, recorded March 31, 1964, in Book 940331 as Document No. 00674 of Official Records;
6. Easements and Encumbrances as shown on said recorded Map on File in Book 37 of Plans, Page 20 of Official records.

THIS DEED IS BEING RE-RECORDED FOR THE PURPOSE OF CLARIFICATION OF THE DESCRIPTION OF PARCEL FOUR (4).

Not Acknowledged

Checklist  
Page 2

9 2 2 7 1 3 1 0 9 0 5

7. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY and CENTRAL TELEPHONE COMPANY, for electrical and communications facilities, recorded October 2, 1984 in Book 241002 as Document No. 00718 of Official Records.
8. The terms, covenants, conditions, restrictions and provisions in an instrument entitled "Encroachment Agreement" by and between CITY OF LAS VEGAS, a municipal corporation and VENETIAN ASSOCIATES, recorded July 23, 1987 in Book 170723 as Document No. 00587 of Official Records.
9. An Easement affecting a portion of the property in favor of LAS VEGAS VALLEY WATER DISTRICT, for pipelines for conducting water, recorded September 18, 1987 in Book 170918 as document No. 00687 of Official records.
10. Covenants, conditions and restrictions, (but dicting restrictions if any, based upon race, color, religion, or national origin) as contained in a Declaration of Restrictions recorded January 18, 1989, in Book 290119 as Document No. 00141, of Official Records and recorded July 23, 1989 in Book 240723 as Document No. 00234, of Official Records. Said covenants, conditions, restrictions were purportedly modified by an instrument recorded March 19, 1990, in Book 300315 as Document No. 00477, of Official Records.
11. Covenants, conditions, provisions and easements in an instrument entitled "Easement and Maintenance Agreement", recorded February 7, 1989 in Book 290201, as Document No. 00252, of Official Records.
12. Deductions and Easements as shown on the recorded map, on File in Book 42 of Plans, Page 4 of Official Records.
13. Deductions and Easements as shown on the recorded Map, on File in Book 44 of Plans, Page 12, of Official Records.
14. An easement affecting the portion of the property in favor of GARY CORWIN AND SHARON CORWIN, husband and wife as joint tenants, for ingress and egress and delivery purposes, recorded March 20, 1990, in Book 300320 as Document 00483, of Official Records.
15. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 13, 1991, in Book 310313 as Document No. 00682 of Official Records.
16. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 13, 1991, in Book 310313 as Document No. 00683, of Official Records.
17. An easement affecting a portion of the property in favor of NEVADA POWER COMPANY, for electrical lines, recorded March 13, 1991, in Book 310313 as document no. 00684 of Official Records.

Was Reviewed:

003826

RA 03203

970611.00045

Checklist  
Page 3

92172210905

18. An instrument affecting a portion of the property in favor of MARTIN AND ROSEB  
BARNETT, for value exchanged, recorded May 27, 1992, in Book 920527, Document  
No. 90753, of Official Records.

TOGETHER WITH all singular the covenants, conditions and appurtenances thereto belonging or  
in anywise appertaining.

IN WITNESS WHEREOF, this instrument has been executed this 21st day of July  
1992.

W:\920611\00045

003827

RA 03204

Checklist  
Page 4

92J70JJ090S

West Sahara Partnership, a Nevada Limited  
Partnership  
By: Mark T. Torino, a Nevada  
Citizen, its general partner  
Name: Mark T. Torino  
Title: Partner/Secretary & Treasurer

STATE OF NEVADA }  
County of Clark }

On this 2 day of July, 1992, before me a Notary Public personally appeared  
Mark T. Torino personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to this instrument and acknowledged that  
he (she or they) executed it.


Paul J. Giddens  
Notary Public



Recorded at the Request of: Nevada Title Company  
Record No: 92-04-0071 3302

When recorded mail to:  
Grantor, Care Of:  
Nevada Title Company  
3328 W. Sahara Ave.  
Las Vegas, Nevada 89102

Mail Tax Statement To:  
Canyon Gate AT LAS VEGAS  
To G. McElroy AND  
P.O. BOX 565048  
DALLAS, TX 75356


 Christopher Smith  
 Land Surveyor  
 Order No. 1 92-007091 RLS  
 001 INCREMENT

## EXHIBIT "A"

PARCEL ONE (1):

All of Lots C, D, E, G, H, I, J, K and P, as delineated on the plat of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by the map thereof on file in Book 37 of Plats, page 21, and as amended by Document recorded December 7, 1989 in Book 891207 as Document No. 00430, in the Office of the County Recorder of Clark County, Nevada.

TOGETHER with that portion of Lot 17 in Block 4 of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37 of Plats, page 20 and as amended by Document recorded December 7, 1989 in Book 891207 as Document No. 00430, in the Office of the County Recorder of Clark County, Nevada as described in Deed to West Sahara Partnership, a Nevada limited partnership recorded June 28, 1990 in Book 900620 as Document No. 00637, Official Records.

EXCEPTING THEREFROM the following four (4) parcels of land:

Parcel A:

That portion of Lot C of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37, page 20, in the Clark County Recorder's Office, lying within the South Half (S 1/2) of Section 8, Section 21 South, Range 40 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 8;

THENCE South 89°50'13" West along the South line of said Section 8, a distance of 1,085.25 feet to the intersection with the centerline of Peccole Ranch Road (a private street 64.00 feet wide);

THENCE departing said South line North 00°09'47" West along said centerline, the following three (3) courses:

North 00°09'47" West, 827.33 feet;

THENCE curving to the left along a 300.00 foot radius curve, being concave Southwesterly, through a central angle of 42°58'18", an arc length of 224.73 feet;

THENCE North 43°05'02" West, 292.91 feet to the intersection with the centerline of Diamond Springs Drive, (a private street 32.00 feet wide);

THENCE North 47°01'36" East along said centerline, 191.54 feet;

THENCE departing said centerline South 42°58'24" East, 16.00 feet to the most westerly corner of Lot B of FOOTHILLS COUNTRY CLUB UNIT NO. 1;

Exhibit "A" continued.....





CLARK COUNTY RECORDER'S OFFICE  
14011 N. Highway 10, Suite 100, Las Vegas, NV 89102

92-06-0071 0905

Order No.: 92-06-0071 RWS  
2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE South  $58^{\circ}35'54''$  East along the Southerly line of said Lot B, 10.38 feet to the POINT OF BEGINNING;

THENCE Easterly along said Southerly line the following Three (3) courses:

CONTINUING South  $58^{\circ}35'54''$  East, 120.19 feet;

THENCE South  $83^{\circ}16'12''$  East, 471.13 feet;

THENCE South  $69^{\circ}25'39''$  East, 165.33 feet;

THENCE departing said Southerly line South,  $58^{\circ}48'16''$  West, 11.31 feet;

THENCE North  $70^{\circ}44'35''$  West, 100.50 feet;

THENCE North  $81^{\circ}16'12''$  West, 368.92 feet;

THENCE North  $79^{\circ}31'51''$  West, 109.34 feet;

THENCE North  $66^{\circ}46'48''$  West, 100.07 feet to a point on the Southeasterly line of Lot K of said FOOTHILLS COUNTRY CLUB UNIT NO. 1;

THENCE North  $47^{\circ}01'36''$  East along said Southeasterly line, 23.29 feet to the POINT OF BEGINNING.

Parcel B1

That portion of Lot K of FOOTHILLS COUNTRY CLUB UNIT NO. 1 as shown by map thereof on file in Book 37, page 20 in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Section 21 South, Range 60 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE South  $89^{\circ}20'13''$  West along the South line of said Section 5, a distance of 1,085.25 feet to the intersection with the centerline of Puccello Ranch Road (a private street 64.00 feet wide);

THENCE departing said South line along said centerline, the following Three (3) courses:

North  $06^{\circ}28'47''$  West, 227.33 feet;

THENCE curving to the left along a 300.00 foot radius curve, being concave Southwesterly, through a central angle of  $42^{\circ}53'15''$ , an arc length of 224.73 feet;

Exhibit "A" continued.....

**Commonwealth**  
Land Information Commission

02 J 7 J 3 1 0 9 0 5

Order No. 1 92-06-0871 RWS  
2nd AMENDMENT

**EXHIBIT "A" (CONT.)**

THENCE North  $43^{\circ}05'02''$  West, 292.91 feet to the intersection with the centerline of Diamond Springs Drive, (a private street 32.00 feet wide);

THENCE North  $47^{\circ}01'36''$  East along said centerline, 166.65 feet;

THENCE departing said centerline South  $42^{\circ}58'24''$  East, 16.00 feet to the POINT OF BEGINNING on the Northwesterly line of said Lot K;

THENCE North  $47^{\circ}01'36''$  East, along said Northwesterly line, 29.91 feet to the most Westerly corner of Lot B of FOOTHILLS COUNTRY CLUB UNIT NO. 1;

THENCE South  $58^{\circ}35'54''$  East, along the Southerly line of said Lot B, 10.38 feet to the most Easterly corner of said Lot K;

THENCE South  $47^{\circ}01'36''$  West, along the Southeasterly line of said Lot K, 23.38 feet;

THENCE North  $66^{\circ}47'56''$  West, 10.93 feet to the POINT OF BEGINNING.

**Parcel 5:**

That portion of Lot E of FOOTHILLS COUNTRY CLUB UNIT NO. 1, as shown by map recorded on file in Book 37, page 30, in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 6, Section 21 South, Range 60 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 6;

THENCE South  $88^{\circ}50'13''$  West, along the South line of said Section 6, a distance of 1,085.25 feet to the intersection with the centerline of Peccole Ranch Road (a private street, 64.00 feet wide);

THENCE departing said South line along said centerline, the following three (3) courses:

North  $00^{\circ}05'47''$  West, 227.33 feet;

THENCE curving to the left, along a 300.00 foot radius curve, being concave southwesterly, through a central angle of  $42^{\circ}55'15''$ , an arc length of 224.33 feet;

THENCE North  $43^{\circ}05'02''$  West, 292.91 feet to the intersection with the centerline of Diamond Springs Drive, (a private street 32.00 feet wide);

THENCE North  $47^{\circ}01'36''$  East, along said centerline, 191.56 feet;

EXHIBIT "A" continued.....



COMMERCIAL SURVEY  
 LAND INFORMATION

82-7030905

Order No. 1 32-06-0071 BND  
 2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE departing said centerline South 41°58'24" East, 16.00 feet to the most Westerly corner of Lot B of said FOOTHILLS COUNTRY CLUB UNIT NO. 1;

THENCE Easterly along the Southerly line of said Lot B, the following four (4) courses:

South 56°35'54" East, 130.57 feet;

THENCE South 43°16'18" East, 471.33 feet;

THENCE South 69°35'39" East, 208.57 feet;

THENCE South 69°07'41" East, 97.63 feet to the POINT OF BEGINNING;

THENCE departing said Southerly line of Lot B, South 29°47'24" East, 70.44 feet;

THENCE South 75°27'19" East, 100.67 feet;

THENCE North 85°44'26" East, 77.04 feet to a point on the aforementioned Southerly line of said Lot B;

THENCE North 69°07'41" West along said Southerly line, 232.75 feet to the POINT OF BEGINNING.

Parcel B:

That portion of Lot 1 of "FOOTHILLS COUNTRY CLUB UNIT - NO. 1", as shown by map thereof on file in Book 37, Page 20 of Plats, in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 8, Township 20 South, Range 60 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot Seventeen (17) in Block Four (4) of said "FOOTHILLS COUNTRY CLUB UNIT NO. 1";

THENCE North 47°29'48" West, along the Southwesterly line of said Lot Seventeen (17), a distance of 126.72 feet to the most Westerly corner thereof;

THENCE North 42°30'14" East, along the Northwesterly line of said Lot Seventeen (17), a distance of 60.00 feet to the POINT OF BEGINNING and the most Northerly corner of said Lot Seventeen (17);

THENCE continuing North 42°30'14" East, along the Northwesterly prolongation of the Northwesterly line of said Lot Seventeen (17), a distance of 61.64 feet;

THENCE South 27°26'31" East, 105.73 feet;

EXHIBIT "A" continued.....

003832

RA 03209

Continental 92 7 3 3 0 9 0 5  
Land Title Insurance Company

Order No.: 92-04-007) AND  
END ADJUSTMENT

EXHIBIT "A" (CONT.)

THENCE South  $53^{\circ}37'34''$  West, 13.63 feet;

THENCE curving to the left along a 12.50 foot radius curve, concave Southeast, through a central angle of  $69^{\circ}16'45''$ , an arc length of 2.02 feet to a point on the aforementioned Northeastly line of said Lot Seventeen (17), to which a radial line bears North  $45^{\circ}39'21''$  West;

THENCE North  $47^{\circ}29'48''$  West, along said Northeastly line, 58.46 feet to the POINT OF BEGINNING.

PARCEL TWO (2):

Lots A, B, C, D, E, F, G, H, I, J, K and L as delineated on the plat of FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by the map thereof on file in Book 42 of Plats, page 4, in the Office of the County Recorder of Clark County, Nevada, that portion of Lot 2 in Block 13 of "AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2" as shown by map thereof on file in Book 42, Page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the Southeast Quarter (SE 1/4) of Section 5, Township 21 South, Range 80 East, N.G.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot 1 in said Block 13;  
THENCE North  $26^{\circ}53'37''$  East along the Easterly line of said Lot 1, a distance of 31.62 feet to an angle point therein;  
THENCE North  $04^{\circ}00'00''$  East along said Easterly line 145.94 feet to a point on the Southerly line of Lot A (Golf Course) of said "Amended Plat of Foothills Country Club Unit No. 2";  
THENCE North  $72^{\circ}33'40''$  East along said Southerly line, 77.06 feet to the point of beginning;  
THENCE South  $68^{\circ}36'26''$  East, 111.82 feet;  
THENCE South  $94^{\circ}00'00''$  East, 29.75 feet to an angle point on the boundary line of Lot 5 in said Block 13;  
THENCE Northerly along said boundary line, the following two (2) courses:

North  $04^{\circ}00'00''$  East, 74.67 feet;  
THENCE North  $26^{\circ}53'37''$  West, 42.54 feet to an angle point on the boundary line of the aforementioned Lot A (Golf Course);  
THENCE along said boundary line, the following two (2) courses:

Continuing North  $26^{\circ}53'37''$  West, 8.23 feet;  
THENCE South  $72^{\circ}33'40''$  West 17.41 feet to the point of beginning.

AND

continued.....

003833

RA 03210

**Commitment** 9 2 0 7 0 3 1 0 9 0 5  
 Land Information  
 Order No.: 92-06-0073 RND-  
 2ND AMENDMENT

## EXHIBIT "A" (CONT)

That portion of Lot 2 in Block 13 of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 42, Page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the Southeast Quarter (SE 1/4) of Section 5, Township 21 South, Range 60 East N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot 1 in said Block 13;  
 THENCE North 88°45'37" East along the Easterly line of said Lot 1, a distance of 34.42 feet to an angle point therein;  
 THENCE North 00°00'00" East along said Easterly line, 148.94 feet to a point on the Southerly line of Lot A (Golf Course) of said AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2;  
 THENCE North 72°33'40" East along said Southerly line, 77.04 feet;  
 THENCE South 04°34'28" East, 111.62 feet to the POINT OF BEGINNING;  
 THENCE continuing South 00°34'28" East, 76.18 feet to a point of the Northerly boundary line of Lot C in said Block 13;  
 THENCE Northerly along said boundary line, the following two (2) courses:

North 54°14'28" East, 22.48 feet;  
 THENCE North 00°00'00" East 62.12 feet;  
 THENCE North 80°00'00" West, 29.75 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described Seven (7) parcels of land:

Parcel A:

That portion of Lot B of AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE North 04°13'34" West along the East line of said Section 5, a distance of 1,034.21 feet to the Southeast (SE) corner of said AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE departing said East line, South 88°46'28" West along a South line of said tract, 101.00 feet to a point on the East line of CANYON GATE COUNTRY CLUB, as shown by map thereof on file in Book 43, page 43 of Plats in the Clark County Recorder's Office, Clark County, Nevada;

THENCE North 04°13'34" West along said East line, 84.00 feet to the Northeast (NE) corner of said tract, being the Southeast (SE) corner of Lot Q of the aforementioned AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE South 88°46'28" West along the boundary common to said tracts, 20.00 feet to the POINT OF BEGINNING;

THENCE Westerly along said common boundary, the following Seven (7) courses:

EXHIBIT "A" continued.....


 CERTIFICATE OF SURVEY  
 173010905

Order No. 1 92-06-0871 RMC  
 2ND AMENDMENT

## EXHIBIT "A" (CONT.)

South 85°46'26" West, 85.40 feet;

THENCE South 86°40'06" West, 70.67 feet;

THENCE North 39°31'51" West, 411.44 feet;

THENCE North 58°43'12" West, 139.65 feet;

THENCE North 66°49'56" West, 122.06 feet;

THENCE South 71°26'53" West, 123.66 feet;

THENCE North 49°37'56" West, 33.52 feet to the most Easterly corner of Lot Eighty-seven (87) in Block One (1) of CANYON GATE COUNTRY CLUB, AS SHOWN BY MAP THEREOF ON FILE IN Book 43, page 43 of Plats in the Clark County Recorder's Office, Clark County, Nevada;

THENCE departing the boundary line of said CANYON GATE COUNTRY CLUB, South 81°54'37" East 50.00 feet;

THENCE North 71°26'53" East 96.04 feet;

THENCE South 66°49'56" East, 94.48 feet;

THENCE South 65°45'28" East, 97.81 feet;

THENCE South 81°27'45" East, 102.03 feet;

THENCE North 69°30'19" East, 29.15 feet;

THENCE South 79°11'51" East, 234.00 feet;

THENCE South 72°13'38" East, 129.09 feet;

THENCE North 68°05'09" East, 82.04 feet to a point on the West line of the aforementioned Lot Q;

THENCE South 04°23'34" East along said West line, 33.62 feet to the POINT OF BEGINNING.

EXHIBIT "A" continued.....

92-06-0871 (M)  
92 J 7 J 8 0 0 9 0 5

Order No. 1 92-06-0871 (M)  
AND AMENDMENT

EXHIBIT "A" (CONT.)

Parcel B:

That portion of Lot Q of AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, N.O.M., City, of Las Vegas, Clark County, Nevada and described as follows:

COMMENCING at the Southeast (SE) corner of said Section 5;

THENCE North 04°13'34" West along the East line of said Section 5, a distance of 1,026.21 feet to the Southeast (SE) corner of said AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE departing said East line South 85°46'26" West along a South line of said tract, 101.00 feet to a point on the East line of CANTON LAKE COUNTRY CLUB, as shown by map thereof on file in Book 43, page 43 of Plats in the Clark County Recorder's Office, Clark County, Nevada;

THENCE North 04°13'34" West along said East line, 84.00 feet to the Northeast (NE) corner of said tract, being the Southeast (SE) corner of Lot Q of the aforementioned AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2 and the POINT OF BEGINNING;

THENCE South 85°46'26" West along the boundary common to said tract, 20.00; to the Southwest (SW) corner of said Lot Q;

THENCE North 04°13'34" West along the West line of said Lot Q, 33.62 feet;

THENCE departing said West line North 68°06'09" East, 20.99 feet to a point on the Westerly line of Old and Foothills Drive (a private street being 32.00 feet wide);

THENCE South 04°13'34" East along said West line, 60.00 feet to the POINT OF BEGINNING.

Parcel C:

That portion described as follows:

BEGINNING at the Northwest (NW) corner of Lot One (1), Block Five (5) of AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2, as recorded in Book 42, page 4 of Plats, County of Clark, State of Nevada;

THENCE South 04°14'20" East, along the West line of above said Lot One (1) of Block Five (5), a distance of 120.00 feet to the Southwest (SW) corner of Lot One (1);

(EXHIBIT "A" continued.....)

003836

RA 03213

CLARK COUNTY  
Land Office  
2073310905

Order No.: 92-46-0071 RNM  
2ND AMENDMENT

EXHIBIT "A" (CONV.)

THENCE South  $27^{\circ}32'23"$  West, a distance of 36.10 feet to the Southeast (SE) corner of Lot Two (2), Block Nine (9) of said AMENDED FOOTHILLS COUNTRY CLUB UNIT NO. 2;

THENCE North  $04^{\circ}14'20"$  West, along the East line of said Lot Two (2), Block Nine (9), a distance of 320.04 feet;

THENCE North  $07^{\circ}32'23"$  East, a distance of 30.10 feet, more or less, to the POINT OF BEGINNING.

Parcel B:

That portion of Lot A of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2 as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, N.D.M., City of Las Vegas, Clark County Nevada, described as follows:

BEGINNING at the Northeast corner of Lot One (1), Block One (1) of said Tract;

THENCE from a tangent bearing North  $73^{\circ}48'28"$  East, curving to the right along a 359.00 foot radius curve, concave Southeasterly, through a central angle of  $12^{\circ}24'37"$ , an arc length of 15.31 feet to a point to which a radial line bears North  $13^{\circ}44'55"$  West;

THENCE South  $04^{\circ}14'20"$  East, 120.33 feet; thence South  $76^{\circ}14'32"$  West, 15.25 feet to the Southeast (SE) corner of said Lot One (1);

THENCE North  $04^{\circ}14'20"$  West along the East line of said Lot One (1), a distance of 120.00 feet to the POINT OF BEGINNING to which a radial line bears North  $16^{\circ}11'32"$  West.

Parcel C:

That portion of Lot A of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2 as shown by map thereof on file in Book 42, page 4 of Plats in the Clark County Recorder's Office, Clark County Nevada, lying within the South Half (S 1/2) of Section 5, Township 21 South, Range 60 East, N.D.M., City of Las Vegas, Clark County, Nevada and described as follows:

BEGINNING at the Southeast corner of Lot Three (3) in Block Eight (8) of said tract;

THENCE North  $04^{\circ}14'20"$  West along the East line of said Lot Three (3), a distance of 120.06 feet to the Northeast (NE) corner thereof;

THENCE South  $72^{\circ}04'56"$  East, 32.45 feet to an angle point in the West line of Lot One (1) in Block Seven (7) of said tract;

EXHIBIT "A" continued.....



Continuation of  
 92-06-1471 RUC  
 2ND AMENDMENT  
 92070870905

Order No.: 92-06-1471 RUC  
 2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE South 06°14'20" East along said West line and it's Southerly  
 prolongation, 108.74 feet to the Southwest (SW) corner of Lot K in said tract;  
 THENCE South 07°32'23" West, 30.10 feet to the POINT OF BEGINNING.

Parcel F:

That portion of Lot A of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 2 as  
 shown by map thereof on file in Book 42, page 4 of Plats in the Clark County  
 Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of  
 Section 8, Township 21 South, Range 60 East, N.D.M., City of Las Vegas, Clark  
 County, Nevada, described as follows:

BEGINNING at the Northwest (NW) corner of Lot Twenty-two (22) in Block Two (2)  
 of said Tract;

THENCE South 06°14'20" East along the West line of said Lot Twenty-two (22), a  
 distance of 120.60 feet to the Southwest (SW) corner thereof;

THENCE South 76°14'32" West, 15.25 feet;

THENCE North 04°14'20" West, 120.33 feet;

THENCE from a tangent bearing North 76°15'05" East, curving to the right along a  
 359.60 foot radius curve, concave Southeasterly, through a central angle of  
 42°25'58", an arc length of 13.23 feet to the POINT OF BEGINNING to which a  
 radial line bears North 11°19'21" West.

Parcel G:

That portion of Lot C of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT - NO. 2,  
 as shown by map thereof on file in Book 42, Page 4 of Plats, in the Clark County  
 Recorder's Office, Clark County, Nevada, lying within the South Half (S 1/2) of  
 Section 8, Township 20 South, Range 60 East, N.D.M., City of Las Vegas, Clark  
 County, Nevada and described as follows:

COMMENCING at the most Southerly corner of Lot Seventeen (17) in Block Four (4)  
 of said FOOTHILLS COUNTRY CLUB UNIT - NO. 1;

THENCE North 47°29'46" West, along the Southeasterly line of said Lot Seventeen  
 (17), a distance of 126.73 feet to the most Westerly corner thereof, being the  
 POINT OF BEGINNING on the Southeasterly line of the aforementioned Lot C;

THENCE continuing North 47°29'46" West, along the Northeasterly prolongation of  
 the Southeasterly line of said Lot Seventeen (17), a distance of 15.96 feet;

EXHIBIT "A" continued,.....

Construction with 92070310905  
 Land Title Insurance Company

Order No.: 92-06-0071 RMI  
 2ND AMENDMENT

EXHIBIT "A" (CONT.)

THENCE North 33°29'28" East, 67.71 feet;

THENCE North 37°30'18" East, 19.22 feet;

THENCE North 45°19'08" East, 19.76 feet;

THENCE from a tangent bearing South 18°44'45" East, curving to the left along a 12.50 foot radius curve, concave Northeasterly, through a central angle of 110°14'24", an arc length of 24.05 feet to a point to which a radial line bears South 38°56'06" East;

THENCE South 27°28'31" East, 9.42 feet to a point on the boundary line common to "FOOTHILLS COUNTRY CLUB UNIT - NO. 1" and "FOOTHILLS COUNTRY CLUB UNIT - NO. 2";

THENCE South 42°30'14" West, along said boundary line, 111.64 feet to the POINT OF BEGINNING.

PARCEL THREE (3):

All of Lot 8 as delineated on the plat of AMENDED PLAT OF FOOTHILLS COUNTRY CLUB UNIT NO. 3, as shown by map thereon on file in Book 44 of Plats, Page 12, and as amended by Document recorded May 10, 1991 in Book 919310 as Document No. 00899, in the Office of the County Recorder of Clark County, Nevada.

Exhibit "A" continued.....

003839

RA 03216



Continuation of

and 1st Supplement

92-06-0071 10905

Order No. 92-06-0071 RUC  
2ND SUPPLEMENT

EXHIBIT "A" (CONT.)

~~PARCEL FOUR (4):~~

~~Lot B as delineated on the plat of PINETREE COUNTRY CLUB UNIT NO. 1, as shown by map thereof on file in Book 37 of Plats, Page 20, and as amended by Document recorded December 7, 1989 in Book 891207 as Document No. 00400, in the Office of the County Recorder of Clark County, Nevada.~~

~~EXCEPTING THEREFROM any portion thereof lying within the boundaries of CANYON GATE COUNTRY CLUB UNIT NO. 2, as shown by map thereof on file in Book 44 of Plats, Page 100, in the Office of the County Recorder of Clark County, Nevada.~~

SEE ATTACHED FOR COMPLETE  
DESCRIPTION OF PARCEL 4:

Exhibit "A" continued

**CLARK COUNTY RECORDS**  
**Land Title Division**

Order No. 92-46-0871 8842  
 2ND AMENDMENT

## EXHIBIT "A" (CONT.)

PARCEL FIVE (b):

The following description is appurtenant to Parcels One (1), Two (2), Three (3) and Four (4), previously described herein.

A non-exclusive easement for access, ingress, egress and maintenance purposes over that certain "Private Drive" and related areas as more fully set forth and described in that certain instrument entitled "Easement and Maintenance Agreement", recorded February 7, 1989 in Book 890297 as Instrument No. 60292 of Official Records of Clark County, Nevada.

CLARK COUNTY RECORDS  
 LAND TITLE DIVISION  
 PREPARED BY: [illegible]  
 07-28-92 12:07 PM  
 FILED 920728 000 890297  
 21.00 4074 9,191.00

JUDITH A. VANDERBILT OF  
CLARK COUNTY, NEVADA  
CERTIFIED THIS AS A  
TRUE COPY OF THE  
WITH ORIGINAL

JUN 2 1997

*Clifford C. Smith*  
CLARK COUNTY RECORDER

003842

RA 03219

## EXHIBIT "A" (CONT.)

CLARIFICATIONPARCEL FOUR (4):

THAT PORTION OF LOT B OF "FOOTHILLS COUNTRY CLUB UNIT NO. 1" AS SHOWN BY MAP THEREOF ON FILE IN BOOK 37, PAGE 20 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA LYING WITHIN THE SOUTH HALF (S 1/2) OF SECTION 5, SECTION 21 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE SOUTH 89°50'13" WEST ALONG THE SOUTH LINE OF SAID SECTION 5, A DISTANCE OF 1085.25 FEET TO THE INTERSECTION WITH THE CENTERLINE OF PECCOLE RANCH ROAD (A PRIVATE STREET 64.00 FEET WIDE); THENCE DEPARTING SAID SOUTH LINE ALONG SAID CENTERLINE, THE FOLLOWING THREE (3) COURSES: NORTH 00°09'47" WEST, 227.33 FEET; THENCE CURVING TO THE LEFT ALONG A 300.00 FOOT RADIUS CURVE, BEING CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 42°55'15", AN ARC LENGTH OF 224.73 FEET; THENCE NORTH 43°05'02" WEST, 292.91 FEET TO THE INTERSECTION WITH THE CENTERLINE OF DIAMOND SPRINGS DRIVE, (A PRIVATE STREET 32.00 FEET WIDE); THENCE NORTH 47°01'36" EAST ALONG THE SAID CENTERLINE, 191.56 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 42°58'24" EAST, 16.00 FEET TO THE MOST WESTERLY CORNER OF SAID LOT B; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT B, THE FOLLOWING THREE (3) COURSES: SOUTH 58°35'54" EAST 138.57 FEET; THENCE SOUTH 83°16'12" EAST, 471.33 FEET; THENCE SOUTH 69°35'39" EAST, 165.33 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY LINE OF LOT B, NORTH 53°48'16" EAST, 21.56 FEET; THENCE NORTH 87°16'09" EAST, 46.12 FEET; THENCE SOUTH 83°24'49" EAST, 52.89 FEET; THENCE SOUTH 12°08'52" EAST, 51.58 FEET; THENCE SOUTH 29°47'24" EAST, 10.01 FEET TO A POINT ON THE AFOREMENTIONED SOUTHERLY LINE OF LOT B; THENCE WESTERLY ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES: NORTH 69°07'41" WEST, 97.63 FEET; THENCE NORTH 69°35'39" WEST 43.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 4239 SQUARE FEET.

APN 163-05-801-001

## RE-RECORDED

CLARK COUNTY, NEVADA  
JUDITH A. VANDEVER, RECORDER  
RECORDED AT REQUEST OF:

NEVADA TITLE COMPANY  
06-11-97 08:00 ESP 19  
OFFICIAL RECORDS  
BOOK: 970611 INST: 00045  
FEE: 25.00 APT: EX003

# **Exhibit 114**

**CITY COUNCIL MEETING OF**  
**MAY 16, 2018**  
**VERBATIM TRANSCRIPT – AGENDA ITEM 66**

**Bill No. 2018-5 - ABEYANCE ITEM - For possible action - Provides in preliminary or skeleton form an amendment to the Unified Development Code to establish a required process for public engagement in connection with the repurposing of certain golf courses and open spaces. Sponsored by: Councilman Steven G. Seroka [NOTE: It is anticipated that this bill may come forward to the City Council in amended form, with changes to the title and summary to reflect that it is no longer in preliminary or skeleton form and that it proposes an amendment to LVMC 19.16.010 to establish a required process for public engagement in connection with the repurposing of certain golf courses and open spaces.]**

**Appearance List**

CAROLYN G. GOODMAN, Mayor  
STAVROS S. ANTHONY, Councilman  
VAL STEED, Chief Deputy City Attorney  
MICHELE FIORE, Councilwoman  
BOB COFFIN, Councilman  
ROBERT SUMMERFIELD, Director of Planning  
LOIS TARKANIAN, Councilwoman  
STEVEN G. SEROKA, Councilman  
CEDRIC CREAM, Councilman

(34 minutes) [2:43 – 3:17]

Typed by: Speechpad.com

Proofed by: Jacquie Miller

**MAYOR GOODMAN**

Okay. We will move on to Agenda Item 66, 65 was stricken. Sixty-six, Recommending Committee bills eligible for adoption at this meeting, Bill No. 2018-5. Councilman Anthony, would you like the bill read?



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30 **COUNCILMAN ANTHONY**

31 Yes, Mayor.

32

33 **VAL STEED**

34 Thank you-

35

36 **MAYOR GOODMAN**

37 Please.

38

39 **VAL STEED**

40 -Bill No. 2018-5, an ordinance to amend LVMC 19.16.010 to establish a required process for  
41 public engagement in connection with the repurposing of certain golf courses and open spaces  
42 and to provide for other related matters.

43 You have in your backup not only the initial bill but a couple of proposed First Amendments, the  
44 most recent of which is labeled 5-1118 Update. That is the version that was heard by the  
45 Recommending Committee this week. The Recommending Committee did not vote out either for  
46 or against. There was, there were two competing one to one motions. So this comes forward to  
47 you for possible adoption today without a recommendation. And that's my recitation of what  
48 happened and why we're here.

49

50 **MAYOR GOODMAN**

51 Thank you very much. Do we have any comments, questions? Councilwoman? I see Mayor Pro  
52 Tem your light's on, or is that an accident? Councilwoman?

53

54 **COUNCILWOMAN FIORE**

55 Thank you. As someone that sits on the Recommending Committee and - voted it down both  
56 times, this particular ordinance, and I'm just going to read it again because it just needs to be said  
57 and on the record. This bill is for one development and one development only. This bill is only  
58 about Badlands Golf Course.

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59 For the past two years, the Las Vegas City Council has been broiled in controversy over  
60 Badlands, and this is the latest shot in a salvo against one developer. Badlands and Queensridge  
61 was a development that was poorly conceived and executed. The original developer did  
62 absolutely nothing to stop development of the golf course and, in fact, allowed for that  
63 development. Every person who bought in that development knew the golf course could be  
64 developed. The Las Vegas City Council is now supposed to somehow fix this incompetence of a  
65 developer that made millions with a flawed development. This is not our job.

66 There are currently three developments that are threatened by conversion of open spaces (sic) or  
67 golf courses in the City of Las Vegas. Two of those developments are in my ward, in Ward 6.  
68 This is why I'm so passionate about this ordinance. Because, to my fellow Councilmembers, you  
69 must understand that this ordinance affects someone else's ward more than it affects the ward  
70 members that are putting it out.

71 There are, so, as I said, out of those three, two of them are in my ward; Silverstone Golf Course  
72 and Centennial Village. Silverstone is protected by CC&Rs that require 75 percent of the  
73 homeowners approve any change in the golf course. This is what should have been done at  
74 Badlands, but the developers either wanted the ability to develop the golf course or weren't smart  
75 enough to protect the golf course. In my opinion, they left themselves the option to develop the  
76 golf course.

77 Centennial Village is closer to what is happening at Badlands but not exactly the same. The  
78 developers of Centennial Village did not record the necessary documents to complete the transfer  
79 of Pop Squire's Park, and it has been in limbo since. The new owners of Pop Squire's Park are  
80 now trying to develop the park, but at Pop Squire's Park, our system is working. I am supporting  
81 the neighbors of the park, and the new owners do not believe they have the support of the City  
82 Council to obtain the variances needed to convert the park to apartments. So they are working  
83 with neighbors and trying to come to a solution that's going to work with all the parties  
84 concerned.

85 Adoption of this ordinance will do nothing for these two problems in my ward. Okay? So we're  
86 creating a citywide ordinance that affects by ward the most.

87 So, and I'm going to just stick to my notes so I don't get off topic. In fact, it might well hinder, I

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88 will tell you, any solution that we might come up with. Our - current system is working. I find it  
89 unfathomable that we are even considering an ordinance that will do absolutely nothing but add  
90 additional layers of bureaucratic meetings for developers and will not add one iota of - help to  
91 the homeowners.

92 And so I'm gonna wait to question as we come up and talk on some other things I have, I have  
93 questions about.

94  
95 **COUNCILMAN COFFIN**

96 Your Honor?

97  
98 **MAYOR GOODMAN**

99 Okay. Councilman Coffin?

100  
101 **COUNCILMAN COFFIN**

102 Thank you, Your Honor. I'm not the sponsor of the bill, but I do want to weigh in as I have heard  
103 testimony. And thank you very much for conducting the Recommending Committee without me  
104 there Monday. I couldn't be there, and I do appreciate the fact. But I knew the bill pretty well,  
105 and I know that it doesn't address the current topic du jour of a, of a certain golf course in the  
106 western part of town. That would be retroactive treatment, and I don't see how we can draw a  
107 conclusion or a connection between a bill discussing the future with something that's been in  
108 play for quite a long time.

109 So I - think we've got to separate those two out. For one thing, one, if we were to connect these  
110 two, then someone might interpret this action today as somehow influencing the discussion on  
111 Badlands, and that is not what we wanna do. We want to keep it separate and keep it clean, and  
112 this bill has nothing to do with that as far as I am concerned. Thank you very much, Your Honor.

113  
114 **MAYOR GOODMAN**

115 Okay. Well, I'd like to add to that. I just do think, and I don't know where Mr. Summerfield is,  
116 and nor is this appropriate, so catch me, Mr. Steed, if you could on things that I might be

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117 addressing that I shouldn't be. So. My question is, up until this point, I didn't think anything was  
118 broken and it has been working for years, and I don't know how many years a Unified  
119 Development Code has been sufficing.

120 One of the worst things that happens in government is adding more and more meetings, more  
121 and more layers, more cumbersomeness to moving business and investors and developers  
122 smoothly, as quickly as possible, which is why the City has been remarkable when you look at  
123 what happens in the County and in other communities across the country. So, I don't know, am I  
124 allowed to ask staff for their assessment or not?

125

126 **VAL STEED**

127 Their assessment of the ordinance?

128

129 **MAYOR GOODMAN**

130 Their assessment of whether the Uniform Development Code has been broken to this time.

131

132 **VAL STEED**

133 That's fine. You're - talking about the way it addresses open space?

134

135 **MAYOR GOODMAN**

136 Correct.

137

138 **VAL STEED**

139 Correct. Yeah, that's fine.

140

141 **MAYOR GOODMAN**

142 So has it been, is it broken, has it been broken and does it need addressing?

143

144 **ROBERT SUMMERFIELD**

145 Madam Mayor, the - current system has been place, in place for quite a number of years.

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146 **MAYOR GOODMAN**

147 How many, about?

148

149 **ROBERT SUMMERFIELD**

150 The current, the UDC is from 2011. The - substantive part of the Code, though, has been in place  
151 over various iterations. It's actually been a couple different codes. But substantially, the Code has  
152 remained the same in terms of its process with modifications. As you kind of mentioned, we've  
153 streamlined the process over the course of many years to get us to a - fairly quick, uniform  
154 process that we have now.

155 I can't speak to that no project has had controversy. Obviously, there are projects that have  
156 controversy that come before the Planning Commission and City Council. But statutorily, the  
157 only application that we need to have a neighborhood meeting is related to the General Plan  
158 Amendment. We do have in a couple special area plans, like in Town Center, we do require a  
159 neighborhood meeting if someone wants to waive a condition or waive a provision for a Special  
160 Use Permit, say an alcohol distance separation. We require a neighborhood meeting for there.  
161 Those are really the only circumstances Code requires a neighborhood meeting. Quite often,  
162 members of the Planning Commission or City Council, when there are controversial items that  
163 come forward, will request a neighborhood meeting. This would be the first time that we would  
164 require some form of engagement program prior to the actual submission of an application. In  
165 both the case of a General Plan Amendment and the case of the Town Center items that I  
166 mentioned, both of those are instances where the applicant actually applies for the entitlement  
167 that they're requesting, and then prior to that item being heard at a public hearing, they're  
168 required to have that neighborhood meeting. So that would be the - slight twist on this.  
169 The amendment that is before you, that we did take to Recommending, does reduce the required  
170 meetings to - one required meeting in the case of this type of development.

171

172 **MAYOR GOODMAN**

173 Okay. Well, I just, you know I - take such great pride in what's been happening almost over the  
174 past 20 years and getting through the recession and how the City has stepped out far and above

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any other government body to move things smoothly and as rapidly as we can to help the private sector get through the process. And knowing developers who have been through the mill before, they know they have to include the public in those meetings. They know it because we're gonna hear from them, and we are the elected body who represents them.

So I can't take a brush and paint everything and add another layer of government. I cannot support this. I haven't been in support of it only for the fact that it is, there are pieces, you've brought them out, that have come to us, that are unique, and we must deal with each - situation on its uniqueness. So I cannot be in support of it. I wanted, you live, eat, and breathe this. I live, eat, and breathe other things. So you live it. This is your area, and I did want to hear from you with the permission of our attorney.

So thank you very much and would welcome anybody's comment, anybody else who would like to make a comment. I'm just for business development and streamlining and not getting government putting another meeting, another, more work in it when it's not broken yet.

Okay. Councilwoman, yes?

**COUNCILWOMAN TARKANIAN**

Well, if somebody is going to say that we're not broken after what we've gone through recently, I - can't believe that.

**MAYOR GOODMAN**

That's one. I'm talking overall. This is one.

**COUNCILWOMAN TARKANIAN**

I know. But - it doesn't, I, we're, I don't, I don't know if we're as solid in that as we seem to be. I'm not gonna contradict you, 'cause I know you feel strongly. I would like to say, however, my understanding is, and I believe very strongly, that we are crystal clear with residents that, and we are requiring only one meeting now. We're not saying you have to have three or four or anything. Can you, some changes have been (sic) made. I'm not quite sure of all the changes, and I'd just like to hear what they are. If we talk about transparency, I don't know what's wrong with having

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204 a neighborhood meeting before you get into something, because this type of open space affects  
205 everybody that lives in the area, any area.

206

207 **ROBERT SUMMERFIELD**

208 Through you, Madam Mayor.

209

210 **MAYOR GOODMAN**

211 Please.

212

213 **ROBERT SUMMERFIELD**

214 So, yes, Mayor-

215

216 **MAYOR GOODMAN**

217 Again, state your name, please. Sorry.

218

219 **ROBERT SUMMERFIELD**

220 -Sorry. So, over on this side, Robert Summerfield, Director of Planning. So, Mayor Pro Tem,  
221 you're correct. So in the original version of this bill, it did require a number of neighborhood  
222 meetings, a number of design workshops. There were a number of things that were going to be  
223 required when you were doing this type of infill or - new development in an area that had  
224 previously been developed as open space.

225

226 **COUNCILWOMAN TARKANIAN**

227 And they're no longer required, as I understand.

228

229 **ROBERT SUMMERFIELD**

230 Under the Proposed Amendment, there's only one-

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231 **COUNCILWOMAN TARKANIAN**

232 One meeting required.

233

234 **ROBERT SUMMERFIELD**

235 -required meeting. There's a number of guidelines for other steps that could be followed to which  
236 the Planning Commission or the City Council could direct a developer in - a more complicated  
237 project. They could ask, You know what? You're only required one neighborhood meeting, but  
238 I'd like you to do the alternative statement, or I'd like you to hold at least a design workshop. So  
239 those have all become guidelines-

240

241 **COUNCILWOMAN TARKANIAN**

242 Which you can do now.

243

244 **ROBERT SUMMERFIELD**

245 - in the current version of the bill. Which - you could do now. In the current bill, there's only one  
246 required neighborhood meeting that's a part of the Public Engagement Program. And then there's  
247 a summary report. So it's, there's two pieces of the requirement in the Proposed Amendment.  
248 There's the one neighborhood meeting prior to submitting your application to the City of Las  
249 Vegas for your entitlement request, and then as a part of that application submittal, you have to  
250 submit what's called the Summary Report, which outlines the activities that you conducted as a  
251 part of that Public Engagement Program. So if you only have the one meeting, you'll only  
252 identify in the Summary Report that you conducted the one meeting and how you did that and  
253 what was heard and if you've done anything to change your - plan based on the comments that  
254 you heard at that meeting. If you do other things, then you would include those in your Summary  
255 Report as well. But those are the only two requirements in the current Proposed Amendment that  
256 you have before you.

257

258 **COUNCILWOMAN TARKANIAN**

259 I - just don't see what is so difficult about having a neighborhood meeting. We have them all the



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time in our ward. And then writing a report on it because that you could do in two sentences. And if we're going to let (sic), if this is only going to relate to one open space area, part of it's because of decisions we've made on who would be considered or who would not be. I just can't see why this is such a big problem. I'm sorry.

**COUNCILMAN SEROKA**

Mayor, if I may?

**MAYOR GOODMAN**

Yes. I'm going to. I think so. Please, Councilman Seroka?

**COUNCILMAN SEROKA**

Thank you. Council and to the public, this bill is about two things only. It is about transparency and accountability. That's it. If you like transparency and you like accountability, you like this bill. What it says is if you're gonna build in somebody's backyard, you're gonna hold a meeting, you're gonna talk about it, you're gonna write down what you heard, and you're gonna come forward to the Council or wherever you go and say, This is what I heard, this is what I'm gonna do about it. That's simple. The difference with this bill is that you do write down what you heard and what you're gonna do about it. We don't have any guidelines for that. So let's explain, let's explain the origins of this bill so that there's no misunderstanding or no misrepresentation as there has been. This bill was born out of a change in the building environment in Las Vegas and across the country. Up til now, our City has been growing outwardly in rings, outwardly, out. We've been building in pristine desert with no neighbors or few neighbors, and we've encouraged development. And that is a good thing. We allow conditions and studies to be submitted after we make approvals. We allow things to be done that you wouldn't necessarily be done if you were building inside of a - neighborhood. But now that we've reached the exterior of our valley, it is interest, there is interest in building inward, and that is not new across the country. It's new to Las Vegas. So as we are beginning to experience that phenomena here in our amazing community, we have thousands of acres of available land for

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289 potential development that could require a good dialogue and a good policy where we have none.  
290 So our current policies do not address that interior-type development, building inside of a  
291 completed master plan community. We don't have any engagement or rules. So what was  
292 directed to the staff, in September, was to do a study of the best practices around the country.  
293 And where did this come from? This came from a meeting in my office, where we were sitting  
294 with the City Attorney, the Deputy City Manager for Planning, the Director of Planning, and the  
295 Assistant Director of Planning and said, Hey, how do we make things work better in the future?  
296 And this was the ideas not of (sic) me, but of the group and all in the room that said, Hey, our  
297 policies don't address this. So we just heard one question answered. But really, the - genesis of  
298 this is that our policies do not address this type of development. So we looked around the best  
299 practices around the country, clearly not targeting any specific article of land. And I, I'll ask the  
300 attorney. Val, does this target any one specific piece of land?

301  
302 **VAL STEED**

303 The - way it's drafted, it doesn't. It - picks up any number of open spaces and golf courses that  
304 may or may not eventually be or currently under private ownership. I can't remember, the staff at  
305 one time identified the number of parcels it applies to. So, although the genesis may have come  
306 from a particular awareness of one project or one or more projects, the - reach of this ordinance  
307 of necessity has to sweep more broadly. We can't draft an ordinance that targets only one piece  
308 of property.

309  
310 **COUNCILMAN SEROKA**

311 Thank you. And with that in mind, as far as the scope of what is affected, in Ward 2 there was  
312 twice the amount of open space acreage that - this could apply to than any other ward in the, in  
313 the city. In addition, it is over four times that of the - ward that's in the northwest, four times the  
314 open space that could be affected. So what we did was we took the best practices and we said,  
315 Hey, what is the best way to do that? And we learned that communication is key. And so we said  
316 let's communicate and let's give options to those that can communicate. And let's have the -  
317 developer make sure they're listening to those that are speaking, write down what they heard and

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what they're gonna do about it. It is truly transparency and accountability, and it is also consistent with the guidance that the City Council gives applicants across the board, that if there is something that is potentially controversial, we say, Please go forward, have a neighborhood meeting, fix it before you come back. We do it with short-term rentals. We do it with controversial work. And most of that happens before it even comes to Council. So what I mean by transparency is this gives notice to everyone. If you're going to do this kind of development, you do it. You do a meeting ahead of time. You know it's coming. You all know it's gonna happen. It's gonna happen outside of Council chambers, and you're going to work through it. Accountability means you're gonna write it down and you're gonna tell us, everybody what you're gonna do about it so you're held to what you spoke about and what you agreed to. It is relatively simple, as Mayor Pro Tem said. It is not an encumbrance when you consider the number of hours and hours and hours that it would prevent from happening in Council chambers, planning sessions elsewhere if you just do it ahead of time. So this case is addressing the changing environment of development, it takes best practices from across the country of successful (sic) language and it applies it here with - part of our pillars that our City stands on, which are transparency and accountability. Thank you.

**MAYOR GOODMAN**

Thank you. Councilman Anthony?

**COUNCILMAN ANTHONY**

Thank you, Mayor. I - heard this ordinance a couple of times during Recommending. So I just want to put on the record what happened and how I voted. So, when the ordinance first came to Recommending, the - crux of the ordinance was that it wanted to increase public engagement when it comes to open space. So, can't argue with that. That sounds like a great thing. So that passed muster for me. The second thing was what exactly was a definition of open spaces, and that was not clear in the original ordinance. And then the third thing is the number of meetings. The original ordinance had seven mandatory meetings, and I had a problem with that. So at Recommending, I - asked staff to -, you know, go back to the

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347 drawing board and do two things. Number one, define further what the definition of open space  
348 is 'cause that's specifically what we're dealing with here, and I - can't support seven mandatory  
349 meetings. That's just, that was not good for me. So they came back. At the last (sic) meeting,  
350 they came back. Tom Perrigo and the attorneys came back with the First Amendment, and they -  
351 tightened up the definition of open space, so that's very clear what that was about, and they  
352 brought the number of mandatory meetings down to one instead of seven, and the other six were  
353 just on the may list, depending on what Planning asked for, depending on what the City Council.  
354 So I'm good with that. The definition is clear. It's only one mandatory meeting. It deals  
355 specifically with open spaces. It increases public engagement. And that's why I - supported the  
356 ordinance at the Recommending Committee. So I just wanted to put that on the record.

357  
358 **MAYOR GOODMAN**

359 I appreciate that. I mean I think that is clarifying. I, I'm gonna ask our Director to come back to  
360 the microphone, please.

361 For open space development over the, your recent years working for the City, can you recall  
362 meetings that there have not been, the public has not been involved? The only thing I'm  
363 questioning, and I do really appreciate what Councilman Anthony has done in reducing the  
364 cumbersomeness of all those meetings down to one, I mean I think, and clarifying what the open  
365 space means. But I can't recall any development where they haven't had meetings in the past.  
366 And when in fact there is a problem, we're full. They come in, the public comes in. I thought  
367 everything was transparent. Everything is up on the website, what's going on. And maybe I am  
368 totally smoking what is now available in this community, which I don't do.

369 So, can you clarify for me, I - appreciate Councilman Seroka's talk about transparency, but I  
370 have always been a firm believer that everything we're doing at City is on the website and public  
371 information. So I need a clarification there. What's hidden?

372  
373 **ROBERT SUMMERFIELD**

374 Madam Mayor, Madam Mayor, so-

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375 **MAYOR GOODMAN**

376 Again, your name? Sorry.

377

378 **ROBERT SUMMERFIELD**

379 -again, Robert Summerfield, Director of Planning. So, the, in the past, prior to the, this ordinance  
380 being available, that, what you're saying is absolutely correct. I don't know of any project that  
381 came through that had contention where there wasn't either a Planning Commission or a City  
382 Councilperson who actually held the item and directed the applicant to go back and meet with  
383 the neighborhood. Typically, that is - how that happens.

384 The difference here is that this would, we only require neighborhood meetings as a matter of  
385 form, as a matter of procedure in those cases I mentioned earlier, the General Plan Amendment  
386 or the waivers of certain Special Use Permit provisions if it's in Town Center. This puts certain  
387 types of development, in the case of repurposing of a golf course open space, golf course or open  
388 space, that it would have a neighborhood meeting. This outlines various procedures on how  
389 public engagement might be performed. We do not have anything that outlines how public  
390 engagement is done under the current code.

391 So even the neighborhood meeting that we require, and - I think the Councilman was, kind of  
392 alluded to this, even in the cases where we do have a neighborhood meeting required for a  
393 General Plan Amendment or a waiver of a Special Use Permit provision or in the case where a  
394 member of Council or Planning Commission requests that the applicant or order the applicant to  
395 have a neighborhood meeting, we don't actually have any process in place other than usually the  
396 ward office will send a staff member to observe the Planning Department on a required meeting  
397 will send a staff member to observe. But there's no, there's no note taking that's necessarily  
398 required. There's no reporting afterwards. Staff, again on a required meeting, will indicate in the  
399 Staff Report that a meeting has occurred, and whatever notes they've taken will be transcribed.  
400 But there currently is no codified or outlined procedure, other than a neighborhood meeting  
401 should be conducted.

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402     **MAYOR GOODMAN**

403     Okay. So, but to your knowledge, everything that we do at the City is transparent?

404

405     **ROBERT SUMMERFIELD**

406     Correct.

407

408     **MAYOR GOODMAN**

409     I mean, that's number one.

410

411     **ROBERT SUMMERFIELD**

412     Yes.

413

414     **MAYOR GOODMAN**

415     The second issue I wonder about, having been to all these meetings, in particular, the, when we  
416     notify and we notify by the resident address and sometimes they've moved and they're in a rental,  
417     we have had many a meeting where people will come and say, I - didn't get that notification. I  
418     mean, not once but many times that they have not received the notification. So what happens is,  
419     because we're putting that layer in, into an ordinance, not as a recommendation, then we are  
420     opening a new can of worms, to me, that we get more meetings required and abey more items,  
421     which slows down the process. There is no way that this community of outspoken people is  
422     gonna sit by and let a major, and we know that because we've had this issue ongoing for two and  
423     a half years now and it's been very vocal, that through history, to your knowledge, one, we've  
424     been transparent; two, the ward person is really the one that is the - pinnacle through which  
425     things, you have complaints and issues. What I'm driving at is I have seen so many times we  
426     have or a developer's had a meeting to get complaints beyond that, I didn't get my notification,  
427     so I wanna press on, and you get enough people to come to a meeting, I want to abey it. Then  
428     meanwhile, any developer anywhere has a - timeline that they're working on.  
429     So, to me, I still, I appreciate so much Councilman, I appreciate Councilman Seroka's effort. I  
430     think it's totally reasonable and right. I do take umbrage with the fact of being transparent,

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431 because I, that's something I espouse all the time and so does the City and our manager. I  
432 appreciate that Councilman Anthony, again, brought this back to one required.  
433 I don't like the fact that you record the minutes and have to answer and address the things, 'cause  
434 they may be ridiculous what's being asked, but now you've got a recordation, and it may be only  
435 one side of the coin that's out there asking for these issues. And now you're having to slow it  
436 down again, because now we have to address the issues.  
437 I still cannot support it. I am about streamlining business and less government. And so, to me,  
438 the fact that you're standing there as the Director of Planning and to say to the best of your  
439 knowledge we are transparent.

440

441 **ROBERT SUMMERFIELD**

442 Yes, Mayor, to the best of my knowledge, I believe we are transparent in our current policies,  
443 procedures-

444

445 **MAYOR GOODMAN**

446 Right.

447

448 **ROBERT SUMMERFIELD**

449 -and the way that we do it.

450

451 **MAYOR GOODMAN**

452 And so-

453

454 **ROBERT SUMMERFIELD**

455 When we attend a meeting, we - report on the meeting that we have attended as a-

456

457 **MAYOR GOODMAN**

458 So this is all-

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459 **ROBERT SUMMERFIELD**

460 -part of that Staff Report.

461

462 **MAYOR GOODMAN**

463 -To me this is all about encouraging development, good development, having participation.

464 Good developers always include the public and the community. If they're not, then they're not  
465 good developers perhaps, or maybe they're wrong sided.

466 But to me, this is just another layer. And having worked in this position and familiar with what  
467 went on the prior 12 years, I know the impact of the angry people come out and scream. And it's  
468 always that way, the people who will figure, let the good come out in the world don't come.

469 So what will happen is we will have the list made by perhaps those who are the anti's, and then

470 we have to address them, what means the whole project abeys. And I am concerned with

471 government involvement and timing and slowing down the process to good development and

472 good developers. Good developers and good people include the public, and we are transparent.

473 So as much as I'd like to and I appreciate your effort Councilman Seroka, and I thank you

474 Councilman Anthony, that was great to get it down to the minimum of a meeting, I could go for

475 it if it were just a meeting. I don't like the recordation and what are you gonna do about it, 'cause

476 you could have the wrong side of the coin demanding that and slowing it down. I could go for

477 one meeting, but not the recordation and what are you doing about it.

478

479 **COUNCILWOMAN FIORE**

480 Mayor?

481

482 **MAYOR GOODMAN**

483 Yes?

484

485 **COUNCILWOMAN FIORE**

486 So addressing that, and thank you so much because when I'm looking at this bill and what it

487 does, Bill No. 2018-5, aka **I call it the Yohan Lowie Bill**, I look at this simply because, you know



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488 some of our peers talked about transparency and they're - totally okay with it being transparency  
489 and they use sexy words about, you know, it's a national problem. Well, first of all, there are six,  
490 seven us up here. You represent the whole City, and each of us represent each ward. So, as  
491 another representative in their ward is affecting my ward greatly, it's - a problem. That's number  
492 one. Number two, to be very transparent, this ordinance that is being processed for one  
493 developer, just to be transparent, is I've done my research and I've asked questions and, to staff.  
494 There's been over 55 meetings with this one particular item that we are now creating a - broad  
495 brush, as you said, Mayor, across the City of Las Vegas.  
496 So, again, I'm (sic) asking my peers on this Council, you know, if, your ward is your ward, my  
497 ward is my ward. Please do not put in effect ordinances that affect my ward greatly than your  
498 ward. That's what I'm asking.

499

500 **COUNCILMAN SEROKA**

501 Mayor, Mayor, if I may?

502

503 **MAYOR GOODMAN**

504 Councilman?

505

506 **COUNCILMAN SEROKA**

507 Thank you. I appreciate the comments. In - essence, the comments here today have actually  
508 justified the need for requiring a meeting and for the recordation of the meeting and  
509 acknowledging that and making it transparent that this is required before you come to Planning  
510 Commission, before you come to City Council and you actually bring that documentation with  
511 you. And it's not the government doing it. It is the applicant doing it.

512 **With that in mind, I move to approve the bill that is in question, Agenda Item 66, Bill No.**  
513 **2018-5.**

514

515 **MAYOR GOODMAN**

516 Thank you.

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517 **COUNCILMAN SEROKA**

518 And that is my motion.

519

520 **MAYOR GOODMAN**

521 There is a motion. Please vote.

522

523 **COUNCILMAN COFFIN**

524 May I speak on the motion, Mayor?

525

526 **MAYOR GOODMAN**

527 Nope. We've had enough time. Please vote.

528

529 **COUNCILMAN SEROKA**

530 **Including the First Amendment.**

531

532 **VAL STEED**

533 Yeah.

534

535 **COUNCILMAN SEROKA**

536 Including the First Amendment.

537

538 **COUNCILMAN COFFIN**

539 That would be out of order.

540

541 **MAYOR GOODMAN**

542 Please vote. Let's see if it passes. Then you can-

543

544 **VAL STEED**

545 Mayor-

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546 **MAYOR GOODMAN**

547 -come back and make-

548

549 **VAL STEED**

550 Mayor, let's make sure we know what we're voting on. We have a Proposed First Amendment

551 (5-1-18 Update). Is that what your motion is on, Councilman?

552

553 **MAYOR GOODMAN**

554 Correct, that's what I believe he, Councilman said. Yes.

555

556 **COUNCILMAN CREAR**

557 What is that that we voted on, the First Amendment?

558

559 **MAYOR GOODMAN**

560 Yes.

561

562 **COUNCILMAN CREAR**

563 We're voting on the ordinance, 66?

564

565 **COUNCILMAN CREAR**

566 Okay. I'm just-

567

568 **COUNCILWOMAN TARKANIAN**

569 The First Amendment, as I understand, is where we only have one meeting required-

570

571 **MAYOR GOODMAN**

572 And a recordation.

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573 **COUNCILWOMAN TARKANIAN**

574 -and a recordation, which could be one or two lines, unless you want to be lengthy.

575

576 **MAYOR GOODMAN**

577 And before Planning, it goes anywhere. I mean, that's where it is. Okay. Please vote. And please

578 post. And the motion carries. Thank you very much. **(The motion to Approve as a First**

579 **Amendment passed with Mayor Goodman and Councilwoman Fiore voting No).**

# **Exhibit 115**

## Opening Statement:

This needs to be said. This bill is for one development and one development only. This bill is only about Badlands Golf Course. For the past two years the Las Vegas City Council has been broiled in controversy over Badlands and this is the latest shot in a salvo against one developer. Badlands and Queens Ridge was a development that was poorly conceived and executed. The original developer did absolutely nothing to stop development of the golf course and, in fact, allowed for that development. Every person who bought in that development knew the golf course could be developed. The Las Vegas City Council is now supposed to somehow fix the incompetence of a developer that made millions with a flawed development. That is not our job.

There are currently three developments that are threatened by conversion of open spaces or golf courses in the City of Las Vegas. Two of those developments are in Ward 6, my Ward; Silverstone Golf Course and Centennial Village. Silverstone is protected by CC&Rs that require 75% of the homeowners approve any change in the golf course. This is what should have been done at Badlands but the developers either wanted the ability to develop the golf course or weren't smart enough to protect the golf course. In my opinion they left themselves the option to develop the golf course. Centennial Village is closer to what is happening at Badlands but not exactly the same.

The developers at Centennial Village did not record the necessary documents to complete the transfer of Pop Squire's Park and it has been in limbo since. The new owners of Pop Squire's Park are now trying to develop the park. But at Pop Squire's Park our system is working. I am supporting the neighbors of the park and the new owners do not believe they have the support of the City Council to

Submitted At Meeting  
Councilwoman Rose  
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obtain the variances needed to convert the park to apartments, so they are working with the neighbors and trying to come to solution that will *work* for all the parties concerned.

Adoption of this Ordinance will do nothing for these two problems in my Ward. In fact, it might well hinder any solution we might come up with. Our current system works. I find it unfathomable that we are even considering an Ordinance that will do absolutely nothing but add additional layers of bureaucratic meetings for developers and will not add one iota of help to homeowners.

I have a few additional questions, but my main question is:

Brad Jerbic and Tom Perrigo had innumerable meetings with the developer and with the homeowners impacted by the conversion of the Badlands Golf Course. The developer and the homeowners also had many meetings discussing the proposed development of the golf course. Were those meetings substantially different then what is required in this Ordinance, if so, how? *Warr*

## Questions:

1. It has my belief that the development of Badlands will be decided by the Courts. Would this Ordinance have kept us out of the Courts? *ben* — *nope*
2. If this Ordinance fails it will not create any additional litigation. If this Ordinance passes in my opinion it will probably be either included in ongoing litigation or new litigation will ensue. In your opinion will this Ordinance increase or decrease the likelihood that the City will end up in the Courts if similar developments come before the City Council? — *nope* — *→*
3. On the Proposed First Amendment (5-1-18 Update) on page 1, lines 23 and 24, new language was added that included "a

C/S

development within an R-PD District." Is Badlands and the surrounding residential areas an R-PD District and was this added to include that specific development? — *no answer* —

4. On the Proposed First Amendment (5-1-18 Update) on page 2, lines 5 through 7, exempts "open space pertaining to a nonresidential development where that open space functions as an area for vehicle parking, landscaping, or any similar incidental use." In addition, Section 8 on Page 6, Lines 1 through 3, repeals anything in the Municipal Code that conflicts with this Ordinance. If a developer decides they do not want required landscaping that is in place will they be able to eliminate that landscaping? If not, why not? — *yes - if* —
5. The Public Engagement Program specifically allows a developer to hold only one meeting, Page 2, Lines 15 to 19. It does, however, "encourage" additional meetings. If a developer decides to have only one meeting is there anything in the Ordinance requiring him to have more than one meeting? — *no* —
6. Why did you add the language "As part of and in consideration of development approval, has been formally" on page 5, line 4, added to the Ordinance? — *thank you* —
7. The Council, and the Planning Commission, require neighborhood meetings on a regular basis for controversial zoning matters. Can we not require everything in this Ordinance for controversial matters without this Ordinance? —

## Closing Statement:

I stand by my original statement; this Ordinance adds nothing to our existing zoning procedures except a layer of bureaucracy. Everything this Ordinance requires can be required by the Planning Commission or





the City Council. Why do we need another Ordinance to make us do our jobs?

It is unfathomable to me that we are even considering this Ordinance. We have tracts of land in Wards 2 and 6 that can be developed to help with our budget problems. We will be approving a budget later this month that includes a 2% cut in discretionary spending and, if we adopt this Ordinance, we will be requiring extra hours being spent on meaningless meetings. Do we want to do this?

Do we want to send a message to developers that the minute something comes up that is controversial or requires us to make a hard decision we will tie our hands in the future, so we don't have to make those decisions? Making those decisions are what we were elected to do. I, for one, take that responsibility seriously and will be voting Nay on this Ordinance.

1 2. **Exceptions.** This Subsection (G) does not apply to:

2 a. Any project that has been approved as part of the City of Las Vegas Capital Improvement Plan.

3 b. Any project that is governed by a development agreement that has been approved pursuant to LVMC  
4 19.16.150.

5 c. The repurposing of any area that has served as open space pertaining to a nonresidential development  
6 where that open space functions as an area for vehicle parking, landscaping, or any similar incidental use.

7 d. The reprogramming of open space recreational amenities that simply changes or adds to the  
8 programming or activities available at or within that open space.

9 e. Open space entirely controlled by a common interest community, where the governing documents  
10 set forth a procedure for repurposing open space and the applicant provides evidence of approval of the common  
11 interest community pursuant to relevant Declaration of Covenants, Conditions, and Restrictions shall be deemed  
12 compliant with this section.

13 3. **Requirements.** In connection with the scheduling of a pre-application conference pursuant to LVMC  
14 19.16.010(B)(5), the applicant for a repurposing project subject to this Subsection (G) must provide to the  
15 Department in writing a proposed Public Engagement Program meeting the requirements of Paragraph 4 below.  
16 The requirements of this Subsection (G) must be completed before the submission and processing of the land use  
17 application(s) to which the pre-application conference applies.

18 4. **Public Engagement Program.** The Public Engagement Program (PEP) shall include, at a minimum, one  
19 in-person neighborhood meeting regarding the repurposing proposal and a summary report documenting public  
20 engagement activities. The applicant is encouraged, but not required, to conduct additional public engagement  
21 activities beyond those required by the preceding sentence. Additional public engagement activities may include,  
22 but are not limited to, the following components:

23 a. Applicant's Alternatives Statement. This document is designed to inform the Department and  
24 stakeholders about the applicant's options and intentions, including the following statements:

25 I. A statement summarizing the alternatives if the golf course or open space is not repurposed  
26 and the current use of the property ceases.



City Assigned Number	PROPERTY	SUBJECT TO PRIVATE DEVELOPMENT?	REASON WHY	TREASURER LAND USE DESIGNATION
1	Canyon Gate Country Club	NO	Restrictive Covenants	Golf Course. Private
2	<b>Former Badlands Golf Club</b>	<b>YES</b>	<b>Privately owned with residential zoning and no restrictive covenants</b>	<b>Vacant. Single Family.</b>
3	Angel Park Golf Club	NO	Owned by City of Las Vegas	Golf Course. Public.
4	TPC at The Canyons	NO	Restrictive covenants	Golf Course. Private.
5	TPC at Summerlin	NO	Restrictive covenants	Golf Course. Private.
6	Eagle Crest Golf Club	NO	Owned by HOA	Golf Course. Semi-Private.
7	Highland Falls Golf Club	NO	Owned by HOA	Golf Course. Semi-Private.
8	Palm Valley Golf Club	NO	Owned by HOA	Golf Course. Semi-Private.
9	Painted Desert Golf Club	NO	Restrictive covenants	Golf Course. Public.
10	Los Prados Golf Course	NO	Owned by HOA	Golf Course. Semi-Private.
11	Las Vegas Golf Club	NO	Owned by City of Las Vegas	Golf Course. Public.
12	Desert Pines Golf Club	NO	Owned by City of Las Vegas	Golf Course. Public.
13	Durango Hills Golf Course	NO	Owned by City of Las Vegas	Golf Course. Public.
14	Silverstone Golf Course	NO	Restrictive covenants	Golf Course. Semi-Private.
	The Lakes	NO	Owned by HOA	Improved Common Area
	Desert Shores	NO	Owned by HOA	Improved Common Area

Submitted At Meeting  
*Stephanie Allen*  
Date 5/14/18 Item 3



003873  
RA 03249

# **Exhibit 116**

**RECOMMENDING COMMITTEE MEETING OF  
MAY 14, 2018  
VERBATIM TRANSCRIPT – AGENDA ITEM 3**

**Bill No. 2018-5 - ABEYANCE ITEM - For possible action - Provides in preliminary or skeleton form an amendment to the Unified Development Code to establish a required process for public engagement in connection with the repurposing of certain golf courses and open spaces. Sponsored by: Councilman Steven G. Seroka [NOTE: It is anticipated that this bill will be presented to the Recommending Committee in amended form, with changes to the title and summary to reflect that it is no longer in preliminary or skeleton form and that it proposes an amendment to LVMC 19.16.010 to establish a required process for public engagement in connection with the repurposing of certain golf courses and open spaces.]**

**Appearance List**

STAVROS ANTHONY, Councilman  
ROBERT SUMMERFIELD, Director of Planning  
MATT WALKER, Brownstein Hyatt Farber Schreck on behalf of the Southern Nevada Homebuilders Association  
MICHELE FIORE, Councilwoman  
VAL STEED, Chief Deputy City Attorney  
STEVEN SEROKA, Councilman  
DALE ROESENER, 9811 Orient Express  
ELAINE WENGER-ROESENER, 9811 Orient Express Court  
RON IVERSEN, 9324 Verlaine, Queensridge community resident  
ART NOFFSINGER, 9408 Queen Charlotte, Queensridge resident  
IRENE LEE, 9631 Orient Express  
RENA KANTOR, 9408 Provence Garden Lane  
DONNA LEFEVER, 9433 Queen Charlotte  
STEPHANIE ALLEN, 1980 Festival Plaza, on behalf of the multiple owners of the former Badlands Golf Course



**RECOMMENDING COMMITTEE MEETING OF  
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28 (1 hour and 12 minutes) [0:27 – 1:12]

29

30 Typed by: Speechpad.com

31 Proofed by: Jacquie Miller

32

33 **COUNCILMAN ANTHONY**

34 All right. We have one bill to consider today. It's Bill 2018-5 on Abeyance Item, for possible  
35 action provided in preliminary or skeleton form an amendment to the Unified Development Code  
36 to establish a required process for public engagement in connection with the repurposing of  
37 certain golf courses and open spaces. Sponsored by Councilman Steven Seroka.

38 Okay. So we heard this a couple of weeks back, and we are going to rehear it again. So who  
39 wants to go first? Orlando, or you're going to go? Okay, go - right ahead and - set the table for  
40 us.

41

42 **ROBERT SUMMERFIELD**

43 All right, Mr. Chairman, Robert Summerfield, Director of Planning for the record. So what you  
44 have before you today is you have the original Bill, 2018-5, which had outlined various  
45 requirements for what is called a public engagement program. Based on comments that were  
46 received at the last Recommending Committee meeting, some direction from the Committee  
47 members as well as consideration by the sponsor, this bill has been amended, and there should be  
48 a Proposed First Amendment that you should have with a 5-1-18 Update date at the top of it.

49

50 **COUNCILMAN ANTHONY**

51 Okay.

52

53 **ROBERT SUMMERFIELD**

54 Hopefully, it's green, looks like this one here.

**RECOMMENDING COMMITTEE MEETING OF  
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55 **COUNCILMAN ANTHONY**

56 Got it.

57

58 **ROBERT SUMMERFIELD**

59 So based on the conversation from the last Recommending Committee meeting and, again, in  
60 consultation with the bill's sponsor, this has been amended so that the public engagement  
61 program would consist of one minimum required community or neighborhood meeting prior to  
62 the submittal of an application for the repurposing of an open space. Open-

63

64 **COUNCILMAN ANTHONY**

65 And where - does it say that?

66

67 **ROBERT SUMMERFIELD**

68 -That is on Page 2, Line 15. Starts out with that, The Public Engagement Program shall include,  
69 at a minimum, one in-person neighborhood meeting regarding the repurposing proposal and then  
70 a summary report documenting the public engagement activities.

71 So whereas before we had a number of requirements, including multiple neighborhood meetings,  
72 the design workshops, the alternative statement and those other requirements, in this Proposed  
73 Amendment, those have all been made guidelines. The only requirement of the Public  
74 Engagement Program is one neighborhood meeting and a summary report that's to be submitted  
75 as a part of the application submittal when a developer would come forward with their  
76 application proposal. All the other components, the alternative statement, additional  
77 informational or neighborhood meetings, design workshops, all of those items have been  
78 included as you can do these things, but these are not required. So we've outlined-

79

80 **COUNCILMAN ANTHONY**

81 That's what it says in line 18 and 19.

**RECOMMENDING COMMITTEE MEETING OF  
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82     **ROBERT SUMMERFIELD**

83     -Correct. So-

84

85     **COUNCILMAN ANTHONY**

86     May include, but are not limited to. Okay.

87

88     **ROBERT SUMMERFIELD**

89     -Yes, exactly. So that's the significant change here we made. I believe there's a couple changes  
90     based on, again, the conversation. We've updated on the – on Page 1, Lines 20 through 26, to  
91     make it clearer as to who or what projects rather than this ordinance would affect. And then I  
92     believe, and the City Attorney's Office can correct me, but I believe we also made a slight tweak  
93     to the definition of open space because there were some questions about understanding exactly  
94     what open space meant. And so there was, I believe, a slight tweak there just to make it clearer  
95     about the – fact that open space is areas, whether developed or undeveloped, that have been  
96     identified as open space for purposes of trails, golf courses, parks, any type of amenity of that  
97     sort. And with that-

98

99     **COUNCILMAN ANTHONY**

100     Well, those are the two things I brought up.

101

102     **ROBERT SUMMERFIELD**

103     -Yes, sir.

104

105     **COUNCILMAN ANTHONY**

106     Those are the two things you fixed as far as I'm concerned. So thank you very much.

107

108     **ROBERT SUMMERFIELD**

109     So those are the changes from last Recommending Committee.



**RECOMMENDING COMMITTEE MEETING OF  
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110 **COUNCILMAN ANTHONY**

111 Okay. So I guess is Matt here from the home builders? So you – had, you – had an addition that  
112 you wanted to add to here too about HOAs, is that correct?

113

114 **MATT WALKER**

115 Yes, sir.

116

117 **COUNCILMAN ANTHONY**

118 Okay. Okay, so hold – off and then we'll talk about that specifically. So, anything else?

119

120 **ROBERT SUMMERFIELD**

121 Not for me.

122

123 **COUNCILMAN ANTHONY**

124 Councilwoman Fiore-

125

126 **COUNCILWOMAN FIORE**

127 Yes-

128

129 **COUNCILMAN ANTHONY**

130 -any questions at this point before-

131

132 **COUNCILWOMAN FIORE**

133 -Yes, because we have to go, yeah, well we have a lot here-

134

135 **COUNCILMAN ANTHONY**

136 And then I'll do, and I need to do public comment, but any questions at this point?

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137 **COUNCILWOMAN FIORE**

138 Yeah, so I have a lot of questions.

139

140 **COUNCILMAN ANTHONY**

141 Okay.

142

143 **COUNCILWOMAN FIORE**

144 But because the things that, you know, we say that you, we changed all these seven to nine  
145 meetings to a required one, but then on that same Page 2, Line 17, the applicant is encouraged,  
146 okay, which, again, with all of those meetings, they're not unlimited. So this, again, I'm, so I'm  
147 just gonna take notes so I don't, so I keep my questions and the exact portions of this bill to –  
148 exactly where they are on Page 1, Lines 23 and 24.

149 **This bill, again, is for one development and one development only. Now, the bill is only about**

150 **Badlands Golf Course.** For the past two years, the Las Vegas City Council has been broiled in  
151 controversy over Badlands, and this is the latest shot in a salvo against one developer.

152 Badlands and Queensridge was a development that was poorly conceived and executed. The  
153 original developer did absolutely nothing to stop development of the golf course and, in fact,  
154 allowed for that development. Every person who bought into that development knew the golf  
155 course could be developed. The Las Vegas City Council is now supposed to somehow fix the  
156 incompetence of the developer that made millions with a flawed development. That is not our  
157 job.

158 There are currently three developments that are threatened by – the conversion of open spaces or  
159 golf courses in the City of Las Vegas, and two of those developments are in Ward 6, my ward,  
160 by the way, Silverton (sic) Golf Course and Centennial Village.

161 Silverstone is protected by CC&Rs that require 75 percent of the homeowners approve any  
162 change in the golf course. This is what should have been done at Badlands, but the developers  
163 either wanted the ability to develop the golf course or weren't smart enough to protect the golf  
164 course. In my opinion, they left themselves to the option to develop the golf course. Centennial  
165 Village is closer to what is happening at Badlands, but not exactly the same.

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1018 **COUNCILWOMAN FIORE**

1019 Thank you.

1020

1021 **COUNCILMAN ANTHONY**

1022 Yes, Councilwoman.

1023

1024 **COUNCILWOMAN FIORE**

1025 Thank you, thank you Chairman, and I have to just thank our staff. They've worked really, really,  
1026 really hard on this. And I am going to recommend denial, because as of evidence of this room,  
1027 we have Badlands. Everyone that came up and commented, it's Badlands. So let's just be crystal  
1028 clear and honest, and you'll always get that from me, because this is the Badlands bill. And as a  
1029 City Councilwoman, I'm protecting my ward and the City of Las Vegas from further litigation  
1030 and creating an ordinance strictly for one developer. I recommend denial. It is not constitutional,  
1031 nor do – I find this at all helpful to the City.

1032

1033 **COUNCILMAN ANTHONY**

1034 So do you have a motion?

1035

1036 **COUNCILWOMAN FIORE**

1037 **Motion to deny.**

1038

1039 **COUNCILMAN ANTHONY**

1040 Okay. I have a motion to deny. All those in favor?

1041

1042 **COUNCILWOMAN FIORE**

1043 Aye.

**RECOMMENDING COMMITTEE MEETING OF  
MAY 14, 2018  
VERBATIM TRANSCRIPT – AGENDA ITEM 3**

1044     **COUNCILMAN ANTHONY**

1045     All those against? Aye. So we have no recommendation from the Recommending Committee, so  
1046     this will go to the City Council- **(The motion to Deny failed with Councilman Anthony voting**  
1047     **No).**

1048

1049     **VAL STEED**

1050     Mr. Chairman?

1051

1052     **COUNCILMAN ANTHONY**

1053     -for a vote on May 16th.

1054

1055     **VAL STEED**

1056     Just want to make sure. There could be another motion other than your motion to approve and  
1057     her vote against it. So I just want to make sure that there's not a motion, you know, another  
1058     motion. So if you want to, just to make sure.

1059

1060     **COUNCILMAN ANTHONY**

1061     So should I make a motion?

1062

1063     **VAL STEED**

1064     Yeah, let's do that, because sometimes somebody says, well, I make a motion, but let's take out  
1065     Pages 27 to 33, and the other person says, okay, I can live with that. So I think I know where this  
1066     is going, but if you can make a motion and we'll take a vote. And then if nobody other, else has a  
1067     motion, then we'll know what to report to the Council.

1068

1069     **COUNCILMAN ANTHONY**

1070     Anything for you, Val.

**RECOMMENDING COMMITTEE MEETING OF  
MAY 14, 2018  
VERBATIM TRANSCRIPT – AGENDA ITEM 3**

1071 **CITY ATTORNEY**

1072 Thank you.

1073

1074 **COUNCILMAN ANTHONY**

1075 **I will make a motion to approve the ordinance.** All those in favor? Aye. All those opposed?

1076

1077 **COUNCILWOMAN FIORE**

1078 Nay.

1079

1080 **COUNCILMAN ANTHONY**

1081 Okay. **(The motion to Approve failed with Councilwoman Fiore voting No).**

1082

1083 **VAL STEED**

1084 Okay. Any more motions?

1085

1086 **COUNCILWOMAN FIORE**

1087 I made a motion to deny it.

1088

1089 **VAL STEED**

1090 No, Any new motions? We had one of each now. Any new motions, other than adjournment?

1091

1092 **COUNCILWOMAN FIORE**

1093 You know, I could make a new motion to request that this be basically addressed to Badlands,

1094 because this is the Badlands bill.

1095

1096 **CITY ATTORNEY**

1097 That's not on, that's not on the table.

**RECOMMENDING COMMITTEE MEETING OF  
MAY 14, 2018  
VERBATIM TRANSCRIPT – AGENDA ITEM 3**

1098     **COUNCILWOMAN FIORE**

1099     Okay. So it's denied.

1100

1101     **CITY ATTORNEY**

1102     Okay. So we have one of each, and so we'll move along to City Council with no, with no  
1103     recommendation.

1104

1105     **COUNCILMAN ANTHONY**

1106     Okay. So this will be heard at the May 16th City Council meeting, and the City Council will  
1107     vote. So thank you all for coming down for your public comment. I appreciate it. And we'll go  
1108     from there. Thank you.

# **Exhibit 120**



STATE OF NEVADA  
STATE BOARD OF EQUALIZATION

BRIAN SANDOVAL  
Governor

1550 College Parkway, Suite 115  
Carson City, Nevada 89706-7921  
Telephone (775) 684-2160  
Fax (775) 684-2020

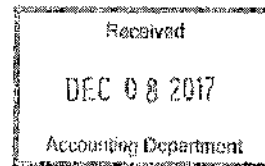
DEONNE E. CONTINE  
Secretary

In the Matter of

Fore Stars LTD, 180 Land Co LLC, and  
Seventy Acres, LLC  
PETITIONERS

Michele Shafe, Clark County Assessor  
RESPONDENT

Case Nos. 17-175; 17-176; 17-177



NOTICE OF DECISION

**Appearances**

Andrew Glendon, appeared on behalf of Fore Stars LTD, 180 Land Co LLC, and Seventy Acres, LLC (Taxpayers).

Jeff Payson appeared on behalf of the Clark County Assessor (Assessor).

**Summary**

The matter of the Taxpayers' direct appeal of conversion of golf course property came before the State Board of Equalization (State Board) on October 17, 2017 via telephone conference in Carson City, Nevada. The cases were consolidated at the request of the parties.

The Assessor and Mr. Glendon presented the State Board with a signed stipulation for review and approval of the State Board for each case number.

**DECISION**

The State Board, having considered the signed stipulations, hereby approves, by unanimous vote, the signed stipulations presented by the Department. The stipulations provide that the Taxpayers stipulated to and accepted the Assessor's determinations with the Taxpayers reserving their rights to appeal the 2017/2018 tax year valuations.

BY THE STATE BOARD OF EQUALIZATION THIS 30<sup>th</sup> DAY OF NOVEMBER, 2017.

*Deonne E. Contine*

Deonne Contine, Secretary  
DC/jm

Submitted at City Council  
Date 5/16/18 Item 71 <sup>for</sup> (74-83)  
By: MARK HUTCHISON

004220

RA 03262



**CERTIFICATE OF SERVICE**

**Fore Stars Ltd Case No. 17-175, 176, 177**

I hereby certify on the 30<sup>th</sup> day of November 2017, I served the foregoing Findings of Fact, Conclusions of Law, and Decision by placing a true and correct copy thereof in the United States Mail, postage prepaid, and properly addressed to the following:

CERTIFIED MAIL: 7013 1090 0000 7280 8415

PETITIONER'S REPRESENTATIVE

17-175

FORE STARS LTD

ANDREW J GLENDON

C/O SANTORO WHITMIRE LTD

10100 W CHARLESTON BLVD SUITE 250

LAS VEGAS NV 89135

CERTIFIED MAIL: 7013 1090 0000 7280 8460

RESPONDENT

17-175

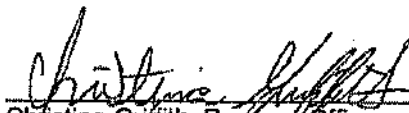
MS. MICHELE SHAFE

CLARK COUNTY ASSESSOR

500 SOUTH GRAND CENTRAL PARKWAY 2ND FLOOR

LAS VEGAS NV 89155-1401

Copy: Clark County Clerk  
Clark County Comptroller  
Clark County Treasurer

  
Christina Griffith, Program Officer  
Department of Taxation  
State Board of Equalization

004221

RA 03263



## MICHELE W. SHAFE

Clark County Assessor  
APPRAISAL DIVISION

500 S. Grand Central Pkwy, PO Box 561401, Las Vegas NV 89155-1401  
Telephone 702-455-4997

[www.ClarkCountyNV.gov/assessor](http://www.ClarkCountyNV.gov/assessor)



### *Stipulation for the State Board of Equalization*

September 21, 2017

180 Land Co LLC ("Taxpayer")  
1215 S Fort Apache Road #120  
Las Vegas, Nevada 89117

RE: Appeal No. 17-176  
Parcel No(s). 138-31-801-002; 138-31-201-005; 138-31-601-008;  
138-31-702-003; 138-31-702-004; 138-31-712-004 (collectively "Land")

The Appraisal Division of the Clark County Assessor's Office ("Assessor," and together with Taxpayer, the "Parties") has completed the review of the above referenced parcels and the Assessor has determined as follows ("Assessor Determinations"):

- (1) The Land was used as a golf course and therefore, under NRS 361A.170, designated and classified as open-space real property and assessed as an open-space use.
- (2) The Land ceased to be used as a golf course, as defined in NRS 361A.0315, on December 1, 2016. Therefore, the Land no longer falls within the definition of open-space real property, as defined in NRS 361A.040, and is no longer deemed to be used as an open-space use under NRS 361A.030. In accordance with NRS 361A.230, the Land has been disqualified for open-space use assessment.
- (3) The Land has been converted to a higher use in accordance with NRS 361A.031. Therefore, the deferred taxes are owed as provided in NRS 361A.280.

Taxpayer stipulates to and accepts the Assessor Determinations. Notwithstanding the foregoing, the Parties agree that the Petitioner reserves its right to appeal the 2017/2018 tax year valuation of the applicable parcels identified above, in accordance with NRS 361.310.

By signing below, Taxpayer agrees to the above stipulation.

DATE: 9-25-17  
  
Jeff Payson  
Appraisal Division

DATE: 9/25/17  
  
Vickie De Hart, as Manager of  
EHB Companies LLC, its Manager  
Taxpayer: 180 Land Co LLC.



## MICHELE W. SHAFE

Clark County Assessor  
APPRAISAL DIVISION

500 S. Grand Central Pkwy, PO Box 361401, Las Vegas NV 89155-1401

Telephone 702-455-4997

[www.ClarkCountyNV.gov/assessor](http://www.ClarkCountyNV.gov/assessor)



### Stipulation for the State Board of Equalization

September 21, 2017

Seventy Acres LLC ("Taxpayer")  
1215 S Fort Apache Road #120  
Las Vegas, Nevada 89117

RE: Appeal No. 17-177  
Parcel No(s). 138-31-801-003; 138-32-301-005; 138-32-301-007; 138-32-301-004 (collectively "Land")

The Appraisal Division of the Clark County Assessor's Office ("Assessor," and together with Taxpayer, the "Parties") has completed the review of the above referenced parcels and the Assessor has determined as follows ("Assessor Determinations"):

- (1) The Land was used as a golf course and therefore, under NRS 361A.170, designated and classified as open-space real property and assessed as an open-space use.
- (2) The Land ceased to be used as a golf course, as defined in NRS 361A.0315, on December 1, 2016. Therefore, the Land no longer falls within the definition of open-space real property, as defined in NRS 361A.040, and is no longer deemed to be used as an open-space use under NRS 361A.050. In accordance with NRS 361A.230, the Land has been disqualified for open-space use assessment.
- (3) The Land has been converted to a higher use in accordance with NRS 361A.031. Therefore, the deferred taxes are owed as provided in NRS 361A.280.

Taxpayer stipulates to and accepts the Assessor Determinations. Notwithstanding the foregoing, the Parties agree that the Taxpayer reserves its right to appeal the 2017/2018 tax year valuation of the applicable parcels identified above, in accordance with NRS 361.310.

By signing below, Taxpayer agrees to the above stipulation.

DATE: 9-25-17  
  
Jeff Payson  
Appraisal Division

DATE: 9/25/17  
  
Vickie De Hart, as Manager of  
EHB Companies LLC, its Manager  
Taxpayer: Seventy Acres LLC



## MICHELE W. SHAFE

Clark County Assessor  
APPRAISAL DIVISION  
500 S. Grand Central Pkwy, PO Box 561401, Las Vegas NV 89155-1401  
Telephone 702-455-4997  
[www.ClarkCountyNV.gov/assessor](http://www.ClarkCountyNV.gov/assessor)



### Stipulation for the State Board of Equalization

September 21, 2017

Fore Stars, Ltd ("Taxpayer")  
1215 S Fort Apache Road #120  
Las Vegas, Nevada 89117

RE: Appeal No. 17-175  
Parcel No(s). 138-32-202-001; 138-32-210-008; 138-31-212-002;  
138-31-610-002; 138-31-713-002; 138-32-210-005 (collectively "Land")

The Appraisal Division of the Clark County Assessor's Office ("Assessor," and together with Taxpayer, the "Parties") has completed the review of the above referenced parcels and the Assessor has determined as follows ("Assessor Determinations"):

- (1) The Land was used as a golf course and therefore, under NRS 361A.170, designated and classified as open-space real property and assessed as an open-space use.
- (2) The Land ceased to be used as a golf course, as defined in NRS 361A.0315, on December 1, 2016. Therefore, the Land no longer falls within the definition of open-space real property, as defined in NRS 361A.040, and is no longer deemed to be used as an open-space use under NRS 361A.050. In accordance with NRS 361A.230, the Land has been disqualified for open-space use assessment.
- (3) The Land has been converted to a higher use in accordance with NRS 361A.031. Therefore, the deferred taxes are owed as provided in NRS 361A.280.

Taxpayer stipulates to and accepts the Assessor Determinations. Notwithstanding the foregoing, the Parties agree that the Taxpayer reserves its right to appeal the 2017/2018 tax year valuation of the applicable parcels identified above, in accordance with NRS 361.310.

By signing below, Taxpayer agrees to the above stipulation.

DATE: 9-25-17  
  
Jeff Payson  
Appraisal Division

DATE: 9/25/17  
  
Vickie De Hart, as Manager of  
EHB Companies LLC, its Manager  
Taxpayer: Fore Stars Ltd.

# **Exhibit 121**

**From:** Bob Coffin <lvCouncilman@hotmail.com>  
**Sent:** Wednesday, August 29, 2018 10:10 AM  
**To:** Bowling, Chuck; LuAnn D. Holmes; Carolyn G. Goodman; Lois Tarkanian; Stavros Anthony; Michele Fiore; Cedric Crear; Steven Seroka  
**Subject:** Re: Recommend and VOTE FOR Ordinance Bill 2108 - 24

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I agree with you Chuck. Now that I have answered you from my home totally using personally paid-for resources like my personal cell phone thru a non-governmental server I have to submit this email to the aforementioned developer's lawyers. I could have said your characterization as dishonest would be improper but that would still be subject to discovery as interpreted by his lawyers since the **Asshole** is suing me and claiming I am anti-Semitic.

If this **motherfucker** gets his way in federal court I will not be able to vote anymore on Badlands. The sonofabitch asks for everything with the term "Badlands" including personal text messages, email, social media posts and comments, voice mail and written notes or letters, handwritten or not.

The guy seems to be in the **grip of several mental disorders** including but not limited to **narcissism** and much of the obsessive compulsive spectrum. Greed can be an uncontrollable manifestation of his needs caused by his disorders. There is no dishonesty if you are mentally ill but his illness has cost local government millions and innocent bystanders like you a horrible cost of security in your home and loss of values.

Better hope he does not win his harassment lawsuits against Seroka and me because we will be in the grip of dictatorial capitalism.

Bob Coffin,

(a pretty mean sonofabitch, himself, in his old age.)

# **Exhibit 122**



**To:** Terry Murphy [REDACTED]  
**From:** Bob Coffin  
**Sent:** Thur 4/6/2017 11:59:10 PM  
**Subject:** Re: FW: Fwd:

Just got word from city attorney office that someone has asked for letters from certain people in Queensridge on badlands issue. The names are not familiar as they seem like ordinary objectors. Will share when I get it today or Friday

----- Original message -----

**From:** Terry Murphy [REDACTED]  
**Date:** 4/6/17 4:39 PM (GMT-08:00)  
**To:** Bob Coffin <[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)>  
**Subject:** Re: FW: Fwd:

I will see what I can find....

Terry Murphy  
[www.strategicsolutionsnv.com](http://www.strategicsolutionsnv.com)  
Honorary Consul of Ireland for Nevada

On Apr 6, 2017, at 4:12 PM, Bob Coffin <[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)> wrote:

It does not mention me by name but there will be other messages which tie a link.

----- Original message -----

**From:** Terry Murphy [REDACTED]  
**Date:** 4/6/17 4:10 PM (GMT-08:00)  
**To:** Susan Finucan <[sfinucan@LasVegasNevada.GOV](mailto:sfinucan@LasVegasNevada.GOV)>  
**Cc:** "Bob Coffin ([lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com))" <[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)>  
**Subject:** Re: FW: Fwd:

Thanks,

Got it.

Terry Murphy  
[www.strategicsolutionsnv.com](http://www.strategicsolutionsnv.com)  
Honorary Consul of Ireland for Nevada

On Apr 6, 2017, at 4:04 PM, Susan Finucan <[sfinucan@LasVegasNevada.GOV](mailto:sfinucan@LasVegasNevada.GOV)> wrote:

Terry,

This is from Councilman Coffin, please contact him directly should you need to.

Susan

---

**From:** Bob Coffin [<mailto:lvCouncilman@hotmail.com>]  
**Sent:** Thursday, April 06, 2017 4:02 PM  
**To:** Susan Finucan  
**Subject:** Fwd: Fwd:

Forward this to Terry Murphy. I can't find her email

CLV000106

004226

LO 00002337

RA 03270



----- Original message -----

From: "Schreck, Frank A." <[FSchreck@BHFS.com](mailto:FSchreck@BHFS.com)>

Date: 4/4/17 8:33 PM (GMT-08:00)

To: Bob Coffin <[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)>

Subject: Re: Fwd:

It was an allegation against Roush and Suroka

Sent from my iPhone

---

> On Apr 4, 2017, at 5:48 PM, Bob Coffin <[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)> wrote:

>

> Frank, I can't open the email naming wjo is biased. Is it a printed or video attachment? Does it mention me? I sent Jack the letter I got from Jewish Federation.

>

> Bob Coffin

>

>

> ----- Original message -----

> From: "Schreck, Frank A." <[FSchreck@BHFS.com](mailto:FSchreck@BHFS.com)>

> Date: 4/4/17 1:55 PM (GMT-08:00)

> To: "'[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)'" <[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)>

> Subject: FW: Fwd:

>

>

>

> Frank A. Schreck

> Brownstein Hyatt Farber Schreck, LLP

> 100 North City Parkway, Suite 1600

> Las Vegas, NV 89106

> 702.464.7058 tel

> [FSchreck@BHFS.com](mailto:FSchreck@BHFS.com) <<mailto:FSchreck@BHFS.com>>

>

> From: Schreck, Frank A.

> Sent: Tuesday, April 04, 2017 1:53 PM

> To: '[lvCouncilman@hotmail.com](mailto:lvCouncilman@hotmail.com)'

> Subject: FW: Fwd:

>

> Bob

> See below

>

> Frank A. Schreck

> Brownstein Hyatt Farber Schreck, LLP

> 100 North City Parkway, Suite 1600

> Las Vegas, NV 89106

> 702.464.7058 tel

> [FSchreck@BHFS.com](mailto:FSchreck@BHFS.com) <<mailto:FSchreck@BHFS.com>>

>

> From: Schreck, Frank A.

> Sent: Tuesday, April 04, 2017 1:49 PM

> To: '[bcoffin@lasvegasnevada.gov](mailto:bcoffin@lasvegasnevada.gov)'

> Subject: FW: Fwd:

>

> Dear Bob

> See the email stream below and you will see you are not the only person charged by Yohan's spokesmen as being anti-semitic. At least you are not an extortionist like Jack Binion and I

> Frank

> Frank A. Schreck

> Brownstein Hyatt Farber Schreck, LLP

> 100 North City Parkway, Suite 1600

> Las Vegas, NV 89106

> 702.464.7058 tel

> [FSchreck@BHFS.com](mailto:FSchreck@BHFS.com) <<mailto:FSchreck@BHFS.com>>

>

> From: Steve Caria [REDACTED]

> Sent: Monday, April 03, 2017 8:37 PM

> To: Schreck, Frank A.

CLV000107

004227

LO 00002338

RA 03271

> Subject: Fw: Fwd:

>

> Have you seen this email?

>

>

> Sent from Yahoo Mail for iPhone<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_yho.com\\_footer0&d=DwMFaQ&c=wT9hcAyWecHwFHlflZE3OA&r=PdKfJinmj-LxkRTZvAyODh-55YnJ1ZiiaM\\_Qj0gV5zM&m=eZ81enhNEh5xMLAmMrTaSR6QYb30ZWMIAwojSN7DXsU&s=GQOpzGQeKBGJSoTMQslQsHWK08x9Zkz7oex8y08Eo&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A_yho.com_footer0&d=DwMFaQ&c=wT9hcAyWecHwFHlflZE3OA&r=PdKfJinmj-LxkRTZvAyODh-55YnJ1ZiiaM_Qj0gV5zM&m=eZ81enhNEh5xMLAmMrTaSR6QYb30ZWMIAwojSN7DXsU&s=GQOpzGQeKBGJSoTMQslQsHWK08x9Zkz7oex8y08Eo&e=>)

>

> Begin forwarded message:

>

> On Monday, April 3, 2017, 8:05 PM, Gregory Bigler [REDACTED] >> wrote:

>

>

> Sent from my iPhone

>

> Begin forwarded message:

> From: Sally Bigler [REDACTED]

> Date: April 3, 2017 at 8:00:51 PM PDT

> To: [REDACTED]

>

> [cid:image001.jpg@01D2AD4A.271B2040]

>

> [cid:image002.jpg@01D2AD4A.271B2040]

>

> [cid:image003.jpg@01D2AD4A.271B2040]

>

>

>

> Sent from my iPhone

>

>

> STATEMENT OF CONFIDENTIALITY & DISCLAIMER: The information contained in this email message is attorney privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this email is strictly prohibited. If you have received this email in error, please notify us immediately by calling (303)-223-1300 and delete the message. Thank you.

> <image001.jpg>

> <image002.jpg>

> <image003.jpg>

<image001.jpg>

<image002.jpg>

<image003.jpg>

CLV000108

004228

LO 00002339

RA 03272

**To:** Steven Seroka[stevenseroka@live.com]  
**From:** Bob Coffin  
**Sent:** Sat 1/20/2018 2:14:11 AM  
**Subject:** Re: Badlands. What else?

All ears next week.

----- Original message -----

**From:** Steven Seroka <stevenseroka@live.com>  
**Date:** 1/19/18 6:12 PM (GMT-08:00)  
**To:** Bob Coffin <lvCouncilman@hotmail.com>  
**Subject:** Re: Badlands. What else?

I agree. And need an approach to accomplish the desired outcome. Let's chat soon.

Respectfully,  
Steve

Steven Seroka  
Cell: 702 249-1641  
Email: StevenSeroka@Live.com  
<https://www.facebook.com/Steve-Seroka-1808280539414177/>  
<https://www.twitter.com/SteveSeroka>  
<https://steveseroka.com/>

---

**From:** Bob Coffin <lvCouncilman@hotmail.com>  
**Sent:** Friday, January 19, 2018 6:10 PM  
**To:** stevenseroka@live.com  
**Subject:** Badlands. What else?

Hi. If you have not read the transcript of the Judges decision you need to get it. After you read it you will see why I am scared of any talk of "mediation." This judge cannot see why the residents should give one inch in this battle. Mediation is another word for compromise and they, and we, should hang tough.  
Bob

CLV000466

004229

LO 00002340

**RA 03273**

**To:** Maria Jose Norero[mnorero@LasVegasNevada.GOV]  
**Cc:** Susan Finucan[sfinucan@LasVegasNevada.GOV]; Felipe Ortiz[fortiz@LasVegasNevada.GOV]  
**From:** Bob Coffin  
**Sent:** Mon 5/8/2017 3:26:07 PM  
**Subject:** Re: Anne Smith - resident of Badlands

Yesssssss.

----- Original message -----

**From:** Maria Jose Norero <mnorero@LasVegasNevada.GOV>  
**Date:** 5/8/17 6:04 AM (GMT-08:00)  
**To:** lvcouncilman@hotmail.com  
**Cc:** Susan Finucan <sfinucan@LasVegasNevada.GOV>, Felipe Ortiz <fortiz@LasVegasNevada.GOV>  
**Subject:** Fwd: Anne Smith - resident of Badlands

Councilman, I had a voicemail from Anne Smith asking about scheduling a time she and her neighbor could meet with you about the Badlands agenda item. Below is more information I sent you last week about it.

Can Susan schedule them to come in?

Thank you,

Maria

Sent from my iPhone

Begin forwarded message:

**From:** Bob Coffin <lvcouncilman@hotmail.com>  
**Date:** May 1, 2017 at 8:40:45 PM EDT  
**To:** Maria Jose Norero <mnorero@LasVegasNevada.GOV>  
**Cc:** Susan Finucan <sfinucan@LasVegasNevada.GOV>, Felipe Ortiz <fortiz@LasVegasNevada.GOV>  
**Subject:** Re: Anne Smith - resident of Badlands

Also, do they know I am voting against the whole thing?

----- Original message -----

**From:** Maria Jose Norero <mnorero@LasVegasNevada.GOV>  
**Date:** 5/1/17 5:31 PM (GMT-08:00)  
**To:** Bob Coffin <lvcouncilman@hotmail.com>  
**Cc:** Susan Finucan <sfinucan@LasVegasNevada.GOV>, Felipe Ortiz <fortiz@LasVegasNevada.GOV>  
**Subject:** Anne Smith - resident of Badlands

Councilman,

You received a call from Anne Smith, resident of Badlands development. She and a small group of neighbors would like to speak with you about some concerns they have that they feel have been lost in the presentations in front of Council. They will be impacted in very specific ways by the development and they would like to share their concerns with you before May 17<sup>th</sup> City Council. I asked more specifics, but all she said is that the impact on their homes will be much greater and they have not had an opportunity to voice their specific concerns with the new development.

Her phone number is [REDACTED]

Would you like for them to come meet with you?

Thank you,

CLV000183

004230

LO 00002341

RA 03274



**To:** Bob Coffin[lvcouncilman@hotmail.com]  
**From:** Gordon Culp  
**Sent:** Mon 5/14/2018 7:25:36 PM  
**Subject:** RE: Your letter.

We've heard the same rumor but have no information.

---

**From:** Bob Coffin <lvcouncilman@hotmail.com>  
**Sent:** Monday, May 14, 2018 11:35 AM  
**To:** Gordon Culp <gordon@smithculp.com>  
**Subject:** Re: Your letter.

There is a lot of buzz about Sheldon Adelson's possible investment in this. Does anyone know about that?

----- Original message -----

**From:** Gordon Culp <gordon@smithculp.com>  
**Date:** 5/14/18 11:28 AM (GMT-08:00)  
**To:** Bob Coffin <lvcouncilman@hotmail.com>  
**Subject:** RE: Your letter.

FYI, we and many of our neighbors who have been critical of the development plans from Yohan have received letters from Jimmerson demanding that we preserve all emails, letter, notes, other documents related to Badlands. So he apparently anticipates going after personal materials as well. I don't think he has any legal basis for such a demand since we are not a party to any legal action – at least not yet. Yohan personally threatened me while I was out walking my dog a few weeks ago by yelling from his passing car that he "would see me in court and he was going to get me." So, he may be planning on some kind of legal action against the residents who have been critical of his plans.

Thank you for your quick response.

Gordon

---

**From:** Bob Coffin <lvcouncilman@hotmail.com>  
**Sent:** Monday, May 14, 2018 10:12 AM  
**To:** Gordon Culp <gordon@smithculp.com>  
**Subject:** Your letter.

Understood. Right now I am fighting two fronts not even on the agenda. Yohan is suing me in Federal Court claiming I cannot vote because of anti-Semitism!

Also, his team has filed an official request for all txt msg, email, anything at all on my personal phone and computer under an erroneous supreme court opinion which just came down on Lyon Cty commissioners. Court might have been right on them but literal interp in our case is personally devastating because I take pride in confidentiality to anyone who writes me for their own privacy and safety.

So, everything is subject to being turned over so, for example, your letter to the cjtj email is now public and this response might become public (to Yohan).

I am considering only using the phone but awaiting clarity from court.

Please pass word to all your neighbors. In any event tell them to NOT use the city email address but call or write to our personal addresses. For now.

Bob

And, of course, I agree with you.

CLV001116

004231

LO 00002342

RA 03275

**To:** Gordon Culp[gordon@smithculp.com]  
**From:** Bob Coffin  
**Sent:** Mon 5/14/2018 6:36:35 PM  
**Subject:** Re: Your letter.

Also, please pass the word for everyone to not use B...l.nds in title or text of comms. That is how search works.

----- Original message -----

**From:** Gordon Culp <gordon@smithculp.com>  
**Date:** 5/14/18 11:28 AM (GMT-08:00)  
**To:** Bob Coffin <lvCouncilman@hotmail.com>  
**Subject:** RE: Your letter.

FYI, we and many of our neighbors who have been critical of the development plans from Yohan have received letters from Jimmerson demanding that we preserve all emails, letter, notes, other documents related to Badlands. So he apparently anticipates going after personal materials as well. I don't think he has any legal basis for such a demand since we are not a party to any legal action – at least not yet. Yohan personally threatened me while I was out walking my dog a few weeks ago by yelling from his passing car that he “would see me in court and he was going to get me.” So, he may be planning on some kind of legal action against the residents who have been critical of his plans.

Thank you for your quick response.

Gordon

**From:** Bob Coffin <lvCouncilman@hotmail.com>  
**Sent:** Monday, May 14, 2018 10:12 AM  
**To:** Gordon Culp <gordon@smithculp.com>  
**Subject:** Your letter.

Understood. Right now I am fighting two fronts not even on the agenda. Yohan is suing me in Federal Court claiming I cannot vote because of anti-Semitism!

Also, his team has filed an official request for all txt msg, email, anything at all on my personal phone and computer under an erroneous supreme court opinion which just came down on Lyon Cty commissioners. Court might have been right on them but literal interp in our case is personally devastating because I take pride in confidentiality to anyone who writes me for their own privacy and safety.

So, everything is subject to being turned over so, for example, your letter to the city email is now public and this response might become public (to Yohan).

I am considering only using the phone but awaiting clarity from court.

Please pass word to all your neighbors. In any event tell them to NOT use the city email address but call or write to our personal addresses. For now.

Bob

And, of course, I agree with you.

PS. Same crap applies to Steve as he is also being individually sued if Fed Court and also his personal stuff being sought.

This is no secret so let all your neighbors know.

CLV001233

004232

LO 00002343

RA 03276

**To:** lvcouncilman@hotmail.com[lvcouncilman@hotmail.com]; [REDACTED]

**From:** [REDACTED]

**Sent:** Thur 6/22/2017 4:41:38 PM

**Subject:** Last night meeting Badlands

First off all thank you for your support in attempting to develop the deal best for all.

Two comments:

- I think your third way is the only quick solution. Phase one & two-negotiate three's current mode. Sell off the balance to be a golf course with water rights(key). Keeps the bulk of Queensridge green.

- You closing comment that the city attorney is getting compromised being further into the role as negotiator. A councilman needs to step in. If council has to go to court very awkward. He would have to recuse himself.

Thanks for listing.

Rick Kost  
[REDACTED]

CLV000202

004233

LO 00002344

**RA 03277**

# **Exhibit 123**





## City of Las Vegas

Bob Coffin  
Councilman, Ward 3

March 27, 2017

Jewish Nevada  
Todd S. Polikoff, President & CEO  
2317 Renaissance Drive  
Las Vegas, NV 89119

RE: Sent via email

Dear Todd,

I received your letter and I am surprised that you have taken such a leap to conclusion as to label me anti-Semite and anti-Israel. I do not know you and you do not know me but as I look at your Board I see friends who would disagree with your insulting and half-baked opinion of me. I have grown up in this city since 1951. In my youth there were only three kinds of friends; Jews, Catholics and Mormons, all friends.

First, I have been in mourning since the death of my son in late January. Marla Letizia is fully aware of this. I have not answered many communications, much less these odd claims and meeting demands as they were first put to me by Marla. So, in a sense I did respond to you through your Board Chair. I only participate in official meetings at City Hall and the conversation with her was by phone call. She asked for a formal meeting and I declined for the obvious reason. She seemed to understand so imagine my surprise when I received this letter, which I can only describe as odd, to be charitable.

In the context of the Council meeting in question I was describing a private meeting with Mr. Yohan Lowie and his colleagues at EHB. I said that I thought his opportunistic handling of the Badlands purchase and his arrogant disregard of the Queensridge neighborhood reminded me of Bibi Netanyahu's insertion of the concreted settlements in the West Bank neighborhoods. To me it is just as inconsiderate and Yohan looked upon them as a band of unruly Palestinians. I feel that it is such.

495 S. Main St. | Las Vegas, Nevada 89101 | (702) 229-6405 | FAX (702) 382-8558  
bcoffin@lasvegasnevada.gov | www.lasvegasnevada.gov

004234

RA 03279

Just four days ago, at a building dedication, I asked Mr Lowie if he had said to people that he thought I was anti-Semitic and he said he told no one this but your letter describes how Mr Lowie informed your office of the "incident." No wonder the Queensridge neighborhood has such frustration with his methods.

So, in the retelling of the story at Council I see from my transcript, which I had my staff prepare for Marla, that I said "Israel" instead of Netanyahu. Since neither you or Marla were at the meeting, I can see how you miss the context. I did not even realize it myself at the time. The point of the retelling of the private meeting was to emphasize to all present at Council that I had no secret agenda but was pushing for compromise.

It is certainly not anti-Semitic or anti-Israel to criticize Netanyahu, a loud-mouthed buffoon of a right-wing politician who feels free to meddle in our Presidential elections. I also do not believe that he represents the thoughts of all Israelis just as no Prime Minister represents the thoughts of any country. And, I do not object to the billions of dollars of US taxpayer support to Israel.

So, call me anti-Bibi but anything else is just not true. If you wish to make this dispute public I think you will find it unprofitable for everyone.

I am responding to your letter by email from my home so I apologize for not responding to you in kind.

I do hope you will exercise your best effort to undo the damage you cause me by your unfounded accusations.

Thank you,

A handwritten signature in black ink, appearing to read "Bob Coffin". The signature is fluid and cursive, with the first name "Bob" and last name "Coffin" clearly distinguishable.

Councilman Bob Coffin  
City of Las Vegas, Ward 3  
CC: copy of email

004235

RA 03280

# **Exhibit 124**

**PLANNING COMMISSION MEETING**

**FEBRUARY 14, 2017**

**VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24**

868 **STEVE SEROKA**

869 Good evening. I'm Colonel Steve Seroka. I reside at 10100 Stony Ridge Drive, not in  
870 Queensridge. I live in the neighborhood across the street, and I'm here to represent not only  
871 myself and my neighbors, but my neighbors of Queensridge and the hundreds of thousands of  
872 folks that are in our community as well. I think it's fair to say tonight that not just the majority of  
873 people in this room, barring those that are being paid by the developer, but hundreds and  
874 thousands of the people that I've talked to in my community are not happy and are not supportive  
875 of this project.

876 On the issue of the waivers that we're discussing tonight, pre-recession, we had an attitude of  
877 grow at all costs. We had an attitude of approve all waivers that are in the interest of the  
878 developer and lobbyist. We don't need to emulate that now again in 2017. We don't need skinny  
879 streets. We don't need streets where a fire vehicle cannot even turn around. We do not need to be  
880 fearful of the complexity of this issue and the large terminology that is thrown out. We do not  
881 need to be fearful of that.

882 In fact, we wouldn't be here today, if in the beginning we had said as responsible representatives  
883 of the community, over my dead body will I allow a project that will drive property values down  
884 30% in just a year; over my dead body will I allow those constituents to have a decrease  
885 compared to their residents in other parts of our city at 45% relative property values; over my  
886 dead body will I allow a project that will set a precedent that will ripple across the community  
887 that those property values do not just be impacted in Queensridge, but throughout the  
888 community.

889 I ask you to find that moral courage to stand up. I ask you to find that Fallujah moral courage,  
890 that Pork Chop Hill moral courage, that Heartbreak Ridge and Doolittle Raid moral courage to  
891 stand up for what you know is right. I ask you to stand up and be accountable to your  
892 constituents. So tonight I ask you no waivers that only benefit the interest of the developer, and I  
893 ask that you consider the precedent that you are setting in our community. Thank you.

894

895 **CHAIRMAN SCHLOTTMAN**

896 Thank you, sir. Good evening. Please hold your applause. Good evening, ma'am.





Las Vegas Planning Commission Meeting

2/14/2017



#LVPlanning

21. GPA-68385 180 LAND COMPANY, LLC Ward 2

004237

LO 00000931

RA 03283

# **Exhibit 125**



## The Steve Seroka Badlands Solution

The proposed rezoning of the Badlands Golf Course land leaves the residents of Ward 2 in the City of Las Vegas faced with declining property values and a regulatory precedent that will stretch far beyond the golf course. This at a time when home values are finally on the rise following the worst economic crash of our lifetimes.

The Councilman representing Ward 2 has steadfastly defended the developer's land rights while ignoring the rights of the adjoining property owners, those he was elected to represent. Residents are being worn down and scared off by terms like "Inverse Condemnation" to force them into submission.

The *Review-Journal* recently reported property values in the Queensridge community have seen a 30% drop in value. Development should enhance neighboring properties, not devalue them. If the precedent is set, nothing would prevent a developer from intentionally running a golf course into the ground with the ultimate goal of building thousands of homes.

Every option must be explored to reach a solution that is beneficial to everyone involved. The incumbent has not looked beyond the developer's proposal. I have a plan that will benefit all parties while maintaining our property values and the quality of life we have come to enjoy in Ward 2.

With the cooperation of Clark County and the Bureau of Land Management, I propose an annexation of federally owned land so a swap of equal value can be made for the golf course land. I am focused on the property rights of existing homeowners, all of whom have a reasonable expectation to the open space that played heavily in their decision to purchase. This solution protects everyone's investment in the community, including the developer.

At the February 15<sup>th</sup> Las Vegas City Council meeting, the Mayor directed all parties to work together toward a global, holistic solution. We owe it to the residents of Ward 2 to explore every viable option to protect all concerned – the neighbors and the developer.

Together, we will work toward a common-good solution. A solution that enhances the quality of life – and the property values – of all Ward 2 residents, not just the wealthy developer and his lobbyists.





## **The Seroka Badlands Solution**

- Work with Clark County and the Bureau of Land Management to annex a comparable piece of federally owned land.
- Coordinate a land swap of the annexed land with the golf course property.
- Work with the developer to create a master plan for the swapped land that allows him to build his desired product.
- Convert the golf course into a fitness park that protects the existing open space as well as the investment of the adjacent property owners.
- Partner with businesses that will utilize community groups such as veterans to build the park without raising taxes.

Paid for and authorized by the Committee to elect Steve Seroka  
Printed in-house. Labor donated.

004239 LO 00001915  
RA 03286



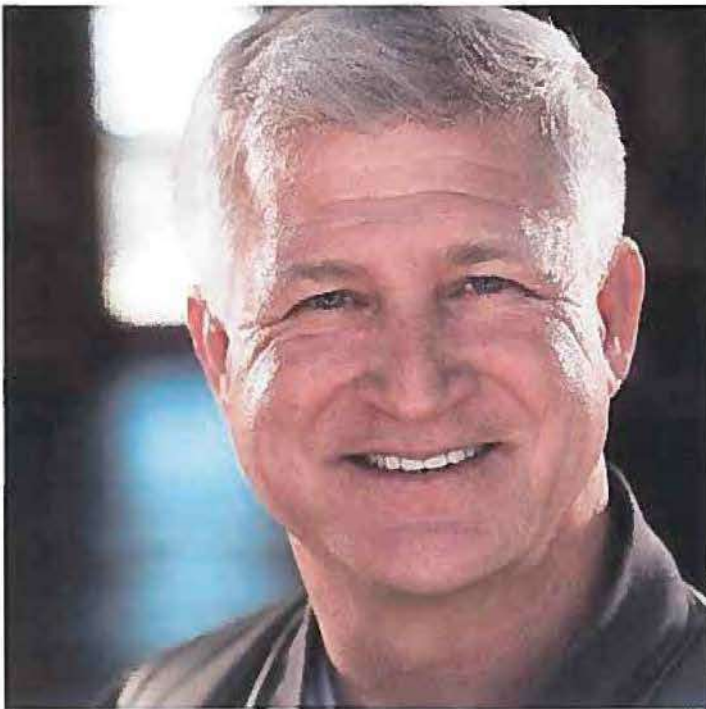
8/29/2017

From Colonel to Council: Steve Seroka Says Bad Development Made Him Run | Nevada Public Radio

NEVADA PUBLIC RADIO®

knpr KNPR's State of Nevada

## From Colonel to Council: Steve Seroka Says Bad Development Made Him Run



Twitter

Steve Seroka is challenging City Councilman Bob Beers for his seat.

<https://knpr.org/knpr/2017-03/colonel-council-siege-seroka-says-bad-development-made-him-run>

004240 1/3  
LO 00001916  
RA 03287

**LISTEN (12:46)**

Download

*Mar 17, 2017 by **Joe Schoenmann***

Steve Seroka is a third candidate seeking the seat representing Ward 2 on the Las Vegas City Council.

He is trying to take the job from Bob Beers, a former state lawmaker-turned-city councilman.

The main issue facing Ward 2 is the controversial effort to convert the Badlands Golf Course a neighborhood. Bob Beers voted for it.

In an interview with KNPR's State of Nevada, Beers said the property was zoned residential and if the city didn't approve the developers plan it could get sued for millions of dollars.

Seroka, a former Air Force colonel, disagrees. He said the decision by the council hurt the home values in the surrounding Queensridge development and throughout Ward 2.

He also said the decision will set a precedent.

"When developers realize that golf courses and open spaces are more valuable, financially, to be developed than to be continued as open space, all of Ward 2 and in fact all of Southern Nevada could be at risk," Seroka said.

Seroka said he has a plan to fix the problem that already has developers and homeowners sitting down to talk. He believes a land swap can be worked out where the developers take another piece of land and turn the golf course over to the city.

He doesn't have a specific piece of property in mind but believes there are solutions.

*Support comes from*

"That is what I do," he said, "I try to bring together both sides to try to find the win-win solution"

Seroka admits he didn't think about running for office until the dispute started with Badlands. He believes the situation with the developers, homeowners and the city council are indicative of how Bob Beers operates.

8/29/2017

From Colonel to Council: Steve Seroka Says Bad Development Made Him Run | Nevada Public Radio

The former Air Force colonel said he'll bring his character and morals to the city council.

"I think my number one strength is that I'm independent," he said.

Seroka said if he's elected he'll "eliminate the influence of big donors and super lobbyists" from the council's process and restore the voice of the people.

Also on KNPR's State of Nevada:

**[City Council Challenger Says Golf Course Development All Wrong](#)**

**[Beers Facing First Real Fight For City Council](#)**

**Guests: Steve Seroka**, candidate, Ward 2 City Council

**More from:** Politics & Policy, Nevada & the Southwest, Ward 2, las vegas city council, bob beers, christina roush, badlands golf course, KNPR's State of Nevada

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our partners

# **Exhibit 126**



He has lots of lawyers with authority to do anything to disqualify me from voting on his development and spend what it takes.

His name is Yohan Lowie. He purchased a golf course in the middle of this housing and destroyed it to force the people to cave in to him. All that stands in the path of this man and his greed is the Las Vegas City Council. Doesn't that make you feel good?

Well, a majority is standing in his path and he is trying to reduce our number to get his way---Anyway he can.

Again, his name is Yohan Lowie and his company is EHB Development. His project is called Badlands. Look it up.

More to follow.....

73

35 Comments

Like

Comment





Bob Coffin



## Posts

**Bob Coffin**

Yesterday at 7:11 PM ·

**Please do not send any notes to me on Messenger.**

**I am being sued by a greedy developer who is using a little-known Nevada law to attempt to force me to turn over all communications on all my personal electronic devices to gain information he can use in court.**

**He is also monitoring regular Facebook posts to see if I show bias against him and his upper class housing project. For sure I will not be adding new FB friends to help him out.**

**He also wants me to turn over all email lerrers that he would judge to be biased against him. That HE would judge. And text messages. You name it. Everything!**

**He has lots of lawyers with authority to do**



004245

RA 03292

# **Exhibit 127**

Philip R. Byrnes  
Senior Litigation Counsel

City of Las Vegas  
Office of the City Attorney



495 South Main Street, Sixth Floor  
Las Vegas, Nevada 89101  
Office (702) 229-6629  
Fax (702) 386-1749  
pbyrnes@lasvegascity.gov

September 17, 2018

Piers Tueller, Esq.  
HUTCHISON & STEFFEN, LLC  
10080 West Alta Drive, #200  
Las Vegas, NV 89145

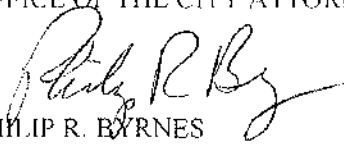
**RE:** *Public Records Request - W009103-021518- Any and all written communications to or from Coffin concerning Badlands golf course from June 7, 2011 to present. Any and all written communications to and from Councilman Seroka concerning the Badlands golf course from June 13, 2017 to present.*

Dear Mr. Tueller:

Please find Councilman Coffin's text messages. The page marked as CLV000008 has been redacted for Attorney-client privilege.

Sincerely,

OFFICE OF THE CITY ATTORNEY

  
PHILIP R. BYRNES  
Senior Litigation Counsel

PRB:tag  
Enclosures

004246  
LO 00002965

RA 03294





47% 1:23 PM



badlands



3:46 PM

Brian Hurlburt



Bob: Brian Hurlburt here. Do you have time for a call about badlands later today or tmro morning?

11:15 AM

Susan Finucan



Heading down to chambers in about 5 minutes.....do you need your Badlands backup?

12:42 AM

Bob Beers



e forest. They would add a street from the Badlands driveway to Tivoli to the SW of Alta & Rampart, big open space amidst some commercial along the new r

6:53 AM

Bob Beers



Yes. They're closing Badlands GC.

6:46 AM

77°

47% 1:23 PM



badlands



Trinity Schlotman

(1/2) Great hearing from you Bob. Sorry just seeing your text and although I've been briefed on the Badlands case I still have not had a chance to review all of

3:46 PM



Brian Hurlburt

Bob: Brian Hurlburt here. Do you have time for a call about badlands later today or tmro morning?

11:15 AM



Susan Finucan

Heading down to chambers in about 5 minutes.....do you need your Badlands backup?

12:42 AM



Bob Beers

e forest. They would add a street from the Badlands driveway to Tivoli to the SW of Alta

1/1

CLV000002 004248  
LO 00002967

RA 03296

77°

47% 1:23 PM



badlands



I just called to congratulate and realized it might be too late. There is a lot to ask you about starting with your oppo on that crazy israeli. Next few days gonna be crucial on Badlands.

9:33 PM

No tolerance on this one. Pls ask Tim to post me later when more is known. Yeah, I am looking elsewhere next few hours. Badlands rides on this!

8:47 PM

Not all Badlands peeps are rich. An awful lot of middle class peeps for whom the house is their estate.

4:16 PM

Trinity Schlotman



(1/2) Great hearing from you Bob. Sorry just seeing your text

1/1

CLV000003 004249  
LO 00002968

RA 03297

77°

47% 1:22 PM



badlands



We support badlands  
no union info on tshirt

MMS  
4:51 PM

10:21 AM

Hi. I hope you are  
doing okay? Have you  
decided what you are  
going to do tomorrow  
on Badlands?

10:32 PM

While you are waiting  
to hear is there a fair  
amount of intel on  
the scum behind the  
badlands takeover?  
Dirt will be handy if I  
need to get rough

8:20 AM

Morning Jim. Any word  
on your PI enquiry  
about badlands guy?

I just called to

1/1

CLV000004 004250  
LO 00002969

RA 03298

77°

47% 1:22 PM



badlands



MJ Norero



I think brad wants to meet with fiore about badlands and her vote I'll try to get more info next week

5:38 PM

MJ Norero



No changes on badlands so far

11:24 AM

Attaboy! My advice to him would be to avoid any conversation on badlands with any Yohan team, even informal. Like Trump he confabulates anything told to him. Only trust Jay cuz he is a pro.

9:19 PM



Felipe Ortiz



1/1

CLV000005 004251  
LO 00002970

RA 03299

77°

47% 1:22 PM



badlands



9:06 AM

some on penair or  
Badlands. Biggest  
\$ deal around not  
counting marijuana



Jamie Munks RJ

Someone said  
Badlands might be  
held. Do you know if  
that's going to happen?

11:26 AM



Julie Wilcox

Councilman

I wanted to make you  
aware that councilman  
Seroka called and  
asked about our  
easement and the  
badlands issue.

I told him I had  
personally

1:55 PM

Gena Griesen called  
me today and said she  
had been to badlands  
etc. With a little

1/1

CLV000006 004252  
LO 00002971

RA 03300

77°

47% 1:22 PM



badlands



George, EHB is making another run for permission to use the easement from Rampart to access Badlands. Feel free to call.

2:39 PM

Trinity Schlotman

T

Badlands abeyed last night.

10:19 PM

Jerry Snyder

J

Bob: I just got back to town and saw the uproar over Badlands and anti-semitism. I say bullshit! If you need any support I am here to help. Jerry

11:34 AM

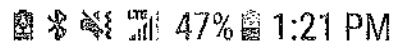
The only thing that have never felt right here is the fight by some on behalf of Badlands. Biggest \$ deal around not counting marijuana

9:06 AM

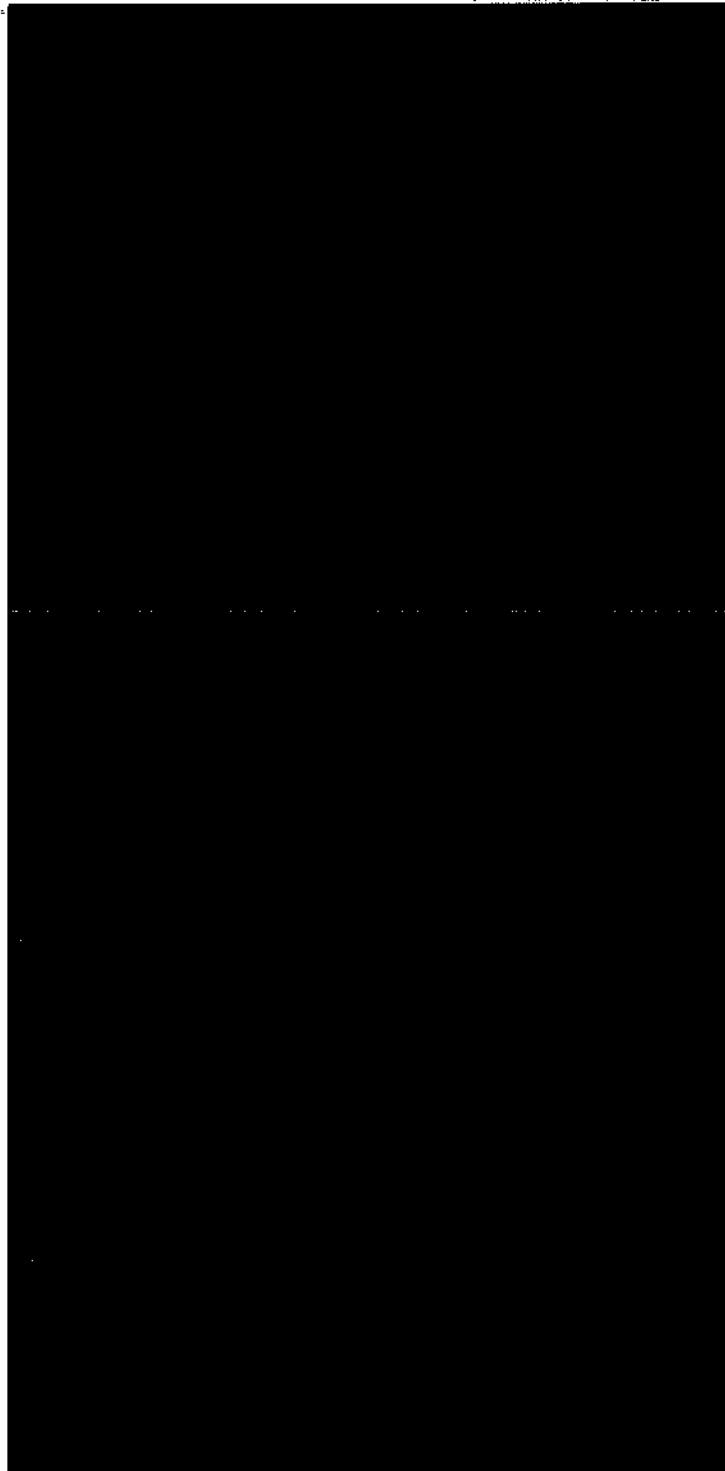
1/1

CLV000007 004253  
LO 00002972

RA 03301



badlands



CLV000008 004254  
LO 00002973

RA 03302



77°

47% 1:21 PM



badlands



Thank you. Haven't seen you testify in awhile. Your clients are quiet. Can you believe Badlands? Talk about sraff-driven nonsense. Of course for awhile they responded to a majority as they twisted but now there is a new majority. Take a short while and read Crocketts opinion. Zinger!

4:00 PM

Russell Rowe



Vindication, at least for now. Maybe this decision will be the beginning of some internal changes at the City. Hope you're doing well Bob.

Las Vegas 'abused its discretion' in Badlands vote, judge rules  
<https://www.reviewjournal.com/news/politics-and>

1/1

CLV000009 004255  
LO 00002974

RA 03303

77°

48% 1:21 PM



badlands



Mom

M

Advance Badlands  
story in Sun, not RJ.

8:28 AM

8:42 PM

Hi SS. Bob C bere. Are  
you abeying Badlands  
items on Council? Up  
to you.

8:37 PM

George. I am in  
Korea. Any word  
on possible abeyances  
of Badlands? CG had  
hinted at that.

8:36 PM

Any advance stories on  
Council yet? I know its  
a holiday. Sure would  
like to NOT get up at  
2 am here. Pray for  
Badlands to abey all  
nine items.

Thank you. Haven't  
seen you testify in  
awhile. Your cljents are  
quiet. Can you believe

1/1

CLV000010 004256  
LO 00002975

RA 03304

77°

48% 1:20 PM



badlands



MESSAGES

33 FOUND

Mom



Story on View front  
page about Woford  
with nice quote from  
you. Badlands story at  
top of 1b. Rebels lost  
at home. RJ said only  
4,000 at game. Knights  
pl

10:24 AM

Just finished  
voting.....again....on  
Badlands....by tele

1:49 PM

VIEW ALL

# **Exhibit 128**

**From:** [REDACTED]  
**Location:** 495 S. Main Street/7th Floor/Councilman Seroka's Office  
**Importance:** Normal  
**Subject:** Accepted: FW: [Confidential] Meeting with Craig Billings @ Wed Sep 26, 2018 09:00 - 10:00 (PDT) (Steven Seroka)  
**Start Date/Time:** Wed 9/26/2018 4:00:00 PM  
**End Date/Time:** Wed 9/26/2018 5:00:00 PM  
[invite.ics](#)

.....  
\*\*\*\*\*  
**Craig Billings has accepted this invitation.**

**FW: [Confidential] Meeting with Craig Billings**

**When** Wed Sep 26, 2018 09:00 – 10:00 Pacific Time - Los Angeles

**Where** 495 S. Main Street/7th Floor/Councilman Seroka's Office ([map](#))

**Calendar** Steven Seroka

**Who**

- Steven Seroka - organizer
- Craig Billings - creator

-----Original Appointment-----

**From:** jvolmar@LasVegasNevada.GOV > On Behalf Of Steven Seroka  
**Sent:** Monday, September 24, 2018 4:31 PM  
**To:** Steven Seroka; Billings, Craig; Jerry Walker; Joseph Volmar; Marco Henry  
**Subject:** Meeting with Craig Billings  
**When:** Wednesday, September 26, 2018 09:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** 495 S. Main Street/7th Floor/Councilman Seroka's Office

--Note that (jvolmar@LasVegasNevada.GOV) is an external email. Forward unfamiliar emails to WE Protect.--

Councilman

Thank you so much for taking the time to meet last night. I look forward to meeting with the City Engineer regarding grate coverage for the wash tunnels. In the interim, I will speak to a highly regarded civil engineering firm that we use here at Wynn to understand what technologies other cities with similar issues are using. I will also be socializing the broader plan for the tunnels with my fellow Aventura residents at a HOA meeting next Tuesday.

As discussed, I will call Frank Schrek this morning to better understand (and then likely support) your proposal regarding the acquisition and re-zoning of green space land. Please can you tell me, to what email address should I direct my support?

Lastly, who do I need to bug in order to make sure that the park on Hualapai is closed on time, the bollards put up and the bathroom locked? As the Captain mentioned, I don't think it's in anyone's interest to have prostitution, drug use and overall mischief happening in that park at night. I actually stopped by the park just now on my way to the gym and spoke to Jason, a city employee responsible for opening the park. He told me that this morning was the first time he has ever see the car barriers closed upon his arrival and that he regularly sees cars in the park all early morning and day with people living out of their cars... that's right, living out of their cars... a major (and unacceptable) crime risk.

I look forward to seeing you again soon and have a great weekend!

Craig

Craig S. Billings  
CFO  
Wynn Resorts  
[craig.billings@wynnresorts.com](mailto:craig.billings@wynnresorts.com)

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account sseroka@lasvegasnevada.gov because you are an attendee of this event.

CLV000009

004258

RA 03307

# **Exhibit 130**

From: "Carolyn G. Goodman" <cgoodman@LasVegasNevada.GOV>

To: Brad Jerbic <bjerbic@LasVegasNevada.GOV>, Tom Perrigo <tperrigo@LasVegasNevada.GOV>

Cc: Lora Kalkman <lkalkman@LasVegasNevada.GOV>, Zachary Bucher <zbucher@LasVegasNevada.GOV>, Esthefany Arochi <earochi@LasVegasNevada.GOV>

Subject: FW: Badlands

Date: Thu, 30 Aug 2018 15:12:13 +0000

Inline-Images: image003.jpg



CAROLYN G. GOODMAN, MAYOR

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: Bob Coffin <lvccouncilman@hotmail.com>

Sent: Wednesday, August 29, 2018 9:58 PM

To: Jerry Engel <jengeliv@aol.com>; Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Steven Seroka <sseroka@LasVegasNevada.GOV>; Lois Tarkanian <ltarkanian@LasVegasNevada.GOV>; Stavros Anthony <santhony@LasVegasNevada.GOV>

Cc: Peter Angulo <pangulo@ocgas.com>; Bob Coffin <lvccouncilman@hotmail.com>; Susan Finucan <sfinucan@LasVegasNevada.GOV>; Felipe Ortiz <fortiz@LasVegasNevada.GOV>; Ydo Yturralde <yiturralde@LasVegasNevada.GOV>

Subject: Re: Badlands

Good evening, Jerry. Nice to hear again from my old friend but not on this horrible subject.

You should know that because of the EHB desperation to win at all costs they are suing me in federal court alleging that I should be disqualified from voting because I am anti-Semitic. There was a day when if someone said something so outrageous it got a laugh but nothing about **these clown's** efforts to ruin your lifestyle and my reputation is laughable.

Due to a clumsy attempt to intimidate some of us the **greeddeveloper** asks for copies of all notes, emails, text messages, voice mails, social media and written notes and correspondence on the subject of Badlands. So, this one is eligible for him to see.

Can you believe these **assholes?**

**I will certainly be voting for Steve Seroka's Open Space bill next Tuesday morning and in a subsequent City Council meeting. So, I will not stop fighting for you and your neighbors.**

The EHB **dirtballs** will have to do more than slander me and my colleagues to try to overturn our efforts to defend you!..

Sincerely,

Bob Coffin

----- Original message -----

From: Jerry Engel <jengeliv@aol.com>

Date: 8/29/18 9:38 PM (GMT-08:00)

To: [cgoodman@lasvegasnevada.gov](mailto:cgoodman@lasvegasnevada.gov), [lvccouncilman@hotmail.com](mailto:lvccouncilman@hotmail.com), [sseroka@lasvegasnevada.gov](mailto:sseroka@lasvegasnevada.gov), [ltarkanian@lasvegasnevada.gov](mailto:ltarkanian@lasvegasnevada.gov), [santhony@lasvegasnevada.gov](mailto:santhony@lasvegasnevada.gov)

Subject: Badlands

My dear Council Friends,

Over two years ago I attended a presentation by Yohan Lowie showing we HOMEOWNERS of his plans to develop the Badlands. I was impressed with the quality shown, as I was with the quality shown by Mr. Lowie when he built the Queensridge Towers.

I was for him before I was against him...sound familiar.

Subsequent meetings revealed how Mr. Lowie deceived us in showing beautiful renderings of quality homes, with many green

004262  
CLV283404

RA 03309



areas near our homes which were in reality over 3,000 residences within 75 feet of our homes. Later he told us he could give us 25 more feet of space. That is when I realizes we had to stop him from ruining our neighborhood and way of life.

I welcome your coming to my home and seeing what Mr. Lowie was planning **100 FEET FROM MY HOME.**

Please vote YES on ordinance bill #2018-24.

Yours truly,

Jerry Engel  
700 Pont Chartrain Dr.,  
L.V. 89145

004263  
CLV283405

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**RA 03310**



**To:** Tony Guarino[TGuarino@LasVegasNevada.GOV]  
**From:** Vicki Ozuna  
**Sent:** Tue 1/10/2017 7:10:01 PM  
**Subject:** FW: Fire Hazard apn 138-31-702-002 BADLAND GOLF COURSE CITY OF LAS VEGAS

When you were onsite did you look at the ponds?

-----Original Message-----

**From:** Tom Perrigo  
**Sent:** Wednesday, December 07, 2016 1:33 PM  
**To:** Vicki Ozuna  
**Cc:** Karen Duddleston; Tony Guarino  
**Subject:** RE: Fire Hazard apn 138-31-702-002 BADLAND GOLF COURSE CITY OF LAS VEGAS

Thanks Vicki.

-----Original Message-----

**From:** Vicki Ozuna  
**Sent:** Tuesday, December 6, 2016 3:04 PM  
**To:** Tom Perrigo <tperrigo@LasVegasNevada.GOV>  
**Cc:** Karen Duddleston <kduddleston@LasVegasNevada.GOV>; Tony Guarino <TGuarino@LasVegasNevada.GOV>  
**Subject:** RE: Fire Hazard apn 138-31-702-002 BADLAND GOLF COURSE CITY OF LAS VEGAS

Code Enforcement has received two complaints addressing different issues with Badland Golf Course. One is concerning vegetation that it is alleged to be creating a fire hazard, and the other is regarding the well pump being down, and the course not being watered. The second issue came to me this morning from Councilman Beers.

Tony inspected the site and found nothing that is creating a fire hazard. He also looked at the ponds and areas of the course. He met with the well service who is repairing the pump, who advised Tony that the well has been down the last 30 days. The pump should be repaired by the end of today.

In order to determine what standards Code Enforcement can use for enforcement for the golf course, I reviewed the Peccole Ranch Master Plan Phase II and all development agreements/SDR's that were approved for this area.

There are no conditions mentioned that pertain to the maintenance of the open space/golf course area.

Since the property is zoned RPD-7 I believe UDC 19.06.040 Development Standards- Residential would apply. Specifically section 4b that states property owners are responsible for maintaining all landscaping in a healthy and vigorous living condition. Additionally 4c addresses replacement of dead vegetation with healthy, living plants, in accordance with standard seasonal planting practices, could be applicable. I discussed the intent of this section of the code with Steve G. and he agrees that it could be used to require the property owner maintain the existing landscaping.

I have reviewed pictures that Tony G took Monday onsite and feel that if the property owner determines not to restore water to the property, then the ponds should all be drained as they are not able to be circulated to keep them from becoming stagnant. As this is an open area and adjacent residents are able to access the area, it would also be a safety concern for drownings. I think we would also want to include that they be kept water free for in the future so as not to become mosquito breeding grounds. This could be addressed under Nuisance 9.04.010 2) that addresses stagnant/polluted water.

As far as vegetation, under Nuisance 9.04, Code Enforcement can require that all grass and weeds be kept below 8" at all times and dead vegetation if it constitutes a fire hazard should be removed.

00426405549

RA 03311

**From:** [REDACTED]  
**Location:** 495 S. Main Street/7th Floor/Councilman Seroka's Office  
**Importance:** Normal  
**Subject:** Accepted: FW: [Confidential] Meeting with Craig Billings @ Wed Sep 26, 2018 09:00 - 10:00 (PDT) (Steven Seroka)  
**Start Date/Time:** Wed 9/26/2018 4:00:00 PM  
**End Date/Time:** Wed 9/26/2018 5:00:00 PM  
[invite.ics](#)

.....  
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Craig Billings has accepted this invitation.

**FW: [Confidential] Meeting with Craig Billings**

**When:** Wed Sep 26, 2018 09:00 – 10:00 Pacific Time – Los Angeles

**Where:** 495 S. Main Street/7th Floor/Councilman Seroka's Office ([map](#))

**Calendar:** Steven Seroka

**Who:**

- Steven Seroka - [organizer](#)
- Craig Billings - [creator](#)

-----Original Appointment-----

**From:** jvolmar@LasVegasNevada.GOV > On Behalf Of Steven Seroka  
**Sent:** Monday, September 24, 2018 4:31 PM  
**To:** Steven Seroka; Billings, Craig; Jerry Walker; Joseph Volmar; Marco Henry  
**Subject:** Meeting with Craig Billings  
**When:** Wednesday, September 26, 2018 09:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).  
**Where:** 495 S. Main Street/7th Floor/Councilman Seroka's Office

--Note that (jvolmar@LasVegasNevada.GOV) is an external email. Forward unfamiliar emails to WE Protect.--

Councilman

Thank you so much for taking the time to meet last night. I look forward to meeting with the City Engineer regarding grate coverage for the wash tunnels. In the interim, I will speak to a highly regarded civil engineering firm that we use here at Wynn to understand what technologies other cities with similar issues are using. I will also be socializing the broader plan for the tunnels with my fellow Aventura residents at a HOA meeting next Tuesday.

As discussed, I will call Frank Schrek this morning to better understand (and then likely support) your proposal regarding the acquisition and re-zoning of green space land. Please can you tell me, to what email address should I direct my support?

Lastly, who do I need to bug in order to make sure that the park on Hualapai is closed on time, the bollards put up and the bathroom locked? As the Captain mentioned, I don't think it's in anyone's interest to have prostitution, drug use and overall mischief happening in that park at night. I actually stopped by the park just now on my way to the gym and spoke to Jason, a city employee responsible for opening the park. He told me that this morning was the first time he has ever see the car barriers closed upon his arrival and that he regularly sees cars in the park all early morning and day with people living out of their cars... that's right, living out of their cars... a major (and unacceptable) crime risk.

I look forward to seeing you again soon and have a great weekend!

Craig

Craig S. Billings  
CFO  
Wynn Resorts  
[craig.billings@wynnresorts.com](mailto:craig.billings@wynnresorts.com)

Initiated from: [Google Calendar](#)

You are receiving this courtesy email at the account [csbillings@lasvegasnevada.gov](mailto:csbillings@lasvegasnevada.gov) because you are an attendee of this event.

CLV000009

004265

RA 03312

**Andrea Cole**

---

**From:** Peter Lowenstein <plowenstein@LasVegasNevada.GOV>  
**Sent:** Tuesday, November 21, 2017 1:44 PM  
**To:** George Garcia  
**Cc:** Andrea Cole  
**Subject:** RE: QR - Inquiry on Tentative Map and SDR Applications - Badlands Parcels 2, 3, & 4

Mr. Garcia,

Thank you for your inquiries into the Projects PRJ-71990, PRJ-71991 & PRJ-71992. The Department of Planning has requested (not required) a General Plan Amendment to accompany the proposed projects. Pursuant to the Las Vegas Municipal Code the submitted application types should be consistent with the General Plan, however are not required through specific code language.

The three before mentioned projects are scheduled for the December 12, 2017 Planning Commission meeting. The projects are all to be heard as public hearing items at that meeting. Neighborhood meetings are not required for the proposed application types pursuant to the Las Vegas Municipal Code Title 19, nor has the applicant indicated that they will be holding any prior to the December 12, 2018 Planning Commission meeting.

Once again, thank you for your inquiries and have a happy Thanksgiving.

Sincerely,

**Peter Lowenstein**  
Acting Planning Director  
Department of Planning  
702-229-4693 Office | 702-474-7463 Fax  
333 N. Rancho Drive, 3<sup>rd</sup> Floor, NV 89106



lasvegasnevada.gov



**From:** Andrea Cole [mailto:acole@gcgarciainc.com]  
**Sent:** Monday, November 20, 2017 3:41 PM  
**To:** Peter Lowenstein  
**Cc:** George Garcia  
**Subject:** QR - Inquiry on Tentative Map and SDR Applications - Badlands Parcels 2, 3, & 4

Good Afternoon Peter,

Please see the attached letter regarding an inquiry on the Tentative Map and SDR Applications - Badlands Parcels 2, 3, & 4. We would appreciate a response to the questions included.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.



**To:** alejandro.garcia[agarcia@LasVegasNevada.GOV]; Crystal H. Makridis[cmakridis@LasVegasNevada.GOV]; Nashira Ling[nling@LasVegasNevada.GOV]; rafiq.ali[rali@LasVegasNevada.GOV]; Sandy Gravseth[sgravseth@LasVegasNevada.GOV]; Victor Ravelo[vavelo@LasVegasNevada.GOV]  
**From:** Lauren E. Storla  
**Sent:** Tue 6/27/2017 8:47:09 PM  
**Subject:** Badlands

If anyone sees a permit for grading or clear and grub at the **Badlands** Golf Course, please see Kevin, Rod, or me. Do Not Permit without approval from one of these three.



**Lauren Storla** | Senior Permit Technician  
Building & Safety  
333 N. Rancho Drive, Las Vegas, NV 89106  
702-229-5460

lasvegasnevada.gov



City of Las Vegas Building & Safety

Your opinion is important! Click [here](#) to take a short survey.

This e-mail transmission, and any documents, files, or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify us by reply e-mail, by forwarding this to sender and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you.

004267 706185

RA 03314

**To:** Jorge Cervantes[JCervantes@LasVegasNevada.GOV]  
**From:** Sara Garcia  
**Sent:** Thur 5/11/2017 10:11:24 PM  
**Subject:** RE: Key/Burning Issues: Week of May 8

For your review/approval:

## **Key/Burning Issues: - Week of May 8**

### **BUILDING & SAFETY:**

#### **Customer Service:**

- No new issues this week to report to Council – continuing to train and prepare for implementation of INFOR. We are reaching out to frequent customer to invite them to see the new web functions of the program.

#### **Inspections/Permits:**

- No new issues this week to report to Council – continuing to train and prepare for implementation of INFOR

#### **OIT/Lab:**

- Began Integrated Systems Testing for the INFOR10 application and associated web functions.

### **PLANNING:**

#### **BUSINESS LICENSING:**

- **Cannabis Wedding Chapel** – A search warrant was issued on the Cannabis Wedding Chapel for issuing fraudulent medical marijuana cards and on-site consumption. The licenses for this establishment are temporary and will be suspended.
- **Cox Cable Audit** – Final settlement \$1.3 million.
- **Safari Motel** – The judge has continued the case brought by the City to declare the motel a chronic nuisance for a week. The property failed the inspection of May 9, 2017 by Code Enforcement and Licensing has issued notice to the owner that Licensing will not be renewing the license on May 30, 2017 unless the motel addresses the violations. The judge allowed the owner until May 30 to complete improvements and alleviate the activity occurring on the property.
- **Guerrero Tires** - BL compliance assisted Metro Narcotics immediately following service of Metro's search warrant on Thurs. May 4. This is 1845 N. Rancho and one of two locations for Guerrero (I don't know whether the second location is in the city). Guerrero is one of two owners and was arrested immediately on felony charges of controlled substances sales and possession of illegal firearms (shotguns with silencers, e.g.). Meth and cocaine were found on the premises, along with large amounts of cash. Metro is investigating the co-owner, probably Guerrero's wife. It appears unlikely at this time that the shop will reopen because Guerrero is in custody. In addition, the landlord will be evicting Guerrero. We have not found the location open since the time of search warrant execution last week.

### **PLANNING:**

#### **Badlands Golf Course**

- An agreement between all three parties has been reached.
- Applications for the June PC item will be submitted this week.

Renaissance (Northern portion of Boca Park)

004268  
CLV006401

**RA 03315**

**To:** Bob Coffin (lvcouncilman@hotmail.com)(lvcouncilman@hotmail.com)  
**Cc:** Susan Finucan[sfinucan@LasVegasNevada.GOV]; Felipe Ortiz[fortiz@LasVegasNevada.GOV]; Maria Jose Norero[mnorero@LasVegasNevada.GOV]  
**From:** Felipe Ortiz  
**Sent:** Tue 6/6/2017 9:42:41 PM  
**Subject:** Notes from today's briefing

Hello Councilman,

Of importance on the City Council Agenda for tomorrow.

Item 46 – Bed and Breakfast Bill for licensing and zoning,  
Lois Tarkanian told the morning group that she will be making a Motion to send the Bill back to the June 19  
Recommending Committee meeting for amendments and then back to City Council on June 21.

Item 48 - Bill 2017-27 "Development Agreement for Two Fifty" or Badlands will be introduced as a new Bill tomorrow.  
Brad reported that there is resolution on most matters and the entire area.

This item and matter should be considered a hearing and per Brad Jerbic in no circumstance should you tip the way that you are  
going to vote,  
as a pre-judgement comment on a quasi-judicial hearing could trigger legal action.

There will be another briefing on the almost Final and Revised Amended Development Agreement with respect to Badlands and  
will go to a final vote on June 21, 2017,  
no matter what.

Item 51 - is Vegas Antiques and your item for a hearing on the sign on the roof and the storage container in the back of the lot  
which has electricity.

Item 55 and 56 Ward 1 will be abeyed.

Felipe

004269  
CLV005250

RA 03316

To: Ervin Kral[ekral@LasVegasNevada.GOV]  
From: David F. Klein  
Sent: Wed 12/20/2017 10:44:29 PM  
Subject: Badlands

Just for giggles, can we update the numbers you provided for calls in the Summerlin Village Paesos II for 2016 and 2017  
I figure evenif the Badlands site is gogin to be about 1000 homes less it can show that the hand full of calls we get will  
not be any impact.

**David F. Klein**

Deputy Fire Marshal | Fire Protection Engineering  
Las Vegas Fire & Rescue, Fire Prevention Division  
333 N. Rancho Drive, #500, Las Vegas, NV 89106  
Direct: 702-229-0336 | Cell 702-303-0720



lasvegasnevada.gov



004270  
CLV005094

RA 03317

# **Exhibit 134**





LAS VEGAS  
CITY COUNCIL

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

LOIS TARKANIAN  
STEVEN D. ROSS  
RICKI Y. BARLOW  
BOB COFFIN  
BOB BEERS

ELIZABETH N. FRETWELL  
CITY MANAGER

CITY OF LAS VEGAS  
DEPARTMENT OF PLANNING  
DEVELOPMENT SERVICES CENTER  
333 NORTH RANCHO DRIVE  
3RD FLOOR  
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301  
FAX 702.474.0352  
TTY 702.386.9108  
www.lasvegasnevada.gov

December 30, 2014

Frank Pankratz  
ENB Companies  
9755 W. Charleston Blvd.  
Las Vegas, NV 89117

RE: 138-31-713-002  
138-31-712-004  
138-31-610-002  
138-31-212-002 (ZVL-57350)

Mr. Pankratz,

This letter is in response to a request for zoning verification on properties located within Las Vegas, Nevada with Assessor's Parcel Numbers of 138-31-713-002; 138-31-712-004; 138-31-610-002; and 138-31-212-002. The subject properties are zoned R-PD7 (Residential Planned Development District – 7 Units per Acre).

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.) A detailed listing of the permissible uses and all applicable requirements for the R-PD Zone are located in Title 19 ("Las Vegas Zoning Code") of the Las Vegas Municipal Code. The Las Vegas Zoning Code may be found on the City of Las Vegas website:

[http://www.lasvegasnevada.gov/LawsCodes/zoning\\_laws.htm](http://www.lasvegasnevada.gov/LawsCodes/zoning_laws.htm)

The department is unable to provide you with a statement as to whether or not this property conforms to current City codes. If a use or building is nonconforming, then Title 19.14 grants certain rights to the owner, which are addressed in Sections 19.14.040 and 19.14.050 located in Title 19 ("Unified Development Code") of the Las Vegas Municipal Code. The Unified Development Code may be found on the City of Las Vegas website:

[http://www.lasvegasnevada.gov/files/CLV\\_Unified\\_Development\\_Code.pdf](http://www.lasvegasnevada.gov/files/CLV_Unified_Development_Code.pdf)

Should you wish to obtain copies of a Certificate of Occupancy or other public records related to the subject property, please contact the Las Vegas Building and Safety Department at (702) 229-6251. Information regarding City code violations on the subject property can be obtained from the Code Enforcement Division of the Building and Safety Department at (702) 229-2330.

If you have any questions concerning this matter, please contact me at (702) 229-6745.

Sincerely,

Nicole Eddowes  
Planner I  
Planning & Development Department

EXHIBIT H



PRJ-63491  
02/25/16

FM-0073a-04-12  
004406

LO 00000084

RA 03319

# **Exhibit 136**

Transcription of Recorded Homeowners Association Meeting

9101 Alta Drive

**Case:**

180 Land Company, LLC, et al. v. City of Las Vegas, et al.  
A-17-758528-J

**Date:**

06/21/2018



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**RA 03321**

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## TRANSCRIPTION OF AUDIO RECORDED

9101 Alta Drive HOA Meeting

Steve Seroka, Main Speaker

June 21, 2018

In Re: 180 Land Company, LLC, et. al.

V.

City of Las Vegas, et. al.

Cause No: A-17-758528

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RECORDED BY ELECTRONIC SOUND RECORDING;  
TRANSCRIPT PRODUCED BY TRANSCRIPTION SERVICE

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Transcribed by: Carmelita E. Lee  
Certified Electronic Transcriber  
Certificate No. CET\*\*D-499

1       Transcription of Audio Recording of June 21, 2018

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4                               HOA MEETING

5

6               CHAIR: We have a guest with us tonight. Some  
7 of you weren't here the last time that Steve graciously  
8 consented to address our homeowners, and he is back.

9 There has been a city council -- at least one city  
10 council meeting with regard to the Badlands and  
11 surrounding areas. Steve is going to bring us  
12 up-to-date on what has happened there, and in our  
13 neighborhood.

14                       Thank you.

15               COUNCILMAN SEROKA: Thank you.

16                       Is it okay if I take this off here?

17               CHAIR: Yes.

18               COUNCILMAN SEROKA: If that's okay, I would  
19 like to get everybody in on it.

20                       Steve Seroka. I'm your neighbor up the  
21 street here off of Alta, and I'm your city councilman.  
22 If you don't know that, you should by now. It's funny,  
23 I go places and people stop me and I introduce myself,  
24 and they say, I know who you are.

25                       But I'll give you an update. Last time I

1 came and spoke to you I was -- we were just shy of the  
2 May 16th city council meeting where there were ten  
3 issues regarding the -- ten items regarding development  
4 on the formerly Badlands Golf Course out here. And then  
5 we had a city council meeting, and I wanted to give you  
6 an update on that.

7 But before I did, I wanted to take the  
8 opportunity to share a little bit about the other things  
9 that have been going on. This week I flew into  
10 Washington DC and came back Tuesday night in order to  
11 make the council meeting yesterday.

12 I went to Washington DC, I was invited  
13 there by an organization called the U.S. Global  
14 Coalition. I'm considered a State of Nevada advisory  
15 board member on that coalition, and what it is about is  
16 about the United States' influence around the world, our  
17 role as a global leader. And it is primarily focused on  
18 budget items.

19 One of the items that they are concerned  
20 about is the international affairs budget that deals  
21 with all of our diplomats and all of our international  
22 aid. It is a very small part of our budget. It is  
23 about 1 percent, and what it does is, it prevents us  
24 from going (inaudible.) It has been a target of  
25 reduction over the last series of years, and so they

1 call people in and they like the perspective of a  
2 military person talking about the value of smart soft  
3 power of America around the globe versus hard military  
4 power. And I would have the opportunity to spend Monday  
5 hearing national leaders such as Madeleine Albright,  
6 former Secretary of State; Chris Christy, presidential  
7 candidate; Howard Dean, presidential candidate; the Vice  
8 Chairman of the Joint Chiefs of Staff; CEOs of a lot of  
9 our nongovernmental organizations, who were sharing with  
10 us what is happening in the globe, and how our actions,  
11 when we decide not to lead, who is filling in.

12 And I'll be sharing with you a bit of  
13 information that I did not know; is that our \$60 billion  
14 is pennies on the dollar relative to our 6 to 700  
15 billion defense budget that we have.

16 The Vice Chairman of the Joint Chiefs of  
17 Staff, he is a fellow Air Force Academy graduate, and he  
18 shared, "If you called me in to do the job, I am going  
19 to make things worse before I make them better. We  
20 would much rather have the soft power, the diplomatic  
21 effort to develop (indiscernible) and make things better  
22 so that we never have to make that choice."

23 And then you heard the Secretary of State  
24 speak up, "When we have peace and stability around the  
25 world, it helps trade. It helps international trade."

1 Which comes right back to Nevada. It gives us our  
2 tourism. It gives us our international investment here.  
3 It helps us right at home.

4 So then we had a team of five of us go  
5 talk to our U.S. Senators and our Congressmen, so I got  
6 to speak to Senator Catherine Cortez Masto and her  
7 staff, and some of our congressional delegations. And  
8 it was a great experience and we had folks from Northern  
9 Nevada and Southern Nevada on the team. We were very  
10 successful in that area, and I think that was an  
11 important thing to talk about.

12 As well, yesterday, the city council, we  
13 had two pet ordinances that came forward. All of us  
14 care about humane treatment of our animals. Previously  
15 we had stopped a ban that would have shut down two of  
16 our pet stores in town, that said only dogs coming from  
17 shelters are from shelters [sic.] That assumed that our  
18 shelters were perfect, and that assumed that we didn't  
19 have any other way to prevent healthy animals from  
20 coming into our community.

21 But we put guidelines in place that passed  
22 yesterday that will strengthen our ability to control  
23 the inflow of animals into our community, as well as  
24 provide some revenue to have people enforce those rules  
25 now. We have been contacted by people from other states



1 saying you in Las Vegas are now the national leader in  
2 that area.

3 When I was in Washington DC I was able to  
4 talk to our senators, and we have -- we went to one  
5 Senator's office and one Congressional office about  
6 support to help us with the USDA rules to help support  
7 the humane treatment of animals through their rules.  
8 Because there are challenges within their rules that  
9 make it hard on all of this. As well as we are going to  
10 be working with our state delegation along those lines.

11 The number one source of puppy mill  
12 animals in our community is the airport. Studies show  
13 that you can eliminate all of the puppy mills in the  
14 United States of America, yet you would have a puppy  
15 mill problem because they come from overseas. So we are  
16 working with the county to work with the airport to find  
17 a way to regulate the flow of animals that have been  
18 sold to people in our community here. So it is a -- it  
19 is going to take a large effort, but we made a first  
20 step that people in the nation said you are the first,  
21 and people didn't think we would get it through here,  
22 but we had an agreement from our animal welfare people  
23 and animal activists, as well as our business owners  
24 here in town, and we were successful yesterday. So that  
25 was a big win for our community.

1                   On May 16th we had two items come up. One  
2 of the items was relative to new policy in our  
3 development rules in our community. You heard me speak  
4 previously that one of the challenges with the  
5 development, such as developing the Badlands, is we had  
6 no rules for developing inside of a completed master  
7 planned community. All of our rules are in place for  
8 developing a pristine land, as Las Vegas was growing in  
9 an outward direction.

10                  Now we are looking at development on the  
11 inside, and we didn't have any rules, so it left a lot  
12 of questions out there. So we did, back in September,  
13 we directed -- I directed the staff to look at  
14 developing some rules to help that situation, and now on  
15 May 16th we approved the first part of two.

16                  I'll share with you that we made that  
17 directive, and down in Henderson, they heard what we  
18 did, and they liked what we were doing, they took our  
19 idea, they made it better, they approved it already, and  
20 actually resolved their Legacy Golf Course issue as part  
21 of that process, and we now are just getting, in Las  
22 Vegas, we are a little bit slower, because they are  
23 already done, and we just got part one of two parts  
24 approved on May 16th.

25                  All of that part of the policy said is if

1 you are going to develop -- I'll just say this short.  
2 If you are going to develop in somebody's back yard, you  
3 need to talk to them, and then put it in a report what  
4 you heard and what you are going to do about it, so when  
5 you come to city council, all of this consternation is  
6 documented.

7 That's all. And we approved that.

8 And that is one of the -- around the  
9 country, that is step one across the country. A  
10 successful legislation, as well as successful  
11 development in a completed master planned community.

12 Part two will be a little bit harder. It  
13 is going to say, okay, if you are going to develop  
14 inside of a master planned community, go talk to the  
15 community, and here are some guidelines to follow.

16 And there are about ten guidelines that  
17 have been successful across our nation. This is such a  
18 common problem, there are thesis papers written on this.  
19 We are not unique in this. The solutions are out there.  
20 Generally the solutions say something like this. If you  
21 are going to develop where nothing was previously  
22 expected to be developed -- and there is a way to define  
23 that -- bring your new development to part of that plan  
24 and change as much green space used as possible.  
25 Maintain public walk space so that people that

1 previously used that can continue to use it, and then  
2 put your infrastructure in the spot in a way that it  
3 improves the quality of that community.

4 I told you the last time that I was here  
5 that we had flown in an expert to look at our situation  
6 here, and that is what he does around the country. And  
7 we are continuing to work with him, and with some golf  
8 course people, because in addition, what they  
9 recommended is, when you do create that kind of green  
10 space, if there is a revenue-producing business in place  
11 at the time, to make that into something like a park or  
12 executive golf course, but not a (indiscernible.)

13 And that has been the recommended solution  
14 of successful communities around the nation. Texas,  
15 Florida, California are all ahead of us. Phoenix has  
16 had some high, high end, very high end, expensive homes  
17 and communities in this situation, and they resolved it  
18 this way. Palo Alto, California, they have had some  
19 challenges and resolved it in the same way.

20 So those are the kinds of things that will  
21 likely be, I don't know, in part two of the open space  
22 amendment -- policy amendment that will be coming  
23 forward. We don't have the final word on that. But  
24 that is important because in Ward 2, we doubled the  
25 acreage of any other ward in the city of Las Vegas that

1 could be affected by this policy. Think about that.  
2 Ward 2 alone.

3 There are thousands and thousands of acres  
4 in the city of Las Vegas that could be affected by this  
5 open space development, yet this ward, right in our  
6 area, a stone's throw from here, we have thousands of  
7 acres, which is double any other ward in the city of Las  
8 Vegas. Let's compare that to Ward 6 in the northwest,  
9 which is very open. We have nearly five times the  
10 acreage of Ward 6 that could be affected by this open  
11 space.

12 So is it important for Ward 2 and our  
13 community? Yes. We have all the golf courses in our  
14 community that could be affected. The lakes, the  
15 lake -- the lake and the lakes is of the same land use  
16 and zoning category as here. So think about that.

17 When we are talking about these open  
18 spaces, we are not talking Badlands, we are talking the  
19 city of Las Vegas, and a lot of it in Ward 2. So it  
20 makes sense for me to leave that open so that we can  
21 move forward. So that is here for our community.

22 What happened on our May 16th council  
23 meeting? On the May 16th council meeting, after I came  
24 in, I shared with you that we were having ten items.  
25 Many of you had some really strong comments about it.

1 We just had a lawsuit, didn't we? How come it is on the  
2 agenda? Doesn't this apply? And some other very  
3 relevant comments.

4 What I didn't share with you at the time  
5 is I had been having that conversation inside of the  
6 staff for months. But I also didn't share with you that  
7 as of May 16th, I have now had three swings at the plate  
8 regarding Badlands. August 2nd, with the development  
9 agreement, that had -- liked to have a development  
10 agreement, but it didn't go through the process, and we  
11 didn't have it, the right process in place, and we  
12 didn't have the level of detail in there to make it a  
13 good contract for the city or the community.

14 We could improve on it. There was a lot  
15 of good things on it but there was not a good contract  
16 at the time, so we said no. We haven't gotten another  
17 development agreement back.

18 In January, my second swing, there were  
19 these same ten items on the agenda, and we said, hey,  
20 this is such a highly contentious issue, we want the  
21 council to be full. We want there to be all seven  
22 votes, and there was a vacancy in Ward 5. At the time  
23 we said okay, let's just delay this so we get the full  
24 council to vote, and we will delay the vote until 30  
25 days after the new council person is elected in August.

1 So we did that.

2 That was my second swing. And the third  
3 swing was on May 16th.

4 At the council meeting, at the council  
5 prep meeting for the January meeting where we delayed,  
6 we voted to delay, I had a lot of questions for the  
7 staff that many of you have. I asked them all of the  
8 questions you asked. And more. And they didn't have  
9 any answers. And I said well, then, tomorrow, if we  
10 don't delay this item, I am going to have a lot to say,  
11 and it is going to be ugly.

12 We delayed it, and the staff came to me  
13 and said, councilman, we would like to talk to you about  
14 your concern about the 12 issues you brought up. I said  
15 thank you, let's talk about that.

16 What I thought was, when I said that at  
17 the meeting, the purpose of the meeting was to present  
18 me or tell me how wrong I was on all of the items, so I  
19 was -- then I got to the point where I was asking  
20 questions. And I said, you know, when we have been  
21 briefing all of these other items, the staff has  
22 recommended denial on them, but on Badlands, we are  
23 recommending approval on it. Why? Why? And when they  
24 gave me the answer, I would say, well, that doesn't  
25 sound right, how about this, this and this? There

1 wasn't an answer.

2           They said maybe we will have to get a city  
3 attorney to rule on that. The city attorney thought it  
4 was (indiscernible) and I said, hey, I didn't get any  
5 answers.

6           As a result of that January meeting, I  
7 went to school, because I wasn't getting the answers,  
8 and like all of you, it didn't feel right, sound right,  
9 taste right, but we were hearing it as it was going on.  
10 So I went to school and I studied and studied the rules,  
11 and I learned as much as I could from the experts, and I  
12 did study and I learned a lot.

13           So on May 16, at the beginning of the  
14 meeting, when it came time for the administration  
15 portion of the meeting, I said I have a procedural  
16 motion I would like to make, and my motion was this:  
17 All ten items that are related to Badlands, I  
18 recommended that we -- I moved that we strike all of  
19 them from the agenda today and remove them. And I had  
20 three reasons. It is against our law. It is against --  
21 it is inside the 12-month required cooling off period  
22 for a previous denial of the same thing, and we have a  
23 judge's ruling that says not to do this.

24           Let me explain it first.

25           So what I did was I started reading out of



1 the NRS. I provided Supreme Court cases that supported  
2 that, and I started reading out of our city policy or  
3 city law, verbatim, and explained some of what the items  
4 were, and I made clarification on the 12-month cooling  
5 off policy to make it clear to everyone, and then I read  
6 right out of the judge's ruling that says you can't --  
7 the city attorney cannot interpret the rules in favor of  
8 the decision they were trying to make. The rules are  
9 the rules; the law is the law.

10 And I said I move to strike all of these  
11 items, and we had a two-hour discussion on whether we  
12 wanted to follow the law. The discussion was purely  
13 procedural and it had nothing to do with the  
14 (indiscernible.)

15 At the end of that, we made the motion,  
16 and the motion -- the vote came out 5 to 2 in favor of  
17 following the law. And all it said was follow the  
18 process, follow the law, and we will go from there, and  
19 then we are not doing anything wrong.

20 It's interesting, though. I tell people  
21 we had to have a vote as to whether or not we were going  
22 to follow the law. Think about that. Because I have  
23 been thinking about it a lot, and it bothers me. If  
24 somebody comments that people make, you didn't tell me  
25 you were going to do that. Now, I wasn't responding

1 back to (indiscernible.) My thought was why would I be  
2 telling you to follow the law? Why did it take a  
3 councilman who has been in office for 12 months to  
4 research the law, and then tell you what the law is? I  
5 am kind of concerned about that.

6 So what that means is right now, the  
7 12-month cooling off period ends today because it was  
8 June 21st of last year when there was a motion, I  
9 believe it was Bob Beers that moved to deny, and the  
10 motion carried.

11 And so there was a denial on June 21st of  
12 last year. That was the day that the election was  
13 certified, and I was in the office to see my election  
14 results certified that made me a councilman for this  
15 area.

16 So that means that no application for a  
17 general plan amendment could come in, should have ever  
18 come until before today. So all of those items that  
19 were on the agenda before now had to be taken off  
20 because they never should have been accepted. So moving  
21 forward, the general plan amendments are received on a  
22 quarterly basis, so the next application period would be  
23 August, so an application can be put in in August, and  
24 it can be heard in October, and likely heard at city  
25 council in November. Until then, no application for a

1 similar type of environment, similar type of requests  
2 can be received by the city. So we have that  
3 established.

4 The first part of my research, what I  
5 understand now, first of all, CC&R's have nothing to do  
6 with city council. This -- when we hear about this for  
7 short-term rentals and all of that, city council does  
8 not enforce CC&Rs. That is an HOA role.

9 So say somebody wanted to make a  
10 short-term rental here, you have a rule that says no  
11 short-term rentals are allowed. They came before the  
12 city council and we approved it because we don't see --  
13 we are not allowed to rule on your short-term rental or  
14 your CC&Rs in that regard.

15 You would then have to hire an attorney to  
16 take that person into court. Does that make sense? So  
17 the city council does not enforce CC&Rs.

18 What we do do is land use and zoning.  
19 What I learned through the research, and I can now  
20 follow, is documented clearly from A to Z, clearly  
21 documented what has happened in this area. I know when  
22 I talked to people about it at the city and other  
23 places, they say, well, this is how it started, because  
24 it gets real confusing in here, and then this is how it  
25 comes out.

1                   And I said, well, tell me about this real  
2     confusing part. They say ah, it's confusing, and you  
3     wouldn't understand it. I go what are you talking  
4     about? Well, I don't know if it was confusing, it might  
5     have been that they didn't understand it, or now that I  
6     do understand it, what it says is, it is very clear that  
7     the land formally known as the Badlands Golf Course is  
8     the agreed upon, approved, documented, required by the  
9     city open space and recreational area for this part of  
10    the city of Las Vegas. Far beyond that, far beyond  
11    Queensridge.

12                  What that means is, back in the day when  
13    this area was being developed, it was put forth and the  
14    city said, well, tell us where your open space and your  
15    recreation is going to be, and they said, see this land  
16    that is a flood zone? See this land that is marshland?  
17    It is called -- it is called wetlands now, even though  
18    it is not wet all of the time -- it is federally  
19    protected. We are going to use that as our required  
20    open space. We will make it a golf course, so we will  
21    get two for one. It is a recreational space as well.  
22    It is documented, and it is written down.

23                  So when they built over there off of  
24    Hualapai and Sierra -- Sahara -- this land is the open  
25    space. Every item that was built along Hualapai and

1 Sahara, this is the open space. Every community that  
2 was built around here, that is the open space.

3 The development across the street, across  
4 Rampart, that is the open space. It is documented, it  
5 is designated. You can track it through the system,  
6 when there was change, and there were all of the three  
7 letter identifiers that our city planners have used over  
8 the years.

9 The result has been -- it is also  
10 documented as part recreation, open space. It is green  
11 on the map, and there has been statements that say, oh,  
12 that was just thrown in on the map. It is clearly  
13 documented, even the process is outlined in documents  
14 that are signed and approved by the city. That is part  
15 recreation and open space.

16 What does that mean? What it means is  
17 park recreation and open space is zero entitlements. It  
18 doesn't even say zero, it says not applicable. Not  
19 applicable. When it is park, recreation, open space,  
20 development is not applicable. Underneath that zone,  
21 when it is zoned RPD 7, that is a residential plan  
22 development district.

23 We don't do that any more, they changed  
24 the rules. So when you look at an RPD district, it says  
25 RPD 7. In an RPD 7 area, you can get up to seven units

1 per acre over all. And part of that is you have a  
2 requirement for open space and recreational space, like  
3 I said.

4 So when you have an RPD district, there is  
5 a plan, and in that plan it outlines whatever area of  
6 that acreage is going to be. You have a plan formally  
7 known as -- a golf course known as Badlands, is drainage  
8 and golf course. As I say, it is a required open space,  
9 it is a required recreational space.

10 At that time, it was generally accepted  
11 accounting principals and generally accepted percentage  
12 of acreage that is open space/recreational. It is 20  
13 percent. What we have up here is the agreed upon  
14 roughly 20 percent. It's in the ballpark.

15 So we were going to change this into a  
16 developmental land at this point. It would be like  
17 Scott Canyon (phonetic) that is going up in the  
18 northwest, where they have required open space, they  
19 have required plots. It would be similar to, then once  
20 that community has completed that, then the city council  
21 is approached, and the city council would vote to, now  
22 that it is completed, that park that you built your  
23 house on, we are not going to build in that park. That  
24 is the park for this area.

25 So is there a process to build through and

1 have that requested? Absolutely. Judge Crockett  
2 outlined that in the lawsuit where he said the city  
3 violated the law and overturned the 435 (indiscernible)  
4 because you didn't follow the process that the city has.  
5 Here is the process, follow it if you want to do it.

6 So there is a process to do that. It is  
7 procedural. And then you would have the context for the  
8 city council to judge whether they would like to approve  
9 development. And that goes back to what is the  
10 recommended solution around the country.

11 If you are going to do that, if there is  
12 no requirement to, there is absolutely no reason for the  
13 city council to say yes in that case, because the city  
14 has already said that is a recreational space, that is  
15 the open space. That goes back to all of these  
16 successful concepts around the nation, is a concentrated  
17 small development and a small part, usually multi  
18 dwelling, very beautiful, multi towered kind of thing  
19 like this, in a very small place. And the rest is open.  
20 It is generally the solution around the country. That  
21 doesn't mean that is a solution here but I am just  
22 sharing with you.

23 Now that we have the documentation clear,  
24 that is open space for this part of our community. It  
25 is the recreation space for this part of it. It is not

1 me, it is what the law says. It is what the contracts  
2 say between the city and the community, and that is what  
3 you all are living on right now.

4           There is a way to go forward. In the  
5 meantime, I just wanted to share that the city has  
6 approximately ten lawsuits against it filed by the  
7 developer. One of those lawsuits I mentioned includes  
8 myself and Councilman Kaufman by name. We were being  
9 sued in a federal case. The other cases are claiming  
10 other things like inverse condemnation, people are  
11 biased and the city is breaking its rules. Judge  
12 Crockett has already said the city broke its rules.

13           When you follow the rules, you get sued as  
14 well. The city got sued after this last one.

15           So what is going to happen with those  
16 lawsuits? Well, the city has a litigator. The city has  
17 a team. But in addition, because there are so many, and  
18 because they are so intense, and because the talent of  
19 the firms that are representing the developer, and the  
20 best inverse condemnation lawyer in the State of Nevada  
21 on their team, and they have the Lieutenant Governor of  
22 the State of Nevada on their team. You want to make  
23 sure that the city, if you are a physical conservative,  
24 you would want the best team to prevent further  
25 financial liability down the road.



1                   So yesterday we approved it, and if it  
2 goes over \$50,000 for outside counsel, we have to ask  
3 for city council approval to help the city pay for that  
4 outside litigation.

5                   The value of that outside litigation is  
6 this: I don't just hire one person with that money, we  
7 get the entire firm with that money. In addition, it  
8 wouldn't make sense to hire an additional litigator on  
9 full-time staff. Any business person knows that when  
10 you have a peak in demand, you don't hire a full-time  
11 person with full-time benefits in a potential retirement  
12 that you have to tag on to the end of that. No, that's  
13 when you contract out for a temporary peak in power, a  
14 peak in demand.

15                  So we have at this time a peak in demand,  
16 so we have to hire outside counsel. But then it doesn't  
17 meet conflict of interest and it doesn't have any  
18 conflict of interest.

19                  So what is happening between now and  
20 October, it appears, will be the litigating award. The  
21 litigating work, and the developer is suing the judge  
22 that ruled against him, he is suing the city council  
23 people, two of them, there were five, so why are only  
24 two being singled out? I don't know. There are --  
25 there are complaints filed that have been dismissed. So

1     there is a lot of behind the scenes, but all it takes is  
2     people talking.

3                 The solution is to talk. And there has  
4     been talk about a land swap. And if you remember during  
5     the campaign, my predecessor said the only solution to  
6     this problem is to give the developer anything and  
7     everything he asked for, otherwise it is an inverse  
8     condemnation law suit. By the way, we can show, I can  
9     show, and I'm not even an attorney, I can show you that  
10    there are no development entitlements on the land. So  
11    by not letting somebody use nothing, how do you prevent  
12    them from doing -- there is no dollar value to the loss  
13    of use of those entitlements because there are no  
14    entitlements. I can show you that we didn't prevent any  
15    use of any entitlements.

16                So these condemnation lawsuits don't make  
17    any sense unless somebody doesn't understand the law,  
18    and that could be the hope of ten lawsuits. Because  
19    maybe you get 10 different judges with ten different  
20    interpretations. But anybody that understands the  
21    language will understand that there are no entitlements  
22    and there are no real condemnation lawsuits. That would  
23    be that.

24                But my predecessor said inverse  
25    condemnation. I bring that up because during the

1 campaign, I said, well, let me just show you that's not  
2 the case here; we could do a land swap. It is possible.  
3 So it is not the only solution, there are plenty of  
4 solutions, and this is just one.

5 Well, now there has been a little bit of  
6 discussion about a land swap. And I thought about that  
7 a second and I said wait a minute. This land was a  
8 profitable, fully functioning business when it was  
9 purchased. I don't know if you knew this, but it was  
10 profitable. It was making money as a golf course. It  
11 just wasn't making a lot.

12 Since then, it is no longer -- I guess you  
13 could say that it is a business that was run into the  
14 ground. So in essence, that means to me -- I am not a  
15 lawyer, I am not a business person -- that the land  
16 there is worth less now than it was when it was  
17 purchased. And when you run a business into the ground,  
18 you cannot claim financial hardship because it is your  
19 own doing.

20 So we have a property that was a fully  
21 functioning, profitable business that was bought, it is  
22 no longer that, and it has less value. So what are you  
23 going to swap it for? It was appraised at 3.9 million  
24 and purchased for 7 and a half million. So what are you  
25 going to swap it for? Do you swap it for the equivalent

1 acreage? That doesn't sound right. It is not -- it is  
2 open space, it is a drainage. It is a natural arroyo  
3 that the master plan of 2020 for the city of Las Vegas  
4 says we will preserve natural arroyos. We will preserve  
5 natural terrain.

6 This is our approved ordinance that says  
7 we will do that, and that is what we have done. So what  
8 do you swap it for? It was suggested that we swap it  
9 with a different developer who would maybe -- their  
10 words, not mine -- be more cooperative. And I said  
11 well, first of all, wait a minute. We didn't solve any  
12 of the underlying development issues by doing that. Why  
13 would another developer want that? Second, what would  
14 we swap it for? Because my concern would be swapping an  
15 old Volkswagen Beetle for a beautiful Mercedes  
16 convertible. What do you suppose, dollar for dollar?  
17 Not acre for acre. That doesn't make sense.

18 The bottom line is, that is the open space  
19 required and agreed upon by the city of Las Vegas,  
20 documented, and carried all the way through to today,  
21 that you live on.

22 And I'm just here to represent you and  
23 carry your message as best I can, with your help,  
24 whatever that is, whatever way it is, so I hope that I  
25 have done that for Ward 2 in this part of the community.

1 It is a challenge. That is what I signed up for. It is  
2 hard work, and I signed up for that.

3 And I'll tell you this. Some people say  
4 it is the rich versus the not rich, and I say it is the  
5 right versus the wrong. And I signed up for that a long  
6 time ago.

7 My door is wide open to talk to people.  
8 It always has been. I have invited them to my office.  
9 I have invited them anywhere to speak to me to work it  
10 out. I am happy to do that today as well.

11 I have no animosity. I just want the best  
12 for our community, Ward 2, and the city of Las Vegas.  
13 And in 20 years, when I am running around the community,  
14 I want to say whatever we did here, there, will be  
15 because I had something good to do with it. It is not  
16 like giving somebody a license and pulling it back.  
17 When you give somebody approval to build, it is there  
18 forever. We just want to make sure we do it the right  
19 way, so.

20 CHAIR: Do we have any questions?

21 MEMBER: I want to make a statement. You  
22 know, many of you have been following (inaudible) and  
23 related issues. But the scene has been a tiredness.  
24 It's hard work. Community (indiscernible) and it wasn't  
25 about no entitlements or entitlements. It was about

1     what's right and what the law says. What are you going  
2     to find out? Any plan or time or energy, there has been  
3     a tremendous amount of abuse, verbal abuse, attacks,  
4     lawsuits, and questions. It is the opposite of  
5     (indiscernible.) Thank you.

6                     And so I would first like to tell Steve  
7     how much we appreciate the fact that he put the time,  
8     the effort, the commitment, and he has not exactly the  
9     highest paying job. In fact, I would say on the  
10    (indiscernible) that Steve makes a lot less. It's the  
11    lowest paying job in Las Vegas. And this is an  
12    honorable man and he doesn't deserve to be treated the  
13    way some people have treated him.

14                    I never went to Steve and said, listen, I  
15    am against the project and I want you to stop it. I  
16    said Steven, I want you to do the right thing, and by  
17    doing the right thing, we will support you and we will  
18    find others to support you. And I have to tell you, a  
19    lot of people don't support anybody because they haven't  
20    been there.

21                    And here is a man who deserves our  
22    support. I can tell you.

23                    (Applause.)

24                    MEMBER: Have you ever had an update on the  
25    property to the west of IDB?

1 COUNCILMAN SEROKA: Yes, I am happy to do that.  
2 I did speak with the folks from IDB, an Israeli  
3 Development, and they own the property just to the west  
4 of here, the third tower property. They also have the  
5 rights to the property over to the village, and they  
6 have the rights to build on the north end of the Tivoli  
7 building.

8 They are exploring. They are exploring  
9 the possibility of developing what they have already  
10 approved, a 166 unit tower over here on the west. They  
11 were just kind of throwing that out here and they came  
12 talk to the neighbors, go talk to the neighbors, go talk  
13 to them and find out what's going on. So if they do  
14 that, hopefully you all can work things out because it  
15 is always a challenge.

16 And across the street, on the north end of  
17 Tivoli, they have entitlements for 300 units to build.  
18 I think there is 10-story building that is part of that,  
19 and there is some road work that will need to be done as  
20 a part of that, but they were talking about the golf  
21 course, to make sure that was all square. And the  
22 roadwork that needs to be done would actually help the  
23 flow of traffic in and out of the golf course. They  
24 would have to, and they previously agreed, so we are  
25 optimistic that should that happen it would still be in

1 place, and to pull in and out to park right across the  
2 street, that will take you right into the golf course or  
3 into Tivoli Village or whatever it is called, the Towers  
4 or whatever it is. So that is the update.

5 You may be hearing more about that as you  
6 go forward. I don't know the current status but they  
7 were very interested and will take right now to  
8 (inaudible.)

9 MEMBER: (Inaudible comments.)

10 COUNCILMAN SEROKA: Just so you know, the  
11 entitlements for the tower, the third tower here, were  
12 renewed for two years, so they -- in September. So  
13 there is about 18 months left for them to decide if they  
14 are going to build or if they have to come back and ask  
15 them for another extension.

16 MEMBER: I have a question. I mean, there is  
17 much expansion going on in Las Vegas, and Lake Mead is  
18 down two-thirds right now. What are the long-term plans  
19 for finding water with reference to Las Vegas expansion?  
20 This is a very big issue.

21 COUNCILMAN SEROKA: Great question. Great  
22 question. I really like that question because that is a  
23 question that I had as well. It was written up in the  
24 paper recently. I don't know if you saw it, about the  
25 water report. As part of coming into office, I did get



1 invited by the Water Board to go talk to them. By the  
2 way, there is a huge reservoir right over here  
3 underground, and it has actually been part of the  
4 controversy or the challenge for any developer to  
5 develop in here because they would need access and they  
6 would have to do some work there and the water  
7 authorities have been involved with that.

8           What is wonderful about our community,  
9 again, we are a leader in the nation. Our Las Vegas  
10 valley here is a leader in the nation for returning  
11 water and managing our water credits better than anyone  
12 else in the nation. It is far -- you know, we have  
13 heard that back in the day when they decided what the  
14 percentage of the water usage could be for Colorado or  
15 Arizona or California or Las Vegas, our population was  
16 so small we got a really tiny part of it. So we have  
17 only a few credits relative to everybody else, yet we  
18 are so efficient with our credits, we sell our credits  
19 to California and Arizona. Because every bit of water  
20 that goes down the drain gets recycled and gets put  
21 right back into the loop. That is why when you drain  
22 your pools, if you have a pool here, if you don't have  
23 your own pool maybe you have people who do that, but if  
24 you drain your pool, you are required to put that  
25 drainage of that pool into the sewer system, not on your

1 yard and not on your grass. So anytime you are using  
2 water, you need to put it back in the system. That is  
3 why our hotels, everything is 100 percent. We are  
4 wasting our water; we are recycling and putting it right  
5 back.

6 The only place our water is not recycled  
7 is when we use it to water our grass. We water our golf  
8 course, but a lot of that is well water, but it doesn't  
9 go back into the system. So we are extremely efficient.

10 So when the paper said -- what the water  
11 authority reported in the paper, even with all of the  
12 potential growth, with expanding the county by over 40  
13 acres, even if we developed that, we would be well  
14 within our credits. Now, what they didn't say is, and  
15 we may not be able to sell as much in California or  
16 Arizona, but we are well within our usage here. And  
17 that is a great question, and it did raise our water  
18 prices this year, so.

19 Sir, did you have a question?

20 Well, I do appreciate your time, and  
21 please reach out to me at any time with comments and  
22 concerns, pluses or minuses. You and I, we can work  
23 together on anything I believe, and we can make things  
24 work out for the best of the community, and please,  
25 truly, I am just here to represent you. It is not about

1 me. It really is not about me.

2 Thank you very much.

3 CHAIR: Thank you very much.

4 (Applause.)

5 CHAIR: So we are going to resume our annual  
6 report meeting.

7 I would like a call to order. Do I have a  
8 motion?

9 MEMBER: So moved.

10 (Motion is seconded.)

11 CHAIR: All in favor say aye.

12 (A chorus of ayes.)

13 CHAIR: We do have a meeting.

14 (Inaudible.)

15 (Motion is seconded.)

16 CHAIR: All in favor, say aye.

17 (A chorus of ayes.)

18 CHAIR: Now we move to the main subject of our  
19 meeting. I have a couple of bullets, and that is our  
20 financial report, and the underlying research that is  
21 done. I'll turn it over to Ted.

22 BOARD MEMBER: All right. The first thing we  
23 will discuss is the most recent financial statement.  
24 The most recent financial statement available is for the  
25 eight-month period ended April 30th. This statement

1 shows that we have cash available in our operating  
2 account of \$684,500 versus -- for an account total of  
3 \$256,500.

4 The accounts receivable as of that date  
5 amounted to \$24,800, which is basically the unbilled  
6 utility billings to the unit owners. That means our  
7 current working capital of that day was \$452,800.

8 The current financial statement shows that  
9 we are operating in an excess of revenues over expenses  
10 of \$184,900 for the eight-month period of time. This is  
11 primarily due to two factors; first, the payrolls are  
12 \$122,000 under budget due to employment changes made  
13 basically by Bobby and Marva, and several other people  
14 who were not immediately replaced, and when they were,  
15 at much lower salaries. This also portends several  
16 similar changes in both housekeeping and security.  
17 Along with these wage reductions came a savings in  
18 payroll taxes and employee benefit costs.

19 The other main trend that is lower are the  
20 utility costs that we are experiencing. This is a  
21 combination of both the replacement of all of the light  
22 bulbs with more efficient ones, and the ones where we  
23 are running out of the HVA systems. This reduction  
24 resulted in the savings of \$61,700 for the eight-month  
25 period.

1                   We have rejected out what we believe to be  
2   the total excess budget cash for the current year and we  
3   believe that it will be somewhere around \$110,000 for  
4   the year.

5                   The costs for next year, we have the large  
6   weed (phonetic) program bill of \$150,000. The board has  
7   decided to bring into the current year \$100,000 of that  
8   expense, thereby savings each unit owner in the current  
9   of \$38.05 per month from next years' proposed budget  
10   assessment. This was done because of the requirements  
11   that the board present and approve a balanced budget  
12   each and every year.

13                  The April 30th financial statement is  
14   currently available for your review in the HOA office,  
15   and as usual, I'll be happy to answer any questions and  
16   meet with anybody that has any questions pertaining to  
17   that.

18                  That's it.

19                  The next item I think is, Ken, do you want  
20   to bring this up, put this out? The ratification of the  
21   board approved expenses?

22                  BOARD MEMBER: Sure.

23                  Behind tab number -- they are behind tab  
24   No. 3, probably behind the first page divider. These  
25   are ratified, for the board to ratify their approved

1 expenses.

2 The first one was the improvement and  
3 renovation of the network system in the building for the  
4 wifi. That is from the reserves of \$92,724.58.

5 You've got roof repairs from tower 2 of  
6 \$5619.72. That came from the construction defect  
7 account.

8 The main lobby front door operators,  
9 \$64,517. That would be a reserve item.

10 Fire light safety system repairs of  
11 \$6,940. That came from operations.

12 And the microphone system that we don't  
13 have in place yet, but we will by the next board  
14 meeting, is \$8,750.96 from the reserves.

15 And last item was ten year window washing  
16 testing for \$9,750 from operations.

17 BOARD MEMBER: Thanks, Ken.

18 I move that the board ratify the  
19 aforementioned expenses.

20 (The motion was seconded.)

21 CHAIR: All in favor say aye.

22 (A chorus of ayes.)

23 CHAIR: So we will move to the reserve setting  
24 please.

25 BOARD MEMBER: No, we are going to the budget.

1                   In the preparation of next year's budget,  
2   we not only reviewed all of the income and expenses from  
3   the current budget, and actual operations, but we also  
4   authorized the new reserve study that was long overdue.  
5   The last fee service study was completed in 2012, and it  
6   has not been updated previously, based on the advice of  
7   our construction defect attorney.

8                   This reserve study is needed to help us  
9   anticipate the need for funds for specified and  
10  replacement or maintenance area items.

11                   (Shuffling of papers.)

12                   We have reduced the anticipated other  
13  income for next year, based not only on the prevailing  
14  trends that we have seen, but also based on the fact  
15  that there are fewer units for sale at lower prices per  
16  square foot. We derive a great portion of the other  
17  income from both of the new member and transfer fees  
18  charged at the sales on these units.

19                   We anticipate that next year our other  
20  income will be lowered by \$59,807, or 21.15 percent, or  
21  as it relates to our monthly assessments, \$22.76 per  
22  unit per month.

23                   We also anticipated an increase in our  
24  operating expenses to \$240,400. The main items that  
25  have been increased include our payroll expenses, which

1 not only include wages, but also include payroll taxes  
2 and benefits for our employees. We have factored in a 3  
3 percent general payroll increase for our current  
4 employees, and also included sufficient funds to hire  
5 one additional person for the housekeeping staff, and  
6 one also for the security team, which will serve as a  
7 part-time package room employee.

8 The total increase for all of these  
9 related items to the payroll will increase the budget by  
10 \$161,000, or 7.48 percent, as it relates to our current  
11 assessment, or \$61.29 per month, per unit per month.

12 Our contract expenses, which include next  
13 year -- which next year includes the weed program, into  
14 which I ran into great detail in the last board meeting.  
15 The amount of this expense is \$150,000, and in an effort  
16 to keep the budget down for next year, the board has  
17 elected to take a charge of \$100,000 against this year's  
18 anticipated excess revenues over expenses for \$110,000.  
19 If we did not do this, the increase for the monthly  
20 assessment more next year would be \$38.05 per month per  
21 unit, higher than is being proposed.

22 As it is, the contract expenses will not  
23 only increase by \$65,200, including the remaining  
24 \$50,000 from the leaf (phonetic) program expense, this  
25 increase will now be an 11 percent increase or 3.299



1     percent without the weed project included.

2             The actual contract expenses on an  
3     apples-to-apples comparison equates to \$6.75 monthly  
4     increase per unit, and with the leaf program included,  
5     equates to a monthly increase premium of \$24.82.

6             Based on the usage, we expect to see  
7     enough decline in our utilities expenses of \$61,300, and  
8     an increase of \$9,000 in our liability insurance costs.  
9     We have budgeted for a 6 percent increase in the general  
10    expenses of \$25,100, and due to the age of our property,  
11    the trending of expenses, we have increased our total  
12    repairs and maintenance budget expense by \$36,500 or 6  
13    percent also.

14            These expenses have a net increase of  
15    \$9,858 and equate to a total increase in our monthly  
16    assessment of \$3.76.

17            The total results of the budget for the  
18    operational portion means -- of the HOA -- means that  
19    for the next fiscal year we will be increasing that part  
20    of the budget by \$295,992, or \$112 per unit per month.

21            In addition to the operations budget, we  
22    must also provide for a budget for the reserve account,  
23    which is different from our cash reserves set aside to  
24    meet the obligations of the construction defect lawsuit.

25            As stated before, we had a new reserve

1 study prepared, and it was greatly different from our  
2 old reserve study. The old study stated at the time  
3 that we would have needed to be fully funded at  
4 \$6,500,000, and the new study now shows that it would  
5 have to be -- we would have to be at \$7,300,000 to be  
6 fully funded now.

7           The old study shows that we should have  
8 current assessments next year of \$1,140,000, and the new  
9 study shows that that amount should now be \$1,344,000.  
10 Part of the reason for the increased assessment is the  
11 fact that for the first four years of the old reserve  
12 study, your Board of Directors should have assessed  
13 owners \$4,025,000 and they only assessed them  
14 \$2,934,000, a shortfall of \$1,091,000.

15           In the past two years, while the board  
16 started catching up, another shortfall of \$214,700  
17 occurred. These shortfalls, coupled with the fact that  
18 our values that have been increased due to the increased  
19 actual current anticipated costs, and the earning power  
20 of the funds that we have on deposit is declining,  
21 having taken into account the new study.

22           By not following the principles of the new  
23 study, it will eventually cause increased devaluations  
24 on our unit values, and also necessitate the need to  
25 consider a sizeable assessment for each unit. Therefore

1 the board has elected to follow the guidelines of the  
2 current study, and it will increase the reserve portion  
3 of the monthly assessment from \$374.43 per unit per  
4 month to \$511.42 per unit per month.

5 As stated, the new monthly assessments for  
6 nonpenthouse units will be \$2,255, and \$2,404 penthouse  
7 units.

8 I would also like to point out that we are  
9 attempting to keep the budget and related monthly  
10 assessments as low as possible. Over the past few  
11 years, the board has cut whatever fat it could out of  
12 the budget in order to maintain and improve operations  
13 and still be the premiere building that we live in. We  
14 should all realize that with the costs increasing, we  
15 will likely seek increases on the operations side of the  
16 budget, of 5 to 7 percent per year, and there is also a  
17 built in 3 and a half percent increase in the reserve  
18 study.

19 We should expect to see these increases in  
20 our future budget, which will be necessary to maintain  
21 the high standards of this property that we all desire  
22 and that we also need to maintain to increase our  
23 property values.

24 Unless anybody on the board has any  
25 questions regarding this proposed budget, I now ask for

1 your approval to adopt the budget as presented.

2 CHAIR: Any questions?

3 MEMBER: I do have a few questions that I would  
4 like to ask the board.

5 MEMBER: You're asking the board  
6 (indiscernible.)

7 CHAIR: Yes.

8 Any questions from the board?

9 MEMBER: I move that it be adopted.

10 (The motion is seconded.)

11 CHAIR: All in favor say aye.

12 (A chorus of ayes.)

13 CHAIR: Now, what do you have?

14 MEMBER: Unfortunately, I am not as equipped as  
15 Jay to have the information, but I was under the  
16 impression that we had reserves. I moved in here 11  
17 years ago and there were reserves. Apart from the  
18 reserves, we also have the allotment from the lawsuit  
19 that is put aside for repairs and stuff like that. The  
20 reason I am speaking is because I am not informed. I  
21 need to be made aware of how this is happening because  
22 just from the lay perspective, we paid here, 11 years  
23 ago, (indiscernible.) We use our facilities. It was  
24 our home.

25 Now I am paying for everything and getting

1 very little in return. It's basically escalating, and  
2 I'm just putting it as a layman's perspective of why.  
3 Because I always believed there were reserves that were  
4 there for emergencies and for things that you are  
5 talking about now, and (indiscernible) lawsuit, which  
6 was to repair the damage, which we are waiting for, and  
7 I am just wondering why we keep getting increased  
8 assessments.

9 I understand that there is an increase  
10 yearly because of yearly things and what have you, but  
11 what about the other things that were here in the first  
12 place that we were supposed to take advantage of, to  
13 assist in these very issues? Is it because I am that  
14 uninformed that I am not getting it? Or what is it?  
15 Because we are paying for things that we have paid for,  
16 me and my husband, so how is it -- can you just explain  
17 to me in very simple terms why we are not using some of  
18 the funds that I thought was there originally for this,  
19 and you said they can't be now, and are not being used  
20 to give us back in return?

21 MEMBER: Before you answer her, can I ask  
22 something too? Are we getting assessed and are fees  
23 going up?

24 BOARD MEMBER: No. There was no assessment.

25 No.

1                   The board has the option -- the board  
2       would have the option of assessing you, but -- but it  
3       was not elected, it was not decided that the assessment  
4       would take place. I believe it was decided that we  
5       would not do a general assessment. I heard the rumors  
6       and I heard it being spread all over the building,  
7       everybody is anticipating, but no.

8                   To speak to your question, the money from  
9       the lawsuit is to fix the construction defects, and that  
10      will -- that is -- that money is set aside generally for  
11      that. That is all it is for.

12                  CHAIR: It's not commingled.

13                  BOARD MEMBER: It cannot be commingled. It  
14      would be against the law for us to declare a dividend on  
15      them. We must first fix everything that we sued for,  
16      and then at that stage, if there was any money left  
17      over, there is a waiting period and then something has  
18      to be done. That's another story, we will probably  
19      spend most of that, if not all.

20                  The reserve that you are speaking to, that  
21      is for the replacement of items. That is for replacing  
22      couches, rugs, chairs, air conditioning units, anything  
23      that pertains to the common area.

24                  The lawsuit -- the State of Nevada, am I  
25      right, the NRS puts forth that we must do a reserve

1 study to determine what the life cycle of every item is,  
2 and determine how much it would cost to repair those  
3 items, and at the conclusion, have sufficient monies to  
4 do those replacements as they wear out. So a couch may  
5 have a three-year life, the chair may have a seven-year  
6 life. That table may have a 20-year life. Each one of  
7 those, they prepare an assessment and they do a reserve  
8 study, and they determine how much money is necessary to  
9 be put aside every year.

10 In this particular case, the last reserve  
11 study was done in the years 2012. The new study was  
12 done in 2018. The costs that were attributed in 2012  
13 have far escalated from 2018. So that table that may  
14 have cost \$100 in 2012, today costs \$200. So now we  
15 have to make up the difference from that \$100 to the  
16 \$200 over the life of that table. So that in itself  
17 explains the increase from the last year -- the last  
18 reserve study to the current reserve study. And that  
19 increased by over a million dollars.

20 In the meantime, when that reserve study  
21 was done, they called for sufficient funds to be put  
22 aside for the fund. That's \$6 million, but the previous  
23 boards elected not to follow the rule -- the rules that  
24 were laid out regarding that study. Therefore, in  
25 effect, our reserve fund was short a million dollars in

1 cash. Aside from the increased values that depreciated  
2 and amortized out over the next 10, 12 years, and that  
3 was the increase entries in the reserve.

4           The third item that you spoke to is the  
5 operational side. We are not a store. We can't  
6 increase our prices. We don't have people that we can  
7 advertise to bring in. All we can do is fund everything  
8 here. Everything that has gone on. We have cut as much  
9 fat out of the budget over the past three years, at  
10 least Alice and I, being on the board list for three  
11 more years, and the new board, we made every attempt to  
12 cut back.

13           We cut every expense. We can't cut the  
14 utility expense back anymore. We can't cut maintenance,  
15 the building is like every year it gets a year older.  
16 Every year another part wears out. It's just normal  
17 operations, plus the fact, the sizeable income that we  
18 had because of the many units that have been sold over  
19 the past three or four years, there isn't that much of  
20 an inventory, and we don't anticipate that amount of  
21 income coming in for the next year.

22           And then we have that one additional  
23 expense, that \$50,000 which is the back end of the leaf  
24 program that has benefitted -- that benefits every  
25 homeowner, and you could all figure it out yourselves.



1 It is roughly 41 cents per square foot of your unit in  
2 tax savings, and that is good every year for the next  
3 five years. And that saves everybody somewhere around  
4 \$1300. So that couples with everything, and those are  
5 the --

6 MEMBER: And I think we will be doing a reserve  
7 study every year; right?

8 BOARD MEMBER: Well, this reserve study, yes,  
9 we have contracted with the company that did the reserve  
10 study. We contracted that they will do an update of our  
11 reserve study, and now we have paid -- what did we pay,  
12 about \$10,000 for this study, and I think it was another  
13 2,000 every year, is it?

14 BOARD MEMBER: Something like that.

15 BOARD MEMBER: Something like that to update  
16 all of the numbers that come through. And quite  
17 possibly, maybe we won't be spending as much cash, so  
18 that will take into effect. Once again, the way a  
19 reserve study starts is they take your beginning cash  
20 that is left in the reserve account. If we have over  
21 anticipated, and we are not spending the money that we  
22 think we will be spending, that money will then be  
23 attributed to it, and it should be lower next year. But  
24 we will follow the study.

25 MEMBER: And their task says that we will be

1 fully funded in --

2 BOARD MEMBER: Eight years.

3 It will take us eight years to make up  
4 that \$1 million that should have been charged to prior  
5 owners over the years but was never done.

6 MEMBER: Question. So you assessed the bill  
7 for 2004 to 2255; is that right?

8 BOARD MEMBER: Correct.

9 MEMBER: So that is 251 a unit?

10 BOARD MEMBER: 251 a unit.

11 MEMBER: And there are 227 units?

12 BOARD MEMBER: Ten times 219 units.

13 MEMBER: That's about --

14 (Simultaneous speech.)

15 -- and it will take eight years to get  
16 back a million dollars.

17 BOARD MEMBER: No. \$360,000 of it is for the  
18 reserve study. It is the reserve. The other 200 and  
19 some odd thousand dollars is the operational side of it.

20 (Simultaneous speech.)

21 BOARD MEMBER: -- and fund the study  
22 (indiscernible) and we are spending money also, so it's  
23 not all --

24 MEMBER: All right. And then on the money that  
25 is in the loss account --

1 BOARD MEMBER: Right, the construction defect  
2 part.

3 MEMBER: Is there any interest income on that?

4 BOARD MEMBER: Oh yeah.

5 MEMBER: Is that going -- where is that money  
6 going?

7 BOARD MEMBER: It is staying in that fund. I  
8 was able to negotiate with the bank when we received the  
9 money. I was able to get 1 percent on our money at that  
10 time, when it was 1/10th of 1 percent everywhere else.  
11 We are getting about \$15,000 a month, 15, \$17,000 a  
12 month on that, and it is just building up in the fund.

13 MEMBER: So it is not being used for  
14 operational expenses?

15 BOARD MEMBER: Not being used at all.

16 MEMBER: Can you address that?

17 BOARD MEMBER: Yes. It is against the law.  
18 Until -- part of when you file a construction defect, as  
19 explained to us by our attorneys, any funds that -- if  
20 those funds must go into a separate fund. Anything that  
21 I earn on them stays in that fund until it is all  
22 expended. At that stage, if there's anything left over,  
23 then there is a procedure that can be followed where a  
24 dividend can be issued, or could reduce the operational  
25 side of the budget for that year. There are things to

1 do. But that won't happen at least for -- well, when we  
2 get into discussing the construction defect side a  
3 little bit later on. But figure three years before that  
4 money would even be able to be tapped into by us.

5 MEMBER: Just have a question. You have \$8,000  
6 for (indiscernible) and 64,000 for the doors. Can you  
7 address the doors for a second?

8 BOARD MEMBER: The doors were the front doors,  
9 the automatic doors, the openers. Is that what it was,  
10 Ken?

11 BOARD MEMBER: Yes.

12 BOARD MEMBER: Yeah.

13 MEMBER: All four doors are broken?

14 BOARD MEMBER: Yes.

15 MEMBER: And they all wore out at the same  
16 time, Ken?

17 BOARD MEMBER: Yes, we have tried to limp along  
18 and then that one finally gave out. So there are two  
19 pairs. Two pairs of doors.

20 CHAIR: How about you?

21 MEMBER: I know the amount of hard work and  
22 effort that it takes to scrutinize the numbers. So  
23 thanks to the staff and the board for doing what you do.  
24 I slugged through it for five years here, and it's not  
25 easy work.

1                   The saving grace is, we have some  
2   historical numbers from year to year that we can benefit  
3   from.

4                   Did I understand that we spent \$92,000 on  
5   improving the wifi? Or did I misunderstand that?

6                   BOARD MEMBER: Right. It's the infrastructure  
7   that's the backbone for the network system for the  
8   building, where you know, the wifi and all of that.

9                   MEMBER: It just seems like a lot of money.

10                  BOARD MEMBER: Yeah, it does.

11                  MEMBER: Wow.

12                  BOARD MEMBER: And it is a lot of money, but  
13   when I went out and looked at this, what was the best  
14   way to have the wifi in all of the areas, especially the  
15   gym and whatnot. That is basically what it came to.

16                  MEMBER: Do that many people use it?

17                  BOARD MEMBER: Yeah.

18                  MEMBER: So it's worth it?

19                  BOARD MEMBER: Everybody uses it in this room,  
20   in the fitness center and all over the place. And the  
21   system we have now is failing. In fact, the fitness  
22   center is held by a wire coming from the wine patio,  
23   wraps around the outside of the building and --

24                  MEMBER: So obviously we have technology today  
25   that we didn't have 12 years ago.

1 BOARD MEMBER: Correct; right.

2 MEMBER: Secondly, and maybe you've done it. I  
3 know we spent -- I suspect we spent a lot of money on  
4 the key fobs, the new key fobs and the whole system, and  
5 I don't notice any difference other than I got a  
6 different key fob. Did we ever get any information on  
7 what the new system is going to do that the old system  
8 didn't do, or why we spent the money versus not?

9 BOARD MEMBER: Well, the old system was  
10 obsolete and the software wasn't supported. We  
11 basically had been praying every night that the system  
12 keeps going. So the system was again obsolete. We have  
13 a lot of features that the old system wouldn't do as far  
14 as software. We can track things more than we have ever  
15 been able to, but it's basically that system was dying  
16 on the vine.

17 MEMBER: Just curious, but you mentioned it  
18 before, I can't remember what kind of money that was.

19 BOARD MEMBER: For the cameras and card access  
20 with phase 1 was \$1.2 million.

21 MEMBER: Wow.

22 BOARD MEMBER: Yeah, a lot of money.

23 MEMBER: And so that money came out of  
24 operating?

25 BOARD MEMBER: Reserves.

1                   MEMBER: Obviously, we hadn't reserved that  
2 kind of amount of money to replace that.

3                   BOARD MEMBER: It was in the reserves, the \$1.2  
4 million.

5                   BOARD MEMBER: It was there. It was there.

6                   MEMBER: Really. Well, that's good. Thank God  
7 it was in the reserves.

8                   BOARD MEMBER: Most of it was on last year's --  
9 like 700,000 in the last year and the balance out of  
10 this year.

11                  BOARD MEMBER: But there were certain things in  
12 the reserve study that weren't in the reserve study, the  
13 old one, but the new one -- a big ticket item is  
14 painting the exterior of this building. It wasn't in  
15 the previous reserve study. So those and other things  
16 that are critical, the LED lighting is in there now, and  
17 there's a lot of other things that are in the reserve  
18 account so that we don't have this problem in the  
19 future.

20                  MEMBER: Ken, are you planning on mailing out  
21 anything regarding the reserve study?

22                  BOARD MEMBER: Yes.

23                  MEMBER: So everybody is going to get an  
24 abbreviated -- actual reserve of study --

25                  MEMBER: I was going to ask the same question.

1           MEMBER: So everybody is going to get an  
2 abbreviated version of the reserve study showing you --  
3 explaining the reserve study and showing the current  
4 needs for the current items for the current year.

5           BOARD MEMBER: So the full reserve study is  
6 about 140 pages. So the executive summary will be about  
7 10 or 15 pages. So if anybody wants to see the full  
8 reserve study --

9           CHAIR: One of the things, Ken, about -- to  
10 answer Fred's question, it is easy to lose sight of  
11 them, but once the cameras are fully implemented, this  
12 site will be much more protected than it ever was, but  
13 to get the cameras to speak to the elevators and the  
14 whole (indiscernible) and the whole system is what costs  
15 the most money. Because it is a very large global,  
16 interconnected technology.

17           BOARD MEMBER: And it is the quality of the  
18 cameras. These cameras look 360 degrees at all times.  
19 And it is all digital and in HD.

20           CHAIR: And it has been tested in real life, so  
21 we know that it works.

22           MEMBER: I think from a larger perspective, I  
23 think last year we did not have an increase in the  
24 budget, if I am not mistaken.

25           BOARD MEMBER: We did not have an increase in



1 the reserve budget.

2 MEMBER: But the HOA fees did not go up at all  
3 last year. It was a minor project, some of the  
4 penthouse units for the elevator, I think basically we  
5 have no --

6 (Simultaneous speech.)

7 And I'm not trying to be negative with  
8 Jay, but a little bit of it, I think, from a bitter  
9 perspective, is that we have been a little bit spoiled,  
10 I think more -- there was always hope that we would have  
11 a great big settlement from CD and from (indiscernible)  
12 and I know my wife and I have been in the building for  
13 about nine years, and I think for the first four or five  
14 years there was no increases at all in any of the HOA  
15 fees.

16 So we kind of burned a lot of money there,  
17 they allowed some of the numbers to fall behind, and I  
18 think this is the time where through the CD study now,  
19 we have got to do a reserve study updated, and it just  
20 seems like we had to get a permanent reality. And so we  
21 just followed behind and it is a little bit -- it's just  
22 the reality of the situation and it is just catching up  
23 and paying the piper.

24 CHAIR: And now we have got some governance  
25 behind us because we have a reserve study done by a

1 third party, which we never had on these issues.

2 MEMBER: And Terry, to your point, the last two  
3 years, the year 2018, we did not increase from 2017  
4 because 2004, for the last 24 months, and the prior year  
5 was \$1957.10, and that amounted to a \$47 increase.

6 So for the third last three years, that  
7 was the only increase we had. And that was for the  
8 three years.

9 MEMBER: And you also pointed out something  
10 several times. In years prior, there was significant  
11 amount of cash flow coming in on the resales.

12 CHAIR: Yes.

13 MEMBER: Of that revenue, and that's gone.

14 BOARD MEMBER: Yes, it is decreasing every  
15 year. Every year.

16 CHAIR: Yes.

17 MEMBER: Part of the question that is included,  
18 I have also been here for ten years actually. The cost  
19 has dramatically increased, were changes to that  
20 (inaudible.)

21 BOARD MEMBER: The cost of what?

22 MEMBER: Using the facilities.

23 BOARD MEMBER: Well, it equates to a lot of  
24 things. You know, our utilities costs are in there. It  
25 equates to our insurance costs that are in there. It

1 equates to the repairs and maintenance of this entire  
2 facility. The maintenance costs are in here. It  
3 equates to payroll, and payroll is and payroll and  
4 contract expenses are the two largest things.

5 We pay -- our elevator contract is what,  
6 \$20,000 a month just to maintain the elevators here. We  
7 pay \$20,000 a month. I mean, costs are costs. Our  
8 payroll is there. And our other income, which are the  
9 fees that we get every time somebody sells a unit, a new  
10 purchaser gets a deduction from his -- there is a fee of  
11 3/10ths of --

12 MEMBER: One-third of 1 percent.

13 BOARD MEMBER: -- one-third of 1 percent coming  
14 to us, and then there is a charge to the new resident,  
15 who pays a fee also. Those are increasing. They must.  
16 That, coupled with everything else, it is just an  
17 ongoing expense, living in an older property. It's not  
18 ten years younger, when they were 40 percent occupied  
19 and they needed far fewer people to maintain -- to staff  
20 the premises, for cleaning operations, for security  
21 operations. It is just an ongoing thing.

22 Now it is close to fully -- close to fully  
23 occupied, and these expenses keep going.

24 And people demand certain things. We have  
25 heard it at previous board meetings, on and on. We need

1 more cleaning help, we need more security help. But the  
2 -- my packages aren't being delivered on time.

3 So all of these expenses, while we are  
4 trying to cut them, we also realize that we have to  
5 increase them. And then we have revisions of our  
6 benefit insurance -- I told you how much we are paying  
7 for benefit insurance for our people, and it is an  
8 enormous amount.

9 MEMBER: Well, I have a question that wasn't  
10 addressed. So is that good enough? Is that staying the  
11 same?

12 (Simultaneous speech.)

13 BOARD MEMBER: No, it is the same budget, it is  
14 the same amount as it was last year.

15 MEMBER: Okay. I have another question. If I  
16 wanted to use the weight room, (indiscernible) \$2000. I  
17 haven't seen a lot of people use anything lately, and I  
18 just wondered if that's being requested.

19 MEMBER: It's too expensive for people to use.

20 MEMBER: The question was, was your last year's  
21 projection for the usable facilities? Was it anywhere  
22 near what was projected?

23 BOARD MEMBER: Let me take a quick look.

24 MEMBER: And later on --

25 (Simultaneous speech.)

1           MEMBER:  -- we need money to put in the reserve  
2 fund, if we took 1.5 money out for these fobs, which I  
3 don't see any difference in, we wouldn't have had to  
4 have another assessment to put money back in the reserve  
5 fund, would we?

6           MEMBER:  Oh, what happens is, \$92,000 for --  
7 and a million two for the cameras --

8           MEMBER:  It's ridiculous.

9           MEMBER:  There's no way we could have  
10 anticipated that ten years ago.  That would be kind of  
11 a --

12          MEMBER:  They stick it to us now.

13          MEMBER:  The other thing is, for five years, I  
14 was sitting on the board and was acting general manager,  
15 and helped people struggle through the recession.  I  
16 worked my full-time job, plus I worked this when  
17 everybody was sleeping and enjoying their life, so we  
18 saved \$250,000 in salary and benefits by not having a  
19 general for five years.

20          BOARD MEMBER:  That's something for discussion.  
21 You're asking for operational money, you know.

22          MEMBER:  And what happens is, when a lot of our  
23 staff has been here a long time, so they get their  
24 annual increases, so if you were paying somebody 35,000  
25 ten years ago, today you're paying 50,000.

1 (Simultaneous speech.)

2 MEMBER: We went and sat, when the recession  
3 hit, we're going to cut it. Everybody has to look at  
4 their departments.

5 MEMBER: Yes.

6 MEMBER: And we looked at every single expense,  
7 and we said how can you --

8 (End of recording.)

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## C E R T I F I C A T E

I, Carmelita E. Lee, do hereby certify that the foregoing pages constitute a full, true and accurate transcript of the proceedings had in the foregoing matter, transcribed from an electronic recording to the best of my skill and ability.

Witness my hand this 18th day of August, 2019.



Carmelita E. Lee  
Certified Electronic Transcriber  
Certificate No. CET\*\*D-499

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