

Case No. 84345

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, a political subdivision of the State of Nevada,
Appellant,
v.
180 LAND CO, LLC, a Nevada limited-liability company, and FORE STARS
LTD., a Nevada limited-liability company,
Respondents.

Electronically Filed
Apr 06 2022 12:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

RESPONSE TO APPELLANT’S DOCKETING STATEMENT

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The City of Las Vegas' ("City") Docketing Statement is simply restatement of its legal position, which is not only factually and legally incorrect, but also not helpful at this stage of the appeal. Accordingly, Respondents 180 Land Co LLC and Fore Stars, LTD. ("Landowners"), pursuant to Nev. R. App. P. 14(f), are compelled to file this Response.

Nature of the Action: This is an Article 1, §§ 8 and 22 constitutional proceeding wherein the City has *per se* taken the Landowners' Property for the surrounding neighbors' use as recreation and open space. The City informed the surrounding neighbors that the Landowners' Property was the publics to use for recreation and open space and the public is using the property as such. The City effectuated this taking by passing ordinances that authorize the public to use the Landowners' Property and the City denied the Landowners any use of their own privately-owned property that would conflict with the public's use for recreation and open space, which included prohibiting the Landowners from fencing or accessing their own Property and denying all development. The district court held the City "clearly" took the Landowners' Property for public use and awarded just compensation.

Issue on Appeal: Whether the City of Las Vegas can take private property for the public's recreation and open space without payment of just compensation.

DATED this 6th day of April, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **RESPONSE TO APPELLANT’S DOCKETING STATEMENT** was filed electronically with the Nevada Supreme Court on the 6th day of April, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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