

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Respondents.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA,

Respondent/Cross-Appellant.

No. 84345

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Elizabeth A. Brown
Clerk of Supreme Court

No. 84640

**AMENDED
JOINT APPENDIX
VOLUME 85, PART 1 OF 6
(Nos. 14816-14845)**

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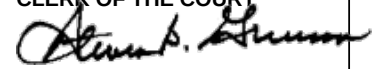
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DISTRICT COURT

CLARK COUNTY, NEVADA

180 LAND CO., LLC, a Nevada limited liability
company, FORE STARS Ltd., DOE
INDIVIDUALS I through X, ROE
CORPORATIONS I through X, and ROE
LIMITED LIABILITY COMPANIES I through
X,

Plaintiffs,

vs.

CITY OF LAS VEGAS, political subdivision of
the State of Nevada, ROE government entities I
through X, ROE CORPORATIONS I through X,
ROE INDIVIDUALS I through X, ROE
LIMITED LIABILITY COMPANIES I through
X, ROE quasi-governmental entities I through X,

Defendant.

Case No.: A-17-758528-J
Dept. No.: XVI

**APPENDIX OF EXHIBITS IN SUPPORT
OF PLAINTIFFS LANDOWNERS'
REPLY IN SUPPORT OF MOTION TO
DETERMINE TAKE AND MOTION FOR
SUMMARY JUDGMENT ON THE FIRST,
THIRD AND FOURTH CLAIMS FOR
RELIEF AND OPPOSITION TO THE
CITY'S COUNTER-MOTION FOR
SUMMARY JUDGMENT**

VOLUME 17

Hearing Date: September 23, 2021

Hearing Time: 1:30 p.m.

The Plaintiffs, 180 Land Co LLC and Fore Stars, Ltd. (hereinafter referred to as
“Landowners”) hereby submit this Appendix of Exhibits in Support of their Reply in Support of
their Motion to Determine Take and Motion for Summary Judgment on the First, Third and Fourth
Claims for Relief which also Opposes the City’s Counter-Motion for Summary Judgment as
follows:

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Exhibit No.	Description	Vol. No.	Bates No.
1	Findings of Fact and Conclusions of Law Regarding Plaintiff Landowners' Motion to Determine "Property Interest"	1	000001-000005
2	Map 1 of 250 Acre Land	1	000006
3	Map 2 of 250 Acre Land	1	000007
4	Notice of Related Cases	1	000008-000012
5	April 15, 1981 City Commission Minutes	1	000013-000050
6	December 20, 1984 City of Las Vegas Planning Commission hearing on General Plan Update	1	000051-000151
7	Findings of Fact and Conclusions of Law Regarding Plaintiffs' Motion for New Trial, Motion to Alter or Amend and/or Reconsider the Findings of Fact and Conclusions of Law, Motion to Stay Pending Nevada Supreme Court Directives	2	000152-000164
8	ORDER GRANTING the Landowners' Countermotion to Amend/Supplement the Pleadings; DENYING the Landowners' Countermotion for Judicial Determination of Liability on the Landowners' Inverse Condemnation Claims	2	000165-000188
9	City's Opposition to Motion to Determine "Property Interest"	2	000189-000216
10	City of Las Vegas' Motion for Judgment on the Pleadings on Developer's Inverse Condemnation Claims	2	000217-000230
11	Petition for Writ of Mandamus, or in the Alternative, Writ of Prohibition	2	000231-000282
12	Supreme Court Order Denying Petition for Writ of Mandamus or Prohibition	2	000283-000284
13	Supreme Court Order Denying Rehearing	2	000285-000286
14	Supreme Court Order Denying En Banc Reconsideration	2	000287-000288

1	15	Motion to Dismiss Complaint for Declaratory and Injunctive Relief and in Inverse Condemnation, <i>Fore Stars, Ltd. Seventy Acres, LLC v. City of Las Vegas, et al.</i> , Case No. A-18-773268-C	2	000289-000308
2	16	City's Sur Reply Memorandum of Points and Authorities in Support of Motion to Dismiss Complaint for Declaratory and Injunctive Relief and Inverse Condemnation, <i>Fore Stars, Ltd. Seventy Acres, LLC v. City of Las Vegas, et al.</i> , Case No. A-18-773268-C	2	000309-000319
3	17	City's Proposed Findings of Fact and Conclusion of Law Granting City's Motion to Dismiss Complaint, <i>Fore Stars, Ltd. Seventy Acres, LLC v. City of Las Vegas, et al.</i> , Case No. A-18-773268-C	2	000320-000340
4	18	Order Denying City of Las Vegas' Motion to Dismiss, <i>Fore Stars, Ltd. Seventy Acres, LLC v. City of Las Vegas, et al.</i> , Case No. A-18-773268-C	2	000341-000350
5	19	City of Las Vegas' Motion to Dismiss, <i>180 Land Co., LLC v. City of Las Vegas, et al.</i> , Case No. A-18-775804-J	2	000351-000378
6	20	2.15.19 Minute Order re City's Motion to Dismiss	2	000379
7	21	Respondents' Answer Brief, Supreme Court Case No. 75481	2	000380-000449
8	22	Order Granting Plaintiffs' Petition for Judicial Review, <i>Jack B. Binion, et al vs. The City of Las Vegas</i> , Case No. A-17-752344-J	2	000450-000463
9	23	Supreme Court Order of Reversal	2	000464-000470
10	24	Supreme Court Order Denying Rehearing	2	000471-000472
11	25	Supreme Court Order Denying En Banc Reconsideration	2	000473-000475
12	26	Findings of Fact, Conclusions of Law and Judgment Granting Defendants Fore Stars, Ltd., 180 Land Co LLC, Seventy Acres LLC, EHB Companies LLC, Yohan Lowie, Vickie Dehart and Frank Pankratz's NRCP 12(b)(5) Motion to Dismiss Plaintiffs' Amended Complaint	2	000476-000500
13	27	Notice of Entry of Findings of Fact, Conclusions of Law, Final Order of Judgment, <i>Robert Peccole, et al v. Peccole Nevada Corporation, et al.</i> , Case No. A-16-739654-C	2	000501-000545

1	28	Supreme Court Order of Affirmance	2	000546-000550
2	29	Supreme Court Order Denying Rehearing	2	000551-000553
3	30	November 1, 2016 Badlands Homeowners Meeting Transcript	2	000554-000562
4	31	June 13, 2017 Planning Commission Meeting Verbatim Transcript	2	000563-000566
5	32	Notice of Entry of Findings of Fact and Conclusions of Law Granting City of Las Vegas' Motion for Summary Judgment, <i>180 Land Co. LLC, et al v. City of Las Vegas</i> , Case No. A-18-780184-C	3	000567-000604
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8	33	June 21, 2017 City Council Meeting Combined Verbatim Transcript	3	000605-000732
9	34	Declaration of Yohan Lowie	3	000733-000739
10	35	Declaration of Yohan Lowie in Support of Plaintiff Landowners' Motion for New Trial and Amend Related to: Judge Herndon's Findings of Fact and Conclusion of Law Granting City of Las Vegas' Motion for Summary Judgment, Entered on December 30, 2020	3	000740-000741
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14	36	Master Declaration of Covenants, Conditions Restrictions and Easements for Queensridge	3	000742-000894
15	37	Queensridge Master Planned Community Standards - Section C (Custom Lot Design Guidelines)	3	000895-000896
16	38	Custom Lots at Queensridge Purchase Agreement, Earnest Money Receipt and Escrow Instructions	3	000897-000907
17				
18	39	Public Offering Statement for Queensridge North (Custom Lots)	4	000908-000915
19	40	Deposition of Yohan Lowie, <i>In the Matter of Binion v. Fore Stars</i>	4	000916-000970
20	41	The City of Las Vegas' Response to Requests for Production of Documents, Set One	4	000971-000987
21				
22	42	Respondent City of Las Vegas' Answering Brief, <i>Jack B. Binion, et al v. The City of Las Vegas, et al.</i> , Case No. 17-752344-J	4	000988-001018
23	43	Ordinance No. 5353	4	001019-001100
24	44	Original Grant, Bargain and Sale Deed	4	001101-001105

1	45	May 23, 2016 Par 4 Golf Management, Inc.'s letter to Fore Stars, Ltd. re Termination of Lease	4	001106-001107
2	46	December 1, 2016 Elite Golf Management letter to Mr. Yohan Lowie re: Badlands Golf Club	4	001108
3	47	October 30, 2018 Deposition of Keith Flatt, <i>Fore Stars, Ltd. v. Allen G. Nel</i> , Case No. A-16-748359-C	4	001109-001159
4	48	Declaration of Christopher L. Kaempfer	4	001160-001163
5	49	Clark County Real Property Tax Values	4	001164-001179
6	50	Clark County Tax Assessor's Property Account Inquiry - Summary Screen	4	001180-001181
7	51	Assessor's Summary of Taxable Values	5	001182-001183
8	52	State Board of Equalization Assessor Valuation	5	001184-001189
9	53	June 21, 2017 City Council Meeting Combined Verbatim Transcript	5	001190-001317
10	54	August 2, 2017 City Council Meeting Combined Verbatim Transcript	5	001318-001472
11	55	City Required Concessions signed by Yohan Lowie	5	001473
12	56	Badlands Development Agreement CLV Comments	5	001474-001521
13	57	Development Agreement for the Two Fifty, Section Four, Maintenance of the Community	5	001522-001529
14	58	Development Agreement for the Two Fifty	5	001530-001584
15	59	The Two Fifty Design Guidelines, Development Standards and Uses	5	001585-001597
16	60	The Two Fifty Development Agreement's Executive Summary	5	001598
17	61	Development Agreement for the Forest at Queensridge and Orchestra Village at Queensridge	5	001599-002246
18	62	Department of Planning Statement of Financial Interest	6	002247-002267
19	63	December 27, 2016 Justification Letter for General Plan Amendment of Parcel No. 138-31-702-002 from Yohan Lowie to Tom Perrigo	6	002268-002270
20	64	Department of Planning Statement of Financial Interest	6	002271-002273

1	65	January 1, 2017 Revised Justification letter for Waiver on 34.07 Acre Portion of Parcel No. 138-31-702-002 to Tom Perrigo from Yohan Lowie	6	002274-002275
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3	66	Department of Planning Statement of Financial Interest	6	002276-002279
4	67	Department of Planning Statement of Financial Interest	6	002280-002290
5				
6	68	Site Plan for Site Development Review, Parcel 1 @ the 180, a portion of APN 138-31-702-002	6	002291-002306
7	69	December 12, 2016 Revised Justification Letter for Tentative Map and Site Development Plan Review on 61 Lot Subdivision to Tom Perrigo from Yohan Lowie	6	002307-002308
8				
9	70	Custom Lots at Queensridge North Purchase Agreement, Earnest Money Receipt and Escrow Instructions	7	002309-002501
10				
11	71	Location and Aerial Maps	7	002502-002503
12	72	City Photos of Southeast Corner of Alta Drive and Hualapai Way	7	002504-002512
13	73	February 14, 2017 Planning Commission Staff Recommendations	7	002513-002538
14	74	June 21, 2017 Planning Commission Staff Recommendations	7	002539-002565
15				
16	75	February 14, 2017 Planning Commission Meeting Verbatim Transcript	7	002566-002645
17	76	June 21, 2017 Minute re: City Council Meeting	7	002646-002651
18	77	June 21, 2017 City Council Staff Recommendations	7	002652-002677
19	78	August 2, 2017 City Council Agenda Summary Page	7	002678-002680
20				
21	79	Department of Planning Statement of Financial Interest	7	002681-002703
22	80	Bill No. 2017-22	7	002704-002706
23	81	Development Agreement for the Two Fifty	7	002707-002755
24	82	Addendum to the Development Agreement for the Two Fifty	8	002756

1	83	The Two Fifty Design Guidelines, Development Standards and Permitted Uses	8	002757-002772
2	84	May 22, 2017 Justification letter for Development Agreement of The Two Fifty, from Yohan Lowie to Tom Perrigo	8	002773-002774
3	85	Aerial Map of Subject Property	8	002775-002776
4	86	June 21, 2017 emails between LuAnn D. Holmes and City Clerk Deputies	8	002777-002782
5	87	Flood Damage Control	8	002783-002809
6	88	June 28, 2016 Reasons for Access Points off Hualapai Way and Rampart Blvd. letter from Mark Colloton, Architect, to Victor Balanos	8	002810-002815
7	89	August 24, 2017 Access Denial letter from City of Las Vegas to Vickie Dehart	8	002816
8	90	19.16.100 Site Development Plan Review	8	002817-002821
9	91	8.10.17 Application for Walls, Fences, or Retaining Walls	8	002822-002829
10	92	August 24, 2017 City of Las Vegas Building Permit Fence Denial letter	8	002830
11	93	June 28, 2017 City of Las Vegas letter to Yohan Lowie Re Abeyance Item - TMP-68482 - Tentative Map - Public Hearing City Council Meeting of June 21, 2017	8	002831-002834
12	94	Declaration of Vickie Dehart, <i>Jack B. Binion, et al. v. Fore Stars, Ltd.</i> , Case No. A-15-729053-B	8	002835-002837
13	95	Supreme Court Order of Affirmance, <i>David Johnson, et al. v. McCarran International Airport, et al.</i> , Case No. 53677	8	002838-002845
14	96	De Facto Taking Case Law From State and Federal Jurisdictions	8	002846-002848
15	97	Department of Planning Application/Petition Form	8	002849-002986
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1	98	11.30.17 letter to City of Las Vegas Re: 180 Land Co LLC ("Applicant"t - Justification Letter for General Plan Amendment [SUBMITTED UNDER PROTEST] to Assessor's Parcel ("APN(st") 138-31-601-008, 138-31- 702-003, 138-31-702-004 (consisting of 132.92 acres collectively "Property"t - from PR-OS (Park, Recreation and Open Space) to ML (Medium Low Density Residential) as part of applications under PRJ-11990, PRJ-11991, and PRJ-71992	8	002987-002989
2	99	January 9, 2018 City Council Staff Recommendations	8	002990-003001
3	100	Item #44 - Staff Report for SDR-72005 [PRJ-71990] - amended condition #6 (renumbered to #7 with added condition)	8	003002
4	101	January 9, 2018 WVR-72007 Staff Recommendations	8	003003-003027
5	102	January 9, 2018 WVR-72004, SDR-72005 Staff Recommendations	8	003028-003051
6	103	January 9, 2018 WVR-72010 Staff Recommendations	8	003052-003074
7	104	February 21, 2018 City Council Meeting Verbatim Transcript	8	003075-003108
8	105	May 17, 2018 City of Las Vegas Letter re Abeyance - TMP-72012 [PRJ-71992] - Tentative Map Related to WVR-72010 and SDR-72011	9	003109-003118
9	106	May 16, 2018 Council Meeting Verbatim Transcript	9	003119-003192
10	107	Bill No. 2018-5, Ordinance 6617	9	003193-003201
11	108	Bill No. 2018-24, Ordinance 6650	9	003202-003217
12	109	November 7, 2018 City Council Meeting Verbatim Transcript	9	003218-003363
13	110	October 15, 2018 Recommending Committee Meeting Verbatim Transcript	9	003364-003392
14	111	October 15, 2018 Kaempfer Crowell Letter re: Proposed Bill No. 2018-24 (part 1 of 2)	10	003393-003590
15	112	October 15, 2018 Kaempfer Crowell Letter re: Proposed Bill No. 2018-24 (part 2 of 2)	11	003591-003843

1	113	July 17, 2018 Hutchison & Steffen letter re Agenda Item Number 86 to Las Vegas City Attorney	11	003844-003846
2				
3	114	5.16.18 City Council Meeting Verbatim Transcript	11	003847-003867
4	115	5.14.18 Bill No. 2018-5, Councilwoman Fiore Opening Statement	11	003868-003873
5	116	May 14, 2018 Recommending Committee Meeting Verbatim Transcript	11	003874-003913
6	117	August 13, 2018 Meeting Minutes	11	003914-003919
7	118	November 7, 2018 transcript In the Matter of Las Vegas City Council Meeting, Agenda Item 50, Bill No. 2018-24	12	003920-004153
8				
9	119	September 4, 2018 Recommending Committee Meeting Verbatim Transcript	12	004154-004219
10	120	State of Nevada State Board of Equalization Notice of Decision, <i>In the Matter of Fore Star Ltd., et al.</i>	12	004220-004224
11				
12	121	August 29, 2018 Bob Coffin email re Recommend and Vote for Ordinance Bill 2108-24	12	004225
13	122	April 6, 2017 Email between Terry Murphy and Bob Coffin	12	004226-004233
14	123	March 27, 2017 letter from City of Las Vegas to Todd S. Polikoff	12	004234-004235
15				
16	124	February 14, 2017 Planning Commission Meeting Verbatim Transcript	12	004236-004237
17	125	Steve Seroka Campaign letter	12	004238-004243
18	126	Coffin Facebook Posts	12	004244-004245
19	127	September 17, 2018 Coffin text messages	12	004246-004257
20	128	September 26, 2018 email to Steve Seroka re: meeting with Craig Billings	12	004258
21	129	Letter to Mr. Peter Lowenstein re: City's Justification	12	004259-004261
22	130	August 30, 2018 email between City Employees	12	004262-004270
23	131	February 15, 2017 City Council Meeting Verbatim Transcript	12	004271-004398
24	132	May 14, 2018 Councilman Fiore Opening Statement	12	004399-004404

1	133	Map of Peccole Ranch Conceptual Master Plan (PRCMP)	12	004405
2	134	December 30, 2014 letter to Frank Pankratz re: zoning verification	12	004406
3	135	May 16, 2018 City Council Meeting Verbatim Transcript	13	004407-004480
4	136	June 21, 2018 Transcription of Recorded Homeowners Association Meeting	13	004481-004554
5	137	Pictures of recreational use by the public of the Subject Property	13	004555-004559
6	138	Appellees' Opposition Brief and Cross-Brief, <i>Del Monte Dunes at Monterey, Ltd., et al. v. City of Monterey</i>	13	004560-004575
7	139	Respondent City of Las Vegas' Answering Brief, <i>Binion, et al. v. City of Las Vegas, et al.</i>	13	004576-004578
8	140	Grant, Bargain and Sale Deed	13	004579-004583
9	141	City's Land Use Hierarchy Chart	13	004584
10	142	August 3, 2017 deposition of Bob Beers, pgs. 31-36 - <i>The Matter of Binion v. Fore Stars</i>	13	004585-004587
11	143	November 2, 2016 email between Frank A. Schreck and George West III	13	004588
12	144	January 9, 2018 email between Steven Seroka and Joseph Volmar re: Opioid suit	13	004589-004592
13	145	May 2, 2018 email between Forrest Richardson and Steven Seroka re Las Vegas Badlands Consulting/Proposal	13	004593-004594
14	146	November 16, 2017 email between Steven Seroka and Frank Schreck	13	004595-004597
15	147	June 20, 2017 representation letter to Councilman Bob Coffin from Jimmerson Law Firm	13	004598-004600
16	148	September 6, 2017, City Council Verbatim Transcript	13	004601-004663
17	149	December 17, 2015 LVRJ Article, Group that includes rich and famous files suit over condo plans	13	004664-04668

1	150	Affidavit of Donald Richards with referenced pictures attached	14, 15, 16	004669-004830
2	151	65 Acres Combined Clark County Tax Assessor Summary of Taxable Values	17	004831-004836
3	152	Clark County Assessor Valuation (includes 65 Acre Parcel)	17	004837-004861
4	153	Taxes Assessed on 65 Acre Property	17	004862-004864
5	154	(1990) Zoning Ordinance Z-17-90 including the Peccole Ranch Plan (1990)	17	004865-004921
6	155	04.11.84 Attorney General Opinion No. 84-6	17	004922-004928
7	156	<u>Moccasin & 95, LLC v. City of Las Vegas</u>, Eighth Judicial Dist. Crt. Case no. A-10-627506, 12.13.11 City of Las Vegas' Opposition to Plaintiff Landowner's Motion for Partial Summary Judgment on Liability for a Taking (partial)	17	004929-004933
8	157	Affidavit of Bryan K. Scott	17	004934-004935
9	158	Affidavit of James B. Lewis	17	004936-004937
10	159	12.05.16 Deposition Transcript of Tom Perrigo in case <u>Binion v. Fore Stars</u>	18	004938-004946
11	160	December 2016 Deposition Transcript of Peter Lowenstein in case Binion v. Fore Stars	18	004947-005008
12	161	2050 City of Las Vegas Master Plan (Excerpts)	19	005009-005011
13	162	City of Las Vegas Ordinance No. 3636	19	005012-005020
14	163	10.18.16 Special Planning Commission Meeting Transcript (partial)	19	005021-005026
15	164	05.16.18 City Council Meeting Partial Transcript	19	005027
16	165	04.15.81 City of Las Vegas Commission Minutes re Zone Change Z-34-81	19	005028-005065
17	166	Fore Stars Membership Interest Purchase and Sale Agreement, dated Dec. 1, 2014	19	005066-005082
18	167	LVMC 19.16.090	19	005083-005088
19	168	LVMC 19.10.050 R-PD Residential Planned Development District	19	005089

1	169	LVMC 19.18.020	19	005090
2	170	LVMC 19.12010 CLV Land Use Tables	19	005091-005092
3	171	LVMC 19.06.100 R-2 Medium-Low Density Residential District Designation	19	005093-005097
4	172	11.30.16 Findings of Fact, Conclusions of Law, and Judgment Granting Defendants' NRCF 12(b)(5) Motion to Dismiss Plaintiffs' Amended Complaint, <u>Robert N. Peccole v. Peccole Nevada Corp. et al., Case No. A-16-739654-C</u>	19	005098-005122
5	173	01.31.17 Notice of Entry of Findings of Fact, Conclusions of Law, Final Order, and Judgment, <u>Robert N. Peccole v. Peccole Nevada Corp. et al., Case No. A-16-739654-C</u>	19	005123-005167
6	174	11.27.18 NV Supreme Court Order Denying Rehearing, <u>Robert N. Peccole v. Fore Stars, Ltd. et al., Case No. 72410</u>	19	005168-005170
7	175	10.17.18 NV Supreme Court Order of Affirmance, <u>Robert N. Peccole v. Fore Stars, Ltd. et al., Case No. 72455</u>	19	005171-005175
8	176	09.21.17 Clark County Assessor Appraisal Division Stipulation for the State Board of Equalization	19	005176-005178
9	177	Chapter 278 applicable as of 1992	20	005179 – 005190
10	178	10.16.030 General Plan Amendment	20	005191-005195
11	179	City Master Plan Land Use Designations, showing the C-V zoning and PR-OS as consistent uses	20	005196-005198
12	180	Letter from Landowners' attorney James Jimmerson to City Attorney Brad Jerbic dated December 7, 2016.	20	005199-005207
13	181	Email from Peter Lowenstein to Landowners re submission of General Plan Amendment application filed under protest, dated November 13, 2017	20	005208
14	182	Letter from Landowners to Peter Lowenstein re GPA Justification dated November 30, 2017	20	005209-005211
15	183	The DiFederico Group Expert Report	20	005212-005347

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184	Appraisal Report by Lubawy & Associates	20	005348-005350
185	Declaration of Tio DiFederico	20	005351-005352
186	November 1, 2016 Transcript of Badlands Homeowners Meeting	20	00535- 005361
187	August 16, 2019 Deposition Transcript of Clyde O. Spitze (In the matter of 180 Land Co. LLC vs City of Las Vegas, et al., A-17-758528-J)	20	005362-005376
188	Clark County Ordinance 728	20	005377-005390
189	January 7, 2019 Email from Robert Summerfield to Frank Pankratz	20	005391
190	Clark County Ordinance 1221	20	005392-005408
191	Certified Videotaped Deposition Transcript of Peter Lowenstein- Volumes 1 & 2	21	005409- 006061
192	Declaration of Elizabeth Ghanem Ham in Support of Plaintiffs' (1) Evidentiary Hearing Brief #1: Memorandum of Points and Authorities Regarding the Landowners' Property Interest; and (2) Evidentiary Hearing Brief #2: Memorandum of Points and Authorities Regarding the City's Actions Which Have Resulted in a Taking of the Landowners' Property	21	006062-006070
193	Declaration of Frank Pankratz Support of Plaintiff Landowners' Reply in Support of: Plaintiff Landowners' Evidentiary Hearing Brief #1: Memorandum of Points and Authorities Regarding the Landowners' Property Interest; and (2) Evidentiary Hearing Brief #2: Memorandum of Points and Authorities Regarding the City's Actions Which Have Resulted in a Taking of the Landowners' Property	21	006071-006075

194	Declaration of Yohan Lowie in Support of Plaintiff Landowners' Reply in Support of: Plaintiff Landowners' Evidentiary Hearing Brief #1: Memorandum of Points and Authorities Regarding the Landowners' Property Interest; and (2) Evidentiary Hearing Brief #2: Memorandum of Points and Authorities Regarding the City's Actions Which Have Resulted in a Taking of the Landowners' Property	21	006076-006083
195	Declaration of Stephanie Allen, Esq., which Supports Plaintiff Landowners' Reply in Support of: Plaintiff Landowners' Evidentiary Hearing Brief #1: Memorandum of Points and Authorities Regarding the Landowners' Property Interest; and (2) Evidentiary Hearing Brief #2: Memorandum of Points and Authorities Regarding the City's Actions Which Have Resulted in a Taking of the Landowners' Property	21	006084-006089
196	January 3, 2018 CLV Agenda Memo-Planning-Staff Recommendation of Denial	21	006090-006098
197	City Council Meeting of January 17, 2018 Transcript re Agenda Items 74-75	21	006099-006117
198	May 13, 2021 Transcript of Hearing re City's Motion for Reconsideration of Order Granting in Part and Denying in Part the Landowners' Motion to Compel the City to Answer Interrogatories	21	006118-006213

DATED this 15th day of September, 2021.

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24

Exhibit 151

14833

004832

14834

14836

14837

004836

Exhibit 152

STATE BOARD OF EQUALIZATION



ASSESSOR VALUATION

Cases: 17- 175, 176, 177

004837

14839

CASE #	17-175	SUBJECT PARCEL INFORMATION						FISCAL YEAR	2017/2018
APN	138-32-202-001	Location	Alta and Rampart		Zoning Designation	PD	Vacant	No	
Size (acres)	4.50	Gross	4.50	Net	Size (sq ft)	196,020	Probable Use	RESIDENTIAL	
General Description	This appeal includes the following parcels that are active for the 17-18 tax year: 138-32-202-001 and 138-32-210-008 totaling 4.50 gross acres. Parcel are currently zoned Planned Development District which allows for a variety of uses. These parcels have the clubhouse and parking lot improvements on them. Parcels are located within the former Badlands Golf Course, near the corner of Alta and Rampart.						Density	7 DU/AC	
COMPARABLE LAND SALES GRID									
Sale No.	1	2	3	4	5	6	7	8	
Parcel #	137-27-717-001	175-01-510-001	176-06-310-001	176-06-814-001	138-19-419-009	164-02-510-003	163-19-111-002	163-19-402-007	
Buyer	RYLAND HOMES NEVADA	Pardee Homes	RICHMOND AMERICAN H	PARDEE HOMES NEVADA	A L F LAND CO L L C	CHARLESTON 215 L L	C R P CALIDA FLAMIN	GRAND CANYON TROPIC	
Seller	HUGHES HOWARD COMP	HUGHES HOWARD COMP	HUGHES HOWARD COMP	HUGHES HOWARD COMP	Crossing Business C	S A V W C L III L L	BURBANK L L C	SOROOSH FARHANG REV	
Date of Sale	5/20/2016	6/7/2016	9/9/2016	10/7/2016	7/13/2016	2/1/2016	3/25/2016	10/7/2016	
Sale Price	\$10,115,200	\$16,872,000	\$15,000,000	\$14,855,550	\$2,212,500	\$16,650,000	\$11,690,000	\$6,100,000	
Cross Streets	Far Hills / Fox Hill	Hualapai / Sunset	Warm Sprin / Ft. Apache	Fort Apach / Warm Sprin	Summerlin / Town Cente	Charleston / Hughes Par	Flamingo / Hualapai	Tropicana / Hualapai	
Acres	18.56	33.44	30.86	30.63	3.53	31.46	11.69	9.22	
\$/Acre	545,000	504,545	486,066	485,000	626,771	529,243	1,000,000	661,605	
Time/Market/Other Adj.*									
Adjusted \$/Acre	545,000	504,545	486,066	485,000	626,771	529,243	1,000,000	661,605	
Location	Summerlin West	Summerlin South	Summerlin South	Summerlin South	Summerlin East	Summerlin South	Southwest	Southwest	
Zoning/Probable Use	P-C	R2/RH	R-E/MDP	R-E/MDP	P-C	R-U/RM	C-2/CG	R-E/ROI R-5	
Density (maximum)	5.6-12 du/acre	5.6-12 du/acre	5.6-12 du/acre	5.6-12 du/acre	26 du/acre	25 du/acre	25 du/acre	50 du/acre	
Size	18.56 Acres	33.44 Acres	30.86 Acres	30.63 Acres	3.53 Acres	31.46 Acres	11.69 Acres	9.22 Acres	
Shape	Regular	Irregular	Regular	Regular	Regular	Irregular	Regular	Regular	
Topography	Level	Undulating	Level	Level	Level	Undulating	Level	Level	
Access	Typical	Typical	Typical	Typical	Typical	Typical	Typical	Typical	
Offsites	Full	Partial	Partial	Partial	Partial	Partial	Partial	Partial	
Overall Comparison to Subject	SIMILAR	INFERIOR	INFERIOR	INFERIOR	SIMILAR	SIMILAR	SIMILAR	SIMILAR	
* Analysis of Market Conditions Adjustment attached.									
RECONCILIATION									
INDICATED VALUE RANGE OF COMPARABLES 485,000 TO 1,000,000 PER ACRE									
CURRENT TAXABLE VALUE OF SUBJECT			525,000	PER ACRE	TOTAL TXBL LAND VALUE			2,362,500	
RECOMMEND			525,000	PER ACRE	TOTAL TXBL LAND VALUE			NO CHANGE	
RECONCILIATION COMMENTS			This appeal consists of 2 total parcels with a total of 4.5 gross acres. Parcels in question are flat and currently have The Badlands clubhouse and parking lot improvements on them, this appeal is for land values only. Comps 1 thru 4 have similar zoning to the subject's PD with 1 being most similar in location. Comps 5 thru 8 have higher zoning similar to the R-3 zoning approved by the Las Vegas City Council on parcel 138-32-301-005. Based on the information provided recommend no change of land values.						
			004838						

Clark County Assessor's Office

Case #: 17175
FORE STARS LTD

Subject(s):
S. 138-32-202-001
S2. 138-32-210-008

1:2,000
Date: 8/1/2017

Legend

Subject

Comparable



14842

Clark County Assessor's Office

Case #: 17175
FORE STARS LTD

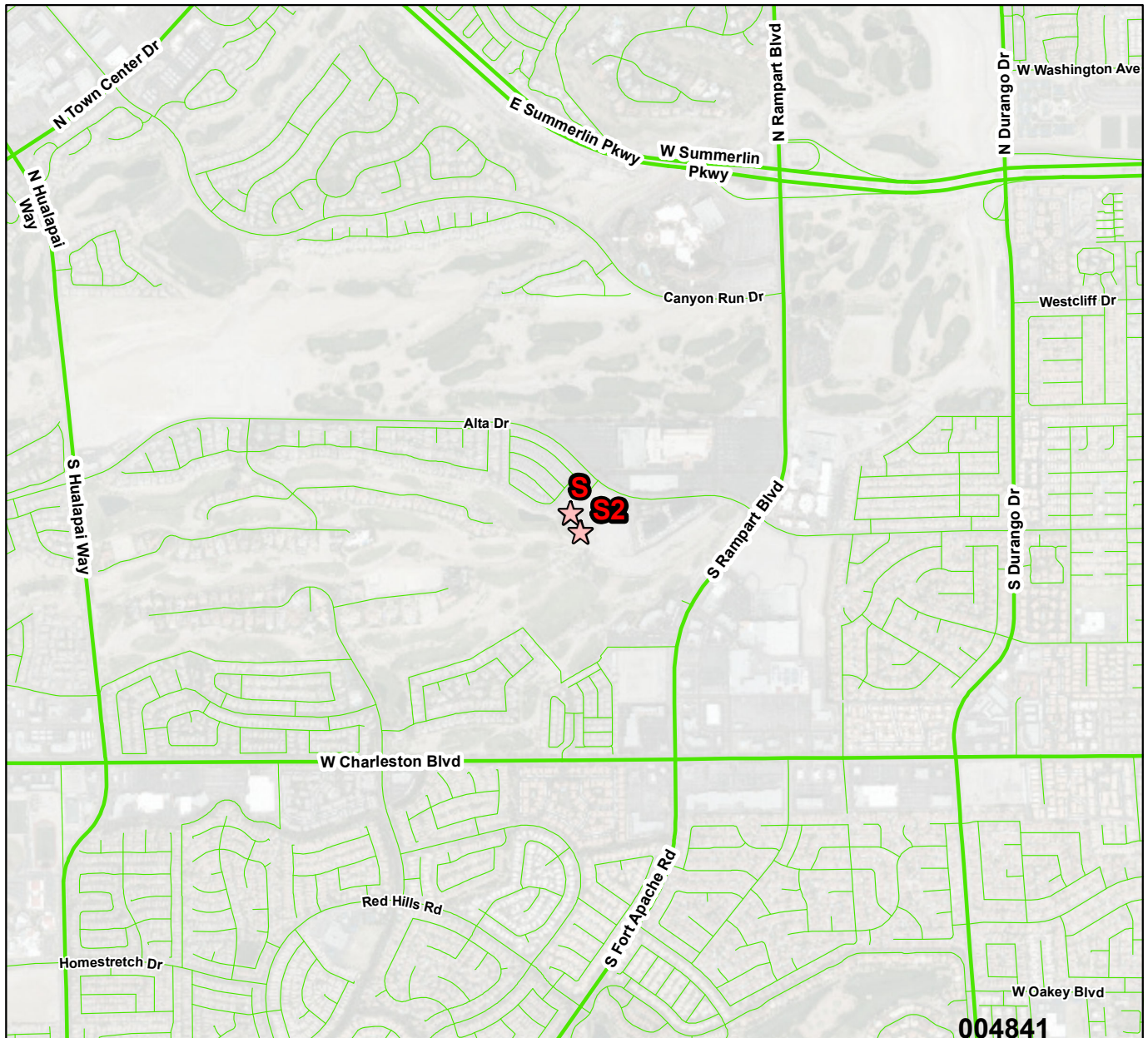
Subject(s):
S. 138-32-202-001
S2. 138-32-210-008

1:20,000
Date: 8/1/2017

Legend

★ Subject

★ Comparable



Vicinity Map

14843

Clark County Assessor's Office

Case #: 17175
FORE STARS LTD

Subject(s):
S1. 138-32-202-001
S2. 138-32-210-008

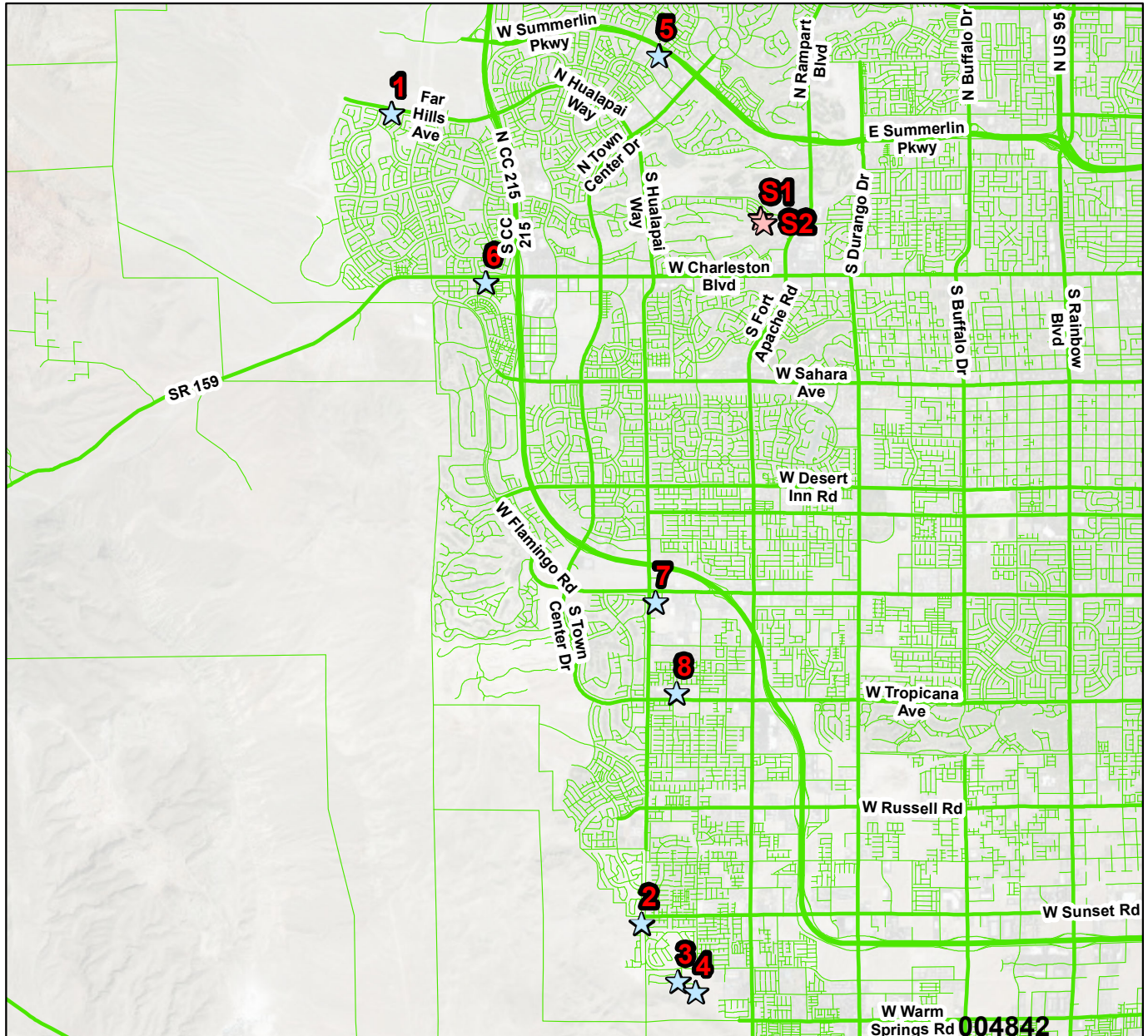
Comparable(s):
1. 137-27-717-002
2. 175-01-512-001
3. 176-06-311-001
4. 176-06-312-001
5. 138-19-419-009
6. 164-02-510-007
7. 163-19-111-002
8. 163-19-402-007

1:86,158
Date: 9/5/2017

Legend

★ Subject

★ Comparable



Vicinity Map

14844

CASE #	17-176	SUBJECT PARCEL INFORMATION						FISCAL YEAR	2017/2018							
APN	138-31-801-002 et all	Location	Charleston and Rampart		Zoning Designation	R-PD7		Vacant	Yes							
Size (acres)	178.27	Gross	178.27	Net	Size (sq ft)	7,765,441		Probable Use	RESIDENTIAL							
General Description	This appeal includes the following parcels that are active for the 17-18 tax year: 138-31-801-002, 138-31-201-005, 138-31-601-008, 138-31-702-003, 138-31-702-004. Approx 26.4% of the gross acreage is in wash. Parcels are located within the former Badlands Golf Course ner the corner of Charleston and Rampart							Density	7 DU/AC							
COMPARABLE LAND SALES GRID																
Sale No.	1		2		3		4		5		6		7		8	
Parcel #	137-27-717-001		175-01-510-001		176-06-310-001		176-06-814-001		138-19-419-009		164-02-510-003		163-19-111-002		163-19-402-007	
Buyer	RYLAND HOMES NEVADA		Pardee Homes		RICHMOND AMERICAN H		PARDEE HOMES NEVADA		A L F LAND CO L L C		CHARLESTON 215 L L		C R P CALIDA FLAMIN		GRAND CANYON TROPIC	
Seller	HUGHES HOWARD COMP		HUGHES HOWARD COMP		HUGHES HOWARD COMP		HUGHES HOWARD COMP		Crossing Business C		S A V W C L III L L		BURBANK L L C		SOROOSH FARHANG REV	
Date of Sale	5/20/2016		6/7/2016		9/9/2016		10/7/2016		7/13/2016		2/1/2016		3/25/2016		10/7/2016	
Sale Price	\$10,115,200		\$16,872,000		\$15,000,000		\$14,855,550		\$2,212,500		\$16,650,000		\$11,690,000		\$6,100,000	
Cross Streets	Far Hills / Fox Hill		Hualapai / Sunset		Warm Sprin / Ft. Apache		Fort Apach / Warm Sprin		Summerlin / Town Cente		Charleston / Hughes Par		Flamingo / Hualapai		Tropicana / Hualapai	
Acres	18.56		33.44		30.86		30.63		3.53		31.46		11.69		9.22	
\$/Acre	545,000		504,545		486,066		485,000		626,771		529,243		1,000,000		661,605	
Time/Market/Other Adj.*																
Adjusted \$/Acre	545,000		504,545		486,066		485,000		626,771		529,243		1,000,000		661,605	
Location	Summerlin West		Summerlin South		Summerlin South		Summerlin South		Summerlin East		Summerlin South		Southwest		Southwest	
Zoning/Probable Use	P-C		R2/RH		R-E/MDP		R-E/MDP		P-C		R-U/RM		C-2/CG		R-E/ROI R-5	
Density (maximum)	5.6-12 du/acre		5.6-12 du/acre		5.6-12 du/acre		5.6-12 du/acre		26 du/acre		25 du/acre		25 du/acre		50 du/acre	
Size	18.56 Acres		33.44 Acres		30.86 Acres		30.63 Acres		3.53 Acres		31.46 Acres		11.69 Acres		9.22 Acres	
Shape	Regular		Irregular		Regular		Regular		Regular		Irregular		Regular		Regular	
Topography	Level		Undulating		Level		Level		Level		Undulating		Level		Level	
Access	Typical		Typical		Typical		Typical		Typical		Typical		Typical		Typical	
Offsites	Full		Partial		Partial		Partial		Partial		Partial		Partial		Partial	
Overall Comparison to Subject	SUPERIOR		SIMILAR		SIMILAR		SIMILAR		SUPERIOR		SUPERIOR		SUPERIOR		SUPERIOR	
* Analysis of Market Conditions Adjustment attached.																
RECONCILIATION																
INDICATED VALUE RANGE OF COMPARABLES 485,000 TO 1,000,000 PER ACRE																
CURRENT TAXABLE VALUE OF SUBJECT 386,143 PER ACRE TOTAL TXBL LAND VALUE 68,837,790																
RECOMMEND 386,143 PER ACRE TOTAL TXBL LAND VALUE NO CHANGE																
RECONCILIATION COMMENTS This appeal consists of 5 total parcels with gross acreages of: 11.28, 34.07, 22.19, 76.93, 33.80. For a total of 178.27 acres. Approx. 26.4% of these parcels or about 47.15 acres lie in washes and are not valued, approx. 24% of these parcels lie within the FEMA flood zone. Gross acreage value for these parcels is approx. \$386,143 per acre. Comps 1 thru 4 have similar zoning to the subject's PD-7 with 1 being most similar in location. Comps 5 thru 8 have higher zoning similar to the R-3 zoning approved by the Las Vegas City Council on parcel 138-32-301-005. Based on the information provided recommend no change in value. 004843																