

R-03-3

(9)

20071226-0000395

Fee: \$22.00
N/C Fee: \$0.00

12/26/2007 09:42:45

T20070221158

Requestor:

LAS VEGAS CITY

Debbie Conway JJF
Clark County Recorder Pgs: 9

APN: 162-03-299-015

When recorded mail to:
City Clerk-City Hall
400 Stewart Ave
Las Vegas, Nevada 89101

ORDER OF VACATION

WHEREAS, a petition dated the 21st day of July, 2005 signed by a property owner(s) abutting the area affected thereby, was filed with the City Clerk of the City Council of the City of Las Vegas, Nevada (hereinafter the "City Clerk" and the "City Council" respectively), applying for the vacation of certain real property, hereinafter described. The petition having been in order, the City Council referred it to the City's Planning Commission (hereinafter the "Planning Commission") for its recommendation, and the Planning Commission having filed its report with the City Council approved and recommended such vacation; and

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WHEREAS, the City Council, by an order made at its regular meeting held on the 21st day of September, 2005, having set the 5th day of October, 2005, at the hour of 1:00 p.m. in the City Council Chambers of Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, County of Clark, Nevada, as the date, time and place for a public hearing on the petition and recommendation, and having ordered the City Clerk to notify, by registered mail, each owner of property abutting the area proposed for vacation and to cause a notice to be published at least once in a newspaper of general circulation in the City setting forth the date, time and place of the public hearing and the extent of the proposed vacation; and

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WHEREAS, the notices provided for in the Order, were mailed by certified mail by the City Clerk on the 20th day of September, 2005, and that a notice of hearing was published on the 23rd day of September, 2005, in the manner prescribed in the Order; and

WHEREAS, the City Council having held a public hearing on the 5th day of October, 2005, on the petition for vacation and the recommendation of the Planning Commission thereon, and the City Council having heard evidence in support of and against the petition; and

WHEREAS, following the hearing, the City Council having approved the petition by finding that the portion of the real property to be vacated is no longer required for the public use and convenience and that the vacation will inure to the benefit of the City of Las Vegas and that neither the public, nor any person, will be materially injured thereby, and that utility company requirements, if any, will be satisfied;

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THEREFORE, IT IS HEREBY ORDERED by the City Council of the City of Las Vegas, Nevada, that the following described real property, situated in the City of Las Vegas, Nevada, County of Clark, State of Nevada, and more particularly described as follows:

That portion of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of Section 3, Township 21 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being a portion of that 10 foot wide alley lying east of BLOCK 23 of BOULDER ADDITION TO THE CITY OF LAS VEGAS, on file in Book 1 of Plats, Page 52 of Clark County, Nevada Records, bounded as follows:

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Bounded on the west by the east line of said BLOCK 23; bounded on the east by a line parallel with and lying 10.00 feet east of the east line of said BLOCK 23; bounded on the south by the easterly projection of the south line of LOT 14 of said BLOCK 23; and bounded on the northwest by a line parallel with and lying 10.00 feet southeast of the northeasterly projection of the northwesterly line of LOT 1 of said BLOCK 23.

- ✓ RESERVING THEREFROM an easement to the CITY OF LAS VEGAS for public streetlight purposes, public fire hydrant purposes and appurtenances thereto, over, across and under the northwesterly 5.00 feet of the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.
- ✓ ALSO RESERVING THEREFROM an easement to the CITY OF LAS VEGAS for public drainage purposes, public sewer purposes, and appurtenances thereto, over, across and under the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.

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ALSO RESERVING THEREFROM an easement to EMBARQ CORPORATION, a Delaware corporation, over, across and under the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.

ALSO RESERVING THEREFROM an easement to COX COMMUNICATIONS LAS VEGAS, INC., a Delaware corporation, over, across and under the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.

ALSO RESERVING THEREFROM an easement to the NEVADA POWER COMPANY, over, across and under the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.

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ALSO RESERVING THEREFROM an easement to the SOUTHWEST GAS CORPORATION, over, across and under the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.

ALSO RESERVING THEREFROM an easement to the LAS VEGAS VALLEY WATER DISTRICT, over, across and under the above-described parcel of land, together with reasonable rights of ingress thereto and egress therefrom.

ALSO RESERVING THEREFROM an easement, for ingress and egress purposes only, to the owner of that parcel of land described by that GRANT, BARGAIN, SALE DEED, recorded April 26, 2006 in Book 20060426 as Instrument Number 00687 and to the owner of that parcel of land described as Parcel A of Parcel II described by that GRANT, BARGAIN, SALE DEED, recorded September 19, 2005 in Book 20050919 as Instrument Number 01131 and to the owner of that parcel of land described as Parcel I described by that GRANT, BARGAIN and SALE DEED, recorded December 29, 2006 in Book 20061229 as Instrument Number 06845 all of Clark County, Nevada Records, over and across that parcel of land bounded as follows:

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Bounded on the west by the east line of said BLOCK 23; bounded on the east by a line parallel with and lying 10.00 feet east of the east line of said BLOCK 23; bounded on the northwest by a line parallel with and lying 10.00 feet southeast of the northeasterly projection of the northwesterly line of LOT 1 of said BLOCK 23; and bounded on the south by the easterly projection of the south line of the north 30.00 feet of LOT 3 of said BLOCK 23.

Said ingress and egress rights shall exist in perpetuity and shall transfer along with ownership of said Book 20060426 Instrument Number 00687 parcel and said Book 20050919 Instrument Number 01131 parcel and said Book 20061229 Instrument Number 06845 parcel.

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ALSO RESERVING THEREFROM an easement, for ingress and egress purposes only, to the owner of that parcel of land described as Parcel I by that GRANT, BARGAIN, SALE DEED, recorded September 19, 2005 in Book 20050919 as Instrument Number 01131 and to the owner of that parcel of land described by that Grant, Bargain, Sale Deed, recorded January 20, 1978 in Book 837 as Instrument Number 796361, all of Clark County, Nevada Records, over and across that parcel of land bounded as follows:

Bounded on the west by the east line of said BLOCK 23; bounded on the east by a line parallel with and lying 10.00 feet east of the east line of said BLOCK 23; bounded on the south by the easterly projection of the south line of LOT 14 of said BLOCK 23; and bounded on the north by the easterly projection of the south line of LOT 11 of said BLOCK 23.

Said ingress and egress rights shall exist in perpetuity and shall transfer along with ownership of said Book 20050919 Instrument Number 01131 parcel and of said Book 837 Instrument Number 796361 parcel.

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be, and the same hereby is, vacated subject to the following conditions:

1. The limits of this Petition of Vacation shall be the full width of the north/south 10-foot wide alley from Las Vegas Boulevard to the south approximately 800-feet to Oakey Boulevard;
2. Prior to the recordation of this Petition of Vacation, the applicant shall submit to the City of Las Vegas a sewer relocation and abandonment plan acceptable to the City Engineer. Alternatively, the Petition of Vacation shall reserve easements(s) to all utilities not relocated or abandoned. No permanent structures shall be constructed over the remaining easements, if any;
3. A legal vehicular access to Assessor's Parcel Number 162-03-202-004, 162-03-202-005, 162-03-211-042 and 162-03-210-081 shall be recorded prior to or concurrently with the recordation of an Order of Vacation or reserved from the Petition of Vacation;

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4. Prior to the recordation of this Petition of Vacation, a plan detailing how the vacated alley will be incorporated into the adjoining parcel(s) shall be submitted to and approved by the Department of Public Works;
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study;
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation;
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for Public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained;
8. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required;
9. All development shall be in conformance with code requirements and design standards of all City Departments;
10. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained, and

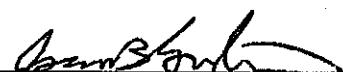
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11. If this Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

DATED this 20th day of December, 2007.

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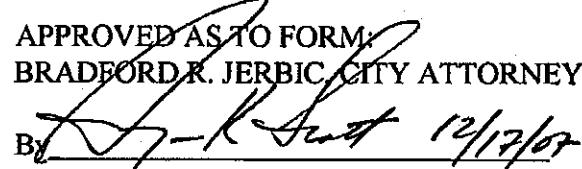


OSCAR B. GOODMAN, MAYOR

ATTEST:


BEVERLY K. BRIDGES, CMC, CITY CLERK

APPROVED AS TO FORM:
BRADFORD R. JERBIC, CITY ATTORNEY


BRYAN K. SCOTT
ASSISTANT CITY ATTORNEY

CONDITIONS SATISFIED:

By T. A. Perrigo for
PLANNING AND DEVELOPMENT DEPARTMENT
M. MARGO WHEELER, DIRECTOR

By: THOMAS A. PERRIGO
DEPUTY PLANNING & DEVELOPMENT DIRECTOR

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VAC-8256

PORTIONS OF THE W 1/2, NW 1/4,
SECTION 3, T21S, R61E, MDM

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