

RECORD AND SEND ORIGINAL TO:

Val Steed
Chief Deputy City Attorney
City of Las Vegas
400 E. Stewart, 9th Floor
Las Vegas, NV 89101

This instr. is delivered to the Recorder's
office as an acceptance of the instrument for
for physical convenience only. It is not to be
examined as to its validity, execution or its
effect upon title, if any.

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**DEVELOPMENT AGREEMENT FOR
SUMMERLIN VILLAGES 10, 11, 12 AND 26**

15,914

44
36

163
THIS DEVELOPMENT AGREEMENT (this "Agreement") is made this 16th day of February, 1994, by and between THE CITY OF LAS VEGAS, a municipal corporation of the State of Nevada ("City"), and HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, a Delaware limited partnership ("HHP").

R E C I T A L S

A. HHP is the owner of that certain real property described on Exhibit "A" attached hereto (the "Property") containing approximately 2695.723 acres of land, which is the subject of this Agreement.

B. A portion of the Property, containing approximately 165.981 acres of land, is currently situated within the corporate boundaries of the City.

C. The remainder of the Property, which is legally described on Exhibit "B" attached hereto (the "Annexation Area"), containing approximately 2529.742 acres of land, is being offered by HHP for annexation to the City.

D. The City has authority, by NRS Section 278.0201 et seq. and Chapter 19.57 of the Municipal Code of the City, to enter into development agreements.

A G R E E M E N T

1. **EFFECTIVE DATE OF AGREEMENT.**

1.1 This Agreement will be effective upon the last to occur of (i) recordation of an ordinance by the City annexing the Annexation Area to the City in accordance with the provisions of NRS 268.597 as provided in Section 2 below, and (ii) the City's reclassification of the entire Property as a PC Planned Community District as defined in Chapter 19.19 of the Municipal Code, and (iii) approval by the City of the General Development Plan for Summerlin Villages 10, 11, 12 and 26, and (iv) amendment of the City of Las Vegas Water Distribution Authorization Program, as described herein. The City agrees that the ordinance annexing the Annexation Area will be effective only upon final approval of items (ii), (iii) and (iv) and that the ordinance will be recorded only after such actions have taken place.

2. **ANNEXATION.**

2.1 HHP has petitioned the City and requested that the Annexation Area be annexed to the City and the City, by its approval of this Agreement, accepts such petition. The City agrees to take all other action as is appropriate to accomplish the annexation.

3. ZONING.

3.1 It is agreed that the following actions by the City are conditions precedent to this Agreement being effective:

(A) All of the Property, including the Annexation Area, shall be reclassified by the City as a "Planned Community District" as such term is defined in Chapter 19.19 of the Municipal Code of the City.

(B) The Development Standards for the Summerlin planned community (the "Summerlin Development Standards") shall be amended by substituting the pages attached hereto as Exhibit "C" for pages 1 through 4 and pages 40 through 52, respectively. As so amended, the Summerlin Development Standards (i) shall apply to all portions of the Summerlin planned community currently annexed to the City (Villages 1, 2, 3, 5, 7, 8 and 9), as well as the Property but not to any future areas annexed to the City by HHP except by express agreement of HHP and the City, and (ii) shall hereafter be amended only in the manner specified in the section of the Development Standards attached hereto as Exhibit "C" titled "Planned Community Program Modifications."

(C) The General Development Plan for Villages 10, 11, 12 and 26, substantially in the form of Exhibit "D" attached hereto, shall be approved.

(D) That Section II.H of the City of Las Vegas Water Distribution Authorization Program shall be amended to read as set forth on Exhibit "E" attached hereto.

3.2 It is the mutual intent of the parties that all of the actions specified in subsections (A), (B), (C) and (D) of Section 3.1 and the formal approval of this Agreement will be taken by the City Council concurrently and that none of such actions will be effective unless and until all such actions are effective.

4. WATER.

4.1 The parties acknowledge that the Property does not have a commitment for water service from the Las Vegas Valley Water District (the "Water District"). HHP has estimated the water requirements for the Property to be as follows:

<u>Year</u>	<u>Acre Feet</u>
1994	2,000
1995	2,000
1996	2,000
1997	984
1998	770
1999	600
2000	870
2001	410
2002	600
2003	127
TOTAL	10,361

The City agrees to satisfy the foregoing requirements by (i) reserving to the Property a portion of the Existing Water (hereinafter defined) available to the City for allocation within the City, and (ii) reserving to the Property a portion of all water that becomes available to the City in the future until the foregoing requirement of 10,361 acre feet has been fully satisfied.

4.2 The parties acknowledge that as of January 1, 1994, the City had allocated to it by the Water District 21,429 acre feet of water that was not committed or reserved to other development (the "Existing Water"). Pursuant to Paragraph II.H of the City of Las Vegas Water Distribution Authorization Program (as amended concurrently with the City Council's approval of this Agreement), the City agrees to issue to HHP, upon execution of this Agreement, a conditional water reservation letter (the "Reservation Letter") for 7,164 acre feet of Existing Water. The City agrees that the only condition to the validity of the Reservation Letter (insofar as the City is concerned) shall be that all water to be committed in connection with the Reservation Letter has been committed by the Water District no later than the end of the term of this Agreement as set forth in Section 9.1. Any water not so committed by that date will revert to the City's water budget for that year. The City shall issue one or more conditional water distribution authorization letters to serve all or any portion of the Property with Existing Water until all of the 7,164 acre feet of Existing Water has been so allocated; subject, however, to the terms of Section 4.3.

4.3 It is the parties' mutual intent that HHP will phase-in the use of such Existing Water over the current calendar year and each subsequent year through and including 1998. HHP agrees, therefore, not to apply for conditional water distribution authorization letters for Existing Water in any calendar year for development projects on the Property that would exceed, in the aggregate, the following estimated water use amounts:

<u>Year</u>	<u>Acre Feet</u>
1994	2,000
1995	4,000
1996	6,000
1997	6,984
1998	7,164

In order to accommodate such schedule of Existing Water use, the City will, through issuance of the Reservation Letter, reserve from its water budget, for each of calendar years 1994 through 1998, at least the following amounts of Existing Water for use on the Property:

<u>Year</u>	<u>Acre Feet</u>
1994	2,000
1995	2,000
1996	2,000
1997	984
1998	180
TOTAL	7,164

4.4 Any water that may be made available to the City by the Water District in addition to the Existing Water is hereinafter referred to as "Future Water." The City hereby agrees that the Reservation Letter will include a conditional allocation of 3,197 acre feet of Future Water which will be reserved from any future allocations of water to the City. Such Future Water allocation is expressly conditioned on the City acquiring Future Water from the Water

District. As Future Water is acquired by the City from the Water District, the City shall reserve all such water to the Property (except 7% thereof which shall be reserved for "Public Facilities" and 1% thereof which shall be reserved for "Quasi-Public Facilities" as such terms are described in Section II.C of the City of Las Vegas Water Distribution Authorization Program) until 3,197 acre feet have been so reserved. The City shall issue one or more conditional water distribution authorization letters to serve all or any portion of the Property with Future Water, on the condition that such Future Water has been obtained by the City from the Water District, until all of the 3,197 acre feet of Future Water has been so allocated; subject, however, to the terms of Section 4.5.

4.5 It is the parties' mutual intent that HHP will phase-in the use of such Future Water over the calendar years 1998 through 2003. HHP agrees, therefore, not to apply for conditional water distribution authorization letters for Future Water in any calendar year for development projects on the Property that would exceed, in the aggregate, the following estimated water use amounts:

<u>Year</u>	<u>Acre Feet</u>
1998	590
1999	1,190
2000	2,060
2001	2,470
2002	3,070
2003	3,197

In order to accommodate such schedule of Future Water use, the City agrees to reserve from its water budget, for each of calendar years 1998 through 2003, at least the following amounts of Future Water:

<u>Year</u>	<u>Acre Feet</u>
1998	590
1999	600
2000	870
2001	410
2002	600
2003	127

4.6 The parties acknowledge that the allocation of 10,361 acre feet of water is calculated based on current Water District estimates of water use/acre for various land use categories as shown on Exhibit "F" attached hereto. In the event the Water District changes its estimated water use/acre for any of the land uses described on Exhibit "F," the City agrees to revise its certification of projected water use based upon such revised Water District estimates and, if necessary, to reserve additional water for use on the Property if the City has unallocated water available to reserve at such time. The land use categories and acreages associated with such uses as set forth on Exhibit "F" are described solely for the purpose of this Section 4.6 and to illustrate the assumptions used in calculating the water necessary to serve the Property. They are not intended to limit or define the ability of HHP (or another "Master Developer" as such term is defined in the Summerlin Development Standards) to designate land use categories by Development Plan submittal consistent with the approved General Development Plan pursuant to the terms of the Summerlin Development Standards.

4.7 The City agrees that it will not allocate to any other land or development any water if to do so would reduce the City's allocation of water from the Water District below the amount reserved to the Property pursuant to Sections 4.2, 4.3, 4.4 and 4.5.

4.8 The City shall certify to the Water District, pursuant to subsection 1.3.b.2 of the Water District's Service Rules, the amount of HHP's financial commitment per acre foot of projected water use within the Property.

5. CITY OF LAS VEGAS SPECIAL IMPROVEMENT DISTRICT.

5.1 The City agrees to review and approve or disapprove any request by HHP to establish one or more special improvement districts pursuant to NRS Chapter 271 for portions of the Property on the basis of the criteria set forth in the City of Las Vegas Developer Special Improvement District Guidelines dated December 2, 1992.

6. CONCRETE PLANTS.

6.1 HHP intends to operate or contract with others to operate ready-mix concrete and asphaltic concrete batch plants to be located on either or both of the sites identified on Exhibit "G" attached hereto (the "Plant Sites").

6.2 HHP, as "Master Developer" under the Summerlin Development Standards has requested that the Summerlin Development Standards be modified to permit operation of ready-mix and asphaltic concrete batch plants at the Plant Sites. The parties agree that such an amendment to the Summerlin Development Standards is a "Minor Modification" as provided therein. The City hereby agrees to process such request and, if it complies with the requirements therefor, to approve the request subject to such reasonable conditions as the Director of the Department of Community Planning and Development may impose for the protection of the environment and of public health and safety.

7. VILLAGE PARKS.

7.1 HHP shall design and construct parks within each Village of the Property except as provided in Section 7.6 below. The parks will, in aggregate, contain a minimum of 330 square feet of developed open space per dwelling unit within the respective Village. It is HHP's intent that all or a portion of the park areas will be dedicated to the City as public parks (the "Public Parks").

7.2 The design of the Public Parks will be subject to approval by the City prior to the commencement of construction.

7.3 HHP will substantially complete construction of the Public Parks no later than three hundred sixty (360) days following approval by the City in writing of the drawings and specifications for the Public Parks.

7.4 Upon completion of the Public Parks and the City's agreement to accept such conveyance, HHP shall convey the Public Parks to the City at no cost to the City. The City will assume maintenance of the Public Parks upon conveyance. HHP will warrant the Public Parks improvements against any defects in construction for a period of one year following conveyance to the City.

7.5 The City agrees that the Public Parks will qualify as "Neighborhood Parks" and entitle HHP to a credit against residential construction impact fees payable with respect to development within the Property pursuant to Chapter 4.24 of the Municipal Code of the City; provided that the design of the Public Parks meets the requirements of Neighborhood Parks under Chapter 4.24.

7.6 It is HHP's intent that Village 10 will be developed as a retirement community village, as such term is defined in the Summerlin Development Standards. In such case, Village 10 may be conveyed to and developed by Del Webb Communities, Inc. ("Del Webb"). Del Webb intends that the Village 10 parks will be privately owned, operated and maintained by the Sun City Summerlin Community Association, Inc. and will be designed and constructed as "Neighborhood Parks" to qualify for a credit against the residential construction impact fee.

8. FUTURE ANNEXATIONS.

8.1 HHP hereby acknowledges its intent to annex into the City the real property, adjacent to the existing corporate boundaries of the City, described on Exhibit "H" attached hereto (the "Summerlin West Annexation Area").

8.2 The offer of annexation by HHP and the City's acceptance of such offer shall be contingent on the parties reaching a mutually acceptable development agreement for the Summerlin West Annexation Area addressing the following development issues:

8.2.1 The availability and phasing over time of water to the Summerlin West Annexation Area from the City's water allocation.

8.2.2 The extension of the Summerlin Parkway and construction of interchanges and overpasses, subject to the availability of funding from the Regional Transportation Commission.

8.2.3 The construction of major storm water drainage improvements to benefit the Summerlin West Annexation Area.

8.2.4 The provision of adequate sanitary sewer service to all of the Summerlin West Annexation Area.

8.2.5 The construction of parks and the provision of fire station sites in the Summerlin West Annexation Area.

8.2.6 The terms of the Development Standards to apply to the Summerlin West Annexation Area which may or may not be the same as the current Summerlin Development Standards.

8.2.7 Such other issues as are identified by either party.

8.3 The City and HHP agree to meet regularly and to negotiate in good faith the terms of a development agreement with respect to the Summerlin West Annexation Area.

9. MISCELLANEOUS.

9.1 Term. This Agreement shall remain in effect for a period of thirty (30) years; or until all obligations of the parties have been fulfilled, whichever occurs first.

9.2 Land Use, Density and Building Height. In accordance with and subject to NRS 278.0201, the parties agree that the permitted uses of the Property, the density of development and the maximum height and size of buildings on the Property shall be as set forth in the Summerlin Development Standards.

9.3 Recordation. In accordance with NRS 278.0203, the City Clerk shall cause the original of this Agreement to be filed with the County Recorder of Clark County for recording.

9.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Nevada.

IN WITNESS WHEREOF, this Agreement is entered into as of the day and year first written above.

CITY:

THE CITY OF LAS VEGAS, a
municipal corporation of
the State of Nevada

By: 

Jan Laverty Jones, Mayor

VS

3-21-94

Attest: 

City Clerk

HHP:

HOWARD HUGHES PROPERTIES,
LIMITED PARTNERSHIP, a
Delaware limited partnership

By SUMMERLIN, a division of
SUMMA CORPORATION, a
Delaware corporation, its
sole general partner

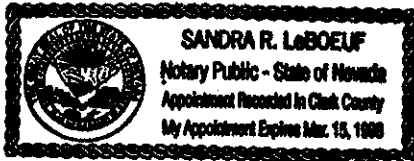
By: 

Mark L. Fine, President

This Instrument is delivered to the Recorder's office as an accommodation by Nevada Title Company for physical convenience only. It has not been examined as to its validity, execution or its effect upon title, if any.

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

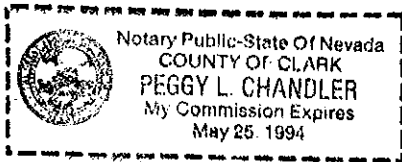
On April 5, 1994, personally appeared before me, a Notary Public, JAN LAVERTY JONES, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that she executed the instrument.



Sandra R. LeBoeuf
 Notary Public

STATE OF NEVADA)
) ss.
 COUNTY OF CLARK)

On April 26, 1994, personally appeared before me, a Notary Public, MARK L. FINE personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.



Peggy L. Chandler
 Notary Public

LIST OF EXHIBITSSection/Recital

A.	Description of Property	A
B.	Description of Annexation Area	C
C.	Summerlin Development Standards	3.1
D.	General Development Plan	3.1
E.	Water Distribution Program §II.H	4.1
F.	Water District Water Use Rates	4.6
G.	Plant Sites	6.1
H.	Summerlin West Annexation Area	8.1

EXHIBIT "A"
DESCRIPTION OF PROPERTY

ALL OF PARCELS 3 AND 4 AS SHOWN BY MAP THEREOF ON FILE IN FILE 76, PAGE 94 OF PARCEL MAPS AMENDED BY "CERTIFICATE OF AMENDMENT" RECORDED SEPTEMBER 14, 1993 IN BOOK 930914 OF OFFICIAL RECORDS AS INSTRUMENT NO. 01130 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, ALL OF PARCEL 1 AS SHOWN BY MAP THEREOF ON FILE IN FILE 76, PAGE 85 OF PARCEL MAPS, A PORTION OF PARCEL 4 AS SHOWN BY MAP THEREOF ON FILE IN FILE 63, PAGE 28 OF PARCEL MAPS, ALL OF PARCEL 3 AS SHOWN BY MAP THEREOF ON FILE IN FILE 74, PAGE 14 OF PARCEL MAPS, A PORTION OF PARCEL 2 AS SHOWN BY MAP THEREOF ON FILE IN FILE 74, PAGE 14 OF PARCEL MAPS, A PORTION OF PARCEL 1 AS SHOWN BY MAP THEREOF ON FILE IN FILE 73, PAGE 9 OF PARCEL MAPS, ALL OF PARCEL 4 AS SHOWN BY MAP THEREOF ON FILE IN FILE 74, PAGE 14 OF PARCEL MAPS AND A PORTION OF PARCEL 2 AS SHOWN BY MAP THEREOF ON FILE IN FILE 63, PAGE 26 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN SECTIONS 13, 14, 23, 24, 26, 35 AND 36, TOWNSHIP 20 SOUTH, RANGE 59 EAST, AND SECTION 30, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 36; THENCE SOUTH 06°05'51" EAST ALONG THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 5436.39 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CHARLESTON BOULEVARD (150.00 FEET WIDE); THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4) COURSES: SOUTH 89°43'09" WEST, 522.09 FEET; THENCE SOUTH 89°41'53" WEST, 2640.20 FEET; THENCE NORTH 89°55'18" WEST, 2704.19 FEET; THENCE SOUTH 89°48'28" WEST, 1152.31 FEET TO THE SOUTHEAST CORNER OF PARCEL 2 OF SAID PARCEL MAP (FILE 76, PAGE 94 OF PARCEL MAPS); THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID PARCEL 2, THE FOLLOWING EIGHT (8) COURSES: NORTH 01°58'29" WEST, 4356.77 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 6325.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 17°56'51", AN ARC LENGTH OF 1981.26 FEET; THENCE NORTH 19°55'20" WEST, 2219.26 FEET; THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 6675.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 25°51'36", AN ARC LENGTH OF 3012.71 FEET; THENCE NORTH 05°56'16" EAST, 5027.29 FEET; THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 4275.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 07°51'12", AN ARC LENGTH OF 585.96 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 76°12'32" WEST; THENCE NORTH 74°00'00" WEST, 1978.63 FEET; THENCE NORTH 00°03'30" EAST, 4118.72 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 14; THENCE SOUTH 89°56'30" EAST ALONG SAID NORTH LINE, 3957.03 FEET TO THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 89°41'43" EAST ALONG SAID NORTH LINE, 1361.87 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 13, SAID CORNER BEING A POINT ON THE RIGHT-OF-WAY LINE OF CHEYENNE AVENUE; THENCE SOUTH 00°18'17" WEST ALONG SAID RIGHT-OF-WAY LINE, 50.00 FEET; THENCE SOUTH 89°41'23" EAST ALONG SAID RIGHT-OF-WAY LINE, 604.78 FEET TO THE NORTHWEST CORNER OF PARCEL 1 AS SHOWN BY SAID PARCEL MAP (FILE 76, PAGE 94 OF PARCEL

MAPS); THENCE ALONG THE BOUNDARY LINE OF SAID PARCEL 1, THE FOLLOWING SIX (6) COURSES: SOUTH 41°00'00" WEST, 1556.15 FEET; THENCE CURVING TO THE RIGHT ALONG THE ARC OF AN 8125.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 05°27'50", AN ARC LENGTH OF 774.82 FEET; THENCE SOUTH 46°27'50" WEST, 1233.66 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 4050.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 23°57'32", AN ARC LENGTH OF 1693.55 FEET; THENCE SOUTH 22°30'18" WEST, 163.03 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 3705.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 09°31'46", AN ARC LENGTH OF 616.22 FEET TO A CORNER OF SAID PARCEL 3 (FILE 76, PAGE 94 OF PARCEL MAPS); THENCE SOUTH 74°00'00" EAST ALONG THE BOUNDARY LINE OF SAID PARCEL 3, A DISTANCE OF 555.43 FEET TO A CORNER OF SAID PARCEL 1 (FILE 76, PAGE 85 OF PARCEL MAPS); THENCE ALONG THE BOUNDARY LINE OF SAID PARCEL 1, THE FOLLOWING FOUR (4) COURSES: CONTINUING SOUTH 74°00'00" EAST, 1500.78 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 31°00'00", AN ARC LENGTH OF 1082.10 FEET; THENCE NORTH 75°00'00" EAST, 1876.60 FEET; THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 2000.00 FOOT CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 22°00'00", AN ARC LENGTH OF 767.94 FEET TO A CORNER OF SAID PARCEL 4 (FILE 63, PAGE 28 OF PARCEL MAPS); THENCE SOUTH 83°00'00" EAST ALONG THE BOUNDARY LINE OF SAID PARCEL 4, A DISTANCE OF 82.69 FEET TO A CORNER OF SAID PARCEL 3 (FILE 74, PAGE 14 OF PARCEL MAPS); THENCE SOUTH 83°00'00" EAST ALONG THE BOUNDARY LINE OF SAID PARCEL 3, A DISTANCE OF 170.00 FEET TO A POINT ON THE RIGHT-OF-WAY LINE OF CHEYENNE AVENUE AS SHOWN ON SAID PARCEL MAP (FILE 74, PAGE 14 OF PARCEL MAPS); THENCE SOUTH 05°01'59" WEST ALONG SAID RIGHT-OF-WAY LINE, 148.12 FEET TO THE NORTHWEST CORNER OF PARCEL 1 OF SAID PARCEL MAP; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID PARCEL 1, THE FOLLOWING FIVE (5) COURSES: CONTINUING SOUTH 05°01'59" WEST, 673.87 FEET; THENCE CURVING TO THE RIGHT, ALONG THE ARC OF A 3030.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 18°22'44", AN ARC LENGTH OF 971.94 FEET; THENCE SOUTH 23°24'43" WEST, 1137.12 FEET; THENCE CURVING TO THE LEFT, ALONG THE ARC OF A 3500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 17°24'43", AN ARC LENGTH OF 1063.63 FEET; THENCE SOUTH 06°00'00" WEST, 366.08 FEET TO A POINT ON THE BOUNDARY LINE OF SAID PARCEL 2 (FILE 74, PAGE 14 OF PARCEL MAPS); THENCE CONTINUING SOUTH 06°00'00" WEST, 267.87 FEET; THENCE CURVING TO THE RIGHT, ALONG THE ARC OF A 2000.00 FOOT CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 09°23'46", AN ARC LENGTH OF 327.99 FEET; THENCE SOUTH 15°23'46" WEST, 860.24 FEET TO A POINT ON THE BOUNDARY LINE OF SAID PARCEL 2 (FILE 74, PAGE 14 OF PARCEL MAPS); THENCE FROM A TANGENT BEARING SOUTH 03°37'03" WEST, CURVING TO THE LEFT ALONG THE ARC OF A 3170.00 FOOT CURVE OF SAID BOUNDARY LINE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 06°26'14", AN ARC LENGTH OF 356.15 FEET TO AN ANGLE POINT ON THE NORTH LINE OF SAID PARCEL 1 (FILE 73, PAGE 9 OF PARCEL MAPS); THENCE SOUTH 89°57'30" WEST ALONG SAID NORTH LINE, 95.56 FEET; THENCE SOUTH 15°23'46" WEST, 2647.15 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 2000.00 FOOT CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 55°30'32", AN ARC LENGTH OF 1937.63 FEET TO THE MOST NORTHERLY CORNER OF PARCEL 2 AS SHOWN ON SAID PARCEL MAP (FILE 73, PAGE 9 OF PARCEL MAPS), A RADIAL LINE TO SAID CORNER BEARS SOUTH 49°53'14" WEST; THENCE ALONG THE

BOUNDARY LINE OF SAID PARCEL 2, THE FOLLOWING FIVE (5) COURSES: CONTINUING SOUTH 49°53'14" WEST ALONG THE SOUTHWESTERLY PROLONGATION OF SAID RADIAL LINE, 47.50 FEET; THENCE SOUTH 38°28'22" WEST, 726.11 FEET; THENCE SOUTH 55°31'38" EAST, 680.00 FEET; THENCE NORTH 34°28'22" EAST, 652.46 FEET; THENCE NORTH 32°05'24" EAST, 47.50 FEET; THENCE FROM A TANGENT BEARING SOUTH 57°54'36" EAST, CURVING TO THE LEFT ALONG THE ARC OF A 2000.00 FOOT CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 01°37'03", AN ARC LENGTH OF 56.46 FEET; THENCE SOUTH 59°31'38" EAST, 591.32 FEET; THENCE FROM A TANGENT BEARING NORTH 30°28'22" EAST, CURVING TO THE RIGHT ALONG THE ARC OF A 3500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 17°25'22", AN ARC LENGTH OF 1064.30 FEET TO A POINT ON THE EAST 1/16TH LINE OF SAID SECTION 25, BEING A POINT ON THE CENTERLINE OF TOWN CENTER DRIVE (95.00 FEET WIDE) TO WHICH A RADIAL LINE BEARS NORTH 42°06'16" WEST; THENCE ALONG SAID CENTER LINE, THE FOLLOWING THREE (3) COURSES: FROM A TANGENT BEARING NORTH 47°53'44" EAST, CURVING TO THE RIGHT ALONG THE ARC OF A 3500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 09°06'16", AN ARC LENGTH OF 556.16 FEET; THENCE NORTH 57°00'00" EAST, 1124.05 FEET; THENCE CURVING TO THE LEFT ALONG THE ARC OF A 6000.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 07°04'54", AN ARC LENGTH OF 741.59 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 40°04'54" EAST; THENCE FROM A TANGENT BEARING SOUTH 38°03'20" EAST, CURVING TO THE RIGHT ALONG THE ARC OF A 3443.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 44°15'56", AN ARC LENGTH OF 2659.99 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 30 TO WHICH A RADIAL LINE BEARS SOUTH 83°47'24" EAST; THENCE NORTH 88°50'11" WEST ALONG SAID SOUTH LINE, 1374.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 2695.723 ACRES, MORE OR LESS.

EXHIBIT "B"
DESCRIPTION OF ANNEXATION AREA

Those portions of Sections 13, 14, 23, 24, 25, 35 and 36 in Township 20 South, Range 59 East, in the County of Clark, State of Nevada, described as follows:

PARCEL 1

PARCEL 3 and PARCEL 4 as shown on the parcel map on file in File 78 of Parcel Maps, Page 57 of Clark County, Nevada Records.

PARCEL 2

That portion of the Northwest Quarter (NW ¼) of said Section 13, described as follows:

BEGINNING at the Northwest corner of the Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼) of said Section 13; thence along the North line of said Northeast Quarter (NE ¼) of the Northwest Quarter (NW ¼), South 89°41'23" East a distance of 647.77 feet to the Northerly prolongation of the Westerly boundary of PARCEL 1 as shown on the parcel map on file in File 76 of Parcel Maps, Page 94 of Clark County, Nevada Records; thence along said Northerly prolongation, South 41°00'00" West a distance of 65.94 feet to the South line of the North 50.00 feet of said Northwest Quarter (NW ¼) of Section 13; thence along the South line of said North 50.00 feet, North 89°41'23" West a distance of 604.78 feet; thence North 00°18'17" East a distance of 50.00 feet to the POINT OF BEGINNING.

PARCEL 3

That portion of said Section 25, being that portion of PARCEL 1 as shown on the parcel map on file in File 73 of Parcel Maps, Page 9 of Clark County, Nevada Records, described as follows:

BEGINNING at the Southwest corner of said Section 25; thence along the West line of said Section 25, North 00°37'01" East a distance of 5368.24 feet to the Northwest corner of said Section 25; thence along the North line of said Section 25, North 89°57'30" East a distance of 2347.97 feet to a point on the Westerly boundary of that certain parcel of land annexed to the CITY OF LAS VEGAS under ORDINANCE NUMBER 3714, recorded May 27, 1993 in Book 930527 as Instrument Number 01309 of Clark County, Nevada Records; thence along the Westerly boundary of said annexed parcel the following two (2) courses; 1) thence South 15°23'46" West a distance of 2600.21 feet to the beginning of a tangent curve concave Easterly and having a radius of 2170.00 feet; 2) thence Southerly along said curve through a central angle of 56°09'41" and an arc distance of 2127.04 feet to a point on the Northwesterly line of PARCEL 2 as shown on said File 73 of Parcel Maps, Page 9, a radial line through said point bears South 49°14'05" West; thence nonradial to said curve, along the Northwesterly line of said PARCEL 2, South 38°28'22" West a distance of 601.28 feet to the Westerly corner of said PARCEL 2; thence along the Southwesterly line of said PARCEL 2, South 55°31'38" East a

distance of 680.00 feet to the most Southerly corner of said PARCEL 2; thence along the Southeasterly line of said PARCEL 2, North $34^{\circ}28'22''$ East a distance of 529.86 feet to a point in the Southerly boundary of said parcel of land annexed under said ORDINANCE NUMBER 3714, being a point in a nonradial curve concave Northeasterly and having a radius of 2170.00 feet; thence along the Southerly boundary of said annexed parcel the following three (3) courses; 1) thence from a tangent which bears South $57^{\circ}46'32''$ East, Southeasterly along said curve through a central angle of $01^{\circ}45'06''$ and an arc distance of 66.34 feet; 2) thence tangent to said curve, South $59^{\circ}31'38''$ East a distance 765.66 feet to a point in a nonradial curve, concave Southeasterly and having a radius of 3330.00 feet; 3) thence from a tangent which bears North $27^{\circ}32'47''$ East, Northeasterly along said curve through a central angle of $17^{\circ}36'48''$ and an arc distance of 1023.68 feet to a point in the East line of the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section 25, a radial line through said point bears North $44^{\circ}50'25''$ West; thence nontangent to said curve, along the East line of said West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$), South $00^{\circ}20'18''$ West a distance of 841.80 feet to the South line of said Section 25; thence along the South line of said Section 25, South $89^{\circ}53'30''$ West a distance of 3966.44 feet to the POINT OF BEGINNING.

The above described parcels of land contain a total area of 2,526.314 acres, more or less.

EXHIBIT "C"
SUMMERLIN DEVELOPMENT STANDARDS

INTRODUCTION

The Planned Community (PC) District (Section 19.19 of the Zoning Ordinance) requires a "Development Plan" which identifies general land use designations, transportation systems, open space and community facilities for each specific development project. The PC District also requires "Development Standards" which set forth standards such as residential densities; building height and setbacks; signage; landscaping; parking and open space requirements as well as procedures for site plan review and for modifying the Planned Community Program. In accordance with this requirement these Development Standards have been prepared. This document, a copy of which is on file in the Department of Community Planning and Development, is adopted by reference and made a part of the PC Zoning District regulations for the Summerlin Planned Community.

The purpose of these standards is to provide minimum requirements for development and uses within the Summerlin Planned Community. It is suggested that the architecture and landscaping plans be reviewed by the Summerlin Architectural Review Committee prior to submittal for City approval. Design Criteria, developed by Summerlin, a division of Summa Corporation (hereinafter referred to as Summerlin), its successors or assigns, can provide guidance for the developer and facilitate the City's review process. In addition to the City of Las Vegas review procedures, the review of architecture, landscaping, and design criteria to be utilized on Villages 5 and 9 (together with Village 10 and other areas if acquired by Del Webb Communities, Inc. and developed as part of Sun City Las Vegas at Summerlin) will be conducted by the Sun City Summerlin Architectural Review Committee as required by the Sun City Summerlin Conditions, Covenants and Restrictions.

It is anticipated that covenants, conditions and restrictions (CC&Rs) may be filed for various development parcels and villages in the Summerlin PC District. These CC&Rs may be more restrictive and may prohibit uses which are otherwise "permitted" by these Development Standards. When a conflict exists between the Development Standards and applicable CC&Rs, it shall be the right of the local home owners association or architectural review committee to enforce the more restrictive standards contained in the CC&Rs.

With regard to any issue pertaining to land use and development that may arise in connection with these Development Standards, and that are not addressed or provided for specifically in these standards or a development agreement entered into pursuant to Section 19.57 of the City of Las Vegas Zoning Ordinance (Title 19 of the Las Vegas Municipal Code), the applicable regulations and standards contained in the City of Las Vegas Zoning Ordinance will apply. When addressing an issue the Director of the Department of Community Planning and Development will utilize the definitions, principles and procedures set forth in the Las Vegas Municipal Code, taking into consideration the intent of both the PC District and the approved Planned Community Program and any applicable development agreement entered into pursuant to Section 19.57 of the Las Vegas Zoning Ordinance.

PROJECT HISTORY

On May 6, 1987, the Las Vegas City Council adopted an amendment to the City's General Plan that incorporated by reference a Master Concept Plan and Land Use Plan for the proposed Summerlin (then Husite) planned community of 23,180 acres. On June 3, 1987, the City Council approved the reclassification of approximately 4,651 acres of Summerlin property (officially annexed to the City of Las Vegas on June 10, 1987, from N-U to PC (Planned Community District) as the first phase of Summerlin development. On January 18, 1989, the City Council approved the Development Standards for the Summerlin Master Planned Community. On February 7, 1990, the City Council approved the reclassification of an additional 616 acres of Summerlin property (officially annexed to the city of Las Vegas on November 24, 1989). On November 18, 1992, the City Council adopted the revised Development Standards for the Summerlin Master Planned Community.

LAND USE HIERARCHY

The following Land Use Districts are found throughout the Summerlin Master Planned Community. The Development Plan for each village shall identify the land use district proposed on each parcel. Neighborhood Residential areas shall be further classified with the specific district reflecting the type of residential use to be developed.

NEIGHBORHOOD RESIDENTIAL

That portion of the village which is residential in character. Refer to Table 2 on Pages 28 and 29 for residential land use descriptions and density ranges. Some multi-family uses are also permitted in non-residential land use areas as indicated on Page 12.

NEIGHBORHOOD FOCUS

The Neighborhood Focus (NF) land use district is intended to provide limited commercial facilities designed for use primarily by neighborhood residents. A typical Neighborhood Focus provides a point of orientation for residents, and in a typical residential setting might contain retail convenience shopping as a primary use. Secondary uses might include a professional office complex, a day care facility, an elementary school, churches, tot lots, playgrounds, playfields, and other recreational facilities. A Neighborhood Focus within a golf or resort neighborhood might include a combination of uses already mentioned with a clubhouse facility.

VILLAGE CENTER

The Village Center (VC) will allow a mix of land uses including multi-family residential uses and commercial, cultural, recreational and meeting facilities that provide most of the daily and weekly support services and activities for the village. A Village Center may typically include a grocery store, a drugstore and the supporting commercial uses (retail, service and convenience) residents require on a daily or weekly basis. Village Centers may also include recreational facilities and business and professional offices.

COMMUNITY CENTER

The Community Center (CC) is generally larger than a Village Center and may incorporate department stores, free standing commercial uses and other specialty commercial in a unified, planned shopping and office complex. With a mixture of other activities and facilities similar to the Village Center, Community Centers are located to serve a large geographic area, and the community at large.

TOWN CENTER

The Town Center (TC) land use district is designed to accommodate large commercial, community, and cultural complexes and will ultimately become the main or "downtown" business center for the Summerlin Planned Community. Located at the heart of the community, the Town Center typically may include regional shopping facilities, high and mid-rise office structures, high density residential, cultural, community and recreational facilities to serve the entire Summerlin population.

EMPLOYMENT CENTER

The Employment Center (EC) land use district will provide employment opportunities for Summerlin residents. These areas may accommodate office, light industry, business, professional and support commercial services and may include higher density multi-family residential.

COMMUNITY OPEN SPACE

Facilities defined as Community Open Space (COS) include all public, semi-public, and private recreational facilities, golf course, pathways, landscape zones in and adjacent to major roadways, civic, cultural, community, religious, educational, libraries, and quasi-public facilities, as well as parks and playfields. Facilities owned by the Home Owner's Association (i.e., meeting facilities) will be permitted in Community Open Space.

ADMINISTRATION

DIRECTOR OF THE DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

The Director of the Department of Community Planning and Development (hereinafter, the "Director") shall perform the duties and functions as provided in these Development Standards. This includes the day-to-day and long range management of these Development Standards and the acceptance and processing of all permits and applications for development within the Summerlin Planned Community.

CITY REFERRAL GROUP

A City Referral Group shall be created to review Development Plans and General Development Plans (as such term is defined below) and proposals for development within the Summerlin Planned Community. The City Referral Group shall be comprised of representatives of the City Department of Community Planning and Development, the Department of Public Works, the Department of Building and Safety, the Department of Fire Services, the Department of Parks and Leisure Activities and any other city department or agency as determined by the City Manager.

All rulings, decisions and recommendations of the City Referral Group shall be by unanimous vote of the quorum in attendance. The inability to reach a unanimous decision shall result in a denial of the review application.

The Chairman of the City Referral Group shall be the Director of the Department of Community Planning and Development.

SUMMERLIN DESIGN REVIEW COMMITTEE AND THE SUN CITY SUMMERLIN ARCHITECTURAL REVIEW COMMITTEE

The Summerlin Design Review Committee and the Sun City Summerlin Architectural Review Committee are comprised of private homeowners and developers within the Summerlin Planned Community. Design Criteria will be prepared by Summerlin, its successors or assigns, and/or Village developers (each, hereinafter referred to as a "Master Developer") to control not by way of limitation architecture, landscape, walls, signage and lighting. The Design Criteria shall meet the City's minimum standards for landscape, walls, signage and lighting in effect on the date of City of Las Vegas adoption of the Summerlin Development Standards. From time to time, the Design Criteria for a Village may be revised with the consent of the Master Developer of such Village at which time said revisions shall meet the current City of Las Vegas design criteria then in effect. The Summerlin Design Review Committee administers and enforces the Design Criteria except in those Villages developed as Sun City Las Vegas at Summerlin where the Sun City Summerlin Architectural Review Committee administers and enforces the design criteria for the adult community.

DEVELOPMENT PLAN REVIEW REQUIREMENTS

The purpose of the Development Plan Review is to confirm that proposed land use plans are in conformance with the Planned Community District and these Development Standards prior to detailed design and engineering. Proposed changes to the Development Standards may also be reviewed with the City of Las Vegas as a part of the Development Plan Review process in

accordance with the "Planned Community Program Modification" standards contained in this Section.

A Development Plan shall be prepared for each Village or for a portion of a Village which shall identify general location and size of development parcels, establish uses and density ranges for each parcel, locate Community Open Space, establish the major pedestrian pathways and the automobile circulation system by classification, provide more detailed Development Standards where necessary, and generally locate community facilities.

Prior to preparation and submittal of Development Plans, Summerlin may, at its option, prepare a "General Development Plan" for one or more Villages which shall establish uses and density ranges for parcels based on the City of Las Vegas General Plan Land Use Designations as set forth in Column 2 of the Land Use Category Comparison Table set forth below. The General Development Plan is preliminary to and not in lieu of the Development Plan described in the preceding paragraph. Following approval of the General Development Plan by the City, Summerlin will prepare one or more Development Plans for the Village or Villages described in the General Development Plan. Such Development Plans will provide more detailed land use and density ranges for the property described on the Development Plan. Within each parcel described on the General Development Plan, Summerlin may create one or more parcels with any of the corresponding "Summerlin Land Use Categories" described in Column 3 on the Land Use Category Comparison Table. For example, in an area described as ML (Medium Low Density Residential) on the General Development Plan, Summerlin may create one or more parcels on the Development Plan for such area with SF-3 (Single Family Detached) or MF-1 (Low Density Multi-family) Summerlin Land Use Categories.

LAND USE CATEGORY COMPARISON

Zoning District Classification	Comparable General Plan Land Use Designation	Summerlin Land Use Categories
R-A (1 Du/Acre) (Ranch Acres) R-E (2 Du-Acre) (Residential Estates)	D-R (Desert Rural) <= 2.18 SFUE/net Acre	EQR (Equestrian Residential) ER (Estate Residential)
R-E (2 Du/Acre) (Residential Estates) R-D (3 Du/Acre max.) (Single Family District) R-PD (3.96 Du-Acre) (Res. Planned Development)	R (Rural Density Residential) <= 0-3.96 SFUE/net Acre	EQR (Equestrian Residential) ER (Estate Residential) SF-1 (Single Family Detached)
R-1 (4-5 Du/Acre) (Single Family) R-D (4 Du/Acre max.) (Single Family District) R-PD (3 - 6.7 Du/Acre) (Res. Planned Development) R-MH (4-5 Du/Acre) (Mobile Home Residential) R-CL (3-6.7 Du/Acre)	L (Low Density Residential) <= 6.70 SFUE/net Acre	EQR (Equestrian Residential) ER (Estate Residential) RR (Retirement Residential) SF-1 (Single Family Detached) SF-2 (Single Family Detached) SFA (Single Family Attached) @ <= 12.09 DU/Acre
R-CL (Single Family Compact Lot Residential) R-2 (Two Family Residential) R-PD (9 SFUE) (Res. Planned Development) R-MHP (Residential Mobile Home Park)	ML (Medium Low Density Residential) <= 9 SFUE/Gross Acre	EQR (Equestrian Residential) ER (Estate Residential) RR (Retirement Residential) SF-1 (Single Family Detached) SF-2 (Single Family Detached) SF-3 (Single Family Detached) SFA (Single Family Attached) MF-1 (Low Density Multi-family) SFZL (Single Family Zero Lot Line)

R-3 (Limited Multiple Residence) R-PD (13.27 SFUE) (Res. Planned Development)	M (Medium Density Residential) <= 13.27 SFUE/Gross Acre	EQR (Equestrian Residential) ER (Estate Residential) RR (Retirement Residential) SF-1 (Single Family Detached) SF-2 (Single Family Detached) SF-3 (Single Family Detached) SFZL (Single Family Zero Lot Line) SFA (Single Family Attached) MF-1 (Low Density Multi-family) MF-2 (Medium Density Multi-family) @ <=20 DU/Acre for apartments
R-4 (Apartment Residence) R-5 (Downtown Apartment) R-6 (High-rise Apartment) R-PD (16.58 SFUE) (Res. Planned Development)	H (High Density Residential) <= 16.58 SFUE/Gross Acre	EQR (Equestrian Residential) ER (Estate Residential) RR (Retirement Residential) SF-1 (Single Family Detached) SF-2 (Single Family Detached) SF-3 (Single Family Detached) SFZL (Single Family Zero Lot Line) SFA (Single Family Attached) MF-1 (Low Density Multi Family) MF-2 (Medium Density Multi-family) MF-3 (High Density Multi-family)
P-R (Professional Offices & Parking) C-D (Designed Commercial) C-1 (Limited Commercial)	SC (Service Commercial/Office)	VC (Village Center) NF (Neighborhood Focus) MF-3 (High Density Multi-family)
C-2 (General Commercial)	GC (General Commercial)	TC (Town Center) CC (Community Center)
C-2 (General Commercial)	TC (Tourist Commercial)	TC (Town Center)
C-M (Commercial/Industrial) C-PB (Planned Business Park) M (Industrial)	LI/R (Light Industry/Research)	EC (Employment Center)
C-V (Civic)	P (Parks/Recreation) S (School) PF (Public Facility)	(COS) (Community Open Space) *See development standards.

Neighborhood Residential areas within the retirement community villages may be designated RR (Retirement Residential) on the Development Plan. When a Tentative Map is subsequently processed each lot within the proposed subdivision shall be identified with the specific land use district applicable to the distinct type of residential use proposed. Prior to or concurrently with the submission of the Tentative Map, the applicant shall also submit a request to amend the portion of the Development Plan which the Tentative Map encompasses. If the amendment is approved, as provided for in the Planned Community Program Modification procedures, the Development Plan shall be amended to reflect the more specific land use districts shown on the Tentative Map.

With respect only to a Development Plan which pertains to a portion of the area covered by a General Development Plan that has previously been approved by the City Council in accordance with the provisions set forth below, the Director shall approve such Development Plan if it is consistent with the General Development Plan.

All other plans (whether a Development Plan or a General Development Plan), applications and fees shall be submitted to the Department of Community Planning and Development (hereinafter

referred to as the "Planning Department"). The Planning Department will forward supporting plans relating to drainage, utilities, and transportation to the City Referral Group. Within ten (10) working days after the receipt of the plans, the Planning Department staff will review the application to determine if the plans are complete and will notify the developer as to their acceptance or rejection.

Once the plans and application are found to be complete, the Director shall schedule a joint review of the plans by the Planning Department staff and City Referral Group. The applicant or the Director may also take steps to place the approval of the plans and applications on the agenda of the City of Las Vegas Planning Commission (hereinafter referred to as the "Planning Commission") meeting after the date of the joint review. Within thirty (30) days of the submission being judged complete, the Director shall make a recommendation to the Planning Commission, and include any conditions that may be proposed as a result of the Development Plan or General Development Plan review or identify additional information that will be required as part of the Tentative Map or Site Plan submission.

The City Planning Commission shall hear and consider the facts presented and determine whether to recommend approval or denial of the Development Plan or General Development Plan. An approval recommendation may include any conditions, stipulations, requirements or limitations which are necessary to insure compliance with the intent of the Planned Community District. The Planning Commission may determine by majority vote that the public interest will best be served by the conduct of a public hearing on an application for approval of a Development Plan or General Development Plan. In such instance, the secretary of the Planning Commission shall set the application for a public hearing at the next subsequent regular meeting of the Planning Commission and the public hearing procedures provided for in Chapter 19.92 of the Las Vegas Municipal Code regarding notification, conduct and decision shall apply.

Within thirty (30) days following the date of the Planning Commission meeting at which its recommendation is formulated, the Planning Commission shall report its finding and recommendation to the City Council. The City Council shall consider the application for Development Plan or General Development Plan approval and the report and recommendation of the Planning Commission therein, at its next regular meeting following the receipt of said recommendation.

If, from the facts presented and the findings in the report and recommendation of the Planning Commission, the City Council determines that the Development Plan or General Development Plan, as the case may be, is in conformance with the Planned Community District and the Development Standards, the City Council may approve the Development Plan or General Development Plan, as the case may be, and include said plan into the Planned Community Program.

In their approval of inclusion of the Development Plan or General Development Plan into the Planned Community Program, the City Council may include any conditions, stipulations, requirements or limitations which may fulfill the requirements of the Planned Community District and these Development Standards and are not inconsistent with any development agreement applicable to the affected property and entered into pursuant to Section 19.57 of the Zoning Ordinance.

REQUIREMENTS FOR THE DEVELOPMENT PLAN

The applicant shall submit eight (8) copies of each exhibit with the application. The Development Plan shall consist of a Site Summary Plan and a Land Use Plan, or a combination thereof, as described below. The following general information will be required on all plans:

1. NARRATIVE

- A. To be included within a submittal letter or appropriate application.
- B. A statement of any proposed change to the Planned Community Program shall be described along with potential impacts on existing development and a description of how the changes conform to the goals and intent of the Planned Community Program.
- C. A summary of previous actions taken (if applicable) by the Planning Commission, City Council or the Director.
- D. Proof of ownership and, if appropriate, identification of contract purchaser: deed, current title, policy or endorsement, and legal description.
- E. Name and address of the property owner and contract purchaser if different than current owner.
- F. Statement of planning and design philosophy if different from the Planned Community Program presently adopted.

2. LAND USE PLAN

- A. The name of the proposed development and submittal phase.
- B. North arrow and the scale of the drawing.
- C. The Development Plan with a minimum sheet size of 24" by 36" at a scale appropriate to the sheet and the title block located in the lower right hand corner of the sheet with the date of preparation; owner's name, address and phone number; name, address and phone number of person or firm preparing the plan.

- D. Development parcels including size and use.
- E. General number of units or acres for each land use:

*Residential: EQR, ER, SF1, SF2, SF3, SFZL, SFA, MF1, MF2 or MF3. (RR: Retirement Community only).

*Town Center

*Community Center

*Village Center

*Neighborhood Focus

*Community Open Space

- F. Circulation system-location of roads by classification and major pedestrian pathways:

*Village Arterials

- *Neighborhood arterials
- *Neighborhood collectors
- *Residential collectors
- *Residential streets
- *Pathways (size & location)

3. SITE SUMMARY PLAN

- A. The name of the proposed development and submittal phase.
- B. North arrow and the scale of the drawing.
- C. The Development Plan with a minimum sheet size of 24" by 36" at a scale appropriate to the sheet and the title block located in the lower right hand corner of the sheet with the date of preparation; owner's name, address and phone number; name, address and phone number of person or firm preparing the plan.
- D. Adjoining land uses and zoning.
- E. Existing major drainageways affecting the site and designation of any 100 year floodplain on or adjacent to the site.
- F. Topography at five feet (5') or closer intervals referenced to a U.S.G.S. standard.
- G. Existing topographic characteristics showing slope categories of: 0-10%, 10-20%, and over 20%.
- H. Summary of acreage with development limitations.

TENTATIVE MAP REVIEW REQUIREMENTS

The requirements for review for subdivisions of land are established by Title 18 of the City of Las Vegas Municipal Code and State of Nevada law, through the Tentative Map Review Process.

SITE PLAN REVIEW REQUIREMENTS

All proposed development within the Summerlin Planned Community shall be subject to review by the City Referral Group. The following information shall be included in all requests for Site Plan Review:

- A. Submittal of a written request and fee consistent with current City fee schedule.
- B. Plot plan (eight copies) drawn to scale showing building locations, setbacks, location of signs, parking and any other existing and proposed use of the property.
- C. Landscaping plan (three copies) showing species, size, location and number of plant material.
- D. Elevation of buildings (three copies) when deemed necessary.

- E. Floor plans and square footage of buildings when deemed necessary.
- F. Drainage, utility and transportation information when deemed necessary.

The Director has the option to require additional improvement details to assure that the proposed development is consistent with the intent of the Planned Community Program. Conditions or development that require additional information may include:

- A. Development that takes place in portions of the site where site constraints exist.
- B. Community Open Space or Park improvements.
- C. Parcels where the building size, location and mass is not conducive to the development's character, or for the preservation of view corridors.
- D. Unusual lot configurations, unusual or small residential lots and residential building size.

Site Plan submission shall identify proposed uses and clearly detail design criteria as set forth in the Development Standards and the Development Plan, (i.e. permitted uses, setbacks, heights, roadway access criteria and parking requirements, parcel sizes and configurations, areas provided for landscaping and parks).

All plans, applications and fees shall be submitted to the Planning Department. The Planning Department will forward supporting plans relating to drainage, utilities and transportation to the Department of Public Works. The Planning Department staff will review the application to determine if the plans are complete, within ten (10) working days after the receipt of the plans.

Once the Planning Department staff has found the submission to be complete, the Director shall:

1. File written notification and a copy of the proposed development to the Master Developer within five (5) days of receipt of the application unless the request comes from the Master Developer; provided however, if at time of submission of the application for Site Plan Review the applicant files a letter from the Master Developer which evidences that the Master Developer has approved the development, notification to the Master Developer is not necessary.
2. Schedule a review of the plans by the Planning Department staff and City Referral Group.

The City Referral Group shall hear and consider the facts presented and determine whether to approve or deny the site plan review. Any approval may include any conditions, stipulations, requirements or limitations that may be necessary to fulfill the intent of the Planned Community Program. Within thirty (30) days of the submission being judged complete, the Director shall notify the applicant, in writing, of the action and decision of the City Referral Group. The notification shall include any conditions that may be required to complete the Site Plan review.

The applicant may appeal the decision of the City Referral Group to the Planning Commission by submitting a written appeal to the Director within ten (10) working days of receipt of the

Referral Group's action, stating where there is a disagreement. A final appeal can be referred to the City Council by either the applicant or the Director for a final decision.

PLANNED COMMUNITY PROGRAM MODIFICATIONS

A request for modification to the PCP may be initiated in any of the following ways:

- A. By the Planning Commission upon its own motion.
- B. By the City Council upon its own motion.
- C. By request of the Director.
- D. By petition of the Master Developer.
- E. By petition of an applicant accompanied by a written authorization or approval by the Master Developer authorizing the request for the minor modification.

Modifications requested by the Master Developer may be made to the Planned Community Program ("PCP") (Development Plan, General Development Plan and/or Development Standards) only with the consent of the Director, the Planning Commission, or the City Council, as appropriate, when necessary to fulfill the intent and purpose of the Planned Community District. Modifications which are minor in nature may be permitted by administrative approval. If, in the opinion of the Director, the requested modification is a change which could significantly affect or modify the policies and objectives of the Development Standards, the Director may determine the request to be a major modification and require the request to be referred to the Planning Commission for review and decision in accordance with the review procedures as outlined below.

No modification of the PCP shall be made with respect to property owned by the Master Developer at the time of such proposed modification without the consent of the Master Developer.

MINOR MODIFICATION

The requirement for obtaining approval of a minor modification to the Planned Community Program (Development Plan, General Development Plan and/or Development Standards) shall be as follows:

- A. Written notification and a copy of the proposed modification to the Master Developer within five (5) days of receipt of the application unless the request comes from the Master Developer.
- B. Informal conference with the Director.
- C. Submittal of three (3) copies of the proposed adjustment to the Department of Community Planning and Development. Reasonable additional information or copies may be requested by the Director.

- D. Submittal of a written request and fee consistent with current City fee Schedule.

Not less than thirty (30) days after an application for modification has been accepted, the Director shall administratively approve, approve with conditions, or deny the request. The Director shall provide the applicant with a written explanation of the decision and reasons for the decision.

Should the request be denied or approved with conditions that are unacceptable, the applicant shall have the following options:

- A. Withdraw the application.
- B. Modify the request to conform with the conditions; In addition to the above, both the applicant and any aggrieved person shall have the following option.
- C. Appeal the decision of the Director in writing to the Planning Commission within ten (10) working days after the applicant is sent the notice containing the Director's written explanation of such decision. Additionally, a final appeal can be referred to the City Council by either the applicant or Director for final decision.

MAJOR MODIFICATION

The requirement for obtaining approval of a major modification to the Planned Community Program (Development Plan, General Development Plan and/or Development Standards) shall be as follows:

- A. Written notification and a copy of the proposed modification to the Master Developer within five (5) days of receipt of the application unless the request comes from the Master Developer.
- B. Submittal of eight (8) copies of the proposed adjustment to the Department of Community Planning and Development. Reasonable additional information or copies may be requested by the Director.
- C. Submittal of a written request and fee consistent with current City fee schedule.

The Planning Commission shall hold a public hearing upon each application for a major modification within sixty-five (65) days after the application is properly filed. Notice of time, place and purpose of the hearing will be made in accordance with the public notice procedures contained in Section 19.92 of the Las Vegas Municipal Code.

Within thirty (30) days maximum following the date of the public hearing, the Planning Commission shall report its findings and recommendation on the application to the City Council. Upon receipt of said findings and recommendations, the City Clerk shall place the application for modification on the agenda of the next available City Council meeting.

If the modification is approved, appropriate documents indicating the approval of the modification together with all conditions, stipulations, requirements or limitations imposed shall be maintained in official files of the Department of Community Planning and Development and shall become

part of the Planned Community Program. Such modifications may be applicable to all or part of the Planned Community Program.

DEVIATIONS TO THE DEVELOPMENT STANDARDS

When practical difficulties, unnecessary hardships or dictates inconsistent with the general purpose of these Development Standards will result through the strict and literal interpretation and enforcement of the provisions hereof, the Director shall have the authority, by administrative act, to grant deviations which are minor in nature and affect only specific lots and/or structures. Such minor deviations include, not by way of limitation: setbacks on irregular lots, setbacks on lots on a curve, and building and wall heights. If, in the opinion of the Director, the requested deviation exceeds the intent of this authority the Director shall defer the deviation responsibility to the Board of Zoning Adjustment and the applicant shall be required to follow the procedures for review and decision of a major modification as outlined below.

MINOR DEVIATION

The requirements for obtaining a minor deviation shall be as follows:

- A. The applicant shall submit a written request for a deviation. The request shall be signed by the property owner or any other person as authorized under the provisions of chapter 19.88.030 of the Las Vegas Municipal Code.
- B. Written notification and a copy of the deviation to the Master Developer within five (5) days of receipt of the application unless the applicant is the Master Developer.
- C. Informal conference with the Director.
- D. Submittal of three (3) copies of the dimensioned site plan and elevations (as applicable) to the Department of Community Planning and Development. Reasonable additional information or copies may be requested by the Director.
- E. A submittal of written request and fee consistent with current City fee schedule.

The Director shall administratively approve, approve with conditions, or deny the request and provide the developer with said written approval or denial within thirty (30) working days.

Should the request be denied or approved with conditions that are unacceptable to the applicant, the applicant shall have the following options:

- A. Withdraw the application.
- B. Modify the request to conform with the conditions.

In addition to the above, both the applicant or any aggrieved person shall have the option to appeal the decision of the Director in writing to the Board of Zoning Adjustment within ten (10) working days after the applicant is sent the notice containing the Director's written explanation of such decision. If at the time of the appeal hearing the Board of Zoning Adjustment determines that a public hearing would be necessary to fulfil the intent of these Development Standards, the procedures required for a major deviation shall apply, including a public notice, and the appellant

shall pay all fees consistent with the city fee schedule. Additionally, a final appeal can be made to the City Council by either the applicant, an aggrieved person or Director within ten (10) working days after the Board of Zoning Adjustment meeting.

Upon approval, a Certificate of Deviation shall be issued to the requesting party. Said certificate shall state the name and address of the owner, legal description of the property, and a reasonably detailed description of the deviation granted.

MAJOR DEVIATION

The requirements for obtaining a major deviation shall be as follows:

- A. The applicant shall submit a written request for a deviation. The request shall be signed by the property owner or any other person as authorized under the provisions of chapter 19.88.030 of the Las Vegas Municipal Code.
- B. Written notification and a copy of the deviation request shall be forwarded to the Master Developer within five (5) days of receipt of the application unless the applicant is the Master Developer.
- C. Submittal of eight (8) copies of the dimensioned site plan and elevations (as applicable) to the Department of Community Planning and Development. Reasonable additional information or copies may be requested by the Director;
- D. A submittal of written request and fee consistent with current City fee schedule.

The application shall be referred to the Board of Zoning Adjustment for review and decision. The Board shall hold a public hearing upon each application for a major deviation within sixty-five (65) days after the application is properly filed. Notice of the time, place and purpose of the hearing will be made in accordance with the public notice procedures contained in Section 19.88 of the Las Vegas Municipal Code.

Should the request be denied or approved with conditions that are unacceptable, the applicant shall have the following options:

- A. Withdraw the application.
- B. Modify the request to conform with the conditions.

In addition to the above, the applicant, any aggrieved person or the Director shall have the option to appeal the decision the Board of Zoning Adjustment to the City Council within ten (10) working day after the applicant is sent the notice containing the Board's written explanation of such decision.

Upon final approval, a Certificate of Deviation shall be issued to the requesting party. Said certificate shall state the name and address of the owner, legal description of the property, and a reasonably detailed description of the deviation granted.

All deviations shall be exercised within one year from the date of approval, or the deviation shall be null and void. The Director may, upon an application being filed thirty (30) days prior to

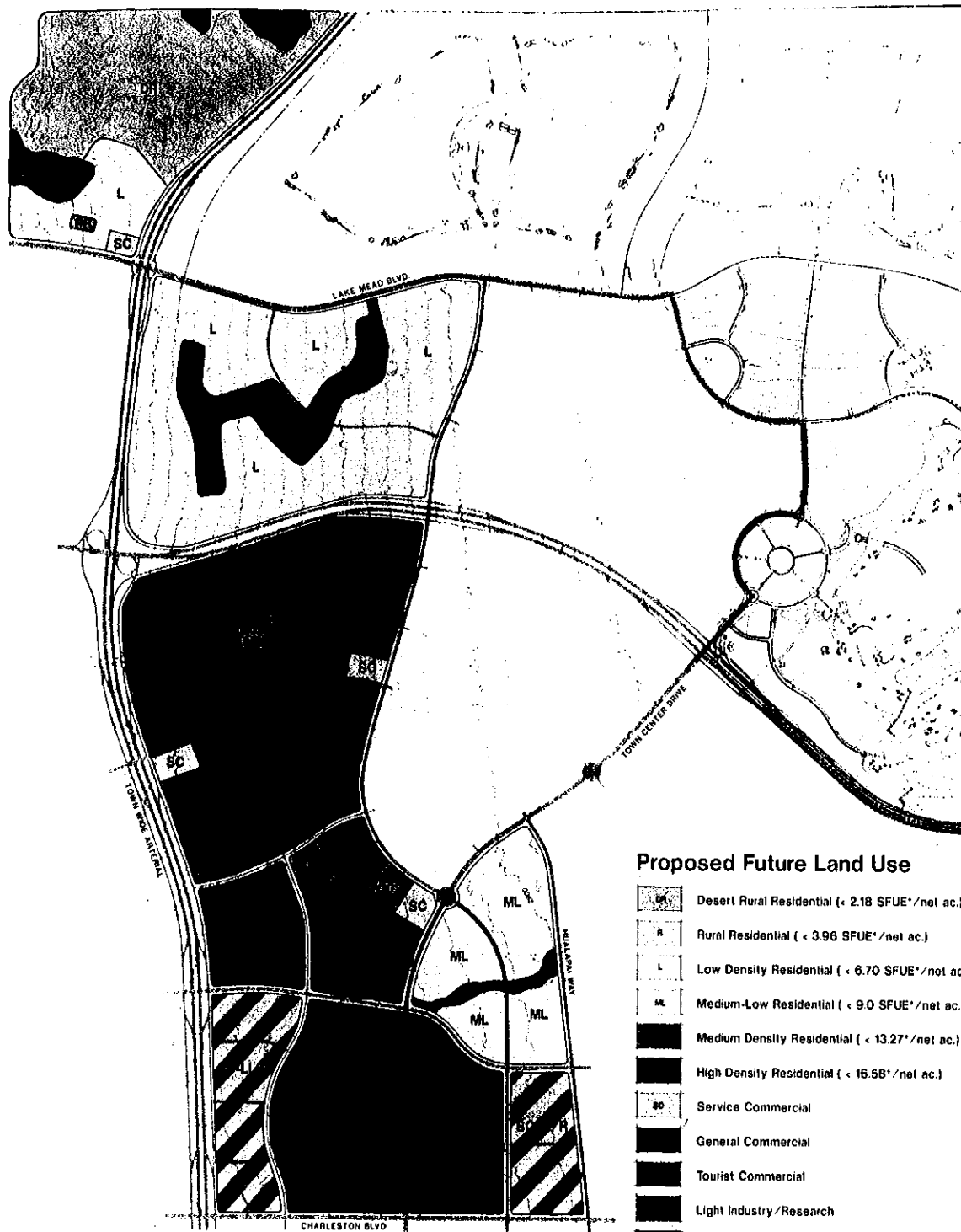
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expiration and for good cause, grant an extension of time not to exceed one year. Upon granting of an extension of time the Director may impose additional conditions to insure the deviation complies with all current Development Standards policies and objectives.

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EXHIBIT "D"
GENERAL DEVELOPMENT PLAN

RECORDER'S MEMO
POSSIBLE POOR RECORD DUE TO
QUALITY OF ORIGINAL DOCUMENT



Proposed Future Land Use

	Desert Rural Residential (< 2.18 SFUE*/net ac.)
	Rural Residential (< 3.96 SFUE*/net ac.)
	Low Density Residential (< 6.70 SFUE*/net ac.)
	Medium-Low Residential (< 9.0 SFUE*/net ac.)
	Medium Density Residential (< 13.27*/net ac.)
	High Density Residential (< 16.58*/net ac.)
	Service Commercial
	General Commercial
	Tourist Commercial
	Light Industry/Research
	Parks/Recreation/Open Space
	School
	Public Facility

* Single Family Unit Equivalent

GENERAL
DEVELOPMENT PLAN

EXHIBIT "E"
WATER DISTRIBUTION AUTHORIZATION PROGRAM § II.H

H. Application of Performance Standards to Planned Communities.

In all Planned Community Districts of the City of Las Vegas, a "conditional water reservation letter" may be issued by the City pursuant to a Development Agreement relating to such planned community establishing the total water allocation for all or a portion of the planned community. Thereafter, as the developer is otherwise ready to receive a commitment from the LVVWD for any portion of the planned community, the City shall issue any necessary conditional water distribution letters for delivery to the LVVWD; provided, the total amount of water allocated may not exceed the original allocation as set forth in the conditional water reservation letter. The City may certify that LVVWD financial commitments are met by arterial road and other community infrastructure and facility construction.

With respect to a Planned Community District, a "conditional water reservation letter" may also include a reservation of water in excess of water available pursuant to the current Water Budget but such reservation must be subject to the LVVWD making available to the City additional water in excess of that shown by the current Water Budget. Conditional water distribution letters authorizing use of such water exceeding the current Water Budget may not be issued until the LVVWD makes such additional water available to the City.

EXHIBIT "F"
WATER DISTRICT WATER USE RATES

VILLAGE 10
PROJECTED WATER USAGE

SUMMERLIN LAND USE	CLV LAND USE	GROSS ACRES	WATER USE RATE AF/A/YR	ANNUAL WATER USE AF/YR
SF3	ML	472.1	3.17	1,496.6
COS	P/S	113.5	7.47	847.8
		585.6	TOTAL	2,344.4

VILLAGE 11
PROJECTED WATER USAGE

SUMMERLIN LAND USE	CLV LAND USE	GROSS ACRES	WATER USE RATE AF/A/YR	ANNUAL WATER USE AF/YR
PUBLIC LVVWD	PF	10.3	--	0.0
SF3	ML	123.7	3.17	392.1
SF3	M	411.2	3.17	1,303.5
SFA	M	176.2	7.07	1,245.7
VC	SC	26.7	4.31	115.1
COS	P/S	111.7	7.47	834.4
MF2	H	29.1	7.07	205.7
EC	L/IR	84.6	4.31	364.6
SUM PKWY		15.6	--	0.0
TWA		57.2	--	0.0
		1,046.8	TOTAL	4,461.1

VILLAGE 12
PROJECTED WATER USAGE

SUMMERLIN LAND USE	CLV LAND USE	GROSS ACRES	WATER USE RATE AF/A/YR	ANNUAL WATER USE AF/YR
EC	SC/L/IR	156.0	4.31	672.4
VC	GC	272.7	4.31	1,175.3
MF2	SC/L/IR	36.3	7.07	256.6
MF2	GC	63.6	7.07	449.7
TWA		19.8		0.0
		548.4	TOTAL	2,554.0

VILLAGE 26
PROJECTED WATER USAGE

SUMMERLIN LAND USE	CLV LAND USE	GROSS ACRES	WATER USE RATE AF/A/YR	ANNUAL WATER USE AF/YR
ER	R	101.0	1.74	175.7
SF3	M	98.0	3.17	310.7
SF3	ML	32.0	3.17	101.4
EC	GC	<u>8.0</u>	4.31	<u>34.5</u>
			TOTAL	622.3

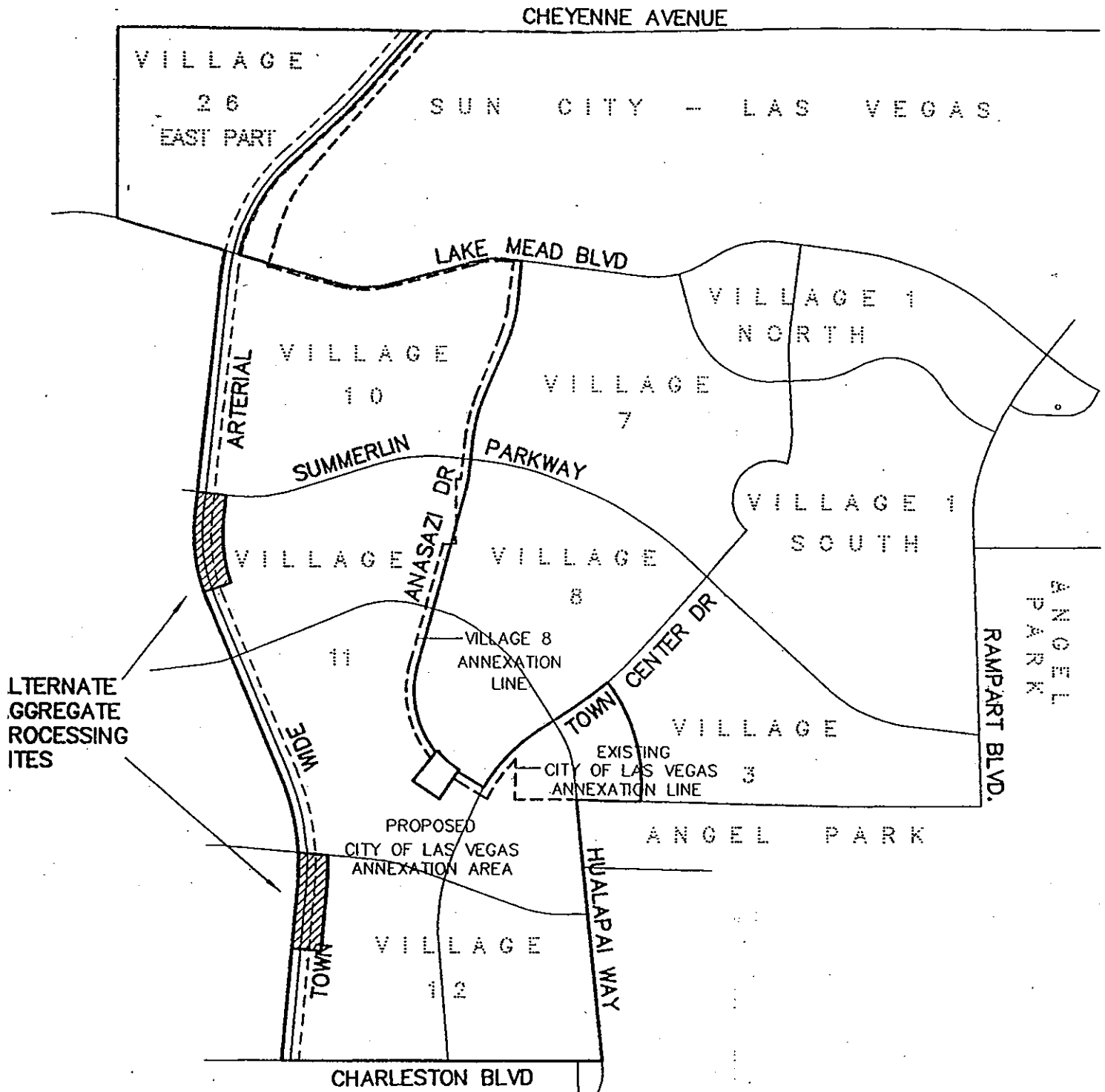
VILLAGE 3
PROJECTED WATER USAGE

SUMMERLIN LAND USE	CLV LAND USE	GROSS ACRES	WATER USE RATE AF/A/YR	ANNUAL WATER USE AF/YR
SF3	ML	94.6	3.17	<u>299.9</u>
			TOTAL	299.9

LANDSCAPE
TOTAL 79.3

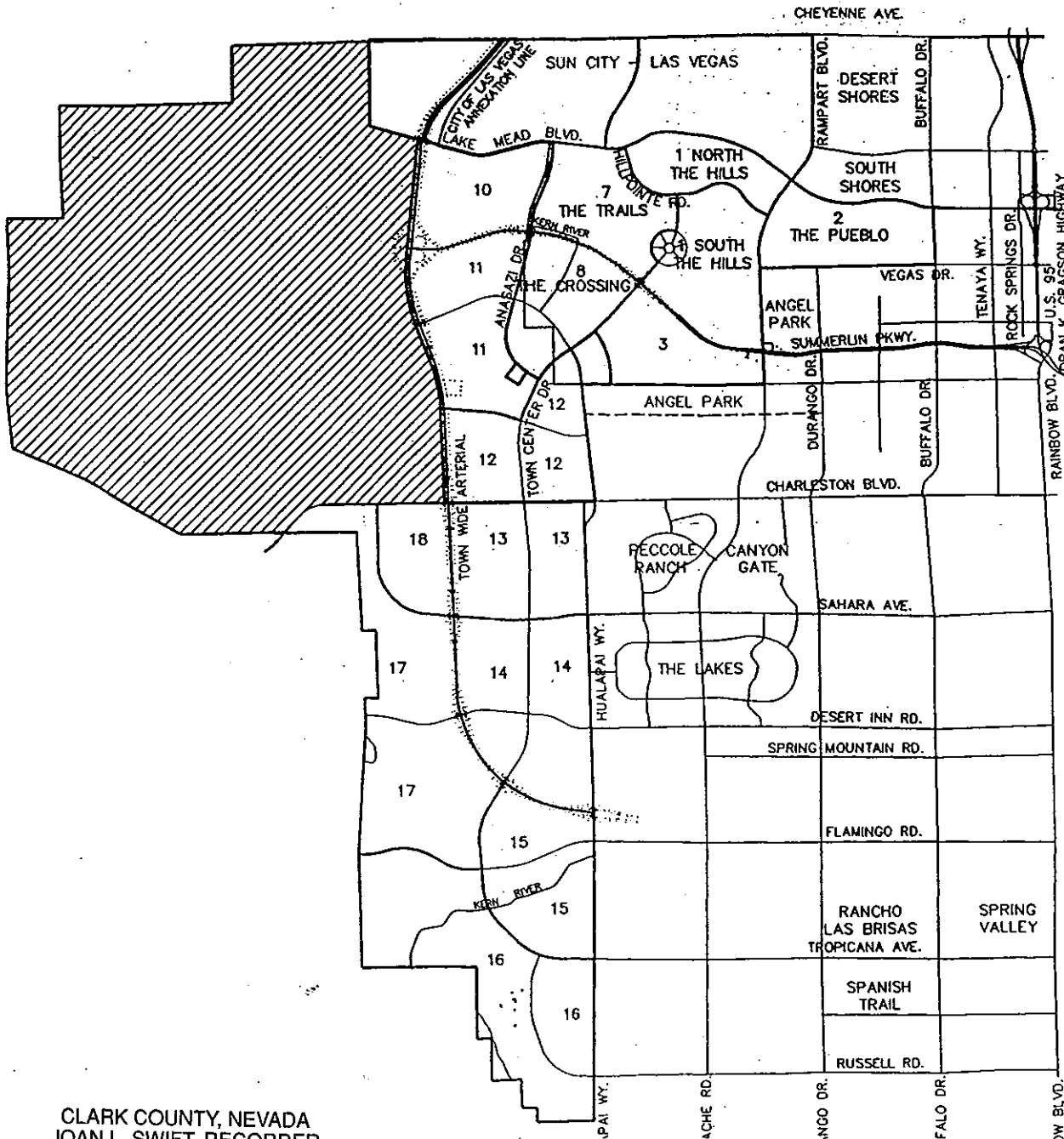
GRAND
TOTAL 10,361

EXHIBIT "G"
LOCATION OF PLANT SITES



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EXHIBIT "H"
SUMMERLIN WEST ANNEXATION AREA



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

05-24-94 00:00 PAC 36

BOOK: 940524 INST: 00234

FEE: 42.00 RPTT: .00