

ORDINANCE NO. 3119

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS, NEVADA APPROVING AND ADOPTING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND LEGACY AK LLC, A PACIFIC GROUP COMPANY, FOR THE DEVELOPMENT OF APPROXIMATELY 135.36 NET ACRES OF LAND AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City of North Las Vegas (the “City”), a municipal corporation and political subdivision of the State of Nevada, is authorized under its Charter and the general laws of the State of Nevada to enact ordinances and enter into agreements to promote and safeguard the health, safety and welfare of its citizens; and

WHEREAS, pursuant to Nevada Revised Statute Section 278.0210, the City Council of the City of North Las Vegas (“City Council”) enacted North Las Vegas Municipal Code Section 15.56 providing for the utilization of development agreements to regulate land development within the incorporated boundaries of the City; and

WHEREAS, Legacy AK, LLC, a Pacific Group company (the “Developer”), has entered into that certain Purchase and Sale Agreement with the City to purchase approximately 135.36 net acres of land within the incorporated boundaries of the City; and

WHEREAS, the City and the Developer wish to enter into the attached Development Agreement, providing for the development of the property described therein (the “Property”) in accordance with the above-described statutes; and

WHEREAS, the City and the Developer desire to enter into the Development Agreement to set forth their mutual understanding with respect to the orderly development of the Property as an integrated development designed to provide services that will enhance the lives of all those who live and work in the City; and;

THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES ORDAIN:

SECTION 1: The Development Agreement negotiated between the City and the Developer complies with NRS 278.0201 and describes the property, provides for and regulates the development of the property for nonresidential uses, specifies the duration of the agreement, the permitted uses, the density and intensity of the permitted land uses, the maximum heights and sizes of proposed buildings and provides for the dedication of portions of the property for public use. The City Council hereby approves and adopts the Development Agreement and all accompanying exhibits and incorporates the same by reference herein. The Development Agreement and all accompanying exhibits are attached hereto as Exhibit “A.”

SECTION 2: Except as otherwise provided in the Development Agreement and all accompanying exhibits, all ordinances, resolutions and regulations applicable to the Property are those in effect at the time the Development Agreement is approved and as amended from time to time.

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City are not in violation of any rights, privileges or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 4: EFFECTIVE DATE. This ordinance shall become effective after its passage by the City Council and after publication as described in Section 4 below.

SECTION: 4: PUBLICATION. The City Clerk shall cause this ordinance, immediately following its adoption, to be published once by title, together with names of the council members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time.

PASSED AND ADOPTED ON THE _____ DAY OF _____, 2022.

AYES:

NAYES:

ABSENT:

ABSTAIN:

APPROVED:

John J. Lee, Mayor

ATTEST:

APPROVED AS TO FORM:

Jackie Rodgers, City Clerk

Micaela R. Moore,
City Attorney

Exhibit A

Development Agreement