

Official Record

Recording requested By  
LINCOLN COUNTY CLERK

Lincoln County - NV  
Leslie Boucher - Recorder

Fee: Page 1 of 5  
RPTT: Recorded By: LB  
Book- 245 Page- 0508



APN \_\_\_\_\_

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Ordinance # 9008-07 (Lincoln Highlands Development Agreement) Correction  
**Title of Document**

**Affirmation Statement**

I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does not contain** the social security number of any person or persons. (Per NRS 239B.030)

\_\_\_\_\_ I, the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording **does contain** the social security number of a person or persons as required by law: \_\_\_\_\_  
(State specific law)

[Signature] \_\_\_\_\_  
Signature Title County Clerk

\_\_\_\_\_  
Signature  
10-24-08  
Date

**Grantees address and mail tax statement:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**APN: 008-261-07**  
**APN: 008-251-02**  
**APN: 008-261-08**

**Correction to document # 0132673**  
**Lincoln Highlands Development Agreement Ordinance**

This document is being recorded to exclude pages 755-758 which were improperly included with Document # 0132673, an Ordinance recorded on 9-25-2008 for the approval of a Development Agreement between Lincoln County and Lincoln Highlands Development Corporation.

This document is being recorded in accordance with NRS 278.0203.

**Summary:** An ordinance to approve a development agreement and conceptual plan for the Lincoln Highlands Planned Community in the Toquop Planning Area.

BILL NO. 2008-\_\_

ORDINANCE NO. 2008-07

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AND CONCEPTUAL PLAN FOR A PLANNED COMMUNITY BY THE LINCOLN HIGHLANDS DEVELOPMENT CORPORATION KNOWN AS LINCOLN HIGHLANDS IN THE TOQUOP PLANNING AREA. THE PROPOSAL IS FOR UP TO 21,272 UNITS ON 5,318 ACRES FOR A VARIETY OF LAND USES INCLUDING; RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND OPEN SPACES/PARKS AND RELATED PUBLIC FACILITIES AS AUTHORIZED UNDER NRS CH. 278A AND THE LINCOLN COUNTY CODE TITLE 14, AND OTHER MATTERS PROPERLY RELATED THERETO

**WHEREAS**, the legislature has enacted NRS CH. 278A for encouraging planned unit developments in cities and counties to allow for an efficient and effective use of lands in meeting demands of development and protecting natural or cultural features of an area,

**WHEREAS**, the applicant, the Lincoln Highlands Development Corporation gained approval of a Master Plan Amendment from "Public" to "Planned Unit Development" on December 3<sup>rd</sup>, 2007. The applicant is asking for concurrent approval of their Conceptual Plan with this development agreement which may include a variety of land uses and densities prescribed in Title 14 of the county code and for the cost sharing and reimbursement for overall public improvements and infrastructure necessary to develop the project,

**WHEREAS**, The Lincoln County Master Plan requires new development to provide for a net fiscal benefit to Lincoln County,

**WHEREAS**, future discretionary approvals by Lincoln County will be necessary for the applicant to implement this project,



**WHEREAS**, Lincoln County finds it necessary to further the public health, safety, morals and general welfare in an era of increasing urbanization and of growing demand for housing of all types and design within the Toquop Township Planning Area;

**WHEREAS**, the purpose of this development agreement for the applicant is to ensure that the current regulations in Title 14 of the Lincoln County Code (at the effective date of this agreement) will remain in force for the term of this agreement and that the proposed development agreement does not constitute an amendment to Title 14 of the Lincoln County Code,

**WHEREAS**, the purpose of this development agreement for the County it to ensure that necessary public facilities, services, staffing and equipment are conveniently located in the Toquop Township Planning Area and provided by all developers either through direct financial contribution in each agreement or through reimbursement by subsequent applicants to initial developers,

**WHEREAS**, this request for the "Lincoln Highlands Planned Unit Development" shall take effect and be in force from and after its passage and the publication thereof by title only, together with the names of the county commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Lincoln County, Nevada, at least once every week, for a period of 35 days.



Proposed on the 4<sup>th</sup> day August 2008

Proposed by Commissioner ~~Hornbeck~~ Poulsen

Passed on the 15<sup>th</sup> day of September, 2008

Vote: Ayes: Wade Poulsen

William T. Lloyd

Ronda Hornbeck

Paul Mathews

Nays: \_\_\_\_\_

Abstain: \_\_\_\_\_

Absent: George T. Rowe

BOARD OF COUNTY COMMISSIONERS  
LINCOLN COUNTY

ATTEST:

\_\_\_\_\_  
Ronda Hornbeck, Chairperson

\_\_\_\_\_  
Lincoln County Clerk

This ordinance shall be in force and effect on the 29<sup>th</sup> day of October, 2008

**THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LINCOLN DO  
HEREBY ORDAIN A DEVELOPMENT AGREEMENT AND CONCEPTUAL PLAN  
WITH CONDITIONS BETWEEN LINCOLN COUNTY AND THE LINCOLN  
HIGHLANDS DEVELOPMENT CORPORATION FOR THE LINCOLN HIGHLANDS  
PLANNED COMMUNITY.**