

Official Record

Recording requested By  
CHRIS ARMSTRONG

Lincoln County - NV  
Leslie Boucher - Recorder

Fee: \$45.00 Page 1 of 7  
RPTT: Recorded By: STE  
Book- 260 Page- 0285



APN 009-251-02

APN 008-261-07

APN 008-261-08

Ordinance 439

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

Chris Armstrong \_\_\_\_\_  
Print

12-9-2010 \_\_\_\_\_  
Date

Grantees address and mail tax statement:

11411 Southern Highlands Pkwy Ste 300  
Las Vegas, NV 89141  
\_\_\_\_\_

**BILL NUMBER 439**  
**ORDINANCE NUMBER 439**

**AN ORDINANCE**  
**OF THE CITY COUNCIL OF THE CITY OF MESQUITE, NEVADA, AMENDING**  
**TITLE 1 OF THE MESQUITE MUNICIPAL CODE ENTITLED "ADMINISTRATION",**  
**BY REVISING SECTION 1-8-18 CITY LIMITS DESIGNATED AND EXTENDING THE**  
**CITY LIMITS OF THE CITY BY ANNEXING THERETO APPROXIMATELY 2,598±**  
**ACRES (LINCOLN HIGHLANDS - PHASE ONE, ANNEXATION CASE NO. AX-10-**  
**001); AND BEING MORE PARTICULARLY DESCRIBED HEREIN.**

**WHEREAS**, the City of Mesquite, Nevada ("the City") was duly created in 1984 under General Law pursuant to the provisions of Chapter 266 of Nevada Revised Statutes; and

**WHEREAS**, the governing body of the City of Mesquite, Nevada is the Mesquite City Council; and

**WHEREAS**, Nevada Revised Statutes ("NRS") Section 268.580 establishes general standards and NRS Section 268.597 sets alternative procedures for annexing territory by an incorporated City; and

**WHEREAS**, NRS Section 268.597(1.) (a.) authorizes the City to annex the described territory ("Annexation Area") since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels on land within the annexation area; and

**WHEREAS**, the total area to be annexed shown in Exhibit "A" meets the standards provided by law for annexation to the City under NRS Section 268.580(2.) in that a) the area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted; b) more than one-eighth of the aggregate external boundaries are contiguous to the boundaries of the City; c) the territory proposed to be annexed is not included within the boundaries of another incorporated city as those boundaries exist on July 1, 1983; and d) the territory proposed to be annexed is not included within the boundaries of any unincorporated town as those boundaries exist on July 1, 1983.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE AS FOLLOWS:**

**SECTION 1:** Title 1, Chapter 8, Section 18 of the Mesquite Municipal Code is hereby amended to add a new Subsection (E) thereto to read as follows:

**1-8-18: CITY LIMITS DESIGNATED:**

**E. Additions to the City Limits:** The City Limits of the City shall be enlarged by 2,598± acres, to include the following area:



PORTIONS OF SECTIONS 20, 21, 28, 29, 30, 31, 32, 33 AND 34 OF TOWNSHIP 12 SOUTH, RANGE 71 EAST, M.D.M., LINCOLN COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT MILE POST 311 ON THE NEVADA-ARIZONA STATE LINE, AS SHOWN IN THE PLAT BY THE BUREAU OF LAND MANAGEMENT (BLM) INDEPENDENT RESURVEY OF TOWNSHIP 12 SOUTH, RANGE 71 EAST, ACCEPTED ON JULY 24, 2001; THENCE ALONG SAID STATE LINE N01°08'00"W A DISTANCE OF 116.09 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 8 OF SAID SECTION 34; THENCE DEPARTING SAID STATE LINE, ALONG THE SOUTH LINE OF SAID LOT 8, N89°57'30"W A DISTANCE OF 1,598.39 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 33; THENCE DEPARTING SAID SOUTH LINE OF LOT 8, ALONG THE SOUTH LINE OF SAID SE 1/4 OF SECTION 33 N89°54'50"W A DISTANCE OF 2,639.08 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 33, SAID CORNER BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH LINE OF THE SE 1/4 OF SECTION 33, ALONG SAID SOUTH LINE OF THE SW 1/4 OF SECTION 33, N90°00'00"W A DISTANCE OF 2,640.00 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE DEPARTING SAID SOUTH LINE OF THE SW 1/4 OF SECTION 33, ALONG SAID SOUTH LINE OF THE SE 1/4 OF SECTION 32 S90°00'00"W DISTANCE OF 2,640.00 FEET TO THE SOUTHEAST CORNER OF THE SW 1/4 OF SAID SECTION 32; THENCE DEPARTING SAID SOUTH LINE OF THE SE 1/4 OF SECTION 32, ALONG SAID SOUTH LINE OF THE SW 1/4 OF SECTION 32 N89°56'30"W A DISTANCE OF 2,041.12 FEET TO THE CENTERLINE OF THE 60.00 FEET WIDE BLM GRANT N-57508 AS SHOWN IN SAID BLM PLAT; THENCE DEPARTING SAID SOUTH LINE OF THE SE 1/4 OF SECTION 32 AND ALONG SAID CENTERLINE THE FOLLOWING NINETEEN (19) COURSES; ONE (1), N21°09'40"W A DISTANCE OF 2,263.60 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET; TWO (2), NORTHERLY ALONG SAID CURVE A DISTANCE OF 321.72 FEET THROUGH A CENTRAL ANGLE OF 23°02'30"; THREE (3), N01°52'50"E A DISTANCE OF 1,382.24 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET; FOUR (4), NORTHERLY ALONG SAID CURVE A DISTANCE OF 29.63 FEET THROUGH A CENTRAL ANGLE OF 02°07'20"; FIVE (5), N04°00'10"E A DISTANCE OF 2,159.78 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 800.00 FEET; SIX (6), NORTHERLY ALONG SAID CURVE A DISTANCE OF 78.42 FEET THROUGH A CENTRAL ANGLE OF 05°37'00"; SEVEN (7), N01°36'50"W A DISTANCE OF 239.05 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 800.00 FEET; EIGHT (8), NORTHERLY ALONG SAID CURVE A DISTANCE OF 403.40 FEET THROUGH A CENTRAL ANGLE OF 28°53'30"; NINE (9), N30°30'20"W A DISTANCE OF 1,049.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET; TEN (10), NORTHERLY ALONG SAID CURVE A DISTANCE OF 329.71 FEET THROUGH A CENTRAL ANGLE OF 23°36'50"; ELEVEN (11), N06°53'30"W A DISTANCE OF 1,053.29 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,817.13 FEET; TWELVE (12), NORTHERLY ALONG SAID CURVE A DISTANCE OF 360.40 FEET THROUGH A CENTRAL ANGLE OF 11°21'50"; THIRTEEN (13), N04°28'20"E A



DISTANCE OF 168.30 FEET TO THE BEGINNING OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 600.09 FEET, OF WHICH THE RADIUS POINT LIES S84°42'30"E; FOURTEEN (14), NORTHERLY ALONG SAID CURVE A DISTANCE OF 270.31 FEET, THROUGH A CENTRAL ANGLE OF 25°48'30", TO THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; FIFTEEN (15), NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 538.32 FEET, THROUGH A CENTRAL ANGLE OF 29°22'30"; SIXTEEN (16), N60°28'30"E A DISTANCE OF 107.51 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 836.81 FEET; SEVENTEEN (17), NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 86.49 FEET THROUGH A CENTRAL ANGLE OF 05°55'20" TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 394.85 FEET; EIGHTEEN (18), NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 86.24 FEET THROUGH A CENTRAL ANGLE OF 12°30'50"; NINETEEN (19), N53°53'00"E A DISTANCE OF 543.72 FEET TO THE SOUTH LINE OF SAID SECTION 20; THENCE DEPARTING SAID CENTERLINE, ALONG SAID SOUTH LINE OF SECTION 20, S89°58'15"E A DISTANCE OF 2,440.55 FEET TO THE SOUTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 20; THENCE DEPARTING SAID SOUTH LINE OF SECTION 20, ALONG THE WEST LINE OF SAID SE 1/4 OF SECTION 20, N00°01'00"E A DISTANCE OF 2,640.00 FEET TO THE NORTHWEST CORNER OF SAID SE 1/4 OF SECTION 20; THENCE DEPARTING SAID WEST LINE OF THE SE 1/4, ALONG THE NORTH LINE OF SAID SE 1/4, S89°58'15"E A DISTANCE OF 2,641.68 FEET TO THE WEST LINE OF SAID SECTION 21; THENCE DEPARTING SAID NORTH LINE OF THE SE 1/4 OF SECTION 20, ALONG SAID WEST LINE OF SECTION 21, N00°01'20"E A DISTANCE OF 2,640.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 21; THENCE DEPARTING SAID WEST LINE, ALONG THE NORTH LINE OF SECTION 21, S89°57'25"E A DISTANCE OF 2,641.07 FEET TO THE NORTHEAST CORNER OF THE WEST HALF (W 1/2) OF SAID SECTION 21; THENCE DEPARTING SAID NORTH LINE OF SECTION 21, ALONG THE EAST LINE OF SAID W 1/2, S00°01'40"W A DISTANCE OF 5,280.00 FEET TO THE NORTHEAST CORNER OF THE W 1/2 OF SAID SECTION 28; THENCE DEPARTING SAID EAST LINE OF THE W 1/2 OF SECTION 21, ALONG THE EAST LINE OF THE W 1/2 OF SECTION 28, S00°01'40"W A DISTANCE OF 5,280.00 FEET TO THE NORTHEAST CORNER OF THE NW 1/4 OF SAID SECTION 33; THENCE DEPARTING SAID EAST LINE OF THE W 1/2 OF SECTION 28, ALONG THE EAST LINE OF SAID NW 1/4 OF SECTION 33, S00°01'22"W A DISTANCE OF 2,640.00 FEET TO THE NORTH LINE OF THE NORTH HALF (N 1/2) OF SAID SE 1/4 OF SECTION 33; THENCE DEPARTING SAID EAST LINE OF THE NW 1/4 OF SECTION 33, ALONG SAID NORTH LINE OF SAID N 1/2 OF THE SE 1/4, S89°57'25"E A DISTANCE OF 2,639.56 FEET TO THE NORTHWEST CORNER OF GOVERNMENT LOT 7 OF SAID SECTION 34; THENCE DEPARTING SAID NORTH LINE OF SAID N 1/2 OF THE SE 1/4, ALONG THE NORTH LINE OF SAID LOT 7, S89°58'37"E A DISTANCE OF 1,544.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE DEPARTING SAID NORTH LINE OF LOT 7, ALONG THE EAST LINE OF SAID LOT 7, S01°08'00"E A DISTANCE OF 1,320.53 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE DEPARTING SAID EAST LINE OF LOT 7, ALONG THE SOUTH LINE OF SAID LOT 7, N89°58'03"W A DISTANCE OF 1,571.50 FEET TO THE SOUTHEAST CORNER OF SAID N 1/2 OF THE SE 1/4 OF SECTION 33; THENCE DEPARTING SAID SOUTH LINE OF LOT 7, ALONG THE SOUTH LINE OF SAID N 1/2

OF THE SE 1/4 OF SECTION 33, N89°56'08"W A DISTANCE OF 2,639.32 FEET TO THE EAST LINE OF SAID SW 1/4 OF SECTION 33; THENCE DEPARTING SAID SOUTH LINE OF SAID N 1/2, ALONG SAID EAST LINE OF THE SW 1/4 OF SECTION 33, S00°01'22"W A DISTANCE OF 1,319.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,598 ACRES, MORE OR LESS.

**SECTION 2:** That, pursuant to NRS 268.597(1)(a), the Annexation Area is hereby annexed to and made a part of City of Mesquite, Nevada upon completion of those requirements set forth in Section 3 following.

**SECTION 3:** That the City staff are hereby directed, pursuant to NRS 268.600, as follows: 1) The City staff shall record a certified copy of this ordinance, with an accurate map or plat of the Annexation Area prepared under the supervision of a competent surveyor or engineer attached thereto, in the Office of the Lincoln County Recorder and, if necessary, the Clark County Recorder, prior to December 10, 2010, the effective date of the annexation; and 2) the City Clerk's Office shall file a duplicate copy of the same with the Nevada Department of Taxation,

**SECTION 4:** The City of Mesquite shall not be required to pay for the extension of municipal services to the territory annexed, but intends that municipal services shall be extended at the expense of the property owners and according to demand, need and benefit of the respective property owners, and in accordance with the policies, Code, and the applicable provisions of Nevada Revised Statutes. As development occurs, the City will furnish police and fire protection and maintenance of installed, improved and accepted utilities, streets and public recreation facilities in the Annexation Area.

**SECTION 5:** The Annexation Area, which previously has been zoned Planned Unit Development (PUD) (County of Lincoln classification) is hereby classified as PUD (City of Mesquite classification), which is deemed to be the City equivalent of the County classification. Until such time as a specific Master Development Plan, Development Agreement, and Design Standards Handbook are adopted per Mesquite Municipal Code (MMC) Section 9-7U, the Lincoln Highlands PUD zoning shall be comparable to uses and density provided under the Land Reserve (LR) zone.

**SECTION 6:** Prior to adoption of a specific Master Development Plan, Development Agreement, and Design Standards Handbook for the Annexation Area, the Lincoln Highlands PUD must include a distribution and phasing plan for land uses and infrastructure, and a financing plan for infrastructure that describes what is needed, how much it will cost, and how it will be funded.

**SECTION 7:** If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no way affect remaining provisions of this ordinance.



**SECTION 8:** All ordinances, parts of ordinances or chapters, sections or paragraphs contained in the Mesquite Municipal Code in conflict herewith are hereby repealed.

**SECTION 9: EFFECTIVE DATE.** The annexation of the described territory shall become effective on the 10<sup>th</sup> day of December, 2010, which meets the provisions of NRS 268.596(4). On the effective date, the City will have funds appropriated in sufficient amount to finance the extension into the undeveloped Annexation Area of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

**SECTION 10:** The Annexation Area, together with the inhabitants and property thereof, shall, from and after the 10<sup>th</sup> day of December, 2010, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

**SECTION 11:** A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title, in a newspaper having general circulation in the City of Mesquite at least ten (10) days prior to the adoption of said Ordinance.

**SECTION 12: PUBLICATION.** The City Clerk shall cause this ordinance to be published once immediately following its adoption, by title, in a newspaper qualified pursuant to provisions of Chapter 238 of NRS, as amended from time to time.

PASSED, ADOPTED, AND APPROVED this 9th day of November, 2010

By Susan M. Holecheck  
Susan M. Holecheck, Mayor

ATTEST:  
By Cherry L. Lawson  
Cherry L. Lawson, City Clerk

AYE: 5  
NAY: 0  
ABSTAIN: 0  
PUBLICATION DATE: November 12, 2010  
EFFECTIVE DATE: December 2, 2010

Approved as to Form and Legality

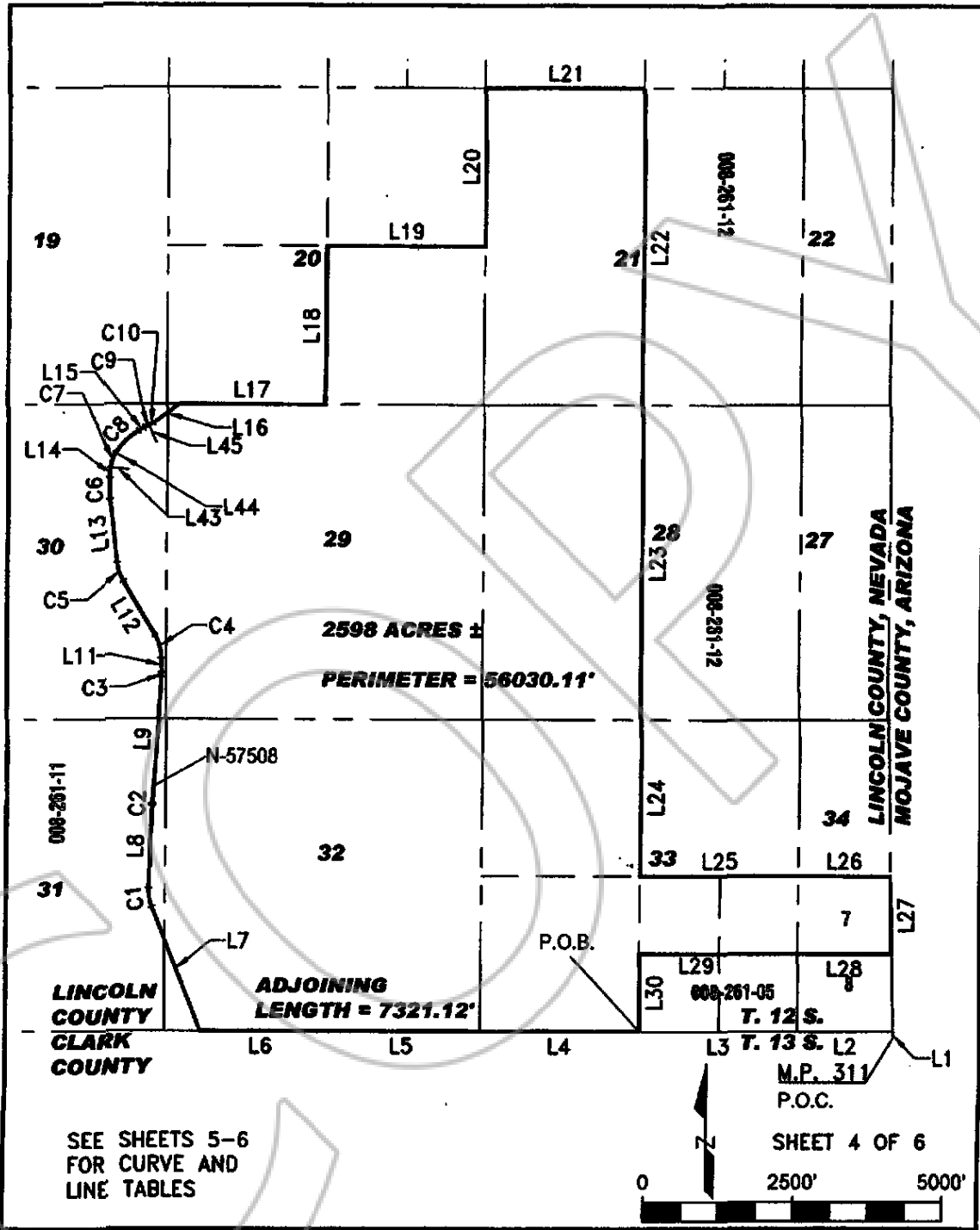
By Cheryl Luman Hart  
Cheryl Hart, City Attorney

I HEREBY CERTIFY that this is a full, true and correct copy of the original on file with the City of Mesquite.

Cherry L. Lawson  
MESQUITE CITY CLERK



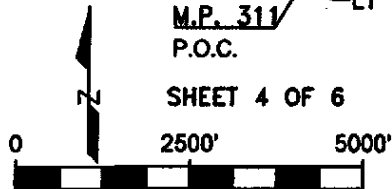
0137208



LINCOLN COUNTY  
CLARK COUNTY

LINCOLN COUNTY, NEVADA  
MOJAVE COUNTY, ARIZONA

SEE SHEETS 5-6  
FOR CURVE AND  
LINE TABLES



**EXHIBIT A - PHASE 1  
LINCOLN HIGHLANDS**

JOB NO:	00110
DATE:	6/19/10
DRAWN BY:	CW
CHECKED BY:	CW

**WLS**  
1133 Devon Downs Ave.  
Henderson, NV 89015  
(702) 281-1304