

Official Record

Recording requested By
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Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$46.00

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RPTT:

Recorded By: AE

Book- 261

Page- 0629



0137723

APN 008-261-00 (PTN)

APN 008-261-0007

APN 008-251-02

008-261-02

008-261-01

008-261-04

Ordinance 440

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

Title

Chris Armstrong

Print

2-2-2011

Date

Grantees address and mail tax statement:

112-N Southern Highlands Pky Ste 300

Las Vegas, NV

89141

BILL NUMBER 440
ORDINANCE NUMBER 440

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 2,802± ACRES (LINCOLN HIGHLANDS - PHASE TWO, ANNEXATION CASE NO. AX-10-002); 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:

F. Additions to the City Limits: The City Limits of the City shall be enlarged by 2,802± acres, to include the following area:



SECTION 24 OF TOWNSHIP 12 SOUTH, RANGE 70 EAST, SECTIONS 19 AND PORTIONS OF SECTIONS 16, 17, 18, AND 20 OF TOWNSHIP 12 SOUTH, RANGE 71 EAST, M.D.M., LINCOLN COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID SECTION 20 AND THE CENTERLINE OF THE 60.00 FEET WIDE BUREAU OF LAND MANAGEMENT (BLM) ROADWAY GRANT N-57508 AS SHOWN IN THE PLAT OF THE BLM INDEPENDANT RESURVEY OF T. 12 S., R. 71 E., ACCEPTED ON JULY 24, 2001; THENCE DEPARTING SAID CENTERLINE, ALONG SAID SOUTH LINE OF SECTION 20, N89°58'15"W A DISTANCE OF 200.87 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 19; THENCE DEPARTING SAID SOUTH LINE OF SECTION 20, ALONG SAID SOUTH LINE OF SAID SECTION 19, N90°00'00"W A DISTANCE OF 5,282.05 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 24 OF TOWNSHIP 12 SOUTH, RANGE 70 EAST; THENCE DEPARTING SAID SOUTH LINE OF SECTION 19, ALONG THE SOUTH LINE OF SAID SECTION 24, S90°00'00"W A DISTANCE OF 5,282.05 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE DEPARTING SAID SOUTH LINE OF SECTION 24, ALONG THE WEST LINE OF SAID SECTION 24, N00°00'40"W A DISTANCE OF 5,280.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 24; THENCE DEPARTING SAID WEST LINE OF SECTION 24, ALONG THE NORTH LINE OF SAID SECTION 24, N90°00'00"E A DISTANCE OF 5,283.07 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE DEPARTING SAID NORTH LINE OF SECTION 24, ALONG THE NORTH LINE OF SAID SECTION 19, N90°00'00"E A DISTANCE OF 2,641.54 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 18; THENCE DEPARTING SAID NORTH LINE OF SECTION 19, ALONG THE WEST LINE OF SAID SE 1/4 OF SECTION 18, N00°00'20"E A DISTANCE OF 2,640.00 FEET TO THE NORTHWEST CORNER OF SAID SE 1/4; THENCE DEPARTING SAID WEST LINE OF SAID SE 1/4 OF SECTION 18, ALONG THE NORTH LINE OF SAID SE 1/4 OF SECTION 18, S90°00'00"E A DISTANCE OF 1,320.90 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 18; THENCE DEPARTING THE NORTH LINE OF SAID SE 1/4 OF SECTION 18, ALONG THE WEST LINE OF SAID E 1/2, N00°00'30"E A DISTANCE OF 2,640.00 FEET TO THE NORTH LINE OF SAID SECTION 18; THENCE DEPARTING SAID WEST LINE OF THE E 1/2, ALONG SAID NORTH LINE OF SECTION 18, S90°00'00"E A DISTANCE OF 1,321.02 FEET TO THE NORTHWEST CORNER OF SAID SECTION 17; THENCE DEPARTING THE NORTH LINE OF SAID SECTION 18, ALONG THE NORTH LINE OF SAID SECTION 17, S89°58'15"E A DISTANCE OF 2,642.44 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17; THENCE DEPARTING SAID NORTH LINE OF SECTION 17, ALONG THE EAST LINE OF SAID NW 1/4 OF SECTION 17, S00°01'00"W A DISTANCE OF 2,640.00 FEET TO THE NORTHWEST CORNER OF THE SE 1/4 OF SAID SECTION 17; THENCE DEPARTING SAID EAST LINE OF THE NW 1/4 OF SECTION 17, ALONG THE NORTH LINE OF SAID SE 1/4 OF SECTION 17, S89°58'15"E A DISTANCE OF 2,642.19 FEET TO THE NORTHWEST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 16; THENCE DEPARTING SAID NORTH LINE OF THE SE 1/4 OF SECTION 17, ALONG THE NORTH LINE OF SAID LOT 4 AND GOVERNMENT LOT 3 OF SAID SECTION 16, S89°57'25"E A DISTANCE OF 2641.33 FEET TO THE NORTHWEST CORNER OF

GOVERNMENT LOT 2 OF SAID SECTION 16; THENCE DEPARTING SAID NORTH LINE OF LOT 3, ALONG THE NORTH LINE OF SAID LOT 2 AND THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 16, S89°57'25"E A DISTANCE OF 2641.33 FEET TO THE EAST LINE OF SAID SECTION 16; THENCE DEPARTING SAID NORTH LINE OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 16, ALONG SAID EAST LINE OF SECTION 16, S00°02'00"W A DISTANCE OF 2,640.00 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE DEPARTING SAID EAST LINE OF SECTION 16, ALONG THE SOUTH LINE OF SAID SECTION 16, N89°57'25"W A DISTANCE OF 5282.15 FEET TO THE NORTHEAST CORNER OF THE NE 1/4 OF SAID SECTION 20; THENCE DEPARTING SAID SOUTH LINE OF SECTION 16, ALONG THE EAST LINE OF SAID NE 1/4 OF SECTION 20, S00°01'20"W A DISTANCE OF 2,640.00 FEET TO THE SOUTHEAST CORNER OF SAID NE 1/4; THENCE DEPARTING SAID EAST LINE OF THE NE 1/4, ALONG THE SOUTH LINE OF SAID NE 1/4, N89°58'15"W A DISTANCE OF 2,641.68 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 20; THENCE DEPARTING SAID SOUTH LINE OF THE NE 1/4 OF SECTION 20, ALONG THE EAST LINE OF SAID SW 1/4, S00°01'00"W A DISTANCE OF 2,640.00 FEET TO SAID SOUTH LINE OF SECTION 20; THENCE DEPARTING SAID EAST LINE OF THE SW 1/4 OF SECTION 20, ALONG SAID SOUTH LINE OF SECTION 20, N89°58'15"W A DISTANCE OF 2,440.55 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,802 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 February 10, 2011, 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 10th day of February, 2011, 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.

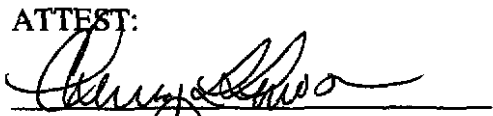
SECTION 10: The Annexation Area, together with the inhabitants and property thereof, shall, from and after the 10th day of February, 2011, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, 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 11th day of January, 2011.

By 
Susan M. Holecheck, Mayor

ATTEST:

Cherry L. Lawson, City Clerk

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

MESQUITE CITY CLERK



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Approved as to Form and Legality

By: *Cheryl A. Truman Hunt*
Cheryl Hunt, City Attorney

AYE: 5

NAY: 0

ABSTAIN: 0

PUBLICATION DATE: January 14, 2011

EFFECTIVE DATE: February 10, 2011

COPY

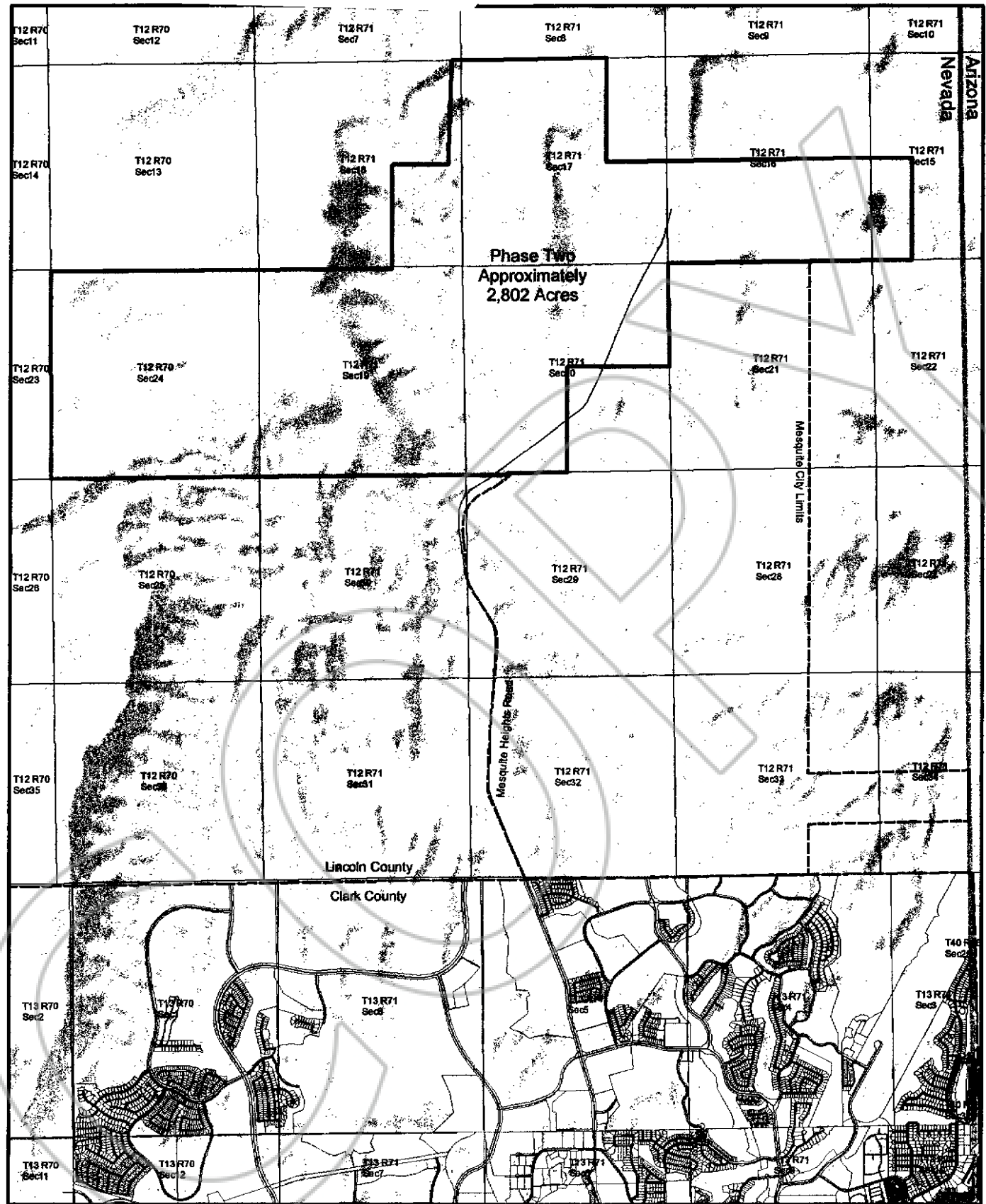
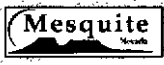


Exhibit "A"

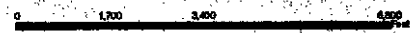
- Legend**
- Mesquite Streets
 - Mesquite Parcels
 - PLS Grid
 - Mesquite City Limits
 - Phase Two Boundary

Lincoln Highlands Annexation
Phase Two
AX-10-002

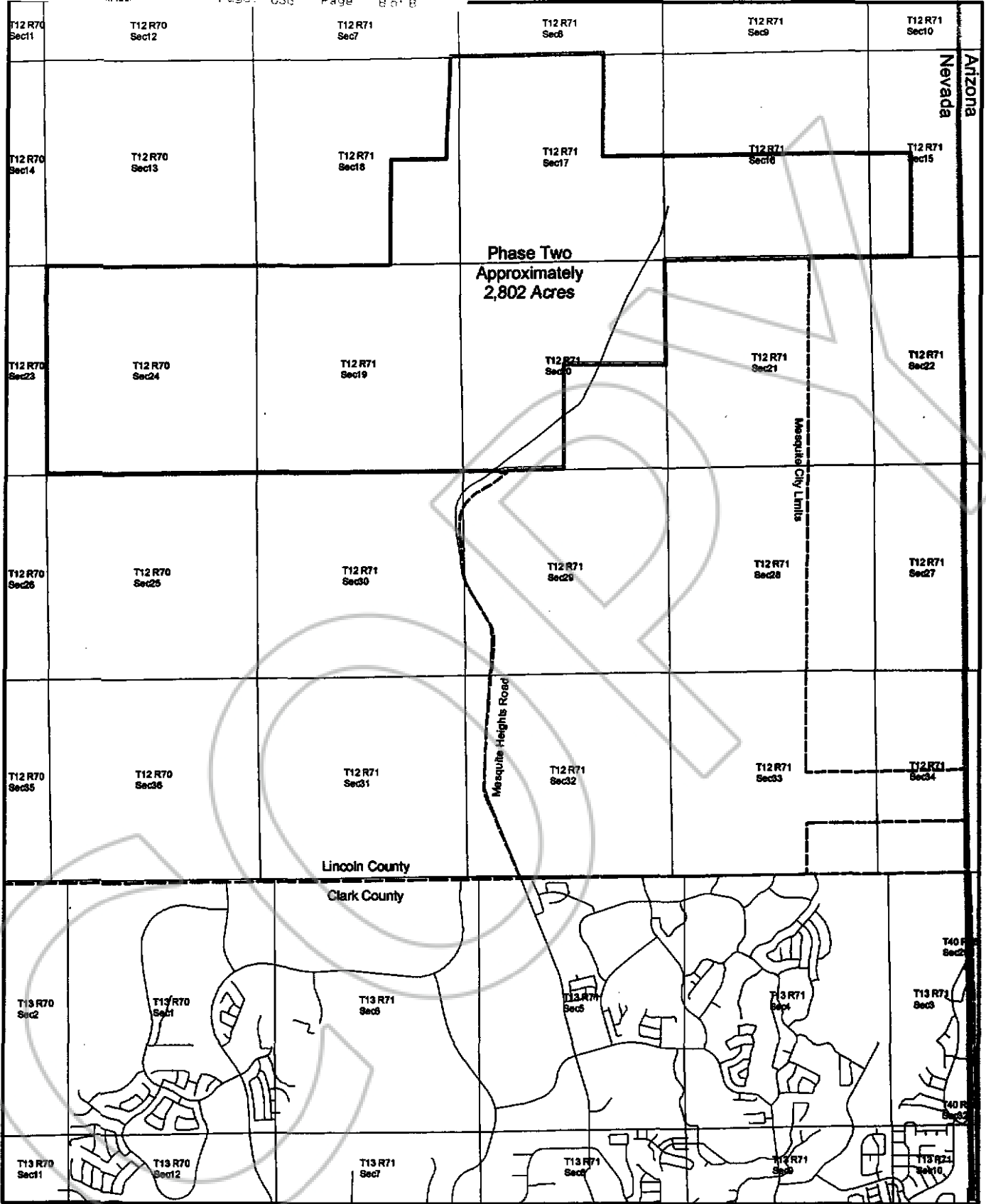


This graphic was designed for cursory planning purposes and should not be utilized for engineering or special analysis. The City of Mesquite implies no warranties of any kind regarding the accuracy or interpretation of the data illustrated.

1 inch = 3,600 feet



Arizona
Nevada



Legend

- Mesquite Streets
- PLS Grid
- ▭ Mesquite City Limits
- ▭ Phase Two Boundary

**Lincoln Highlands Annexation
Phase Two
AX-10-002**



1 inch = 3,500 feet