

APN# _____

Recording Requested by:

Name: Washoe County Clerk
Address: 1001 E 9th Street
City/State/Zip: Reno, NV 89520

When Recorded Mail to:

Name: Washoe County Clerk
Address: 1001 E 9th Street
City/State/Zip: Reno, NV 89520

Mail Tax Statement to:

Name: _____
Address: _____
City/State/Zip: _____

DOC # 4302103

11/21/2013 01:58:50 PM

Requested By
WASHOE COUNTY CLERK
Washoe County Recorder
Lawrence R. Burtness - Recorder
Fee: \$0.00 RPTT: \$0.00
Page 1 of 6



(for Recorder's use only)

Ordinance No. 1517
(Title of Document)

Please complete Affirmation Statement below:

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

-OR-

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:

(State specific law)

Jaime Delleria, Deputy Clerk
Signature Title

JAIME DELLERIA, Deputy Clerk
Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

(Additional recording fee applies)

SUMMARY: Approves a an Amendment of Conditions to amend the Development Agreement with Sun Mesa pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC13-006, amending Development Agreement Case Number DA09-002 for Sun Mesa (Tentative Subdivision Map Case Number TM04-001 that was previously approved by the Washoe County Planning Commission on April 20, 2004), that was subsequently extended under DA09-002 until April 28, 2014 by the Board of County Commissioners. The sole purpose of the Amendment of Conditions is to extend the expiration date of said subdivision map until April 28, 2019.

BILL NO. 11698

ORDINANCE NO. 1517

Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207, approving Amendment of Conditions Case Number AC13-006, amending Development Agreement Case Number DA09-002 for Sun Mesa (Tentative Subdivision Map Case Number TM04-001 that was previously approved by the Washoe County Planning Commission on April 20, 2004), that was subsequently extended under DA09-002 until April 28, 2014 by the Board of County Commissioners. The sole purpose of the Amendment of Conditions is to extend the expiration date of said subdivision map until April 28, 2019. The project is located at the eastern terminus of Fifth Avenue, within the Sun Valley planning area, in a portion of Section 20, T20N R20E, MDM, Washoe County, Nevada (APN: 504-460-02).

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE
DO ORDAIN:

SECTION 1.

Amendment of Conditions CASE NUMBER AC13-006 for
Development Agreement CASE NUMBER DA09-002 for Sun Mesa is
an acceptable document.

The Amended Development Agreement reads as follows:

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (the "Amendment") is made this 27th day of August, 2013, by and between **NEVADA SALTWATER, LLC**, a Nevada limited liability company (herein "Landowner"), and **COUNTY OF WASHOE**, a political subdivision of the State of Nevada (herein "County")

RECITALS

A. County and Nevada State Bank ("NSB") entered into that certain Development Agreement regarding Washoe County Assessor Parcel No. 504-460-02 (the "Property"), recorded on September 20, 2010 as Washoe County Recorder Document No. 3924186 (the "Original Agreement").

B. Landowner purchased the Property from NSB on December 29, 2010.

C. Landowner and County now wish to amend the Original Agreement as more particularly set forth below.

NOW, THEREFORE, for good and valuable consideration, Landowner and County agree as follows:

1. Section 2.1.2 of the Original Agreement shall be deleted in its entirety and the following is inserted in lieu thereof:

Section 2.1.2 The duration of the Agreement shall be for ten (10) years from the date of signing by the Board of County Commissioners.

2. Landowner and County acknowledge that the submittals required in Section 2.1.3 of the Original Agreement are satisfied.

3. Landowner and County acknowledge that the submittals required in Section 2.1.7 of the Original Agreement are satisfied or no longer applicable.

4. Section 2.1.8 of the Original Agreement shall be deleted in its entirety.

5. Section 2.1.9 of the Original Agreement shall be deleted in its entirety.

6. This Amendment may be executed in several counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same Amendment.

7. In the event of any conflict between the terms of the Original Agreement and the terms of this Amendment, the terms of this Amendment shall prevail. All capitalized terms not defined herein shall have the meaning ascribed to them in the Original Agreement.

8. Except as modified herein, the Original Agreement remains unchanged and is hereby ratified and confirmed in all respects.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date last written below.

COUNTY:

LANDOWNER:

COUNTY OF WASHOE, a political subdivision of the State of Nevada, by its BOARD OF COUNTY COMMISSIONERS

Nevada Saltwater, LLC, a Nevada Limited Liability Company

By: *David Humke*

By: *Maynard D. Reighley*

Name: David Humke

Name: *Maynard D. Reighley*

Title: Chairman

Its: *Manager*

SEAL OF WASHOE COUNTY
ATTEST
By: *Dorey L. Parent*
County Clerk

APPROVED AS TO FORM:

By: *Paul Koppalle*
County Counsel

Passage and Effective Date
Ordinance Relating to AC13-006 Amending DA09-002 (Sun Mesa)

This ordinance was proposed on 8-13-13 by
Commissioner Jung.

This ordinance was passed on 8-27-13.

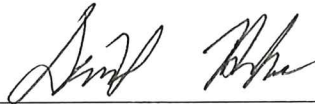
Those voting "aye" were Humke, Jung, Burkbigler, Hartung

Those voting "nay" were none.

Those absent were Weber.

Those abstaining were none.

This ordinance shall be in force and effect from and after
the 6th day of September, 2013.



David Humke, Chairman
Washoe County Commission
Washoe, County, Nevada

ATTEST:



Nancy L. Parent

Nancy Parent
County Clerk



WASHOE COUNTY RECORDER

OFFICE OF THE RECORDER
LAWRENCE R. BURTNES, RECORDER

1001 E. NINTH STREET
POST OFFICE BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-3661
FAX (775) 325-8010

LEGIBILITY NOTICE

The Washoe County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed it may not reproduce a legible copy.

Jaime Dellera, Deputy Clerk

Signature

11-14-13

Date

JAIME DELLERA

Printed Name

WASHOE COUNTY
COMPTROLLER

RENO NEWSPAPERS INC

2013 SEP -9 AM 10: 02

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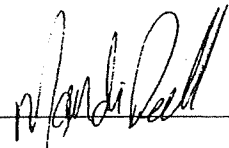
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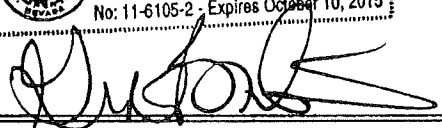
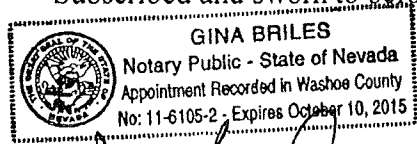
STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **08/30/2013 - 09/06/2013**, for exact publication dates please see last line of Proof of Publication below.

Signed: _____



Subscribed and sworn to before me



SEP 6 2013

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1517 BILL NO. 1698
NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on August 13, 2013 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on August 27, 2013 by the following vote of the Board of County Commissioners: Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207, approving Amendment of Conditions Case Number AC13-006, amending Development Agreement Case Number DA09-002 for Sun Mesa (Tentative Subdivision Map Case Number TM04-001 that was previously approved by the Washoe County Planning Commission on April 20, 2004), that was subsequently extended under DA09-002 until April 28, 2014 by the Board of County Commissioners. The sole purpose of the Amendment of Conditions is to extend the expiration date of said subdivision map until April 28, 2019. The project is located at the eastern terminus of Fifth Avenue, within the Sun Valley Planning Area, in a portion of Section 20, T20N R20E, MDM, Washoe County, Nevada (APN: 504-460-02). (Bill No. 1698) Those Voting Aye: Kitty

1517 ✓

Jung, Marsha Berkbigler, Vaughn Hartung, and David E. Humke Those Absent: Bonnie Weber
This Ordinance shall be in full force and effect from and after September 6, 2013. IN WITNESS
WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this
Ordinance to be published by title only. DATED August 28, 2013. Nancy Parent, Washoe
County Clerk and Clerk of the Board of County Commissioners No. 14333 Aug 30, Sept 6,
2013

NOTICE OF ADOPTION

WASHOE COUNTY ORDINANCE NO. 1517
BILL NO. 1698

NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office in the Washoe County Complex, 1001 E. Ninth Street, Building A, Reno, Washoe County, Nevada; and that the ordinance was proposed on August 13, 2013 by Commissioner Jung and was passed and adopted without amendment at a regular meeting held on August 27, 2013 by the following vote of the Board of County Commissioners:

Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207, approving Amendment of Conditions Case Number AC13-006, amending Development Agreement Case Number DA09-002 for Sun Mesa (Tentative Subdivision Map Case Number TMO4-001 that was previously approved by the Washoe County Planning Commission on April 20, 2004), that was subsequently extended under DA09-002 until April 28, 2014 by the Board of County Commissioners. The sole purpose of the Amendment of Conditions is to extend the expiration date of said subdivision map until April 28, 2019. The project is located at the eastern terminus of Fifth Avenue, within the Sun Valley Planning Area, in a portion of Section 20, T20N R20E, MDM, Washoe County, Nevada (APN: 504-460-02). (Bill No. 1698)

Those Voting Aye: Kitty Jung, Marsha Berkbigler, Vaughn Hartung, and David E. Humke
Those Absent: Bonnie Weber

This Ordinance shall be in full force and effect from and after September 6, 2013.
IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED August 28, 2013.

Nancy Parent, Washoe County Clerk and
Clerk of the Board of County Commissioners

No. 14333 Aug 30, Sept 6, 2013