

DOC # 4684254

03/01/2017 03:51:48 PM

Requested By
WASHOE COUNTY CLERK
Washoe County Recorder
Lawrence R. Burtness - Recorder
Fee: \$0.00 RPTT: \$0.00
Page 1 of 9



(for Recorder's use only)

APN# 086-203-05, 086-223-31,
087-390-10, 087-390-13

Recording Requested by:

Name: Washoe County Clerk
Address: 100 E Ninth St.
City/State/Zip: Reno, NV 89512

When Recorded Mail to:

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

Mail Tax Statement to:

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

Ordinance

(Title of Document)

Rerecording to correct Bill and Ordinance number.

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)

Catherine Smith
Signature

Deputy Clerk
Title

Catherine Smith
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)

1592

APNs: 086-203-05, 086-223-31, 087-390-10,
087-390-13

Mail Tax Statements To:
Lifestyle Homes TND, LLC, attn. Robert Lissner
4790 Caughlin Parkway, PMB 519
Reno NV 89519

Recording Requested By County Clerk.
When recorded, copy to Community Services

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

ORDINANCE APPROVING "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)"

SUMMARY: Approves a Development Agreement amending and restating a Development Agreement originally approved in 2009 (DA09-001, Ordinance Number 1484) regarding the development of a 680 lot residential development on land described in Exhibit A and extending the deadline to file a final map to February 28, 2022.

BILL NO. 1592 1775

ORDINANCE NO. 1775 1592

TITLE:

AN ORDINANCE APPROVING AN "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)" AMENDING AND RESTATING A DEVELOPMENT AGREEMENT ORIGINALLY APPROVED IN 2012 (DEVELOPMENT AGREEMENT CASE NUMBER DA09-001 ORDINANCE NUMBER 1484) REGARDING THE SILVER HILLS SUBDIVISION (APPROVED IN 2011 AS TENTATIVE MAP TM09-001). THIS RESTATED AGREEMENT (CASE NO. AC16-005) EXTENDS THE DEADLINE FOR FILING THE NEXT IN A SERIES OF FINAL SUBDIVISION MAPS TO FEBRUARY 28, 2022. THE PROJECT INCLUDES A TOTAL OF FOUR PARCELS. THE SUBJECT PARCELS ARE LOCATED EAST AND WEST OF RED ROCK ROAD, NORTH OF LONGHORN ROAD. THE PARCELS TOTAL APPROXIMATELY ±780 ACRES AND HAVE A LOW DENSITY SUBURBAN REGULATORY ZONE. THE PARCELS ARE LOCATED WITHIN THE NORTH VALLEYS AREA PLAN, AND ARE SITUATED IN PORTIONS OF SECTIONS 23 AND 24, T21N, R18E, MDM, WASHOE COUNTY, NEVADA. (APNS 086-203-05, 086-223-31, 087-390-10, 087-390-13).

1592

WHEREAS:

- A. Lifestyle Homes TND, LLC ("Landowner") has received approval by the Washoe County Planning Commission of a tentative map (TM 09-001) for a 680 lot residential subdivision project generally known as the Silver Hills Subdivision to be located on the real property generally described in Exhibit A hereto), and has applied to Washoe County to enter into a development agreement pursuant to NRS 278.0201; and; and
- B. The deadline for filing a final map under NRS 278.360 was extended to February 28, 2017, under approved Development Agreement Case Number DA09-001 as Ordinance Number 1484.
- C. On a petition timely filed before the expiration date, for good cause appearing, the current property owner and the Board of County Commissioners desire to replace the previous development agreement with the "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)" to further extend the deadline for filing a final map to February 28, 2022; and
- E. The Board determines that this action is being taken under NRS 278.0205, and therefore is not a rule within the meaning of NRS 237.060;

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DOES HEREBY ORDAIN:

SECTION 1.

The "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)" attached hereto as Exhibit A is hereby APPROVED by this ordinance. The Chairman is authorized to execute and deliver it for recording in the official records of Washoe County.

SECTION 2. General Terms.

- 1. This Ordinance and the Development Agreement shall be recorded in the Official Records of Washoe County.

2. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
3. The Chairman of the Board and the officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance and the attached agreement.
4. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby superseded for purposes of this Agreement only and to the extent only of such inconsistency. This shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
5. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date (DA09-001, Silver Hills)

Proposed on February (month) 14 (day), 2017
(year).

Proposed by Commissioner Hartung.

Passed February (month) 28 (day), 2017
(year).

Vote:

Ayes: Commissioners
Bob Lucey, Kitty Jung, Marsha Berkebigler
Bob Lucey, Kitty Jung, Marsha Berkebigler
Nays: Commissioners
None.

Absent: Commissioners
Vaughn Hartung, Jeanne Herman
Vaughn Hartung, Jeanne Herman

Attest:

Dancy L. Paust
County Clerk

Bob Lucey
Bob Lucey, Chair of the Board

This ordinance shall be in force and effect from and after the 10th day of the month of March of the year 2017.

Exhibit A
LEGAL DESCRIPTION

APN 086-203-05

THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 18 EAST, M.D.B.&M.

EXCEPTING THEREFROM THAT PARCEL OF LAND CONTAINED WITHIN THE BOUNDARIES OF "SILVER KNOLLS RANCHES, UNIT 6-A", ACCORDING TO THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE OF NEVADA ON OCTOBER 27, 1966.

AND, ALSO EXCEPTING THEREFROM THE PARCEL OF LAND DESIGNATED AS PARCEL "B" BEING SHOWN ON SAID MAP AS "NOT A PART".

APN 086-232-31

THE NORTHWEST QUARTER; THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 18 EAST, M.D.B.&M.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THE BOUNDARIES OF "WASHOE RANCHES UNIT NO. 1, 2 AND 5", ACCORDING TO THE MAP THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF WASHOE COUNTY, STATE OF NEVADA ON AUGUST 12, 1964, AUGUST 27, 1964 AND SEPTEMBER 18, 1968, RESPECTIVELY.

ALSO EXCEPTING THEREFROM THE PARCELS OF LAND AS DESCRIBED IN INSTRUMENTS RECORDED MARCH 8, 1972 IN BOOK 619, PAGE 180, DOCUMENT NO. 237019, OFFICIAL RECORDS; AND RECORDED MARCH 13, 1972 IN BOOK 620, PAGE 400, DOCUMENT NO. 237523, OFFICIAL RECORDS; AND RECORDED APRIL 10, 1972 IN BOOK 627, PAGE 153, DOCUMENT NO. 240432, OFFICIAL RECORDS; AND RECORDED JUNE 14, 1972 IN BOOK 644, PAGE 427, DOCUMENT NO. 247742, OFFICIAL RECORDS, AND RECORDED JUNE 14, 1972 IN BOOK 644, PAGE 430, DOCUMENT NO. 247743, OFFICIAL RECORDS AND RECORDED NOVEMBER 15, 1973 IN BOOK 778, PAGE 448, DOCUMENT NO. 308565, OFFICIAL RECORDS; AND RECORDED NOVEMBER 15, 1973 IN BOOK 778, PAGE 450, DOCUMENT NO. 308566, OFFICIAL RECORDS.

APN 087-390-10

A PARCEL OF LAND SITUATE WITHIN THE EAST HALF OF SECTION 23,
TOWNSHIP 21 NORTH, RANGE 18 EAST, MDM, WASHOE COUNTY, NEVADA
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY
OF RED ROCK ROAD AND THE SOUTH LINE OF SAID SECTION FROM
WHICH THE SOUTHEAST CORNER OF SAID SECTION BEARS NORTH
88°00'52" EAST A DISTANCE OF 80.10 FEET;
THENCE WITH SAID SECTION LINE SOUTH 88°00'52" WEST A DISTANCE
OF 2584.75 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION;
THENCE WITH THE CENTER SECTION LINE OF SAID SECTION NORTH
00°48'19" EAST A DISTANCE OF 2718.57 FEET TO THE CENTER SECTION;
THENCE CONTINUING WITH SAID CENTER SECTION LINE NORTH
00°47'43" EAST A DISTANCE OF 2496.34 FEET TO THE NORTH QUARTER
CORNER OF SAID SECTION;
THENCE WITH THE NORTH LINE OF SAID SECTION NORTH 87°03'14" EAST
A DISTANCE OF 2594.37 FEET TO A POINT ON SAID RIGHT-OF-WAY;
THENCE WITH SAID RIGHT-OF-WAY SOUTH 00°52'40" WEST A DISTANCE
OF 2625.94 FEET;
THENCE SOUTH 00°52'43" WEST A DISTANCE OF 78.89 FEET;
THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 89°07'17" WEST A
DISTANCE OF 290.40 FEET;
THENCE SOUTH 00°52'43" WEST A DISTANCE OF 250.00 FEET;
THENCE SOUTH 89°07'17" EAST A DISTANCE OF 290.40 FEET TO A POINT
ON SAID RIGHT-OF-WAY;
THENCE WITH SAID RIGHT-OF-WAY SOUTH 00°52'43" WEST A DISTANCE
OF 2303.98 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT LAND DESCRIBED IN EXHIBIT "A" OF DEED
DOCUMENT 631016, RECORDED SEPTEMBER 21, 1979 IN BOOK 1432, PAGE 384
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID
SECTION BEARS SOUTH 79°32'24" EAST A DISTANCE OF 1165.52 FEET;
THENCE NORTH 89°08'48" WEST A DISTANCE OF 181.50 FEET;
THENCE NORTH 00°51'12" EAST A DISTANCE OF 100.00 FEET;
THENCE SOUTH 89°08'48" EAST A DISTANCE OF 183.24 FEET;
THENCE FROM A TANGENT WHICH BEARS SOUTH 04°08'56" WEST,
ALONG A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 1054.82
FEET AND A CENTRAL ANGLE OF 03°17'44" AN ARC LENGTH OF 60.67
FEET;
THENCE SOUTH 00°51'12" WEST A DISTANCE OF 39.36 FEET TO THE
POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL THAT LAND DESCRIBED IN EXHIBIT "B" OF DEED DOCUMENT 631016, RECORDED SEPTEMBER 21, 1979 IN BOOK 1432, PAGE 384 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT T A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION BEARS SOUTH 23°43'54" EAST A DISTANCE OF 917.01 FEET;
THENCE NORTH 08°48'38" WEST A DISTANCE OF 125.00 FEET;
THENCE NORTH 81°11'22" EAST A DISTANCE OF 50.00 FEET;
THENCE SOUTH 08°48'38" EAST A DISTANCE OF 50.00 FEET;
THENCE SOUTH 81°11'22" WEST A DISTANCE OF 30.00 FEET;
THENCE SOUTH 08°48'38' EAST A DISTANCE OF 75.45 FEET;
THENCE FROM A TANGENT WHICH BEARS SOUTH 83°47'41" WEST ALONG A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 440.00 FEET AND A CENTRAL ANGLE OF 02°36'19" A DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING.

SAID PARCEL FURTHER DESCRIBED AS PARCEL 1 AS SHOWN IN SURVEYS RECORDED MARCH 04, 2004, AS INSTRUMENT NO. 3002373 ON FILE IN THE OFFICE OF THE COUNTY RECORDER, WASHOE COUNTY, NEVADA.

NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION PREVIOUSLY APPEARED IN THAT CERTAIN DOCUMENT RECORDED MARCH 04, 2004 IN BOOK N/A OF OFFICIAL RECORDS AS INSTRUMENT NO. 3002372, WASHOE COUNTY, NEVADA.

APN 087-390-13

A PARCEL OF LAND SITUATE WITHIN A PORTION OF THE WEST 1/2 OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 18 EAST, M.D.M., WASHOE COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 23, BEING MARKED BY A U.S.G.L.O. BRASS CAP MONUMENT DATED "1942", THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 23 SOUTH 00°47'43" WEST A DISTANCE OF 2496.34 FEET TO THE CENTER OF SAID SECTION 23, MARKED BY A 2" BRASS CAP MONUMENT SET IN CONCRETE STAMPED "RLS 1004", DATED "1975";
THENCE CONTINUING ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 23 SOUTH 00°48'19" WEST A DISTANCE OF 2718.57 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 23, BEING MARKED BY A U.S.G.L.O. BRASS CAP MONUMENT DATED "1942";
THENCE ALONG THE SOUTH LINE OF SAID SECTION 23 SOUTH 88°00'16" WEST A DISTANCE OF 1999.57 FEET;

THENCE LEAVING SAID LINE NORTH 00°21'56" EAST A DISTANCE OF 2785.13 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 23;
THENCE NORTH 01°54'25" EAST A DISTANCE OF 2580.09 FEET TO THE NORTH LINE OF SAID SECTION 23;
THENCE ALONG SAID LINE SOUTH 87°40'49" EAST A DISTANCE OF 1969.20 FEET TO THE POINT OF BEGINNING.

SAID PARCEL FURTHER DESCRIBED AS PARCEL 1 AS SHOWN IN SURVEYS RECORDED NOVEMBER 23, 2005 AS INSTRUMENT NO. 3312070 ON FILE IN THE OFFICE OF THE COUNTY RECORDER, WASHOE COUNTY, NEVADA.

NOTE: THE ABOVE METES AND BOUNDS DESCRIPTION PREVIOUSLY APPEARED IN THAT CERTAIN DOCUMENT RECORDED NOVEMBER 23, 2005 IN BOOK N/A OF OFFICIAL RECORDS AS INSTRUMENT NO. 3312069, WASHOE COUNTY, NEVADA.

Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corp.
5405 Mae Anne Ave.
Reno, NV 89523

N:\DWGS\J28813_SilverHills\Survey\TMAP_LEGAL_ExhibitA.doc

RENO NEWSPAPERS INC
Publishers of
Reno Gazette-Journal
955 Kuenzli St - P.O. Box 22,000 - Reno, NV 89520 - 775.788.6200
Legal Advertising Office 775.788.6394

WASHOE CO
1001 E 9TH ST
RENO, NV 89512
Attn:

Customer Acct# REN-349008
PO#
Ad# 0001967120
Legal Ad Cost: \$419.00

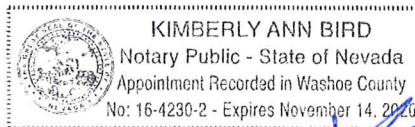
STATE OF NEVADA
COUNTY OF WASHOE

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 date: 03/03/2017 - 03/10/2017, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: _____

TS



**NOTICE OF ADOPTION WASHOE COUNTY
ORDINANCE NO. 1592 BILL NO. 1775 NOTICE IS
HEREBY GIVEN that typewritten copies of the
above-numbered and entitled ordinance**

Publish Dates:
03/03/17, 03/10/17

**NOTICE OF ADOPTION WASHOE COUNTY
ORDINANCE NO. 1592 BILL NO. 1775**
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 February 14, 2017 by Commissioner Hartung and was passed and adopted without amendment at a regular meeting held on February 28, 2017 by the following vote of the Board of County Commissioners: AN ORDINANCE APPROVING AN "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)" AMENDING AND RESTATING A DEVELOPMENT AGREEMENT ORIGINALLY APPROVED IN 2012 (DEVELOPMENT AGREEMENT CASE NUMBER DA09-001) ORDINANCE NUMBER 1484 REGARDING THE SILVER HILLS SUBDIVISION (APPROVED IN 2011 AS TENTATIVE MAP TM09-001). THIS RESTATED AGREEMENT (CASE NO. AC16-005) EXTENDS THE DEADLINE FOR FILING THE NEXT IN A SERIES OF FINAL SUBDIVISION MAPS TO FEBRUARY 28, 2022. THE PROJECT INCLUDES A TOTAL OF FOUR PARCELS. THE SUBJECT PARCELS ARE LOCATED EAST AND WEST OF RED ROCK ROAD, NORTH OF LONGHORN ROAD. THE PARCELS TOTAL APPROXIMATELY ±780 ACRES AND HAVE A LOW DENSITY SUBURBAN REGULATORY ZONE. THE PARCELS ARE LOCATED WITHIN THE NORTH VALLEYS AREA PLAN, AND ARE SITUATED IN PORTIONS OF SECTIONS 23 AND 24, T21N, R18E, MDM, WASHOE COUNTY, NEVADA. (APNS 086-203-05, 086-223-31, 087-390-10, 087-390-13). (BILL NO. 1775)

Those Voting Aye: Bob Lucey, Marsha Berkgigler and Kitty Jung
Those Absent: Vaughn Hartung and Jeonne Hermon
This Ordinance shall be in full force and effect from and after March 10, 2017.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by file only. DATED: March 1, 2017.

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

No 1967120

March 3, 10, 2017

WCCOMP MAR15'17 9:34

1592 ✓