

SUMMARY: Approves 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 WAC19-0001, amending Development Agreement DA09-002, originally approved in 2009 and previously amended in 2013 (Amendment of Conditions AC13-006), to extend the deadline for filing the next final map for Sun Mesa Tentative Map TM04-001 to April 28, 2020, with all subsequent final maps submitted for filing after April 28, 2020 being subject to the deadlines set forth in NRS 278.360.

BILL NO. 1821

ORDINANCE NO. 1634

TITLE: Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207, approving Amendment of Conditions Case Number WAC19-0001, amending Development Agreement DA09-002, originally approved in 2009 and previously amended in 2013 (Amendment of Conditions AC13-006), to extend the deadline for filing the next final map for Sun Mesa Tentative Map TM04-001 (approved for 207 lots) to April 28, 2020, with all subsequent final maps submitted for filing after April 28, 2020 being subject to the deadlines set forth in NRS 278.360.

The applicant and property owner is Landstar Sun Mesa, LLC. The parcel (APN 504-460-02) is located at the eastern terminus of Sun Mesa Drive in the Sun Valley planning area and is approximately 37-acres in size. It has a master plan category of Suburban Residential and regulatory zones of Medium Density Suburban and Open Space. The property is within the boundaries of the Sun Valley Citizen Advisory Board.

THE WASHOE COUNTY BOARD OF COMMISSIONERS DOES ORDAIN:

SECTION 1.

Development Agreement DA09-002 for Sun Mesa has been amended per Amendment of Conditions WAC19-0001 and as detailed in SECOND AMENDMENT TO DEVELOPMENT AGREEMENT.

The Amended Development Agreement reads as follows:

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT

This SECOND AMENDMENT TO DEVELOPMENT AGREEMENT (the "Amendment") is made this 23rd day of April, 2019, by and between **LANDSTAR SUN MESA, 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. County and Nevada Saltwater, LLC ("NS") entered into that certain Development Agreement, known as FIRST AMENDMENT TO DEVELOPMENT AGREEMENT regarding Washoe County Assessor Parcel No. 504-460-02 (the "Property"), recorded on November 21, 2013 as Washoe County Recorder Document No. 4302103 (the "First Amended Agreement").

C. Landowner purchased the Property from NS on December 7, 2016.

D. Landowner and County now wish to amend the First Amended 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 First Amended 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 extended until April 28, 2020 or for one (1) year from the date of signing by the Board of County Commissioners, whichever comes later. The Sun Mesa Phase 3 Final Map shall be recorded within that timeframe or Tentative Subdivision Map TM04-001 will expire. The timing of expiration for any subsequent final maps shall be in accordance with NRS 278.360, and those final maps shall otherwise meet the terms of this agreement.

2. 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.

3. In the event of any conflict between the terms of the Original Agreement, First Amended 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.

4. Except as modified herein, the Original Agreement and First Amended Agreement remain unchanged and are 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:

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

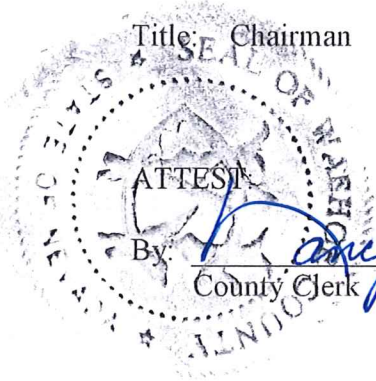
By: *Vaughn Hartung*
Name: Vaughn Hartung

Title: Chairman

LANDOWNER:

Landstar Sun Mesa, LLC, a Nevada Limited Liability Company

By: *Michael Mason*
Name: Michael Mason
Its: MARGARET MASON



By: *Shirley L. Parent*
County Clerk

APPROVED AS TO FORM:

By: *Paul Leppan*
County Counsel

1634

Passage and Effective Date

Ordinance Relating to WAC19-0001 Amending DA09-002 (Sun Mesa)

Proposed on APRIL (month) 9 (day), 2019.

Proposed by Commissioner BERKBIGLER.

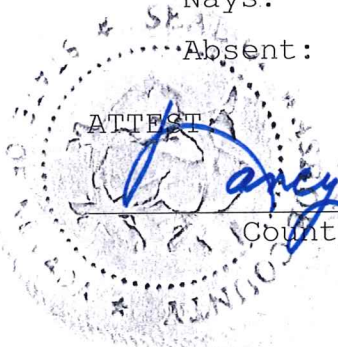
Passed on APRIL (month) 23 (day), 2019.

Vote:

Ayes: Commissioners VAUGHN HARTUNG, BOB LUCEY, MARSHA BERKBIGLER, KITTY JUNG, JEANNE HERMAN

Nays: Commissioners _____

Absent: Commissioners _____



Nancy L. Paet
County Clerk

Vaughn Hartung
Vaughn Hartung, Chair
Washoe County Commission

This ordinance shall be in force and effect from and after the 3rd day of the month of May of the year 2019.



PART OF THE USA TODAY NETWORK

The Mason Valley News

"The Only Newspaper in the World that Gives a Damn About Yerington"

Order Confirmation for Ad #: 0003524485

Customer: WASHOE CO
Address: 1001 E 9TH ST BLDG D
 RENO NV 89512 USA
Acct. #: REN-349008
Phone: 7753282569

 WASHOE CO
Ordered By: Derek Sonderfan

OrderStart Date: 04/26/2019

Order End Date: 05/03/2019

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	1					2 X 39.00

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$491.00	\$0.00	\$491.00	Invoice	\$0.00	\$491.00

Ad Order Notes:

Sales Rep: eoettinger

Order Taker: eoettinger

Order Created 04/24/2019

Product	# Ins	Start Date	End Date
REN-Gazette Journal	2	04/26/2019	05/03/2019
04-26-19, 05-03-19, REN-rgj.com	2	04/26/2019	05/03/2019
04-26-19, 05-03-19,			

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

MCCOMP MAY 7*1911=07

1634

**PROOF OF
PUBLICATION**

**STATE OF WISCONSIN SS.
COUNTY OF BROWN**

ACCOUNTS PAYABLE
WASHOE CO
1001 E 9TH ST BLDG D

RENO NV 89512

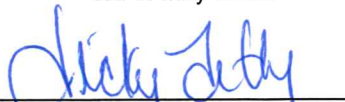
Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the date: 04/26/2019 - 05/03/2019, for exact publication dates please see last line of Proof of Publication below.

04/26/19, 05/03/19



Legal Clerk

Subscribed and sworn before me this
3rd of May 2019.

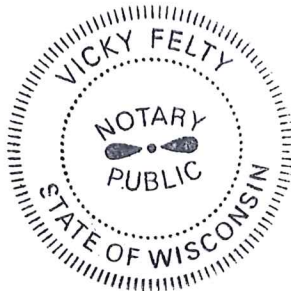


NOTARY PUBLIC RESIDING
AT STATE OF WISCONSIN
COUNTY OF BROWN

Notary Expires:

9/19/21

Ad#:0003524485
P O :
of Affidavits :1



**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1634
BILL NO. 1821**

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 April 9, 2019 by Commissioner Berkbigler and was passed and adopted without amendment at a regular meeting held on April 23, 2019 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 WAC19-0001, AMENDING DEVELOPMENT AGREEMENT DA09-002, ORIGINALLY APPROVED IN 2009 AND PREVIOUSLY AMENDED IN 2013 (AMENDMENT OF CONDITIONS AC13-006), TO EXTEND THE DEADLINE FOR FILING THE NEXT FINAL MAP FOR SUN MESA TENTATIVE MAP TM04-001 (APPROVED FOR 207 LOTS) TO APRIL 28, 2020, WITH ALL SUBSEQUENT FINAL MAPS SUBMITTED FOR FILING AFTER APRIL 28, 2020 BEING SUBJECT TO THE DEADLINES SET FORTH IN NRS 278.360.

THE APPLICANT AND PROPERTY OWNER IS LANDSTAR SUN MESA, LLC. THE PARCEL (APN 504-460-02) IS LOCATED AT THE EASTERN TERMINUS OF SUN MESA DRIVE IN THE SUN VALLEY PLANNING AREA AND IS APPROXIMATELY 37-ACRES IN SIZE. IT HAS A MASTER PLAN CATEGORY OF SUBURBAN RESIDENTIAL AND REGULATORY ZONES OF MEDIUM DENSITY SUBURBAN AND OPEN SPACE. THE PROPERTY IS WITHIN THE BOUNDARIES OF THE SUN VALLEY CITIZEN ADVISORY BOARD. (BILL No. 1821)

Those Voting Aye: Vaughn Hartung, Bob Lucey,
Marsha Berkbigler, Kitty Jung,
and Jeanne Herman

This Ordinance shall be in full force and effect from and after May 3, 2019.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED: April 24, 2019

NANCY PARENT, Washoe County Clerk and
Clerk of the Board of County Commissioners
0003524485 April 26, May 3, 2019

Text of Ad: 04/24/2019

**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1634
BILL NO. 1821**

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 April 9, 2019 by Commissioner Berkbigler and was passed and adopted without amendment at a regular meeting held on April 23, 2019 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 WAC19-0001, AMENDING DEVELOPMENT AGREEMENT DA09-002, ORIGINALLY APPROVED IN 2009 AND PREVIOUSLY AMENDED IN 2013 (AMENDMENT OF CONDITIONS AC13-006), TO EXTEND THE DEADLINE FOR FILING THE NEXT FINAL MAP FOR SUN MESA TENTATIVE MAP TM04-001 (APPROVED FOR 207 LOTS) TO APRIL 28, 2020, WITH ALL SUBSEQUENT FINAL MAPS SUBMITTED FOR FILING AFTER APRIL 28, 2020 BEING SUBJECT TO THE DEADLINES SET FORTH IN NRS 278.360.

THE APPLICANT AND PROPERTY OWNER IS LANDSTAR SUN MESA, LLC. THE PARCEL (APN 504-460-02) IS LOCATED AT THE EASTERN TERMINUS OF SUN MESA DRIVE IN THE SUN VALLEY PLANNING AREA AND IS APPROXIMATELY 37-ACRES IN SIZE. IT HAS A MASTER PLAN CATEGORY OF SUBURBAN RESIDENTIAL AND REGULATORY ZONES OF MEDIUM DENSITY SUBURBAN AND OPEN SPACE. THE PROPERTY IS WITHIN THE BOUNDARIES OF THE SUN VALLEY CITIZEN ADVISORY BOARD. (BILL No. 1821)

Those Voting Aye: Vaughn Hartung, Bob Lucey,
Marsha Berkbigler, Kitty Jung,
and Jeanne Herman

This Ordinance shall be in full force and effect from and after May 3, 2019.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED: April 24, 2019

NANCY PARENT, Washoe County Clerk and
Clerk of the Board of County Commissioners

0003524485 April 26, May 3, 2019

1634