

BILL NO. 2-7-24-3

SUMMARY - An ordinance to consider adoption of the Fourth Amendment to the Development Agreement with Southern Highlands Development Corporation, a Nevada corporation, Olympia Group LLC, a Nevada limited liability company, Section 7, LLC, and all affiliates and related entities, for an approximately 2,950 acre Master Planned Community (Southern Highlands), generally located on the south side of Cactus Avenue, west of I-15 within Enterprise. (ORD-24-900030)

ORDINANCE NO. 5112
(of Clark County, Nevada)

AN ORDINANCE TO CONSIDER ADOPTION OF THE FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH SOUTHERN HIGHLANDS DEVELOPMENT CORPORATION, A NEVADA CORPORATION, OLYMPIA GROUP LLC, A NEVADA LIMITED LIABILITY COMPANY, SECTION 7, LLC, AND ALL AFFILIATES AND RELATED ENTITIES, FOR AN APPROXIMATELY 2,950 ACRE MASTER PLANNED COMMUNITY (SOUTHERN HIGHLANDS), GENERALLY LOCATED ON THE SOUTH SIDE OF CACTUS AVENUE, WEST OF I-15 WITHIN ENTERPRISE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. In accordance with the provisions of Section 278.0203 of the Nevada Revised Statutes and Chapter 26.04 of the Clark County Code, the Fourth Amendment to the Development Agreement with Southern Highlands Development Corporation, a Nevada corporation, Olympia Group LLC, a Nevada limited liability company, Section 7, LLC, and all affiliates and related entities, for an approximately 2,950 acre Master Planned Community (Southern Highlands), generally located on the south side of Cactus Avenue, west of I-15 within Enterprise, is hereby adopted.

SECTION 2. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 3. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks and shall be effective on and from the fifteenth day after passage.

PROPOSED on the 7th day of February, 2024

INTRODUCED by: Commissioner Tick Segerblom

PASSED on the 21st day of February, 2024

VOTE:

AYES: Tick Segerblom _____

James Gibson _____

Justin Jones _____

Marilyn K. Kirkpatrick _____

William McCurdy II _____

Ross Miller _____

Michael Naft _____

NAYS: None _____

ABSTAINING:

None _____

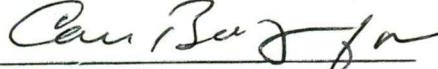
ABSENT:

None _____

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By:  _____
TICK SEGERBLOM, Chair

ATTEST:



Lynn Marie Goya, County Clerk

This ordinance shall be in force and effect from and after the 7th day
of March 2024.

Inst #: 20240304-0000812

Fees: \$0.00

03/04/2024 11:35:34 AM

Receipt #: 5519727

Requestor:

COMPREHENSIVE PLANNING CL

Recorded By: RYUD Pgs: 7

Debbie Conway

CLARK COUNTY RECORDER

Src: FRONT COUNTER

Ofc: MAIN OFFICE

RECORDING COVER PAGE

(Must be typed or printed clearly in BLACK ink only and avoid printing in the 1" margins of document)

APN: (List Attached) 177-31-117-002

(11 digit Assessor's Parcel Number may be obtained at:
<http://redrock.co.clark.nv.us/assrealprop/owner.aspx>)

TITLE OF DOCUMENT

(DO NOT Abbreviate)

**FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT
BETWEEN THE COUNTY OF CLARK AND SOUTHERN HIGHLANDS
DEVELOPMENT CORPORATION, ET AL, WITH ORDINANCE NO. 5112
TO ADOPT THE AMENDMENT**

ORD-24-900030

"This Document may be Signed in Counter-Part."

Document Title on cover page must appear EXACTLY as the first page of the document to be recorded.

RECORDING REQUESTED BY:

Clark County Comprehensive Planning Department

RETURN TO: Name Clark County Comprehensive Planning Department

Address First Floor Government Center

City/State/Zip Las Vegas, NV 89155-1741

MAIL TAX STATEMENT TO: (Applicable to documents transferring real property) Name _____

Address _____

City/State/Zip _____

This page provides additional information required by NRS 111.312 Sections 1-2.

To print this document properly, do not use page scaling.

P:\Common\Forms & Notices\Cover Page Template Oct2017

APN: 177-31-117-002 through 177-31-117-003; 177-31-197-001; 177-31-197-012 through 177-31-197-014; 177-31-210-013 through 177-31-210-014; 177-31-297-004; 177-31-297-027 through 177-31-297-028; 191-05-197-005; 191-05-197-041; 191-05-201-015; 191-05-201-020; 191-05-210-001; 191-05-212-001; 191-05-297-016; 191-05-401-015; 191-05-410-003; 191-06-218-007; 191-06-219-004; 191-06-295-008 through 191-06-295-009; 191-06-301-010; 191-06-314-028; 191-06-315-014 through 191-06-315-015; 191-06-316-010; 191-06-318-003 through 191-06-318-007; 191-06-319-003 through 191-06-319-005; 191-06-395-005 through 191-06-395-006; 191-06-395-008 through 191-06-395-009; 191-06-401-006; 191-06-501-015; 191-06-517-002 through 191-06-517-003; 191-06-518-004; 191-06-518-006; 191-06-518-008; 191-06-525-001 through 191-06-525-037; 191-06-525-039; 191-06-595-004; 191-06-597-003; 191-06-597-006 through 191-06-597-007; 191-06-610-002; 191-06-615-002; 191-06-701-009; 191-07-101-001 through 191-07-101-002; 191-07-201-007; 191-07-211-001; 191-07-501-001; 191-07-512-017; 191-07-515-018; 191-07-595-006; 191-07-610-005; 191-07-616-010 through 191-07-616-016; 191-07-617-004 through 191-07-617-012; 191-07-617-014 through 191-07-617-016; 191-07-617-023; 191-07-617-025 through 191-07-617-027; 191-07-618-001 through 191-07-618-002; 191-07-619-001 through 191-07-619-010; 191-07-620-001 through 191-07-620-013; 191-07-695-001; 191-07-695-005; 191-07-695-007 through 191-07-695-011; 191-07-701-003; 191-07-711-001 through 191-07-711-007; 191-07-795-002 through 191-07-795-003; 191-08-101-013; 191-08-101-016; 191-08-117-003; 191-08-117-009 through 191-08-117-010; 191-08-119-029; 191-08-210-011 through 191-08-210-013; 191-08-301-012; 191-08-301-015; 191-08-314-006; 191-08-315-003 through 191-08-315-005; 191-08-399-003 through 191-08-399-004; 191-08-399-008

**FOURTH AMENDMENT TO THE DEVELOPMENT
AGREEMENT BETWEEN COUNTY OF CLARK AND
SOUTHERN HIGHLANDS DEVELOPMENT
CORPORATION, ET AL**

THIS FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT (the "Fourth Amendment") is made and entered into this 21st day of February, 2024, by and between the County of Clark, State of Nevada (the "County") and Southern Highlands Development Corporation, a Nevada corporation, its affiliates and related entities, Olympia Group L.L.C., a Nevada limited liability company, its affiliates and related entities, and Section 7, LLC, a Nevada limited liability company, its affiliates and related entities (collectively hereinafter referred to as the "Owner") for the purpose of amending the terms of the certain Development Agreement between the County and Owner, dated November 18, 1998 and recorded on March 2, 1999 as Instrument No. 01676 in Book 990302 and amended by that certain First Amendment to Development Agreement between the County and Owner dated December 8, 1999 and recorded on January 6, 2000 as Instrument No. 00458 in Book 20000106, by that certain Second Amendment to Development Agreement between the County and Owner dated December 7, 2005 and recorded on January 9, 2006 as Instrument No. 0002763 in Book 20060109, and by that certain Third Amendment to the Development Agreement between the County and Owner adopted on September 16, 2015 and recorded on October 22, 2015 as Instrument No. 0002276 in Book 20151022.

This Fourth Amendment, which includes the real property described in the original Development Agreement and any real property which has been added through a subsequent amendment approved by the County, executed by County and Owner and recorded against such real property, amends, incorporates, restates, and supersedes portions of the original Development Agreement, and the First, Second and Third Amendments previously made between the parties. The original Development Agreement and subsequent Amendments between the parties remain unchanged and in full force and effect to the extent they are not amended as set forth below.

I.

Section 12.02 of the Development Agreement between the parties is hereby amended to read as follows:

12.02 **Duration of Agreement.** The Term of this Agreement shall commence upon the Effective Date and shall expire on March 2, 2039 unless extended by written agreement executed by County and Owner.

All other portions of the Development Agreement between the parties as amended shall remain in full force and effect.

IN WITNESS WHEREOF, this Fourth Amendment has been executed by the parties on the day and year first above written, as authorized by Clark County Ordinance No. 5112, to be effective on March 2, 2024.

COUNTY:

BOARD OF COUNTY COMMISSIONERS,
COUNTY OF CLARK, STATE OF NEVADA

Attest:

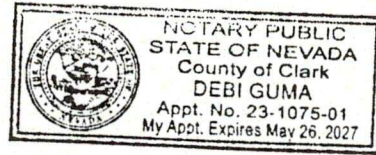
By: _____
Chair, Tick Segerblom

County Clerk

OWNER:

SOUTHERN HIGHLANDS
DEVELOPMENT CORPORATION,
a Nevada corporation

By: [Signature]
Garry V. Goett, President



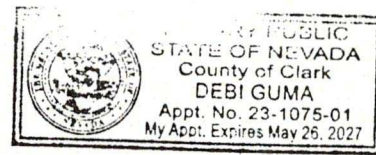
STATE OF NEVADA)
COUNTY OF CLARK)

This instrument was acknowledged before me on the 15 day of JANUARY, 2024, 2024, by Garry V. Goett as President of Southern Highlands Development Corporation, a Nevada corporation.

[Signature]
NOTARY PUBLIC

OLYMPIA GROUP, L.L.C.,
a Nevada limited liability company

By: [Signature]
Print Name: Garry V. Goett
Its: President



STATE OF NEVADA)
COUNTY OF CLARK)

This instrument was acknowledged before me on the 15 day of JANUARY, 2024, 2024, by GARRY V. GOETT as MANAGER of Olympia Group, L.L.C., a Nevada limited liability company.

[Signature]
NOTARY PUBLIC

COUNTY:

BOARD OF COUNTY COMMISSIONERS,
COUNTY OF CLARK, STATE OF NEVADA

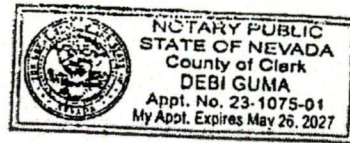
By: [Signature]
Chair, Tick Segerblom

Attest: [Signature]
County Clerk

OWNER:

SOUTHERN HIGHLANDS
DEVELOPMENT CORPORATION,
a Nevada corporation

By: [Signature]
Garry V. Goett, President



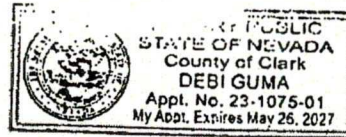
STATE OF NEVADA)
COUNTY OF CLARK)

This instrument was acknowledged before me on the 15 day of JANUARY, 2024, 2024, by Garry V. Goett as President of Southern Highlands Development Corporation, a Nevada corporation.

[Signature]
NOTARY PUBLIC

OLYMPIA GROUP, L.L.C.,
a Nevada limited liability company

By: [Signature]
Print Name: Garry V. Goett
Its: President



STATE OF NEVADA)
COUNTY OF CLARK)

This instrument was acknowledged before me on the 15 day of JANUARY, 2024, 2024, by Garry V. Goett as MANAGER of Olympia Group, L.L.C., a Nevada limited liability company.

[Signature]
NOTARY PUBLIC

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

CC CLERK
ATTN: COMMISSION CLERK
RM 6037
500 S GRAND CENTRAL PKWY
LAS VEGAS NV 89155

Account #
Order ID

104095
309816

IMAGE ON NEXT PAGE(S)

Leslie McCormick, being 1st duty sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal/Las Vegas Sun, daily newspaper regularly issued, published and circulated in the Clark County, Las Vegas, Nevada and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal/Las Vegas Sun, in 2 edition(s) of said newspaper issued from 02/28/2024 to 03/06/2024, on the following day(s):

02/28/2024, 03/06/2024

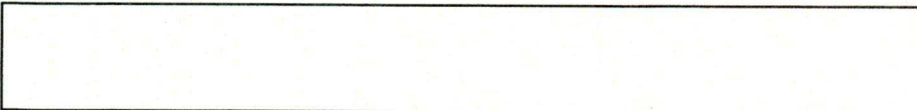
Leslie McCormick

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this March 6, 2024

Notary

Linda Espinoza



ORDINANCE NO. 5112

AN ORDINANCE TO CONSIDER ADOPTION OF THE FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH SOUTHERN HIGHLANDS DEVELOPMENT CORPORATION, A NEVADA CORPORATION, OLYMPIA GROUP LLC, A NEVADA LIMITED LIABILITY COMPANY, SECTION 7, LLC, AND ALL AFFILIATES AND RELATED ENTITIES, FOR AN APPROXIMATELY 2,950 ACRE MASTER PLANNED COMMUNITY (SOUTHERN HIGHLANDS), GENERALLY LOCATED ON THE SOUTH SIDE OF CACTUS AVENUE, WEST OF I-15 WITHIN ENTERPRISE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

NOTICE IS HEREBY GIVEN that typewritten copies of the above numbered and entitled Ordinance are available for inspection by all interested parties at the Office of the County Clerk of Clark County, Nevada, at her Commission Division Office on the first floor of the Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada, and that said Ordinance was proposed by Commissioner Tick Segerblom on the 7th day of February 2024 and passed on the 21st day of February 2024, by the following vote of the Board of County Commissioners:

**Aye: Tick Segerblom
James B. Gibson
Justin Jones
Marilyn K. Kirkpatrick
William McCurdy II
Ross Miller
Michael Naft**

**Nay:None
Abstaining:None
Absent:None**

This Ordinance shall be in full force and effect from and after the 7th day of March 2024.

**(SEAL) LYNN MARIE GOYA,
COUNTY CLERK
and Ex-Officio Clerk of the
Board of County
Commissioners**

**Dated this 21st day of February
2024.**

**PUB: Feb. 28, Mar. 6, 2024
LV Review-Journal**