

NORTH LAS VEGAS CITY COUNCIL
AGENDA ITEM

Number: **33**

SUBJECT:

Ordinance No. 2443, Annexation No. 136 - An ordinance to annex property to the City of North Las Vegas in the Apex Industrial Park, Phase 1, generally located within the area of the Transportation and Utility Corridor, north of Grand Teton Drive and Interstate Route 15.

REQUESTED BY:

Dr. Qiong Liu, P.E., P.T.O.E., Director of Public Works

RECOMMENDATION OR RECOMMENDED MOTION:

May 7, 2008 - Introduce Ordinance No. 2443 by title and set a date for final action.

May 21, 2008 - Introduce Ordinance No. 2443 by title and pass and adopt said ordinance.

FISCAL IMPACT:

Amount: \$ 0

Explanation: None

ACCOUNT NUMBER:

STAFF COMMENTS AND BACKGROUND INFORMATION:

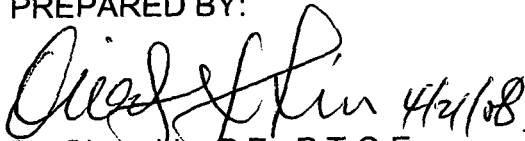
Petitions to annex parcels of land located in the Apex Industrial Park, Phase 1, generally located within the area of the Transportation and Utility Corridor, north of Grand Teton Drive and Interstate Route 15 have been submitted and accepted by City Council. The petitioners represent 100 percent of the area proposed for annexation, and the parcels meet the statutory requirements of being at least one-eighth contiguous to the existing City boundary as required by NRS 268.597 and Section 2 of NRS 268.580.

Lorena\Agenda\AG08.006

LIST CITY COUNCIL GOAL(S):

Planned and Quality Growth

PREPARED BY:

 4/2/08

Dr. Qiong Liu, P.E., P.T.O.E.
Director of Public Works

**RESPECTFULLY
SUBMITTED:**



Gregory E. Rose
City Manager

**CITY COUNCIL
MEETING DATE:**

May 7, 2008

ORDINANCE NO. 2443

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS DOES ORDAIN:

SECTION ONE: The corporate limits of the City of North Las Vegas, Nevada, are hereby extended to include, annex to, and make a part of the City of North Las Vegas, the following described real property, to wit:

Annexation #136

Portions of Sections 4, 5, 7, 8, and 9, Township 19 South, Range 63 East, M.D.M, Clark County, Nevada Described as follows:

APN 122-04-010-004, 122-08-010-002, 122-08-010-003, 122-09-210-002, 122-09-401-001, 122-04-000-005, 122-05-000-003, 122-07-000-002, 122-08-000-003, and 122-09-101-001.

BEGINNING AT THE CORNER COMMON TO SAID SECTIONS 8 AND 9 AND SECTIONS 16 AND 17, TOWNSHIP 19 SOUTH, RANGE 63 EAST, M.D.M.; THENCE ALONG THE SOUTH, WEST AND NORTH LINES OF AFORESAID LOT 2, THE FOLLOWING THREE (3) COURSES: (1) SOUTH 89°36'09" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE1/4), OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 8, 200.00 FEET TO THE

SOUTHWEST CORNER OF SAID LOT 2; (2) NORTH 04°35'09" EAST, DEPARTING SAID SOUTH LINE, 1142.98 FEET; (3) NORTH 64°48'26" EAST, 110.17 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER (SE1/4); THENCE NORTH 00°25'53" WEST, ALONG SAID EAST LINE, 135.36 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER (SE1/4); THENCE SOUTH 89°35'48" WEST, DEPARTING SAID EAST LINE AND ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER (SE1/4), 1320.53 FEET; THENCE SOUTH 00°26'11" EAST 330.02 FEET; THENCE SOUTH 89°35'53" WEST, 330.13 FEET; THENCE SOUTH 00°26'15" EAST, 330.01 FEET; THENCE SOUTH 89°35'58" WEST, 660.24 FEET; THENCE SOUTH 00°26'24" EAST, 330.00 FEET; THENCE SOUTH 89°36'04" WEST, 330.11 FEET; THENCE SOUTH 00°26'28" EAST, 329.99 FEET TO THE SOUTH LINE OF SAID SECTION 8; THENCE SOUTH 89°36'25" WEST, ALONG SAID SOUTH LINE, 2639.88 FEET TO THE CORNER COMMON TO SAID SECTIONS 7, 8, 17 AND 18; THENCE ALONG THE SOUTH LINE OF SAID SECTION 7 THE FOLLOWING TWO (2) COURSES; (1) SOUTH 89°37'59" WEST, 2641.34 FEET (2) SOUTH 89°38'27" WEST, 1959.50 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE ALONG THE WEST LINE OF SAID SECTION 7, THE FOLLOWING TWO (2) COURSES: (1) NORTH 00°35'48" WEST, DEPARTING SAID SOUTH LINE, 171.15 FEET TO THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 62 EAST; (2) NORTH 00°39'28" WEST, 2532.10 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF A TRANSPORTATION AND UTILITY CORRIDOR EASEMENT AS DESCRIBED IN BLM DOCUMENT N-52787; THENCE ALONG SAID SOUTHEASTERLY LINE, THE FOLLOWING FOUR (4) COURSES: (1) NORTH 72°51'25" EAST, DEPARTING SAID WEST LINE, 4814.46 FEET; (2) NORTH 72°51'19" EAST, 3513.77 FEET; (3) NORTH 57°58'13" EAST, 333.12 FEET; (4) NORTH 57°57'22" EAST, 4569.67 FEET TO THE NORTH LINE OF THE SOUTH HALF (S1/2) OF THE AFORESAID SECTION 5; THENCE SOUTH 89°00'33" WEST, DEPARTING SAID NORTHWESTERLY LINE AND ALONG SAID NORTH LINE, 3405.69 FEET; THENCE NORTH 11°04'46" EAST, DEPARTING SAID NORTH LINE, 1848.24 FEET TO AN ANGLE POINT IN THE SOUTH RIGHT-OF-WAY LINE OF SAID TRANSPORTATION AND UTILITY CORRIDOR EASEMENT; THENCE NORTH 89°37;13" EAST ALONG SAID SOUTH LINE 4285.39 FEET TO AN ANGLE POINT IN THE AFORESAID NORTHWESTERLY RIGHT-OF-WAY LINE

OF A TRANSPORTATION AND UTILITY CORRIDOR EASEMENT; THENCE SOUTH 82°32'19" EAST, DEPARTING SAID SOUTH LINE, 2678.43 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF NEVADA STATE ROUTE 604 (400.00 FEET WIDE); THENCE SOUTH 29°06'34" EAST, DEPARTING SAID NORTHWESTERLY LINE 400.00 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID NEVADA STATE ROUTE 604; BEING THE BEGINNING OF A 13800.00 FOOT RADIUS NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY; A RADIAL LINE TO SAID BEGINNING BEARS NORTH 29°06'34" WEST; THENCE SOUTHWESTERLY, ALONG SAID SOUTHEASTERLY LINE, THROUGH A CENTRAL ANGLE OF 01°59'39", A DISTANCE OF 480.31 FEET; THENCE NORTH 00°33'07" WEST, DEPARTING SAID SOUTHEASTERLY LINE, 76.08 FEET; THENCE SOUTH 89°33'29" WEST, 659.30 FEET; THENCE SOUTH 00°34'21" EAST, 491.90 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, BEING THE BEGINNING OF A 13800.00 FOOT RADIUS NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 34°20'12" WEST; THENCE SOUTHWESTERLY, ALONG SAID SOUTHEASTERLY LINE, THROUGH A CENTRAL ANGLE OF 01°14'16", A DISTANCE OF 298.13 FEET; THENCE SOUTH 89°43'02" WEST, DEPARTING SAID SOUTHEASTERLY LINE, 1074.98 FEET; THENCE SOUTH 00°33'17" EAST, 840.34 FEET TO SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, BEING THE BEGINNING OF A 13800.00 FOOT RADIUS NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 41°13'44" WEST; THENCE ALONG SAID SOUTHEASTERLY LINE, THE FOLLOWING THREE (3) COURSES: (1) SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 04°54'50", A DISTANCE OF 1183.54 FEET; (2) SOUTH 43°51'26" WEST, 1559.36 FEET TO THE BEGINNING OF A 3300.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; (3) SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 24°29'31", A DISTANCE OF 1410.63 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 9; THENCE NORTH 89°40'56" EAST, DEPARTING SAID SOUTHEASTERLY LINE AND ALONG SAID NORTH LINE, 55.38 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°26'53" EAST, DEPARTING SAID NORTH LINE AND LONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW1/4), 660.03 FEET

TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 9; THENCE NORTH 89°40'44" EAST, DEPARTING SAID EAST LINE AND ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW1/4), 660.71 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW1/4); THENCE SOUTH 00°27'18" EAST, DEPARTING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW1/4), 330.00 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF (S1/2) OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 9; THENCE NORTH 89°40'38" EAST, DEPARTING SAID EAST LINE AND ALONG THE NORTH LINE OF SAID SOUTH HALF (S1/2), 485.21 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF INTERSTATE ROUTE 15, BEING THE BEGINNING OF A 4800.00 FOOT RADIUS NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 33°36'54" EAST; THENCE ALONG SAID NORTHWESTERLY LINE THE FOLLOWING FOUR (4) COURSES: (1) SOUTHWESTERLY, DEPARTING SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 08°18'28", A DISTANCE OF 695.99 FEET; (2) SOUTH 64°48'26" WEST, 439.62 FEET; (3) NORTH 25°11'34" WEST, 100.00 FEET; (4) SOUTH 64°48'26" WEST, 376.67 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE AFORESAID NEVADA STATE ROUTE 604 (400.00 FEET WIDE); THENCE ALONG SAID EAST LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 01°08'34" EAST DEPARTING SAID NORTHWESTERLY LINE 106.14 FEET TO THE BEGINNING OF A 5700.00 FOOT RADIUS CURVE, CONCAVE WESTERLY; (2) SOUTHERLY THROUGH A CENTRAL ANGLE OF 09°36'49", A DISTANCE OF 956.40 FEET TO THE NORTH LINE OF THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 9; THENCE SOUTH 89°40'37" WEST, DEPARTING SAID EAST LINE, 405.12 FEET TO THE WEST RIGHT-OF-WAY LINE OF SAID NEVADA STATE ROUTE 604, BEING THE BEGINNING OF A 5300.00 FOOT RADIUS NON-TANGENT CURVE, CONCAVE WESTERLY, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 80°51'35" EAST; THENCE SOUTHERLY, DEPARTING SAID NORTH LINE AND ALONG SAID WEST LINE, THROUGH A CENTRAL ANGLE OF 14°57'45", A DISTANCE OF 1384.07 FEET TO THE SOUTH LINE OF SAID SOUTHWEST

QUARTER (SW1/4) OF SECTION 9; THENCE SOUTH 89°40'42" WEST, DEPARTING SAID WEST LINE AND ALONG SAID SOUTH LINE, 199.50 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THEREFROM:

A PORTION OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 9, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE1/4) OF SAID SECTION 8; THENCE NORTH 00°26'04" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE1/4), 1162.28 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF A TRANSPORTATION AND UTILITY CORRIDOR EASEMENT AS DESCRIBED IN BLM DOCUMENT N-52787; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) DISTANCES: (1) NORTH 72°51'25" EAST, DEPARTING SAID EAST LINE, 533.73 FEET; (2) NORTH 52°15'19" EAST, 583.25 FEET TO THE WEST RIGHT-OF-WAY LINE OF NEVADA STATE ROUTE 604, BEING THE BEGINNING OF A 3700.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE EASTERLY, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 67°02'04" WEST; THENCE SOUTHERLY, ALONG SAID WEST LINE, DEPARTING SAID SOUTHEASTERLY LINE, THROUGH A CENTRAL ANGLE OF 06°54'40", A DISTANCE OF 446.30 FEET TO THE INTERSECTION OF SAID WEST LINE WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY (200.00 FEET WIDE), BEING THE BEGINNING OF A 794.90 FOOT RADIUS NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 18°27'40" WEST; THENCE ALONG SAID SOUTHEASTERLY LINE, THE FOLLOWING FOUR (4) COURSES: (1) SOUTHWESTERLY, DEPARTING SAID WEST LINE AND ALONG SAID SOUTHEASTERLY LINE, THROUGH A CENTRAL ANGLE OF 48°46'46", A DISTANCE OF 676.75 FEET TO THE BEGINNING OF A 1273.49 FOOT RADIUS COMPOUND CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 67°14'26" WEST; (2) SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 07°18'21", A DISTANCE OF 162.38 FEET; (3) SOUTH 17°21'41" WEST, 437.66

FEET TO THE BEGINNING OF A 3024.34 FOOT RADIUS CURVE, CONCAVE WESTERLY; THENCE SOUTHERLY THROUGH A CENTRAL ANGLE OF 03°35'59", A DISTANCE OF 190.01 FEET TO THE BEGINNING OF A 1064.33 FOOT RADIUS COMPOUND CURVE, CONCAVE WESTERLY, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 69°02'20" WEST; (4) SOUTHERLY, THROUGH A CENTRAL ANGLE OF 10°24'57", A DISTANCE OF 193.49 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 8; THENCE NORTH 00°25'53" WEST, DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG SAID EAST LINE OF SAID SOUTHEAST QUARTER (SE1/4) 114.23 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,446.24 ACRES.

SECTION TWO: Said City Council has determined and does hereby determine that said described territory meets the requirements provided by law for annexation to the City of North Las Vegas for the following reasons:

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted.
- B. At least one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the boundaries of the City of North Las Vegas.
- C. The territory proposed to be annexed is not included within the boundaries of another incorporated city as those boundaries existed on July 1, 1983.
- D. The territory proposed to be annexed is not included within the boundaries of any unincorporated town as those boundaries existed on July 1, 1983.
- E. The City of North Las Vegas is eligible to annex the area described in this report since all of the land owners have signed a petition requesting annexation to the City, said petition contains the signature(s) of one hundred percent (100%) of the

owners of record, by themselves or their authorized representatives, of the individual lots or parcels of land within the annexation area.

- F. The petition for annexation was accepted by the City Council of the City of North Las Vegas on May 7, 2008.

SECTION THREE: The City of North Las Vegas will provide police protection, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City water and sanitary sewer system will serve the proposed annexation area, **but such service is conditioned upon compliance with the City's water and sewer policy in force at the time of application for such services.** Any connection to or extension of this water or sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreation program, special educational classes programs, public works planning, building inspections, and other City Hall services will also be available immediately. Utilities such as gas, electricity, and telephones are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and streetlights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time.

Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivisions plats or the issuance of building permits, rezonings, zone variances, or special use permits.

SECTION FOUR: Said described territory, together with the inhabitants and property thereof shall, from and after the effective date of this Ordinance, be subject to all debts, laws, ordinances, and regulations in force in the City of North Las Vegas and shall be entitled to the same privileges and benefit as other parts of said City, and shall be subject to municipal taxes levied by the City of North Las Vegas.

SECTION FIVE: The Associate Director/City Engineer of the Department of Public Works of the City of North Las Vegas is hereby instructed to cause to be prepared an accurate map or plat of said described territory and to record the same, together with a certified copy of this Ordinance, in the Office of the County Recorder of Clark County, Nevada, which said recording shall be done at least one day prior to the effective date of this Ordinance.

SECTION SIX: The property owner or owners, as a condition of approval of this annexation, are required to dedicate those public rights-of-way as required by the Department of Public Works.

SECTION SEVEN: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by its City Attorney's Office as to the constitutionality of this Ordinance and, based upon such information, we are adopting this Ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION EIGHT: SEVERABILITY. 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 the validity and enforceability of the remaining provisions of this Ordinance.

SECTION NINE: EFFECTIVE DATE. This Ordinance shall become effective May 25, 2008, after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time, and recordation of an accurate map or plat of the herein described territory together with a certified copy of this Ordinance in the Office of the Clark County Recorder pursuant to NRS 268.600.

SECTION TEN: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Council Members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of the Nevada Revised Statutes, as amended from time to time.

PASSED, ADOPTED, AND APPROVED THIS ____ DAY OF ____, 2008.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

MICHAEL L. MONTANDON
MAYOR

ATTEST:

APPROVED AS TO FORM:

KAREN L. STORMS
CITY CLERK

CARIE TORRENCE
CITY ATTORNEY