

RESOLUTION NO. 4156

(Direct Land Sale to Henderson Redevelopment Agency - 318 Water Street)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, CLARK COUNTY, NEVADA, EXPRESSING INTENT TO SELL 318 WATER STREET TO THE HENDERSON REDEVELOPMENT AGENCY FOR REDEVELOPMENT PURPOSES.

- WHEREAS, the City of Henderson ("City") owns 0.19 acres of vacant land, located in the Southeast Quarter (SE 1/4) of Section 18, Township 22 South, Range 63 East, M.D.M., City of Henderson, Clark County, Nevada, more particularly described in the Notice of Sale attached hereto as Exhibit A, identified as 318 Water Street, Assessor's Parcel Number 179-18-810-057, and generally located southeast of the intersection of Water Street and Basic Road (the "Property"); and
- WHEREAS, the City Council of the City of Henderson has enacted Ordinance No. 1618, adopting the Redevelopment Plan for the Downtown Redevelopment Project Area (as subsequently amended by Ordinance No. 2243 and Ordinance No. 2426, the "Redevelopment Plan"); and
- WHEREAS, the Henderson Redevelopment Agency ("Agency") is a governmental entity formed, existing and exercising its powers pursuant to the provisions of the Community Redevelopment Law, Nevada Revised Statute Sections 279.382 et seq. ("Community Redevelopment Law") and is responsible for implementation of the Redevelopment Plan; and
- WHEREAS, the Agency owns 314 Water Street and 322 Water Street, located on either side of 318 Water Street, and all three properties are located within the Downtown Redevelopment Project Area; and
- WHEREAS, the Agency has entered into an Exclusive Negotiating Agreement ("ENA") with Blue Skye Development, LLC with respect to the purchase and development of 314, 318 and 322 Water Street, which provides that the sale of such properties to the developer is contingent upon, among other things, the Agency acquiring the Property from the City; and
- WHEREAS, the developer proposes to build a mixed-use retail and residential project at the site, including all three lots; and
- WHEREAS, 318 Water Street has been appraised by an independent appraiser, and the fair market value of the lot has been determined to be Sixty Three Thousand Dollars (\$63,000.00); and
- WHEREAS, there is currently no public use of the Property; and
- WHEREAS, pursuant to the provisions of NRS 268.063, the City Council may sell real property for the purposes of redevelopment without first offering the real property to the public; and

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WHEREAS, pursuant to Section 2.320 of the City Charter, following the adoption of a resolution to sell real property, the City Council must cause a notice of its intention to sell the real property to be published once in a newspaper qualified pursuant to the provisions of chapter 238 of NRS, which notice must be published at least 30 days before the date set by the City Council for the sale; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Nevada, that:

- SECTION 1. The City Council finds that the sale of the Property to the Henderson Redevelopment Agency for the purpose of redevelopment in accordance with the Community Redevelopment Law, without first offering the Property to the public, in the manner set forth in this Resolution and the Notice of Sale attached hereto as Exhibit A, consisting of one (1) page, which is hereby made a part of this Resolution, will be in the best interest of the public.
- SECTION 2. The price for which the Property may be sold is hereby designated as Sixty Three Thousand Dollars (\$63,000.00), and such price must be paid in cash.
- SECTION 3. The sale of the Property shall be subject to approval by the City Council of a written purchase and sale agreement between the City and Agency in accordance with the terms and conditions set forth herein and such additional terms and conditions as may be approved by the City Council.
- SECTION 4. The public meeting at which City Council will consider approval of a purchase and sale agreement between the City and Agency is November 18, 2014, at 6 p.m., or as soon after such time as practical, in the City Council Chambers, 240 Water Street, Henderson, Nevada 89015.
- SECTION 5. The City Clerk is hereby authorized and directed to post this Resolution in those designated public places within the City set forth in the Notice of Sale and to publish the Notice of Sale not less than 30 days prior to November 18, 2014.
- SECTION 6. A copy of this Resolution and the Notice of Sale can be obtained in the Office of the City Clerk, 240 Water Street, Henderson, Nevada.
- SECTION 7. This resolution is effective upon adoption unless stated otherwise in the notice.

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PASSED, ADOPTED, AND APPROVED THIS 7TH DAY OF OCTOBER, 2014, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

Those voting aye: Gerri Schroder, Mayor Pro Tem
 Councilmembers:
 Sam Bateman
 Debra March
 John F. Marz

Those voting nay: None
Those abstaining: None
Those absent: Andy Hafen, Mayor


Gerri Schroder, Mayor Pro Tem

ATTEST:


Sabrina Mercadante, MMC, City Clerk

Exhibit A
NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the City of Henderson, Nevada, a municipal corporation, intends to sell that certain real property consisting of approximately 0.19 acres, more or less, of vacant land, located in the Southeast Quarter (SE 1/4) of Section 18, Township 22 South, Range 63 East, M.D.M., identified as Lot 5, Block 16 of Henderson Townsite, as shown by map thereof in Book 3 of Plats, Page 42-42A to 42-0 inclusive, in the Office of the County Recorder of Clark County, Nevada, and known as 318 Water Street, Henderson, Nevada 89005, Assessor's Parcel Number 179-18-810-057 (the "Property"), zoned DX-MP-RD, without first offering the property to the public, pursuant to the redevelopment development provisions of NRS 268.063, subject to the following:

DATE, TIME AND PLACE OF PROPOSED SALE

The Property is to be sold to the Henderson Redevelopment Agency for \$63,000.00 for the purpose of redevelopment in accordance with the Community Redevelopment Law, Nevada Revised Statute Sections 279.382 et seq.

The public meeting at which City Council will consider approving a binding purchase and sale agreement between the City and Agency is November 18, 2014, at 6 p.m., or as soon after such time as practical, in the City Council Chambers, 240 Water Street, Henderson, Nevada 89015.

Resolution No. 4156 and this Notice of Sale shall be posted at the Henderson Multigenerational Center, 250 S. Green Valley Parkway; City Hall, 240 Water Street, 1st Floor Lobbies; Whitney Ranch Recreational Center, 1575 Galleria Drive; and Fire Station No. 86, 96 Via Anticendio. Any interested party may obtain copies of the resolution and notice in the Office of the City Clerk, 240 Water Street, Henderson, Nevada.

THIS NOTICE IS GIVEN pursuant to and subject to Section 2.320 of the Charter of the City of Henderson, Nevada.

For more information, contact the City Clerk's Office at 240 Water Street, P.O. Box 95050, Henderson, Nevada 89009-5050.

DATED this 7th day of October, 2014.



SABRINA MERCADANTE, MMC, CITY CLERK