

**RESOLUTION TO DECLARE COUNTY-OWNED REAL PROPERTY SURPLUS
AND MAKE OFFER TO RECONVEY**

WHEREAS, the County of Clark, a political subdivision of the State of Nevada ("**County**"), holds title to ±0.64 acres of undeveloped County-owned real property (Assessor Parcel Number 176-03-201-014) ("**Property**") located on the Southern Corner of South Buffalo Drive and CC215.

WHEREAS, the County's purchased under threat of eminent domain the original parcels for \$59,441.03 per acre, for the construction of a portion of the CC 215 Beltway.

WHEREAS, Big 10 Investment Club is the former owner ("**Former Owner**") of the Property.

WHEREAS, NRS 244.290 requires that if the County desires to dispose of property acquired under the threat of eminent domain, it must first offer to reconvey the property back to the former owner, or the former owner's successor-in-interest, at the unit price the County paid for the property at the time of the purchase.

NOW, THEREFORE, be it resolved by the Clark County Board of Commissioners as follows:

1. The Property is surplus to the County's needs and reconveyance of the Property to prior owners for \$38,067.86 plus any costs for transfer is in the best interest of the County and its residents.
2. The Director of the Department of Real Property Management is hereby authorized and directed to make a writer offer to reconvey the Property to the Former Owner, on the terms contained in this Resolution ("**Offer to Reconvey**").
3. Upon compliance by the Former Owner of this Resolution, the Property shall be conveyed to the Former Owner or their successor-in-interest by quitclaim deed maintaining, (a) an acknowledgement that the County is reconveying the Property in "as-is" condition and (b) language stating the conveyance is subject to any liens, encumbrances, covenants, conditions, restrictions, reservations, rights-of-way, easements, drainage and flood facilities whether or not shown in the public records ("**Quitclaim Deed**").
4. By accepting the County's Offer to Reconvey, the Former Owner is relying only upon its independent investigation and not upon any County representations or warranties regarding the physical condition or stability of the Property, the existence of hazardous materials on or under the surface or the suitability of the Property for Former Owner's purposes or for any other purpose.
5. All costs associated with the reconveyance of the Property, including but not limited to any escrow fees, closing costs, recording fees, title insurance premiums, real property transfer or other taxes, appraisal fees, assignment fees, publication costs, commissions and loan costs shall be paid by the Former Owner.
6. The Former Owner shall, within forty-five (45) days after the date of the County's Offer to Reconvey, accept the Offer to Reconvey on the terms in this Resolution by signing an acceptance of the Offer to Reconvey and either delivering a cashier's check for \$38,067.86 payable to "Clark County" plus any costs for transfer or delivering into escrow, with a company of the County's choosing, all funds and documents necessary for closing. Time is of the essence.

7. The terms of this Resolution survive the recording of the quitclaim deed.

BE IT FURTHER RESOLVED that, upon acceptance of the County's Offer to Reconvey, and upon compliance with the terms of this Resolution, the Director of Real Property Management or their designee is authorized and directed to execute and deliver the Quitclaim Deed to the Former Owner or their successor-in-interest.

ADOPTED and APPROVED this __ day of _____, 2023.

CLARK COUNTY, NEVADA
BOARD OF COUNTY COMMISSIONERS

BY: _____
JAMES B. GIBSON, CHAIR

ATTEST:

BY: _____
LYNN MARIE GOYA, County Clerk