

# CLARK COUNTY BOARD OF COMMISSIONERS AGENDA ITEM

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**Petitioner:** Steven B. Wolfson, District Attorney

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**Recommendation:**

**Approve and authorize the District Attorney's Office or its designee to file a lawsuit against Series VI of Huntington, LLC, one of the property owners of Assessor's Parcel No. 163-31-702-017, to complete the partial property acquisition process for improvements. (For possible action)**

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**FISCAL IMPACT:**

Fund #:	4990.991	Fund Name:	Public Works Regional Improvements/RTC
Fund Center:	1260110001	Funded PGM/Grant:	PW.R113BFT
Amount:	Up to \$20,000		
Description:	Attorney's fees, court fees, and related expenses		
Additional Comments:	County will seek to recover attorney's fees and costs		

**BACKGROUND:**

On July 2, 2019, the Board of County Commissioners ("BCC") approved and authorized the acquisition by negotiation of a portion of Assessor's Parcel No. 163-31-702-017 (Let It Grow, LLC, and Series VI of Huntington, LLC) needed for improvements to Fort Apache Road between Warm Springs Road and Tropicana Avenue.

On December 17, 2019, the BCC approved and authorized a settlement in the amount of \$74,500.00 for a partial acquisition of Assessor's Parcel No. 163-31-702-017 (Let It Grow, LLC and Series VI of Huntington, LLC) for improvements to Fort Apache Road between Warm Springs and Tropicana Avenue; and authorized the County Manager or her designee to sign future escrow instructions and any pertinent documents necessary to complete the acquisition process.

However, one of the property owners, Series VI of Huntington, LLC, refuses to sign the escrow instructions to complete the acquisition process. Demand has been made without any success. The property is currently pending a contingency sale.

Approval and authorization for the District Attorney's Office or its designee to file a lawsuit against Series of Huntington, LLC, one of the property owners Assessor's Parcel No. 163-31-702-017, to complete the partial property acquisition process for the necessary improvements is being sought from the BCC.

Cleared for Agenda

**04/02/2024**

File ID#

**24-434**