

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

WHEREAS, the County of Clark, a political subdivision of the State of Nevada ("County"), holds title to ± 1.25 acres of undeveloped County-owned real property (Assessor Parcel Number 162-20-212-005) ("Property") located on the northwest corner of Polaris Avenue and Harmon Avenue.

WHEREAS, the Property consists of a ± 1.25 -acre parcel remaining after the County's purchase under threat of eminent domain of the original ± 1.872 acre parcel purchased from KGA Properties LLC ("KGA") for \$16,250,000 in November 2009, for the construction of a portion of the Harmon Overpass.

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 or their successor-in-interest, for \$10,850,694.00 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 written offer to reconvey the Property to the prior owner or their successor-in-interest, on the terms contained in this Resolution ("**Offer to Reconvey**").

3. Upon compliance by the prior owner or their successor-in-interest of this Resolution, the Property shall be conveyed to the prior owner or their successor-in-interest by quitclaim deed maintaining, (a) an acknowledgement that the County is reconveying the Property in "as-is" condition with no abutter's or access rights to any publicly-dedicated right of way, and (b) language stating the conveyance is subject to any liens, encumbrances, covenants, conditions, restrictions, reservations, rights-of-way, and easements whether or not shown in the public records ("**Quitclaim Deed**").

4. By accepting the County's Offer to Reconvey, the prior owner or their successor-in-interest 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 prior owner or their successor-in-interest'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 prior owner or their successor-in-interest.

6. The prior owner or their successor-in-interest 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 \$10,850,694.00 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 her designee is authorized and directed to execute and deliver the Quitclaim Deed to the prior owner or their successor-in-interest.

Adopted and approved on this ____ day of _____, 2021.

ATTEST:

COUNTY OF CLARK, STATE OF NEVADA
BOARD OF COUNTY COMMISSIONERS

Lynn Marie Goya, County Clerk

By _____
Marilyn Kirkpatrick, Chair

APPROVED AS TO FORM: *for*
MARY-ANNE MILLER
COUNTY COUNSEL

By 
Mary-Anne Miller *T. Baldwin*

OWNER: COUNTY OF CLARK
APN 162-20-212-005

EXHIBIT "A"
DESCRIPTION

A PORTION OF LOT 1 AS SHOWN IN BOOK 103, PAGE 94 OF PLATS, ON FILE AT THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE, LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID NORTHWEST QUARTER (NW 1/4); THENCE ALONG THE EAST LINE THEREOF, NORTH 00°19'51" WEST, 104.53 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 89°40'09" WEST, 30.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF POLARIS AVENUE, DESCRIBED IN THAT GRANT DEED RECORDED NOVEMBER 25, 1969, IN BOOK 994 AS INSTRUMENT NUMBER 797939, ON FILE AT SAID RECORDER'S OFFICE, SAME BEING A POINT ON THE EASTERLY LINE OF SAID LOT, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY AND EASTERLY LINE, NORTH 89°21'09" WEST, 146.48 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS 3728.00 FEET, FROM WHICH BEGINNING THE RADIUS BEARS NORTH 08°09'36" EAST; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°24'08", AN ARC LENGTH OF 156.31 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 65.00 FEET, FROM WHICH A BEGINNING THE RADIUS BEARS NORTH 10°33'44" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 71°31'08", AN ARC LENGTH OF 81.14 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 385.50 FEET, FROM WHICH BEGINNING THE RADIUS BEARS NORTH 82°04'52" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°23'10", AN ARC LENGTH OF 49.69 FEET TO A POINT ON THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN INSTRUMENT NUMBER 20100201-0001520, ON FILE AT SAID RECORDER'S OFFICE; THENCE ALONG SAID WEST LINE, NORTH 00°05'31" WEST, 20.80 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE ALONG THE NORTH LINE OF SAID PARCEL THE FOLLOWING THREE (3) COURSES: 1) NORTH 89°29'45" EAST, 227.91 FEET; 2) NORTH 00°59'41" WEST, 37.35 FEET; 3) SOUTH 89°58'19" EAST, 128.48 FEET TO THE NORTHEAST CORNER OF SAID PARCEL, SAID POINT BEING ON THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY OF POLARIS AVENUE AND THE EASTERLY LINE OF SAID LOT 1; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID EASTERLY LINE, SOUTH 00°19'51" EAST, 191.64 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 54,718 SQUARE FEET, MORE OR LESS.

OWNER: COUNTY OF CLARK
APN 162-20-212-005

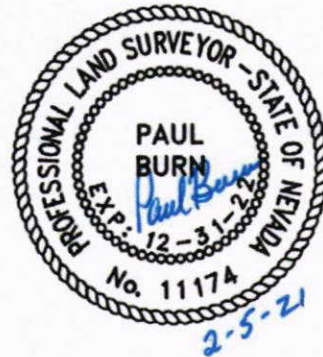
BASIS OF BEARINGS

SOUTH 89°21'09" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN IN FILE 219, PAGE 45 OF SURVEYS ON FILE AT THE CLARK COUNTY RECORDER'S OFFICE.

END OF DESCRIPTION

(SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

PAUL BURN, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 11174



OWNER: COUNTY OF CLARK
APN: 162-20-212-005

EXHIBIT "B" TO ACCOMPANY DESCRIPTION

FOR LINE, RADIAL AND
CURVE TABLE SEE
PAGE 2 OF 2

LOT 1
BOOK 103, PAGE 94
OF PLATS

OR: 20020912: 00518

OR: 20120913: 01693

AREA = 54,718 S.F.

OR: 20100201: 01520

OR: 19961224: 00895

OR: 0994: 0797939

OR: 0929: 0888906

POINT OF
BEGINNING

N89°21'09"W 1291.05'

BASIS OF BEARINGS (S89°21'09"E)
HARMON AVENUE
PUBLIC RIGHT-OF-WAY

POINT OF
COMMENCEMENT
W1/16 20

104.53'

1224.98' N00°19'51"W 1329.51'

POLARIS AVENUE
OR: 0994: 0797939
PUBLIC RIGHT-OF-WAY

NW 1/16 20

NORTH
1" = 100'

VALLEY VIEW BLVD

1/4 19 | 20

EXHIBIT "B" TO ACCOMPANY DESCRIPTION

OWNER: COUNTY OF CLARK
APN: 162-20-212-005

LINE TABLE

LINE	BEARING	LENGTH
L1	S89°40'09"W	30.00'
L2	N89°21'09"W	146.48'
L3	N00°05'31"W	20.80'
L4	N89°29'45"E	227.91'
L5	N00°59'41"W	37.35'
L6	S89°58'19"E	128.48'
L7	S00°19'51"E	191.64'

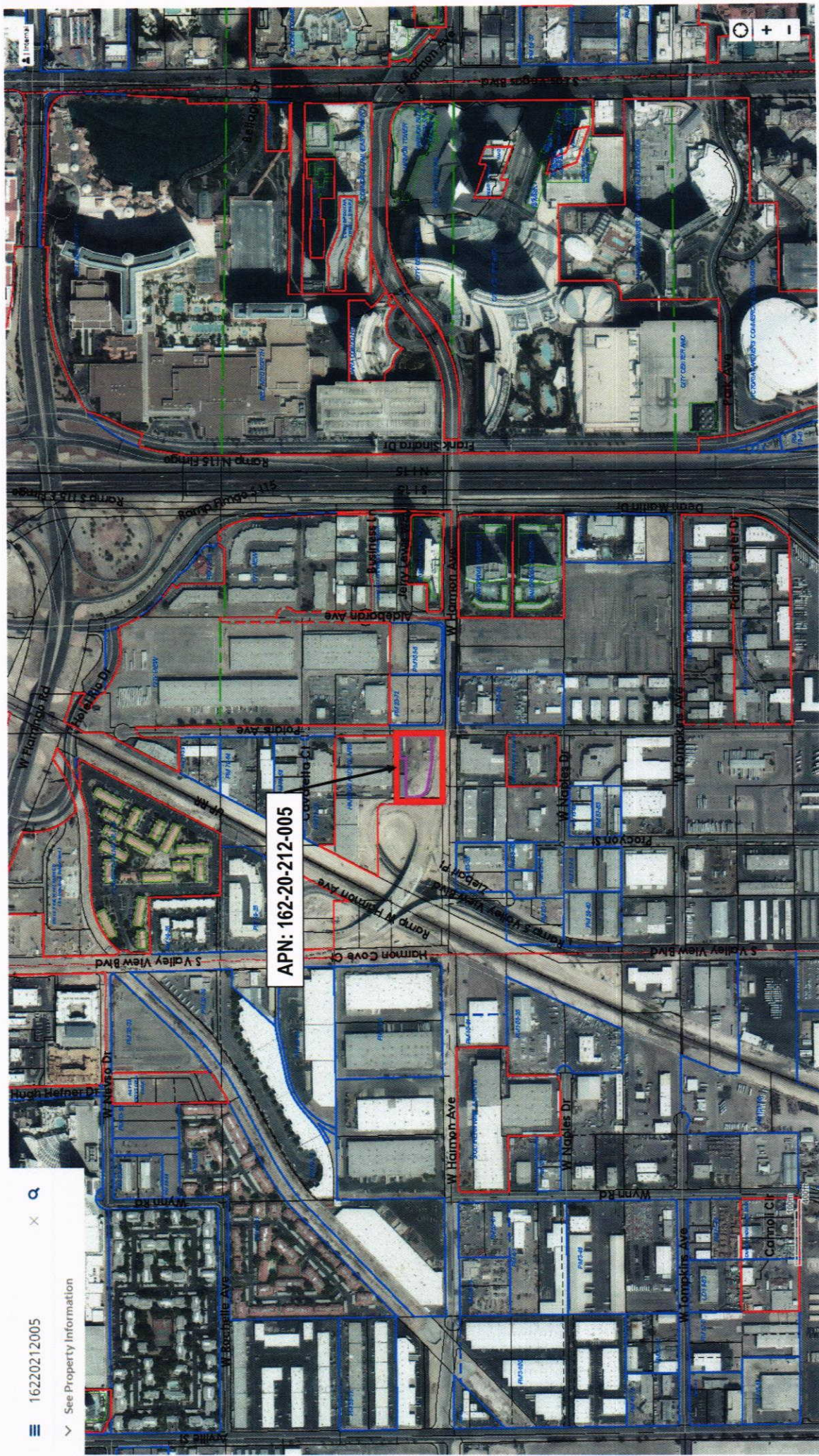
RADIAL TABLE

LINE	BEARING
R1	N08°09'36"E
R2	N10°33'44"E
R3	N82°04'52"E
R4	S89°28'02"W

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	TANGENT
C1	2°24'08"	3728.00'	156.31'	78.17'
C2	71°31'08"	65.00'	81.14'	46.81'
C3	7°23'10"	385.50'	49.69'	24.88'

F:\Projects\500-901A\Division\Srvy\Srvy\Exhibits\162-20-212-005 LOT EX01.dwg



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See Property Information

