

**CLARK COUNTY BOARD OF COMMISSIONERS**  
**ZONING / SUBDIVISIONS / LAND USE**  
**AGENDA ITEM**

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**Petitioner:** Nancy A. Amundsen, Director, Department of Comprehensive Planning

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**Recommendation:** AG-21-900492: Authorize the cancellation of a Development Agreement and signature of a Cancellation Agreement for the Sands Expo Center Annex (exposition hall/convention facility) generally located south of Sands Avenue, east of Koval Lane and west of Manhattan Street, within Paradise. TS/sr (For possible action)

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**FISCAL IMPACT:**

None by this action.

**BACKGROUND:**

The Board of County Commissioners (Board) approved a use permit (UC-0059-06) for Sands Expo Center Annex (exposition hall/ convention facility) on July 19, 2006. In accordance with the conditions of approval, the owner entered into a Development Agreement with Clark County which was adopted by the Board on May 7, 2008 (ORD-0474-08 and DA-0320-08). Since adoption of the Sands Expo Center Annex Development Agreement, the Board approved a use permit (UC-17-1096) for Madison Square Gardens (recreational facility/events center/music venue) at the same location. Conditions of approval for Madison Square Gardens also required a Development Agreement. Additionally, Sands Expo Center Annex use permit (UC-0059-06) has since expired and the Madison Square Gardens facility is currently under construction in accordance with an adopted Development Agreement (ORD-18-900701 and DA-18-0852).

Pursuant to Section 7.04 of the Sands Expo Center Annex Development Agreement, the agreement may be cancelled or terminated upon mutual written agreement of the owner and Clark County. The current owners, Sands Arena Landlord, LLC and Las Vegas Sands, LLC, have requested the agreement be cancelled.

Staff recommends the Board authorize the cancellation of the Sands Expo Center Annex Development Agreement and signature of a Cancellation Agreement with Sands Arena Landlord, LLC and Las Vegas Sands, LLC.

**Cleared For Agenda**  
09/22/21

## CANCELLATION AND RELEASE OF SANDS EXPO CENTER ANNEX DEVELOPMENT AGREEMENT

This CANCELLATION AND RELEASE OF SANDS EXPO CENTER ANNEX DEVELOPMENT AGREEMENT (hereinafter, this “**Cancellation Agreement**”) is made as of \_\_\_\_\_, 2021 by and between the County of Clark, State of Nevada (hereinafter referred to as, “**Clark County**”), Sands Arena Landlord, LLC, a Nevada limited liability company (hereinafter referred to as, “**Sands Arena Landlord**”), and Las Vegas Sands, LLC (hereinafter referred to as, “**Las Vegas Sands**”).

### Recitals

WHEREAS, on July 19, 2006, the Clark County Board of County Commission approved application UC-0059-06 which allowed for the construction of an exposition hall/convention facility (the “**SECC Expansion Project**”) on certain property then owned by Las Vegas Sands described in “Exhibit A” to the Annex Development Agreement (as hereinafter defined) (the “**Property**”).

WHEREAS, application UC-0059-06 carried a condition of approval requiring “A Development agreement as agrees [sic] upon with the applicant to mitigate and address issues identified in Technical Reports and Studies.”

WHEREAS, the approvals granted under application UC-0059-06 were subsequently amended and supplemented through applications WS-0386-07 and WS-1258-07 (together with UC-0059-06, the “**Land Use Approvals**”) to include, among other things, the design and construction of a pedestrian walkway system (the “**Pedestrian Bridge**”).

WHEREAS, in satisfaction of the conditions of the Land Use Approvals, Las Vegas Sands entered into that certain Development Agreement by and between Clark County and Las Vegas Sands for the Sands Expo Center Annex dated May 7, 2008, and recorded on June 12, 2008, as Instrument No. 20080612-0004427 of Official Records of Clark County, Nevada (the “**Annex Development Agreement**”) approved by the Clark County Board of County Commissioners through ORD-0474-08 and DA-0320-08 (Clark County Ordinance 3636) on May 7, 2008.

WHEREAS, the Land Use Approvals for the SECC Expansion Project and the Pedestrian Bridge have expired and the SECC Expansion Project, including the Pedestrian Bridge, were not constructed on the Property.

WHEREAS, Sands Arena Landlord is the current fee owner of the Property;

WHEREAS, pursuant to Section 7.04 of the Annex Development Agreement, the Annex Development Agreement may be cancelled or terminated upon mutual written agreement of the parties thereto, and pursuant to Section 7.10, upon cancellation or termination of the Annex Development Agreement, a statement evidencing such cancellation or termination and signed by the appropriate officers of Clark County and Las Vegas Sands shall be recorded with the Clark County Recorder.

**NOW THEREFORE**, each of Las Vegas Sands, Clark County, and Sands Arena Landlord, agree that the Annex Development Agreement is hereby cancelled and that the parties execute this Cancellation Agreement as a formal cancellation and termination of the Annex Development Agreement by mutual written agreement pursuant to Section 7.04 thereof. The parties further agree that this Cancellation Agreement shall be recorded as required by Section 7.10 of the Annex Development Agreement and that upon such execution and recordation, the Annex Development Agreement shall be terminated, released, discharged and of no further force or effect with respect to the Property, Clark County, Las Vegas Sands, and Sands Arena Landlord, and their respective successors or assigns.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and official seals this \_\_\_\_ day of \_\_\_\_\_, 2021.

[Signature Pages Follow]

**SANDS ARENA LANDLORD, LLC**, a Nevada limited liability company

By: David Z. Hudson

Printed Name: David Z. Hudson, Executive Vice President and Secretary

Date: 16 July 21

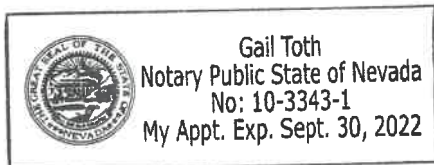
STATE OF Nevada )

COUNTY OF Clark ) ss.

This instrument was acknowledged before me on July 16, 2021, by David Z. Hudson, as Executive Vice President and Secretary of Sands Arena Landlord LLC, a Nevada limited liability company.

Gail Toth

Notary Public  
(SEAL)



LAS VEGAS SANDS, LLC, a Nevada limited liability company

By: David Z. Hudson

Printed Name: David Z. Hudson, Secretary

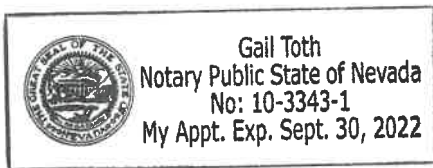
Date: 16 July 21

STATE OF Nevada )

COUNTY OF Clark ) ss.

This instrument was acknowledged before me on July 16, 2021, by  
David Z. Hudson, as Secretary of  
Las Vegas Sands, LLC, a Nevada limited liability company.

Gail Toth  
Notary Public  
(SEAL)



**CLARK COUNTY:**

County of Clark, a political subdivision  
of the State of Nevada<sup>1</sup>

Attest

By: \_\_\_\_\_  
Marilyn Kirkpatrick

\_\_\_\_\_  
Lynn Marie Goya

STATE OF NEVADA       )  
                                      ) ss.  
COUNTY OF CLARK     )

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