

APNs: 086-203-05, 086-223-31, 087-390-10,
087-390-13

Mail Tax Statements To:
Lifestyle Homes TND, LLC, attn. Robert Lissner
4790 Caughlin Parkway, PMB 519
Reno NV 89519

Recording Requested By County Clerk.
When recorded, copy to Community Services

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040
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ORDINANCE APPROVING “AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)”

SUMMARY: Approves a Development Agreement amending and restating a Development Agreement originally approved in 2009 (DA09-001, Ordinance Number 1484) regarding the development of a 680 lot residential development on land described in Exhibit A and extending the deadline to file a final map to February 28, 2022.

BILL NO. _____

ORDINANCE NO. _____

TITLE:

AN ORDINANCE APPROVING AN “AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)” AMENDING AND RESTATING A DEVELOPMENT AGREEMENT ORIGINALLY APPROVED IN 2012 (DEVELOPMENT AGREEMENT CASE NUMBER DA09-001 ORDINANCE NUMBER 1484) REGARDING THE SILVER HILLS SUBDIVISION (APPROVED IN 2011 AS TENTATIVE MAP TM09-001). THIS RESTATED AGREEMENT (CASE NO. AC16-005) EXTENDS THE DEADLINE FOR FILING THE NEXT IN A SERIES OF FINAL SUBDIVISION MAPS TO FEBRUARY 28, 2022. THE PROJECT INCLUDES A TOTAL OF FOUR PARCELS. THE SUBJECT PARCELS ARE LOCATED EAST AND WEST OF RED ROCK ROAD, NORTH OF LONGHORN ROAD. THE PARCELS TOTAL APPROXIMATELY ±780 ACRES AND HAVE A LOW DENSITY SUBURBAN REGULATORY ZONE. THE PARCELS ARE LOCATED WITHIN THE NORTH VALLEYS AREA PLAN, AND ARE SITUATED IN PORTIONS OF SECTIONS 23 AND 24, T21N, R18E, MDM, WASHOE COUNTY, NEVADA. (APNS 086-203-05, 086-223-31, 087-390-10, 087-390-13).

WHEREAS:

- A. Lifestyle Homes TND, LLC ("Landowner") has received approval by the Washoe County Planning Commission of a tentative map (TM 09-001) for a 680 lot residential subdivision project generally known as the Silver Hills Subdivision to be located on the real property generally described in Exhibit A hereto), and has applied to Washoe County to enter into a development agreement pursuant to NRS 278.0201; and; and
- B. The deadline for filing a final map under NRS 278.360 was extended to February 28, 2017, under approved Development Agreement Case Number DA09-001 as Ordinance Number 1484.
- C. On a petition timely filed before the expiration date, for good cause appearing, the current property owner and the Board of County Commissioners desire to replace the previous development agreement with the "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)" to further extend the deadline for filing a final map to February 28, 2022; and
- E. The Board determines that this action is being taken under NRS 278.0205, and therefore is not a rule within the meaning of NRS 237.060;

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DOES HEREBY ORDAIN:

SECTION 1.

The "AMENDED AND RESTATED DEVELOPMENT AGREEMENT (SILVER HILLS)" attached hereto as Exhibit A is hereby APPROVED by this ordinance. The Chairman is authorized to execute and deliver it for recording in the official records of Washoe County.

SECTION 2. General Terms.

- 1. This Ordinance and the Development Agreement shall be recorded in the Official Records of Washoe County.

Development Agreement DA09-001

(TM09-001 Silver Hills)

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2. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
3. The Chairman of the Board and the officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance and the attached agreement.
4. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby superseded for purposes of this Agreement only and to the extent only of such inconsistency. This shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
5. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date (DA09-001, Silver Hills)

Proposed on _____ (month) _____ (day), _____
(year).

Proposed by Commissioner _____.

Passed _____ (month) _____ (day), _____
(year).

Vote:

Ayes: Commissioners

Nays: Commissioners

Absent: Commissioners

Attest:

County Clerk

Chair of the Board

This ordinance shall be in force and effect from and after the _____ day of the month of _____ of the year _____.