

When Recorded Return to:
Sparks City Clerk
PO Box 857
Sparks, NV 89432

BILL NO. 2769

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

**PCN16050 - 5 RIDGES
(FORMERLY KNOWN AS THE
QUARRY), 386.87 ACRES AT
555 HIGHLAND RANCH
PARKWAY**

AN ORDINANCE BY THE CITY OF SPARKS TO APPROVE A DEVELOPMENT AGREEMENT, AMENDMENT NUMBER 1, WITH QK, LLC, AND 5 RIDGES DEVELOPMENT COMPANY, INC., CONCERNING THE DEVELOPMENT OF A PARCEL 386.87 ACRES IN SIZE LOCATED AT 555 HIGHLAND RANCH PARKWAY, SPARKS, NEVADA, AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, the City is authorized, pursuant to Chapter 278 of the Nevada Revised Statutes and Title 20 of the Sparks Municipal Code, to enter into agreements concerning the development of land with persons having a legal or equitable interest in real property;

WHEREAS, on June 25, 2018, Jackling Aggregates, LLC, owned certain real property situated in the County of Washoe, State of Nevada, more specifically described as Assessor's Parcel Number 083-011-15, more particularly described in Exhibit A and depicted in Exhibit B attached hereto and incorporated herein by this reference (collectively, the "Property");

WHEREAS, on June 25, 2018, the City entered into a development agreement concerning the Property with Jackling Aggregates, LLC, the owner of the Property on that date; and QK, LLC, the master developer on that date. The June 25, 2018 development agreement was recorded in the official records of Washoe County as Document 4827784 on June 29, 2018;

WHEREAS, QK, LLC, filed annexation, comprehensive plan, and zoning applications with the City of Sparks to annex the Property into the City of Sparks and change the comprehensive plan and zoning designations on the Property, more particularly described as City of Sparks Application Nos. PCN16-0050, AX16-0003, MPA17-0005, and RZ17-0006 (collectively, the "Applications");

WHEREAS, in conjunction with the June 25, 2018 development agreement, the City processed and approved the Applications; and

WHEREAS, QK, LLC, acquired the Property from Jackling Aggregates, LLC, in March of 2019, and 5 Ridges Development Company, Inc., has assumed the role of master developer for the Property;

WHEREAS, the City, QK, LLC, and 5 Ridges Development Company, Inc. (collectively, the "Parties"), acknowledge that Amendment Number 1 to the Agreement will (i) promote the health, safety, and general welfare of the City and its inhabitants; (ii) minimize uncertainty in planning for and securing orderly development of the Property and surrounding areas; (iii) ensure attainment of the maximum efficient utilization of resources within the City at the least economic cost to its citizens; and (iv) otherwise achieve the goals and purposes for which the laws governing development agreements were enacted;

WHEREAS, Amendment Number 1 amends and supersedes the June 25, 2018 development agreement but does not affect the Entitlement Requests approved in conjunction therewith;

WHEREAS, the Parties desire to enter into Amendment Number 1 to the Agreement in order to provide for development of the Property; and

WHEREAS, NRS 278.0203 and SMC 20.05.009 allow the Sparks City Council to approve a development agreement or an amendment thereto by ordinance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1: The City hereby releases Jackling Aggregates, LLC, and QK, LLC, from their respective obligations arising under the June 25, 2018 development agreement.

SECTION 2: The Development Agreement, Amendment Number 1, by and between the City of Sparks, QK, LLC, and 5 Ridges Development Company, Inc. is approved.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the approved Development Agreement, Amendment Number 1, as provided by law.

SECTION 5: This ordinance shall become effective upon passage, approval, publication, and recordation.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare, and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 7: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation, or expansion of a business, or is otherwise exempt from Nevada Revised

Statutes Chapter 237.

PASSED AND ADOPTED this _____ day of _____,
2019, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____,
2019 by:

RONALD SMITH, Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

LISA HUNDERMAN, City Clerk

CHESTER H. ADAMS, City Attorney

Exhibit A
The Quarry: Legal Description

All that certain real property situate within a portion of Section 9, Township 20 North, Range 20 East, Mount Diablo Meridian, County of Washoe, State of Nevada, described as follows:

Parcel 2 as shown on the Record of Survey to support a Boundary Line Adjustment (RS3818) filed within the Official Records of Washoe County, Nevada on June 30, 2000 as File No. 2460839 and being more particularly described as follows:

Beginning at the Northeast corner of Section 9;
South 05°43'28" West, 2702.52 feet to the East one-quarter (E ¼) corner of Section 9;
Continuing along the Easterly line of Section 9, South 00°57'17" West, 1318.51 feet to the Northerly line of the Southeast one-quarter (SE ¼) of Section 9; Thence along the Northerly line of the Southeast one-quarter (SE ¼) of Section 9, North 89°02'15" West, 189.31 feet to the Northerly right-of-way of Highland Ranch Parkway; Leaving the Northerly line of the Southeast one-quarter (SE ¼) of Section 9, along the Northerly right-of-way of Highland Ranch Parkway, along the arc of a non-tangent curve to the left, from a tangent which bears North 29°56'39" West, having a length of 815.03 feet and a radius of 530.00 feet, through a central angle of 88°06'31"; Continuing along the Northerly right-of-way of Highland Ranch Parkway, South 61°56'50" West, 126.45 feet; Continuing along the Northerly right-of-way of Highland Ranch Parkway, along the arc of a curve to the right, having a length of 90.68 feet and a radius of 570.00 feet, through a central angle of 09°06'56"; Continuing along the Northerly right-of-way of Highland Ranch Parkway, South 71°03'46" West, 254.89 feet; Continuing along the Northerly right-of-way of Highland Ranch Parkway, along the arc of a curve to the left, having a length of 279.50 feet and a radius of 630.00 feet, through a central angle of 25°25'09"; Continuing along the Northerly right-of-way of Highland Ranch Parkway, South 45°38'37" West, 300.00 feet; Continuing along the Northerly right-of-way of Highland Ranch Parkway, along the arc of a curve to the right, having a length of 453.78 feet and a radius of 570.00 feet, through a central angle of 45°36'50"; Continuing along the Northerly right-of-way of Highland Ranch Parkway, North 88°44'33" West, 300.00 feet; Continuing along the Northerly right-of-way of Highland Ranch Parkway, along the arc of a curve to the left, having a length of 204.69 feet and a radius of 630.00 feet, through a central angle of 18°36'55", to the North-South centerline of Section 9; Leaving the Northerly right-of-way of Highland Ranch Parkway, along the North-South centerline of Section 9, North 03°39'56" East, 1859.59 feet to the center of Section 9; Thence along the East-West centerline of Section 9, North 89°25'32" West, 2683.82 feet to the West one-quarter (1/4) of Section 9; Thence along the West line of Section 9, North 03°18'58" East, 2211.00 feet to the Northwest corner of Section 9; Thence along the North line of Section 9, North 85°28'37" East, 2721.15 feet to the North one-quarter (N ¼) corner of Section 9; Continuing along the North line of Section 9, North 85°29'07" East, 2720.96 feet to the Northeast corner of Section 9 and the Point of Beginning.

Containing 386.87 acres, more or less.

APN: **083-011-15**



LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATE WITHIN A PORTION OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 20 EAST, MOUNT DIABLO MERIDIAN, COUNTY OF WASHOE, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

PARCEL 2 AS SHOWN ON THE RECORD OF SURVEY TO SUPPORT A BOUNDARY LINE ADJUSTMENT (RS3818) FILED WITHIN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA ON JUNE 30, 2000 AS FILE NO. 2460839 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 9;

SOUTH 05°43'28" WEST, 2702.52 FEET TO THE EAST ONE-QUARTER (E ¼) CORNER OF SECTION 9;

CONTINUING ALONG THE EASTERLY LINE OF SECTION 9, SOUTH 00°57'17" WEST, 1318.51 FEET TO THE NORTHERLY LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 9;

THENCE ALONG THE NORTHERLY LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 9, NORTH 89°02'15" WEST, 189.31 FEET TO THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY;

LEAVING THE NORTHERLY LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 9, ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, FROM A TANGENT WHICH BEARS NORTH 29°56'39" WEST, HAVING A LENGTH OF 815.03 FEET AND A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 88°06'31";

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, SOUTH 61°56'50" WEST, 126.45 FEET;

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A LENGTH OF 90.68 FEET AND A RADIUS OF 570.00 FEET, THROUGH A CENTRAL ANGLE OF 09°06'56";

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, SOUTH 71°03'46" WEST, 254.89 FEET;

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A LENGTH OF 279.50 FEET AND A RADIUS OF 630.00 FEET, THROUGH A CENTRAL ANGLE OF 25°25'09";

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, SOUTH 45°38'37" WEST, 300.00 FEET;

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A LENGTH OF 453.78 FEET AND A RADIUS OF 570.00 FEET, THROUGH A CENTRAL ANGLE OF 45°36'50";

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, NORTH 88°44'33" WEST, 300.00 FEET;

CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY OF HIGHLAND RANCH PARKWAY, ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A LENGTH OF 204.69 FEET AND A RADIUS OF 630.00 FEET, THROUGH A CENTRAL ANGLE OF 18°36'55";

THENCE ALONG THE EAST-WEST CENTERLINE OF SECTION 9, NORTH 03°39'56" EAST, 1859.59 FEET TO THE CENTER OF SECTION 9;

THENCE ALONG THE EAST-WEST CENTERLINE OF SECTION 9, NORTH 89°25'32" WEST, 2683.82 FEET TO THE WEST ONE-QUARTER (1/4) OF SECTION 9;

THENCE ALONG THE WEST LINE OF SECTION 9, NORTH 03°18'58" EAST, 2211.00 FEET TO THE NORTHWEST CORNER OF SECTION 9;

THENCE ALONG THE NORTH LINE OF SECTION 9, NORTH 85°28'37" EAST, 2721.15 FEET TO THE NORTH ONE-QUARTER (¼) CORNER OF SECTION 9;

CONTINUING ALONG THE NORTH LINE OF SECTION 9, NORTH 85°29'07" EAST, 2720.96 FEET TO THE NORTHEAST CORNER OF SECTION 9 AND THE POINT OF BEGINNING.

CONTAINING 386.87 ACRES, MORE OR LESS.

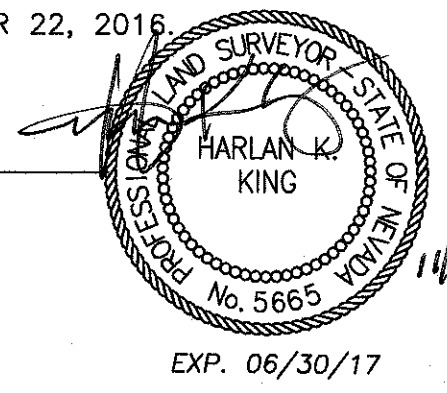
APN: 083-011-15

PETITIONER
 JACKLING AGGREGATES, LLC
 ATTN: KRISTI GIUDICI
 1475 E. GREG STREET, SUITE A
 SPARKS, NV 89431

SURVEYOR'S CERTIFICATE

I, HARLAN K. KING, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, DO HEREBY STATE:

- THIS MAP CORRECTLY REPRESENTS THE TOTAL AREA OF LAND PROPOSED FOR ANNEXATION INTO THE CITY OF SPARKS.
- THE PROPERTY SHOWN LIES WITHIN A PORTION OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 20 EAST, M.D.M.
- THE SURVEY WAS COMPLETED ON NOVEMBER 22, 2016.



HARLAN K. KING, PLS 5665

CITY COUNCIL APPROVAL

APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SPARKS, WASHOE COUNTY, NEVADA, ON THE _____ DAY OF _____, 2017 BY ORDINANCE _____

GENO MARTINI, MAYOR

DATE

Exhibit B

MAP IN SUPPORT OF A
 PETITION FOR ANNEXATION TO THE CITY OF SPARKS
 FOR
THE QUARRY
 JACKLING AGGREGATES, LLC

BEING THE NW 1/4, NE 1/4, AND A PORTION OF THE SE 1/4 OF SECTION 9
 TOWNSHIP 20 NORTH, RANGE 20 EAST, M.D.M.

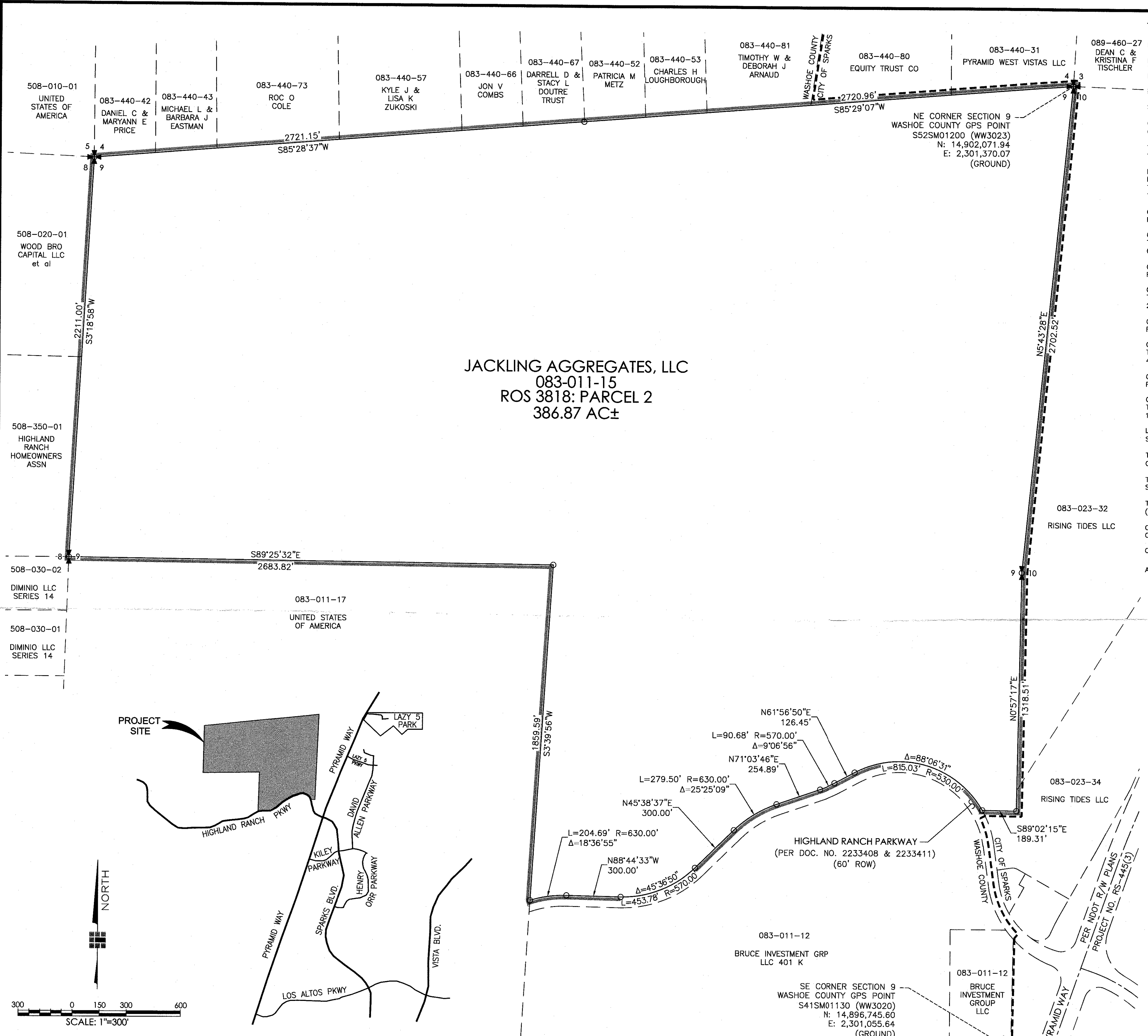
CITY OF SPARKS WASHOE COUNTY NEVADA

CHRISTY
 CORPORATION

1000 Kiley Pkwy | Sparks Nevada 89436
 775.502.8552 christynv.com

SHEET 1 OF 1

JACKLING AGGREGATES, LLC
 083-011-15
 ROS 3818: PARCEL 2
 386.87 AC±

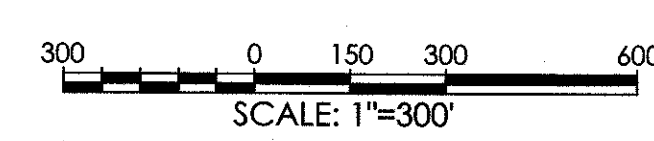


BASIS OF BEARING
 NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983/1994, HIGH ACCURACY REFERENCE NETWORK (NAD 83/94-HARN), AS DETERMINED FROM THE FOUND POSITIONS OF THE MONUMENTS SHOWN HEREON AS "WW3020" AND "WW3023" USING THE COORDINATES AS PUBLISHED BY THE CITY OF SPARKS, PER RECORD OF SURVEY MAP NO. 3818, FILE NO. 2460839, OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA. (I.E. N03°22'08"E)

- LEGEND**
- GPS CONTROL POINT
 - 1/4 SECTION CORNER
 - SECTION CORNER
 - ADJACENT PARCEL LINE
 - BOUNDARY LINE
 - SECTION/GPS TIE
 - ANNEXATION BOUNDARY
 - EXISTING CITY LIMIT

REFERENCE
 1. RECORD OF SURVEY MAP NO. 3818, FILE NO. 2460839, JUNE 30, 2000, OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA

NOTE
 1. THIS MAP DOES NOT REPRESENT A FIELD SURVEY AND IS BASED ON RECORD INFORMATION ONLY.



VICINITY MAP
 NOT TO SCALE