## Department of Water and Power



## the City of Los Angeles

ANTONIO R. VILLARAIGOSA

Commission
THOMAS S. SAYLES, President
ERIC HOLOMAN, Vice President
RICHARD F. MOSS
CHRISTINA E. NOONAN
JONATHAN PARFREY
BARBARA E. MOSCHOS, Secretary

RONALD O. NICHOLS

General Manager

May 29, 2013

The Honorable City Council City of Los Angeles Room 395, City Hall Los Angeles, California 90012

Honorable Members:

Subject: Authorizes execution of Subdivision Parcel Map from the larger Mohave Generating Station Property

Pursuant to Charter Section 675(d)(2), enclosed for approval by your Honorable Body is Resolution No. 013 276, adopted by the Board of Water and Power Commissioners (Board) on May 24, 2013, approved as to form and legality by the City Attorney, which authorizes execution of Subdivision Parcel Map Creating a Separate 8.01 acre parcel from the larger Mohave Generating Station Property (Real Estate File P-85414). As directed by the Board, transmitted to you are supporting documents.

If there are any questions regarding this item, please contact Ms. Winifred Yancy, Manager of Intergovernmental Affairs and Community Relations, at (213) 367-0025.

Sincerely,

Barbara E. Moschos

**Board Secretary** 

BEM:oja

**Enclosures: LADWP Resolution** 

Board Letter CAO Report c/enc: Mayor Antonio Villaraigosa

Councilmember Jose Huizar, Chair, Energy and the Environment Committee Gerry F. Miller, Chief Legislative Analyst

Miguel A. Santana, City Administrative Officer Rafael Prieto, Legislative Analyst, CLA William R. Koenig, Chief Administrative Analyst

Winifred Yancy

DWP File P-85414 (Mohave Generating Station) (Approval of Subdivision Parcel Map)

WHEREAS, the Department of Water and Power (LADWP), in partnership with Southern California Edison Company (SCE), Nevada Power Company (dba "NV Energy"), and the Salt River Project Agricultural Improvement and Power District, owns the deactivated Mohave Generating Station (MGS) and associated property in Clark County, Nevada; and

WHEREAS, the MGS partnership currently leases a certain 8.01 acre parcel of land and associated buildings to NV Energy, which is using the area as a maintenance yard and reporting location for its power distribution staff who serve the local Laughlin Nevada area; and

WHEREAS, NV Energy wishes to purchase the leased area so that it may continue with its present use for the foreseeable future notwithstanding the MSGS decommissioning activities and possible disposition of MGS assets; and

WHEREAS, before the MGS partners can sell this 8.01 acre parcel to NV Energy, the larger MGS property must be subdivided to legally create the separate 8.01 acre parcel that may, subject to additional separate approval, be sold to NV Energy, said subdivision will be accomplished through the approval and recording of a subdivision Parcel Map; and

WHEREAS, said Parcel Map, attached hereto as Exhibit A, in order to meet with local planning authority approval, contains an offer and dedication to the County of Clark of an easement for public right of way consisting of approximately 6,510.32 square feet in area;

### NOW THEREFORE BE IT RESOLVED:

- 1. Said Parcel Map, which creates a separate 8.01 acre parcel from a larger portion of the MGS property and offers and dedicates the County of Clark, an approximately 6,510.32 square foot public right of way easement, is hereby approved.
- 2. The President or Vice President of this Board, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or Acting Secretary of the Board are hereby authorized and directed to execute said Parcel Map for and on behalf of LADWP.
- 3. The City Council is requested to authorize and direct the execution of said Parcel Map as provided in Section 675(d)(2) of the City Charter.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held  $MAY\ 2\ 4\ 2013$ 

ASSISTANT BOARD SECRETARY

APPROVED AS TO FORM AND LEGALITY CARMEN A. TRUTANICH, CITY ATTORNEY

FEB 28 2013

EDUARDO A. ANGELES / SENIOR ASSISTANT CITY ATTORNEY LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP) BOARD APPROVAL LETTER

TO: BOARD OF WATER AND POWER COMMISSIONERS		<b>DATE:</b> May 9, 2013
GARY WONG Assistant General Manager-Systems Support Division	RONALD O. NICHOLS General Manager	SUBJECT:  Approval of Subdivision Parcel Map Affecting Mohave Generating Station Property  (Real Estate File P-85414)
ARAM BENYAMIN Senior Assistant General Manager- Power System		FOR COMMISSION OFFICE USE:  RESOLUTION NO
	IF YES, BY WHICH CITY CHARTER SECTION: 675(d)(2)	

## **PURPOSE**

Transmitted for approval by your Honorable Board is a Resolution, approved as to form and legality by the City Attorney, which if adopted, will authorize the execution of a Subdivision Parcel Map creating a separate 8.01 acre parcel from the larger Mohave Generating Station (MGS) property.

- Location: The vicinity of Cal Edison Drive, near Laughlin, Clark County, Nevada
- Area: 8.01 acre
- **Improvements**: 2 industrial buildings, 16,070 square feet gross area plus parking

## **COST AND DURATION**

There is no direct cost to LADWP. The subdivision represents a permanent change to the character of the property.

## **BACKGROUND**

The LADWP, in partnership with Southern California Edison Company (SCE), Nevada Power Company (dba NV Energy), and the Salt River Project Agricultural Improvement and Power District, own the MGS and associated property in Clark County, Nevada. SCE operates and manages MGS on behalf of the partnership. The MGS is currently undergoing plant decommissioning activities.

The MGS partnership currently leases an 8.01 acre parcel of land and associated buildings to NV Energy. NV Energy is using the leased area as a maintenance yard and

Board of Water and Power Commissioners Page 2 May 9, 2013

reporting location for its power distribution staff who serves the local Laughlin area. NV Energy wishes to continue with its present use for the foreseeable future notwithstanding the decommissioning of the generation station and possible disposition of the remainder of the MGS property. Accordingly, NV Energy proposes to buy the parcel from the partnership. Before this 8.01 acre parcel can be sold to NV Energy, the larger MGS property must be subdivided in accordance with Nevada law thereby creating the separate, discrete, and saleable parcel which is identified as Parcel 2 of the Parcel Map attached hereto as Exhibit A. The approval and recording of the Parcel Map by local authorities will effectively subdivide the property.

One condition for subdivision of the property, required by local planning authorities, is the dedication of an easement for public right of way. This easement is depicted in Exhibit A, page 2, as a cul-de-sac with an area of approximately 6,510 square feet. This dedication constitutes a divestiture of real property rights and thus, requires approval of this Board as well as City Council. The approval of the actual sale of LADWP's 10% interests in the 8.01 acre parcel will require separate Board and Council approval. This will be sought once the subdivision is effective.

The Ordinance, required pursuant to Charter Section 675(d) (2), will be transmitted by the City Attorney's Office to the Council for approval. A copy of the City Administrative Officer report, dated April 24, 2013, is attached.

## **ENVIRONMENTAL DETERMINATION**

In compliance with the California Environmental Quality Act (CEQA), it has been determined that this work is exempt from further requirements under the Los Angeles City CEQA Guidelines, Article III, Class 5 (17), and Class 15 Categorical Exemptions.

## RECOMMENDATION

It is requested that your Honorable Board adopt the attached Resolution recommending City Council's approval of the execution of a Subdivision Parcel Map affecting an 8.01 acre parcel of MGS property, all upon the terms and conditions contained therein.

MDG:bn
Attachments
e-c/att: Ronald O. Nichols
Richard M. Brown
Aram Benyamin
James B. McDaniel

Philip Leiber Gary Wong Reynan L. Ledesma Marc D. Garcia

POWER SYSTEM

MAY 06 2013

EXECUTIVE OFFICE

TRANSMITTAL	1	0220-04643-0003
ТО	DATE	COUNCIL FILE NO.
Ronald O. Nichols, General Manager Department of Water and Power	MAY 0 1 2013	
FROM The Mayor	-	COUNCIL DISTRICT

PROPOSED RESOLUTION AUTHORIZING A SUBDIVISION PARCEL MAP FOR THE MOHAVE GENERATING STATION PROPERTY AND AN ASSOCIATED DEDICATION OF AN EASEMENT FOR PUBLIC RIGHT OF WAY

Approved and transmitted for further processing including Council consideration. See the City Administrative Officer report attached.

MAS:RPR:10130131t

CAO 649-d

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date:

April 24, 2013

CAO File No.:

0220-04643-0003

Council File No.: Council District:

To:

The Mayor

From:

Miguel A. Santana, City Administrative Officer

Reference:

Transmittal from the Department of Water and Power dated March 5, 2013; referred by

the Mayor for report on March 18, 2013

Subject:

PROPOSED RESOLUTION AUTHORIZING A SUBDIVISION PARCEL MAP FOR

THE MOHAVE GENERATING STATION PROPERTY AND AN ASSOCIATED

**DEDICATION OF AN EASEMENT FOR PUBLIC RIGHT OF WAY** 

### **SUMMARY**

The Department of Water and Power (DWP; Department) requests approval of a proposed resolution which authorizes the Department, by Ordinance, as a co-owner of the decommissioned Mohave Generating Station (Mohave Station), to execute a Subdivision Parcel Map creating a separate 8.01 acre parcel from the larger Mohave Station property, and provide an associated dedication to the County of Clark, Nevada, of an easement for public right of way. The DWP has determined that this property is no longer required for use by the Department. Pursuant to Charter Section 675(d)(2), Council approval is required to dispose of real property. The City Attorney has approved the proposed resolution as to form and legality.

The Mohave Station is a 1,510 Megawatt coal-fired power plant located on approximately 2,490 acres, currently undergoing decommissioning activities, that is co-owned by a partnership of four utilities consisting of Southern California Edison Company (SCE) – 56 percent, Salt River Project – 20 percent, Nevada Power Company (NV Energy) – 14 percent, and DWP – 10 percent. SCE operates and manages Mohave Station on behalf of the partnership, including during the plant decommissioning activities. The co-owners currently lease the 8.01 acre parcel of land and associated building to NV Energy for use as a maintenance yard and field office.

NV Energy wants to continue with its present use of the land notwithstanding the decommissioning activities and possible sale or disposition of the remainder of the Mohave Station property. NV Energy proposes to purchase the parcel from the partnership; however, the current property must be subdivided in accordance with State of Nevada law to create a separate, discrete, and saleable parcel. Furthermore, as a condition of local planning approval for the subdivision by the County of Clark, Nevada, a dedication of easement for public right of way is also required that involves 6,510 square feet. Approval of the current request only pertains to this proposed subdivision of the Mohave Station and the associated dedication of easement for public right. The actual sale of the Department's 10 percent interest in the Mohave Station property will require a separate Board and Council action that will be pursued following the completion of this proposed parcel subdivision.

#### BACKGROUND

The Mohave Station, located in Laughlin, Nevada, entered commercial operation in 1971. Due to noncompliance with a Consent Decree that required the installation of emission control equipment, the Mohave Station was removed from service in December 2005. As of October 2007, the Mohave Station was in permanent shutdown status. Subsequently, the Department advises that many options were considered by the co-owners, including converting the station to a gas-fired generating station, selling it to interested parties, decommissioning the station, and redeveloping the site as a solar plant or a hybrid solar/gas-fired power generating plant. Following several failed attempts to sell the power plant, the co-owners agreed to decommission the Mohave Station. Each co-owner is obligated to pay its proportional share of the expenses associated with the decommissioning of the Mohave Station. Decommissioning activities began in 2009 and were completed in 2012. Until a redevelopment plan or other option is approved, the plant site is to be maintained at a safe, secure, and environmentally compliant condition.

Upon review of the attached DWP request, it is the opinion of this Office that the item can be approved as the requested action appears to be reasonable and in accordance with City policies and procedures.

### RECOMMENDATION

## That the Mayor:

- Approve the proposed resolution authorizing the Department of Water and Power, by Ordinance, as a co-owner, to execute a Subdivision Parcel Map affecting the sale of an 8.01 acre parcel of the Mohave Generating Station property, and provide an associated dedication to the County of Clark, Nevada, of an easement for public right of way as provided for in the resolution; and
- 2. Return the proposed resolution to the Department for further processing, including Council consideration.

#### FISCAL IMPACT STATEMENT

Approval of the proposed resolution does not have a fiscal impact on the Department. A subsequent request regarding the sale or disposition of the Department's 10 percent interest in the Mohave Generating Station property could impact the Power Revenue Fund; however, the amount has not been determined. The proposed action complies with the Department's adopted Financial Policies. Approval of the proposed resolution will have no impact on the City's General Fund.

## TIME LIMIT FOR COUNCIL ACTION

Pursuant to Charter Section 675(d)(2), "Powers and Duties of the Board – Real Estate Interests," subject to the water rights of the City, there is no time limit for Council action on agreements for real property or any rights in real property held by DWP that will be sold, leased or withdrawn from the Department's control.

MAS:RPR:10130131

# PARCEL MAP

A SUBDIVISION OF PARCEL FIVE AS DESCRIBED BY THAT CERTAIN GRANT DEED RECORDED OCTOBER 26, 1966 IN BOOK 754 AS INSTRUMENT NUMBER 606206 OF OFFICIAL RECORDS IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN SECTION 27, TOWN 32 SOL' RANGE 66 EAST, M.D.M., CLARK COUNTY, NEVADA

WE, SOUTHERN CALIFORNIA EDISON COMPANY, A CALIFORNIA CORPORATION; NEVADA POWER COMPANY, A NEVADA CORPORATION D/B/A NY EMERGY; SALT RIMER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, AN AGRICULTURAL IMPROVEMENT OF THE STATE OF DISTRICT; AND THE CITY OF LOS ANGELES, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PARCEL OF LAND WHICH IS SHOWN UPON THE ATTACHED MAP, WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THE PLAT AND DO HEREBY OFFER AND CEDICATE ALL THE PUBLIC RIGHT—OF—WAY, STREETS AS SPECIFICALLY INDICATED AND OUTLINED MEREON TO CLARK COUNTY, NEVADA, AND ITS SUCCESSORS AND ASSIGNS, FOR THE USE OF THE PUBLIC.
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NEVADA POWER COMPANY, A NEVADA CORPORATION D/B/A NV ENERGY.  OI 28 2013  BY: PAUL IL KALETA DATE
BY: PAUL IL KALETA DATE TITLE: EXECUTIVE VICE PRESIDENT, SHARED SERVICES, GENERAL COUNSEL AND CORPORATE SECRETARY
SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, AN AGRICULTURAL IMPROVEMENT DISTRICT ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF ARIZONA.
dandra Buna 3/4/2013 BY SANDRA BYRT DATE
THE DIRECTOR, LAND & PAPAGO PARK CENTER
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CITY OF LOS ANGELES, A MUNICIPAL CORPORATION OF THE STATE OF CALIFORNIA BY THE BOARD OF WATER AND POWER COMMISSIONERS OF THE CITY OF LOS ANGELES.
BY: DATE TILE:
BY: DATE
AUTHORIZED BY RESOLUTION NUMBERADOPTED
APPROVED BY COUNCIL COUNCIL FILE NUMBER (ORDINANCE)
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county of LOS Angeles }ss on 21/2013 before Me, Chert L MEETING. NOTARY PUBLIC, PERSONALLY APPEARED CHRISTIAN J Fannus.
ON 2/1/2013 BEFORE ME, Then & MCElroy
NOTARY PUBLIC, PERSONALLY APPEARED Christing J Fandus .
FOR SOUTHERN CAUFORNIA EDISON COMPANY, A CAUFORNIA CORPORATION, WHO PROVED TO ME ON THE BASIS OF SATISFACTIORY EVIDENCE TO SE THE PERSON WHOSE NAME IS SUBSCUREDED TO THE WITHIN INSTRUMENT AND ACKNOWING DEED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OF THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.
I CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
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COUNTY OF CLARK 3 SS
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON
BY PAUL KALETA, EXECUTIVE VICE PRESIDENT, SHARED SERVICES, GENERAL COUNSEL AND
CORPORATE SECRETARY FOR NEVADA POWER COMPANY, A NEVADA CORPORATION, D/B/A NY ENERGY.
CORPORATE SECRETARY FOR NEVADA POWER COMPANY, A NEVADA CORPORATION, D/B/A

MY COMMISSION EXPIRES ON May 12, 2016

OWNER'S CERTIFICATE

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RECORDER'S NOTE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX, NRS 278.5895

#### SURVEYOR'S CERTIFICATE

I, BRIAN S. BILLINGSLEY, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF MEYADA, AS AGENT FOR NY EMERCY, INC., CERTIFY THAT:

- THIS PLAT REPRESENTS THE RESULTS OF A SURVEY COMDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF NEVADA POWER COMPANY D/B/A NY ENERGY.
- THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- 4) THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SMOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.



BRIAN S. BILLINGSLEY
PROFESSIONAL LAND SURVEYOR NEVADA CERTIFICATE NO. 20786

#### COUNTY SURVEYOR'S CERTIFICATE

I, JAMES L MARLETT JR., COUNTY SURVEYOR FOR CLARK COUNTY, NEVADA, DO HEREBY CERTIFY:

THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2013, I DID EXAMINE THIS PARCEL MAP AND THAT IT IS TECHNICALLY CORRECT, AND DO FURTHER CERTIFY THAT I HAVE APPROVED AND ACCEPTED ON BEHALF OF THE PUBLIC, ANY PARCELS OF LAND OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION SHOWN HEREON.

JAMES L. MARLETT JR., P.L.S. CLARK COUNTY SURVEYOR NEVADA CERTIFICATE NO. 13386

#### ZONING ADMINISTRATOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE ZONING ADMINISTRATOR, AS DESIGNATED BY THE BOARD OF COUNTY COMMISSIONERS, APPROVED THIS MAP ON BEHALF OF CLARK COUNTY ON THE

\_\_\_\_ DAY OF \_\_\_\_

TINA GARRISON FOR THE ZONING ADMINISTRATOR

PURSUANT TO N.R.S. 278.468, THIS MAP MUST BE RECORDED BY

#### BASIS OF BEARINGS

NORTH 00'35'00" WEST BEING THE BEARING OF THE WEST LINE OF THE NORTHWEST CHARTER (NW 1/4) OF SECTION 27, TOWNSHIP 32 SOUTH, RANGE 66 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN ON THAT CERTAIN MAP ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, IN FILE 103, PAGE 40 OF SURVEYS.

#### REFERENCE MAPS

BOOK 31, PAGE 49 OF PLATS FILE 51, PAGE 42 OF PARCEL MAPS FILE 17, PAGE 45 OF SURVEYS FILE 103, PAGE 40 OF SURVEYS FILE 157, PAGE 1 OF SURVEYS

MSM-0023-11

SHEET 1 OF 2

FILED AT THE REQUEST OF

NV ENERGY

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A PORTION	OF SECT	TON 27,	TOWNSHIP	32 SOUTH
RANGE 66	EAST, M.	D.M., CL	ARK COUNT	IY, NEVAD



**NV ENERGY** PROPERTY SERVICES

P.O. BOX 98910 LAS VEGAS, NV 89151-0001

DATE: 22 JAN. 2013 BY: SLD

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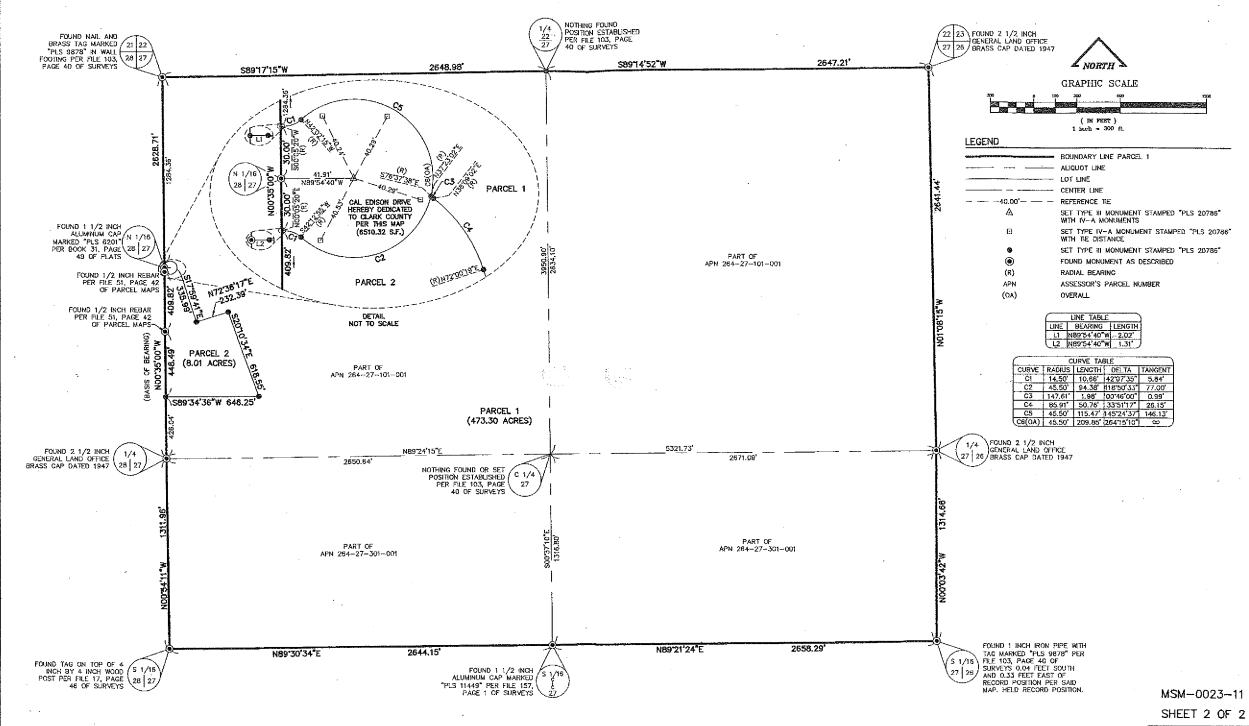
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OF PARCEL MAPS	
CLARK COUNTY, NEVADA REC DEBBIE CONWAY, RECORDE	

INSTRUMENT NO OFFICIAL RECORDS BOOK NO.

# PARCEL MAP

A SUBDIVISION OF PARCEL FIVE AS DESCRIBED BY THAT CERTAIN GRANT DEED RECORDED OCTOBER 26, 1966 IN BOOK 754 AS INSTRUMENT NUMBER 606206 OF OFFICIAL RECORDS IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN SECTION 27, TOWNS 32 SOUT NANGE 66 EAST, M.D.M., CLARK COUNTY, NEVADA



File \_\_\_\_\_ Page \_\_\_