

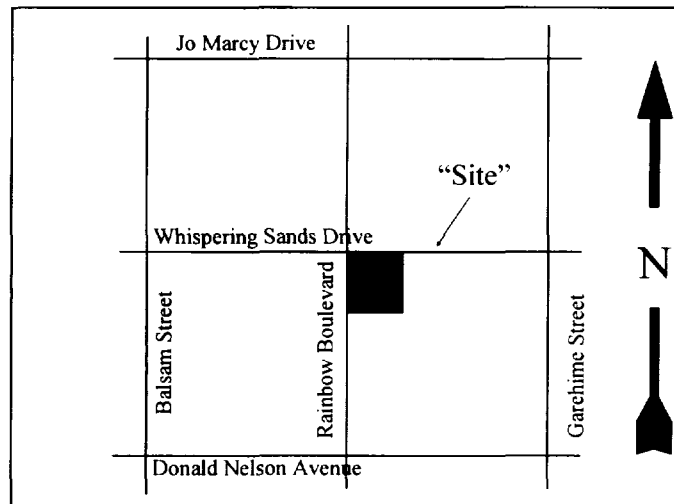
AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 5, 2005

DEPARTMENT: PUBLIC WORKS

ITEM DESCRIPTION: SEWER CONNECTION AND APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT – THOMAS FAMILY TRUST, RICK R. THOMAS AND KIMBERLY THOMAS, TRUSTEES, OWNERS (SOUTHEAST CORNER OF WHISPERING SANDS DRIVE AND RAINBOW BOULEVARD, APN 125-14-201-001)

VICINITY MAP



INTERLOCAL CONTRACT

THIS CONTRACT is entered into as of the 22nd day of November, 2004, by and between the CLARK COUNTY WATER RECLAMATION DISTRICT ("DISTRICT") and the CITY OF LAS VEGAS ("CITY"), both political subdivisions of the State of Nevada, located within Clark County, Nevada.

WITNESSETH:

WHEREAS, NRS 277.180 provides that one or more public agencies may enter into contracts for the performance of sewer service activity or any undertaking which the agency is authorized by law to perform; and

WHEREAS, the CITY provides sewage treatment at its own facilities; and

WHEREAS, DISTRICT sewer lines are not accessible to provide service to the area as shown in Exhibit "A," owned by Thomas Family Trust, Rick R. Thomas & Kimberly Thomas (approximately 2.06 acres -- existing single family home; Parcel No. 125-14-201-001 which is within the boundaries of the DISTRICT and beyond the corporate limits of the CITY but which is more accessible to sewer service by the CITY; and

WHEREAS, DISTRICT and CITY are willing to enter into a CONTRACT whereby CITY will provide sewer service to that area as shown on the attached Exhibit "A."

NOW THEREFORE, in consideration of the mutual covenants and conditions hereinafter set forth, the parties agree as follows:

1. CITY, at its established rates and in accordance with all CITY resolutions and policies, shall allow connection to CITY sewage collection system by, and will provide sewer service to, that area as shown on attached Exhibit "A" which is located within Clark County.

2. Upon adoption of this CONTRACT, DISTRICT will require all customers/applicants who are located within the boundaries of Exhibit "A" to pay sewer service and System Development Approval (SDA) charges directly to the CITY. CITY will issue a receipt of payment to each customer/applicant; each customer/applicant shall submit this paid receipt and copy of approved application to the DISTRICT and obtain a DISTRICT SDA for issuance of a Clark County building permit(s).

3. This agreement shall be for a term of fifty (50) years or when DISTRICT sewer service becomes available, whichever should first occur. "Available" is defined to mean a sewer service line within 400 feet of the Customer's location with capacity to handle the Customer's discharge.

4. No joint venture is contemplated or established hereby, and neither of the parties shall be deemed to be the agent of the other for any purpose by virtue of this CONTRACT.

5. This CONTRACT shall not be deemed to be for the benefit of any entity or person who is not a party hereto, and neither this CONTRACT, nor any interest therein, may be assigned without the prior written consent of the nonassigning party.

/////

/////

/////

/////

/////

/////

/////

6. Each party warrants to the other that they have the authority and capacity to perform the provisions hereof.

WITNESS OUR HANDS the day and year first above written.


CLARK COUNTY WATER RECLAMATION DISTRICT

By 
PETER M. ARCHULETA, General Manager

CITY OF LAS VEGAS

By 
OSCAR B. GOODMAN, Mayor

ATTEST:

By 
BARBARA JO RONEMUS, City Clerk

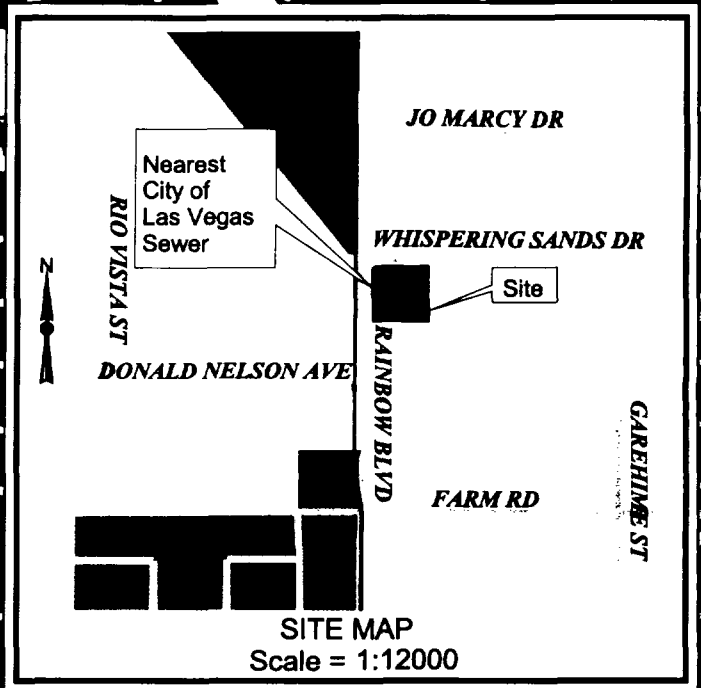
APPROVED AS TO FORM:

By  1/10/05
Deputy City Attorney

6775 Whispering Sands Dr
PARCEL NO. 125-14-201-001
TOTAL PARCEL ACREAGE= 2.06 ACRES
NEAREST DISTRICT SEWER IN
EXCESS OF 11 MILES FROM SITE.

Nearest City of
Las Vegas Sewer

UNINCORPORATED
CRAIG COUNTY



Nearest City of Las Vegas Sewer

Scale = 1:96000

