MORAN & ASSOCIATES
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
ATTORNEYS AT LAW

JOHN T. MORAN, JR.
JILL M. LYNNE
LEW BRANDON, JR.
JEFFERY A. BENDAVID
J.T. MORAN III

PROFESSIONAL CORPORATIONS

July 17, 2006 HAND DELIVERED

Mayor Oscar Goodman
CITY OF LAS VEGAS
City Hall
Las Vegas, NV

RE: CITY COUNCIL MEETING JULY 19, 2006 1:00 P.M.
MSH-13365

Dear Mayor:

As you know I represent Rancho Drive, LLC (Siegfried & Roy) on their legal matters. Enclosed is a copy of Notice of Meeting for the City Council scheduled for July 19, 2006 where the City is requesting to amend the Master Plan of streets and highways to add an alternative alignment for Mountain's Edge Parkway in Ward 6. By this correspondence I expressly object on behalf of my clients to such proposed realignment. Such realignment not only adversely impacts and affects my clients' property, but also property of other City constituents in the area who showed up at the City Planning Meeting and protested. Should this amendment and realignment of Mountain's Edge Parkway take place, my clients' property would be taken. I enclose for your review and consideration my letter dated June 7, 2006 to the Nevada Department of Transportation outlining the fact that my clients had an escrow terminated for their subject property by virtue of this proposed realignment. Additionally, I enclose correspondence dated June 27, 2006 from the State of Nevada Department of Transportation in response to my correspondence.

I am hopeful that you will consider my objection on behalf of my clients to this proposed realignment and deny same in all particulars when it comes before the City Council.

Thanking you for your anticipated cooperation. I remain,

Very truly yours,

John

John T. Moran, Jr.
ENCLOSURE
JTM/hgf

cc: City Council Members w/enclosures
Rancho Drive, LLC w/o enclsoures

Submitted at City Council
Date 7/19/06 Item 101

30 SOUTH 4TH STREET • LAS VEGAS, NEVADA 89101 • PHONE: (702) 384-8424 - FAX: (702) 384-6568 • MORANLAWFIRM.COM

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June 7, 2006

Nevada Department of Transportation
Las Vegas
123 E. Washington Avenue
Las Vegas, Nevada 89101

RE: MY CLIENTS RANCHO DRIVE LLC/KYLE CANYON/MOUNTAINS EDGE PARKWAY

To Whom It May Concern:

This correspondence shall serve to confirm that I represent Rancho Drive LLC. My clients were in escrow to sell their property totaling approximately 8.8 acres under Assessor Parcel #APN126-01-302-003, 126-02-301-014, 126-01-301-006 located in the County of Clark State of Nevada. The purchase price for the property exceeded Five Million Two Hundred and Eighty Thousand Dollars. Recently it was brought to my attention that NDOT was changing the original plan for Mountains Edge Parkway to a north alignment 400 feet wide that would take most of my clients' property. Naturally the buyer based on this terminated the proposed escrow and sale. I enclose a copy of the Kyle Canyon original plan, as well as the north alignment prepared by G.C. Wallace Inc., which depicts your contemplated change. It is of interest that under your new north alignment which deviates from the original plan and goes through my clients property would be taken and the buyer Kyle Acquisition Group LLC picks up a substantial amount of additional property to the detriment of my client seller Rancho Drive LLC. We have never received any notification by NDOT or anyone else about this proposed change and obvious future taking.

By this correspondence I ask you to review the enclosed map and this proposal by NDOT for validity and have your representative get back in touch with me to explain exactly what NDOT's proposal is as it relates to this north alignment proposed change, as well as the consequential taking of my clients property by same. Looking forward to your reply. I remain,

Very truly yours,

John T. Moran Jr.

John T. Moran, Jr.

REC'D JUN X 2 2006

JTM/hgf
Enclosure

cc: Rancho Drive LLC
Lynette Chappell
Harvey Gettleson
Randy O'Connor

630 SOUTH 4TH STREET • LAS VEGAS, NEVADA 89101 • PHONE: (702) 384-8424 - FAX: (702) 384-6568 • MORANLAWFIRM.COM

STATE OF NEVADA

DEPARTMENT OF TRANSPORTATION

June 27, 2006

KENNY C. GUINN, *Governor*

JEFF FONTAINE, P.E., *Director*

Mr. John T. Moran, Jr.
620 South 4th Street
Las Vegas, NV 89101

Mountain Edge Parkway & US 95

Dear Mr. Moran:

This letter is in response to your letter dated June 7, 2006, regarding the Mountain Edge Parkway alignment in the vicinity of Kyle Canyon. There are two projects in the vicinity of your client's property. The Mountain Edge Parkway is a corridor preservation project being pursued by the City of Las Vegas. The City of Las Vegas contact for this project is Assistant City Engineer Randy Fultz, 229-2176. NDOT is pursuing a project for widening US 95 from Craig Road to the junction with State Route 157.

The City of Las Vegas is coordinating with NDOT on the proposed alignment of Mountain Edge Parkway because it will affect state highways in northwest Las Vegas. The City is pursuing an environmental clearance for the future parkway alignment. The Kyle Acquisition Group LLC proposed the plan attached to your letter for the City's consideration. The City of Las Vegas would have to submit the proposed realignment to the Bureau of Land Management (BLM) for approval, either directly or through Federal Highway Administration (FHWA).

NDOT is following the National Environmental Policy Act (NEPA) in anticipation of widening US 95 widening from Craig Road to State Route 157. NDOT intends to submit a U.S. 95 NEPA document to the FHWA for their review and expects a decision by the end of 2006. NDOT's U.S. 95 NEPA document is currently in draft form and the preferred alternative for the U.S. 95 widening project does not propose any change to the future Mountain Edge Parkway alignment.

In general on projects receiving federal aid, until federal approval of the NEPA document is obtained, a preferred alternative identified in a NEPA document is considered to be only conceptual. The NEPA process also requires public input on the proposed alternatives. Once a preferred alternative is approved by the appropriate federal agency, preliminary engineering would follow. At a certain stage of preliminary design, usually 60%, a right-of-way setting will be held to establish what parcels of land or temporary and permanent easements need to be acquired. Right-of-way acquisition must follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 if federal funds are involved.

RECEIVED

JUN 28 2006

MORAN & ASSOCIATES

In conclusion, NDOT does not have a proposal to change the alignment of Mountain Edge Parkway. Since federal funds are anticipated for the widening of U.S. 95, the NEPA process and the Uniform Act must be followed.

If you have any questions, please contact me at 385-6506.

Sincerely,

Rudy Malfabon, P.E.
Deputy Director, Southern Nevada

cc: Randy Fultz, P.E., Assistant City Engineer, City of Las Vegas (w/ attachment)
Scott Rawlins, P.E., Assistant Director for Engineering, NDOT (w/ attachment)
Mary Martini, P.E., District Engineer, NDOT (w/ attachment)
Jeff Hale, P.E., Project Manager, NDOT (w/ attachment)
Heidi Mireles, Chief Right-of-Way Agent, NDOT
William Snyder, Asst. Chief Right-of-Way Agent, NDOT
Teresa Thienhaus, Deputy Attorney General (w/ attachment)
Kim Nokes, P.E., Parsons Transportation Group (w/ attachment)