

ORDINANCE NO. 4110
Major Modification to Black Mountain Park Agreement

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, APPROVING THE MAJOR MODIFICATION TO THE BLACK MOUNTAIN PARK AGREEMENT, REVISING THE TIMELINE TO COMPLETE THE 1.84-ACRE NEIGHBORHOOD PARK BY GREYSTONE NEVADA, LLC AND TO PROVIDE EXTENDED WARRANTY AND INDEMNIFICATION TO CITY FOLLOWING COMPLETION OF THE PARK.

WHEREAS, pursuant to Nevada Revised Statute Chapter 278.0201, the City Council of the City of Henderson (the "City") enacted Henderson Municipal Code Section 19.6.10 providing for the utilization of development agreements to regulate land development within the incorporated boundaries of the City of Henderson; and

WHEREAS, the City is authorized under its Charter and the general laws of the State of Nevada to enact ordinances and enter into agreements to promote and safeguard the health, safety, and welfare of its citizens; and

WHEREAS, City and Black Mountain Golf & Country Club, a Nevada corporation and successor by conversion to Black Mountain Golf & Country Club, Inc., a Nevada nonprofit cooperative corporation ("Original Master Developer") entered into that certain Development Agreement – Black Mountain dated as of June 16, 2020 and recorded in the Official Records of Clark County, Nevada ("Official Records") as Instrument No. 20200716-0000704 and amended by that certain First Amendment to Black Mountain Development Agreement dated September 7, 2021, entered into by City and Greystone Nevada, LLC, a Delaware Limited liability company ("Successor Developer") and recorded in the Official Records as Instrument No. 20210927-0002329 (collectively, the "Development Agreement"); and

WHEREAS, in conjunction with the Development Agreement, City and Greystone Nevada, LLC, a Delaware limited liability company ("Master Developer") are parties to that certain Black Mountain Park Agreement, dated as of June 16, 2020 and recorded with the Office of the County Recorder, Clark County, Nevada (the "Official Records") on July 16, 2020 as Instrument No. 20200716-0000705 (the "Park Agreement"), governing the park and trail development with certain real property more particularly described therein and commonly known as "Black Mountain" and more particularly described on Exhibit A hereto (the "Property"); and

WHEREAS, City and Master Developer desire to modify the Park Agreement to accommodate Master Developer's request to extend the timeline for completing the 1.84-acre Neighborhood Park (defined in Park Agreement Section 3.1(a) and depicted on Exhibit I of the Park Agreement) and to provide extended warranty and indemnification to City following completion of the Neighborhood Park on the terms and conditions set forth herein; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. The City Council hereby approves the Major Modification to Black Mountain Park Agreement attached hereto as Exhibit 1, consisting of 17 pages.

SECTION 2. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

SECTION 3. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 4. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on October 24, 2025, in the Las Vegas Review-Journal, at which time it will become effective.

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Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in **[brackets]**, and language proposed to be added is in *blue italics and underlined*.

PASSED, ADOPTED, AND APPROVED THIS 21st DAY OF OCTOBER, 2025.

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on October 7, 2025, which was a Regular Meeting, and referred to a Regular Meeting.

Thereafter, at the Regular Meeting of the Henderson City Council held October 21, 2025, the Ordinance was adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor
Councilmembers:
Carrie Cox
Monica Larson
Jim Seebock
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: None

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk