

CONTRACT MODIFICATION NO. 1
240140-DD APPRAISAL SERVICE FOR CHEYENNE AVENUE BUS TURNOUT PROJECT

THIS MODIFICATION NO. 1 is being entered into, effective as of _____, by and between the CITY OF LAS VEGAS (hereinafter, "City"), a municipal corporation within the State of Nevada having its principal office at 495 South Main Street, Las Vegas, Nevada 89101, and Morse-Krueger & Associates, LLC, (hereinafter the "Company"), a Nevada limited liability company having its principal office at 3140 S Rainbow Blvd # 402, Las Vegas, NV 89146.

The purpose of this Modification is to Add to Scope of Work and Fees.

The Contract between the City and the Company dated 1/16/2024, is hereby modified as follows:

1. Section: A-1 Summary of Contract

REFERENCE: A-1 (a)

DELETE: A-1 (a) in its entirety

ADD: **A-1 Summary of Contract** [CAO-12/30/2020]

This Contract sets forth the terms and conditions for the performance of services described herein, and the execution hereof by the parties hereto forms a legally binding contract. This is a Non-Exclusive Contract.

(a)	Contract Synopsis The legally binding Scope of Work is more fully defined in Section C	Appraisal Services for Cheyenne Avenue Bus Turnouts from Cheyenne Avenue between Hualapai Way and Rancho Drive.		
	Performance Dates The Performance Period is more fully defined in Section A-2	Award Date See first paragraph	Expiration Date 12/31/2024	Option Periods None
	Contract Type As defined in Section B-1	The contract type is firm fixed price.		
	Contract Amount This Not-to-Exceed Amount is subject to Section C-2	\$56,000		

2. Exhibit A – Scope of Work and Fees

ADD: Exhibit A - Additional Scope of Work and Fees , attached

IN WITNESS WHEREOF, the parties hereto have caused this Contract Modification to be executed by their duly authorized representatives.

CITY OF LAS VEGAS

Signature Date

Printed Name

Title

ATTEST:

Dr. LuAnn D. Holmes, MMC Date
City Clerk

APPROVED AS TO FORM:

DocuSigned by:
James B. Lewis 9/19/2024 | 4:35 PM PDT

DD1EE26948C54F0...
Deputy City Attorney Date

James B. Lewis

Printed Name

COMPANY

DocuSigned by:
Scott Krueger 9/19/2024 | 4:39 PM PDT

F42300644806407...
Signature Date

Scott Krueger

Printed Name

Manager

Title

MORSE-KRUEGER & ASSOCIATES LLC**REAL ESTATE APPRAISERS AND CONSULTANTS****3140 S. Rainbow Blvd., Suite 402****Las Vegas, Nevada 89146-6234****(702) 386-0068**

August 22, 2024

TRANSMITTED VIA ELECTRONIC MAIL*(eyoung@LasVegasNevada.GOV)*

Mr. Ed Young
Right-of-Way Agent
Department of Public Works/City Engineering Division
495 S. Main Street, 5th Floor
Las Vegas, NV 89101

RE: Appraisal Update Service Fee Quotation – APNs: 138-11-410-002 and 003 (Project No. CM-0574(008)
(Cheyenne Avenue Bus Turnout Project), Cheyenne Avenue between Hualapai Way and Rancho Drive, Las Vegas, Nevada)

Dear Mr. Young:

In response to your request, please consider the following proposal to provide appraisal update services pertaining to the above referenced right-of-way project and properties.

As you are aware, I have previously prepared/completed an appraisal of the above referenced APN's as of May 1, 2024 (my workfile No. 24-113, dated May 16, 2024). As of the effective date of this appraisal, both APN's remained owned by a single entity (Cheyenne Pines, LLC). The "larger parcel" was determined to include both parcels, with a site area of approximately 0.87 net acres or 37,851 square feet (including 1,353 sq. ft. of existing right-of-way which had been already dedicated for a proposed bus turnout), based on a hypothetical condition that it had not yet been dedicated. The appraisal considered a proposed partial acquisition of the 1,353 square foot right-of-way for a but turnout (again, based on the hypothetical condition that it had not yet been dedicated), as well as two permanent easements (one consisting of 125 sq. ft. for a bus shelter pad which had also been previously granted (but with consideration of the hypothetical condition that it had not yet been granted) and one consisting of 44 sq. ft. for an LVVWD equipment and appurtenance), as well as an approximate 3,378 square foot temporary construction easement.

More recently (on May 3, 2024), APN: 138-11-410-003 (consisting of approx. 0.39 net acres, excluding that portion of the fee interest in the proposed bus pad turnout which had been previously dedicated) was sold by the above mentioned prior owner to Cheyenne Torrey LLC. As a result, it is my understanding that you are now requesting that two new separate appraisal reports (one for each of the two APN's which are now held under separate entities) be completed as of a current effective date with this consideration.

APN: 138-11-410-002 (consisting of approx. 0.48 net acres, including 1,353 sq. ft. of right-of-way for a bus turnout which was previously dedicated) will be appraised based on consideration of a proposed partial acquisition consisting of the 1,353 square foot right-of-way for but turnout (based on the hypothetical condition that it had not yet been dedicated and remains owned by Cheyenne Pines LLC), as well as a 125 square foot permanent easement for a bus shelter pad and a 1,687 square foot temporary construction easement. Further and in regard to the 125 square foot permanent easement, a portion (approx. easterlymost 100') is not located within this APN, rather extends on APN: 138-11-410-003. In that regard, this appraisal will also be based on the hypothetical condition that it had not yet been granted and its associated area remains owned in fee by Cheyenne Pines LLC.

APN: 138-11-410-003 (consisting of approx. 0.39 net acres) will be appraised based on consideration of a proposed partial acquisition which will include an approximate 44 square foot permanent easement for LVVWD equipment and appurtenance, as well as an approximate 1,691 square foot temporary construction easement. As that portion of the bus shelter pad easement previously discussed that is located on this parcel has already been dedicated (and considered as part of the acquisition associated with APN: 138-11-410-002), no associated consideration will be made as part of the appraisal of this APN.

MORSE-KRUEGER & ASSOCIATES LLC

Page 2

Individual appraisal reports will each be completed for the purpose of developing an opinion of the market value of the undivided fee simple estate interest in each of the impacted properties in the determination/recommendation of “just compensation” due (resulting from the proposed partial acquisition(s)). As part of this purpose, the scope of work will include the development of an opinion of the market value of 1) the larger parcel (whole before the acquisition); 2) the proposed acquisition (as part of the whole); 3) the remainder (as part of the whole, before the proposed acquisition); 4) the remainder (after the proposed acquisition); and 5) the temporary construction easement, with further consideration and/or estimation of any potential damages and/or benefits.

Each of the appraisal reports will be prepared in compliance with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP 2024 Edition) as promulgated by the Appraisal Standards Board of the Appraisal Foundation, the Code of Professional Ethics (effective May 13, 2022), and the Standards of Professional Appraisal Practice (including the Standards of Valuation Practice, effective November 12, 2021) as promulgated by the Appraisal Institute, Nevada Revised Statutes (Chapter 37-Eminent Domain), and Nevada Administrative Code (Chapter 645C-Appraisers of Real Estate and Appraisal Management Companies). Each report will also be intended to conform/comply with those understood/expected requirements of, the City of Las Vegas (CLV), the Regional Transportation Commission of Southern Nevada (RTC), and/or Las Vegas Valley Water District (LVVWD). Notably and in consideration of the intended use identified below, the provisions of Chapter 645C (Appraisers of Real Estate and Appraisal Management Companies) of Nevada Revised Statutes do not apply to this potential assignment. Specifically, NRS 645C.150 states “The provisions of this chapter do not apply to: . . . a person who makes an assessment of the value of property in connection with a judicial proceeding for eminent domain brought pursuant to Chapter 37 of NRS.”

The intended user(s) of each appraisal remains understood to be you and/or an authorized representative of the City of Las Vegas (CLV, the client), the Regional Transportation Commission of Southern Nevada (RTC), and/or Las Vegas Valley Water District (LVVWD). The intended use of each appraisal report is understood to be for the assistance in the determination of “just compensation” due for the proposed partial acquisitions.

Based on my understanding of these new appraisal update assignments, the following fees are proposed:

PROPERTY IDENTIFICATION (APN)	CURRENT OWNERSHIP ENTITY	TYPE OF PROPOSED PARTIAL ACQUISITION(S)	APPRAISAL REPORT FEE
Bus Turnout #9 – 6414 W. Cheyenne Ave. APN: 138-11-410-002	Cheyenne Pines LLC	Fee (Right-of-Way), Permanent Easements (Construction/ Maintenance of Bus Pad, etc.), and Temporary Construction Easement	\$3,000
Bus Turnout #9 – 6408 W. Cheyenne Ave. APN: 138-11-410-003	Cheyenne Torrey LLC	Permanent Easement (LVVWD Equipment and Appurtenances), and Temporary Construction Easement	\$3,000
TOTAL PROPOSED FEE:			\$6,000

Any additional subsequent professional services after completion of the appraisal reports (including discussions, meetings, depositions, and court preparation/testimony) would be billed at an additional rate of \$400 per hour.

Thank you for considering our professional appraisal services. Should you have any questions pertaining to this proposal, please do not hesitate to contact me.

Sincerely,



Scott D. Krueger, MAI
Certified General Appraiser
State of Nevada License No. A.0001529-CG
SDK:tis