

Item # 11A

**City of Carson City  
Agenda Report**

**Date Submitted:** February 10, 2009

**Agenda Date Requested:** February 19, 2009

**Time Requested:** 10 minutes

**To:** Mayor and Board of Supervisors

**From:** Development Services, Planning Division

**Subject Title:** Action to approve an Abandonment of Public Right-of-Way application from Andrew Ailes P.E. (property owner: Vidler Water Company, Inc.), to abandon a 50 foot wide and 400 linear foot public utilities and public roadway easement, located at 5080 Hells Bells Road, APN 010-681-06 and authorize the mayor to sign the Order of Abandonment. (AB-08-126)

**Summary:** Pursuant to NRS 278.480 and CCMC Title 17, this application requests abandonment of a 50 foot wide public utilities and public roadway easement. The easement is located northeast of the intersection of Hells Bells Road and Marsh Road, totaling 21,113 square feet on APN 010-681-06. The easement has not been utilized for public purposes or roadway purposes from its inception.

**Type of Action Requested:**

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Planning Commission Action:** Recommended approval on January 28, 2009 by a vote of 6 ayes, 0 nays and 1 absent.

**Recommended Board Action:** I move to approve an abandonment of public right-of-way application, AB-08-126, for a 50 foot wide and 400 linear foot public utilities and public roadway easement located at 5080 Hells Bells Road, APN 010-681-06, based on seven findings and subject to the conditions of approval contained in the staff report, and to authorize the mayor to sign the Order of Abandonment.

**Explanation for Recommended Board Action:** Pursuant to NRS 278.480 and CCMC Title 17, the Board of Supervisors take final action the right-of-way abandonments.

**Applicable Statute, Code, Policy, Rule or Regulation:** NRS 278.480 and CCMC Title 17.15

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

**Funding Source:** N/A

- Alternatives:** 1) Refer back to staff and Planning Commission for further review  
 2) Approve request for abandonment

- Supporting Material:** 1) Case Record  
 2) Staff Report  
 3) Maps

**Prepared By:** Janice Brod, Management Assistant V

**Reviewed By:** *[Signature]*  
 (Planning Division Director)  
*[Signature]*  
 (Development Services Director)  
*[Signature]*  
 (City Manager)  
*[Signature]*  
 (District Attorney's Office)

Date: 2/9/09

Date: 2-11-09

Date: 2-10-09

Date: 2-10-09

**Board Action Taken:**

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
 2) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 (Vote Recorded By)

APN: 010-681-06

AN ORDER ABANDONING A 50 FOOT WIDE AND 400 LINEAR FOOT PUBLIC UTILITY AND PUBLIC ROAD WAY EASEMENT, BEING 21,113-SQUARE-FOOT AREA, MORE OR LESS, NORTHEAST OF HELLS BELLS ROAD AND MARSH ROAD, WITHIN APN 010-681-06, IN CARSON CITY, NEVADA

WHEREAS, on December 23, 2008, Vidler Water Company Inc. duly filed a written application seeking vacation and abandonment of a public utility easement and public roadway easement, being northeast of Hells Bell Road and Marsh Road approximately 21,113 square feet, within APN 010-681-06, in Carson City, Nevada; and

WHEREAS, the application was thereafter referred to the Carson City Planning Commission and a public hearing was thereafter duly noticed and held before the Planning Commission on January 28, 2009. At the public hearing public testimony was taken and the Commission, after discussion and deliberation, recommended approval of abandonment of the subject easement to the Carson City Board of Supervisors, finding that the public would not be materially injured by the vacation; and

WHEREAS, the Carson City Board of Supervisors, at their regular and duly noticed meeting of February 19, 2009, found that the public would not be materially injured by the proposed vacation, and accordingly ordered the abandonment of the public right-of-way in question pursuant to the provisions of NRS 278.480, which among its provisions, requires a written order to be prepared and recorded in the office of the Carson City Recorder; and

WHEREAS, the vacation and abandonment of the right-of-way is more particularly described on the attached Exhibit "A", a map of the right-of-way

abandonment is shown as the Display of Exhibit "A", and the attached utility statements are shown as Exhibit "B".

NOW, THEREFORE, the Board of Supervisors hereby orders:

1. That the above-described right-of-way is hereby abandoned according to the provisions of NRS 278.480.
2. That if a utility company has a utility or an easement over or under the property hereby vacated and abandoned by this order, said easement or easements shall be continued and shall not be affected by the abandonment.
3. That water, sewer, and storm drain facilities, which may presently exist within the areas affected by abandonment's, will be protected by easements. The abandonment may be subject to reserving easements for utility companies and/or Carson City if requested.
4. That the property owner shall obtain approval from Carson City Utilities and Street Departments prior to constructing improvements within said easement area. Improvements include, but are not limited to, landscaping, fencing, paving, and structures.

ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2009, by the Carson City Board of Supervisors.

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ROBERT L. CROWELL, Mayor

ATTEST:

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ALAN GLOVER, Clerk-Recorder



**STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JANUARY 28, 2009**

**FILE NO: AB-08-126**

**AGENDA ITEM: H-2**

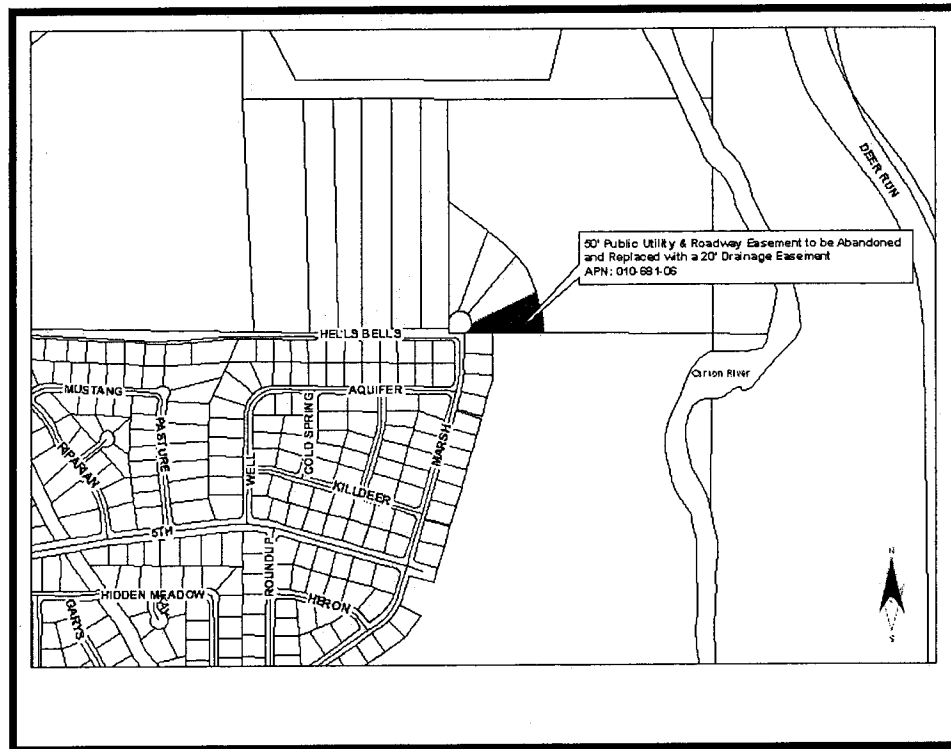
**STAFF AUTHOR:** Jennifer Pruitt, Principal Planner

**APPLICANT:** Andrew Ailes, P.E. Vidler Water Company Inc.

**OWNERS:** Vidler Water Company Inc.

**REQUEST:** Abandonment of a 50 foot wide and 400 linear foot public utilities and public roadway easement, being approximately 21,113 square feet, on property zoned Single Family 1 Acre (SF1A), located at 5080 Hells Bells Road, APN 010-681-06.

**RECOMMENDED MOTION:** "I move to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-08-126, for a 50 foot wide and 400 linear foot public utilities and public roadway easement, being approximately 21,113 square feet, more or less, located northeast of the intersection of Hells Bells Road and Marsh Road, based on seven findings and subject to the conditions of approval contained in the staff report."



**RECOMMENDED CONDITIONS OF APPROVAL:**

1. Prior to the recordation of said abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search material if required by the Planning Division in order to fully complete the abandonment process.
2. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).
3. All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.
4. This abandonment pertains to:

APN: 010-681-06: The area of the proposed abandonment within this parcel is 21,113 square feet, more or less, located northeast of the intersection of Hells Bells Road and Marsh Road.

5. A 20 foot wide Drainage Easement shall be retained along the south boundary of the subject property to accommodate maintenance of an existing storm drain pipe. A legal description and map exhibit of the Drainage Easement prepared by Tri State Surveying has been submitted with the abandonment application.

**LEGAL REQUIREMENTS:** Nevada Revised Statutes (NRS) 278.480 (Vacation or Abandonment of Streets, Easements or Maps; Reversion of Divided Land) and Carson City Municipal Code (CCMC) Title 17 Division of Land, Subdivision of Land, Chapter 17.15 Abandonment of Right-of-Way.

**MASTER PLAN DESIGNATION:** Low Density Residential (LDR)

**PRESENT ZONING:** Single Family 1 Acre (SF1A)

**KEY ISSUES:** Will the City or public be materially injured by the approval of subject abandonment?

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Single Family One Acre, Vacant  
SOUTH: Public Community, Carson City Parks Property  
WEST: Single Family One Acre, Residential  
EAST: Single Family One Acre, Vacant

**PREVIOUS REVIEWS:**

MPA-07-218, Master Plan Amendment to modify the Land Use boundary between the existing Low Density Residential (LDR) and Conservation Reserve (CR) Land Use designations to shift the LDR designation to an area above the floodplain, going from approximately five acres of LDR to approximately six acres of LDR with the remainder 39+/- acres designated CR was reviewed and a recommendation of approval by the PC to the BOS on February 27, 2008. The BOS approved MPA-08-218 on March 25, 2008.

ZMA-07-219, Zoning Map Amendment to change the zoning of approximately a six-acre portion of the subject parcels from Agriculture (A) to Single Family One Acre (SF1A) was reviewed and a recommendation of approval by the PC to the BOS on February 27, 2008. The BOS approved ZMA-07-219 on March 25, 2008.

PM-08-088, was reviewed and approved by City staff on September 09, 2008. The Parcel Map was recorded on October 22, 2008.

LLA-08-087, was reviewed and approved by City staff on October 20, 2008. The Lot Line Adjustment was recorded on October 22, 2008.

#### **DISCUSSION:**

This request is to allow the abandonment of a 50 foot wide and 400 linear foot public utilities and public roadway easement, located northeast of the intersection of Hells Bells Road and Marsh Road. The total area of the proposed abandonment is approximately 21,113 square feet, more or less. The Planning Division staff conducted a site visit on January 14, 2009 and found the subject site primarily flat and vacant with no existing structures.

As noted in the previous reviews the subject site was approved for a Zoning Map Amendment, Master Plan Amendment, Lot Line Adjustment and Parcel Map. The subject site previously included 45.27 acres, which was improved with a primary dwelling unit and accessory structures. To-date all structures have been removed from the subject site.

As the Parks and Recreation Department noted in their comments, over the past year, the Parks and Recreation Department, along with the City's Public Works Department and Planning Division, have been working with Vidler Water Company representatives regarding various aspects of their development. These issues include but are not limited to: implementation of the Unified Pathways Master Plan (UPMP), site specific trail alignment and design issues, trail construction, land acquisition of flood plain properties for the Open Space Program, well and utilities infrastructure, and public access issues.

During this process, the Parks and Recreation Department examined the possibility of using this public right-of-way for a public access easement. After reviewing the UPMP, the Parks and Recreation Department believes the City is currently providing and/or planning for a variety of public access locations on the west side of the Carson River. This public access issue is addressed with trailheads located at Morgan Mill Road River Access Area, Empire Ranch (at the end of Empire Ranch Road), Moffat Open Space Property, Riverview Park, Hidden Meadows (Buzzy's Ranch Road), Silver Saddle Ranch, and Carson River Park. Additionally, the public will gain north-south access across the proposed open space parcel as part of the overall development plan.

The applicant has noted that the 50 foot wide and 400 linear foot public utilities and public roadway easement has never been utilized for access purposes or public utility purposes (other than drainage) from its inception. There will be no future use of this area except for drainage purposes which as indicated will continue to be perpetuated.

The utility companies, Sierra Pacific Power Company (NV Energy), AT&T Nevada (SBC), Southwest Gas and Charter Communication have indicated they do not have utilities in the public roadway easement proposed for abandonment and do not want these reservations to be continued.



Pursuant to NRS 278.480 Vacation or abandonment of street or easement, if upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, if satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated.

It is important to note that the proposed easement abandonment will not result in a gain of acreage for the subject parcel. If the subject abandonment is approved the overall acreage will remain the same. The existing easement is currently located within the subject parcel and is not adjacent to the subject site as in some cases of abandonments, thus resulting in a net gain of acreage.

With the recommended conditions of approval and based on the finding of fact that the public will not be materially injured by the proposed vacation, it is recommended that the Planning Commission make a recommendation to the Board of Supervisors for approval of AB-08-126.

**PUBLIC COMMENTS:** Public notices were sent by certified mail to the two adjacent property owners per NRS. At the writing of this report, there have been no comment in opposition or support of the of the proposed abandonment.

**CITY DEPARTMENT/OUTSIDE AGENCY COMMENTS:** The following comments were received from City departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Engineering Division:

The Engineering Division recommends APPROVAL of the proposed abandonment subject to the following conditions:

- A 20 foot wide Drainage Easement shall be retained along the south boundary of the subject property to accommodate maintenance of an existing storm drain pipe. A legal description and map exhibit of the Drainage Easement prepared by Tri State Surveying has been submitted with the abandonment application.

Building Division:

- The reduction in size of the existing utility easement and reclassification to a 20' drainage easement does not involve any issues that concern the Building Department's, however any future building activities on the newly enlarged parcel would require a building permit.

Fire Department:

- We have no comments or concerns with this request.

Health Department:

- Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

Parks and Recreation:

- Over the past year, our department, along with the City's Public Works Department and Planning Division, have been working with Vidler Water Company representatives regarding various aspects of their development. These issues include but are not limited to: implementation of the Unified Pathways Master Plan (UPMP), site specific trail alignment and design issues, trail construction, land acquisition of flood plain properties for the Open Space Program, well and utilities infrastructure, and public access issues. During this process, our department examined the possibility of using this public right-of-way for a public access easement. After reviewing the UPMP, our department believes the City is currently providing and/or planning for a variety of public access locations on the west side of the Carson River. This public access issue is addressed with trailheads located at Morgan Mill Road River Access Area, Empire Ranch (at the end of Empire Ranch Road), Moffat Open Space Property, Riverview Park, Hidden Meadows (Buzzy's Ranch Road), Silver Saddle Ranch, and Carson River Park. In addition, our department has historically resisted using narrow corridors between residences to provide access to public lands. These corridors can become attractive nuisances for undesirable activities, trash collectors, graffiti tunnels, impact the privacy of adjacent property owners, increase our maintenance responsibilities, and limit our department's ability to provide public amenities. As a result, our department supports the applicant's request for an abandonment of public right-of-way located at 5080 Hells Bells Road (APN 010-681-06).

**RIGHT-OF-WAY ABANDONMENT FINDINGS:** In accordance with the policy for right-of-way abandonments adopted by the Board of Supervisors on October 1, 1998, the staff's recommendation is based upon the following findings, which are substantiated in the public record.

1. Will the public be materially injured or not?

*Per the information provided by the applicant the adjacent property owners will not be damaged by this abandonment application, nor will the public be materially injured by the abandonment, there continues to be no existing need for the easement nor has there been from the inception. The applicants have met with the Parks and Recreation Department and the participants agreed that there was ample existing access and that creating a new access for equestrian use in this location would impact the exiting residences and be unsafe for horses and riders.*

*Per the information provided by Jeff Sharp, City Engineer and the Planning Division the public will **not** be materially injured by the proposed abandonment of the right of way, subject to the compliance of proposed conditions of approval.*

*The City owns the property immediately south of the easement to be abandoned. The City Parks and Recreation Department has recommended approval of the abandonment of the existing easement since they have historically resisted using narrow corridors between residences to provide access to public lands. Per the Parks Department these corridors can become attractive nuisances for undesirable activities, trash collectors, graffiti tunnels, impact the privacy of adjacent property owners, increase our maintenance responsibilities, and limit their department's ability to provide public amenities.*

2. Whether the street was dedicated or not?

*The subject utilities and roadway easement was dedicated per file number 92573. There are **no** records indicating that the City ever paid for the easement.*

3. What should the reasonable consideration be if the street was not dedicated?

*It has been determined by the Engineering Division that there are no indications that the City of Carson City ever paid for the easement in question. It is recommended that there be no charge required with this abandonment.*

4. If abandonment has a public benefit, how much of the public benefit should be offset against the determination of reasonable consideration?

*No charge for this abandonment is recommended. Therefore, this item does not apply to this abandonment.*

5. Applicability of the parking value analysis applied to this request.

*There will be no elimination of on-street parking in the area of the proposed abandonment. This item is not applicable to the proposed abandonment, since the abandonment is not located within the downtown area.*

6. Should utilities easements be reserved, continued or vacated?

*As part of the proposed abandonment application, the applicant has provided the proper documentation to create a 20 foot utility easement along the southern property line, this will allow the City will reserve a 20 foot wide easement centered on the existing water main and public storm drain. This has been reviewed by the Engineering Division and is noted by condition of approval number five.*

*The utility companies, Sierra Pacific Power Company (NV Energy), AT&T Nevada (SBC), Southwest Gas and Charter Communication have indicated they do not have utilities in the public roadway easement proposed for abandonment and **do not** want these reservations to be continued.*

7. Imposition of any conditions of approval by the Board of Supervisors or recommended by the Planning Commission or staff.

*Staff has included within this staff report conditions of approval, which relate to the responsibilities of the applicant in the event this application is approved.*

Respectfully submitted,  
DEVELOPMENT SERVICES, PLANNING DIVISION

*Jennifer Pruitt*

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Jennifer Pruitt, AICP, LEED AP  
Principal Planner

Attachments  
Application (AB-08-126)  
Building comments  
Fire Comments  
Health Comments  
Engineering comments

Parks and Recreation comments  
Draft Order of Abandonment

H:\PIngDept\PC\PC\2009\Staff Reports\AB-08-0126 Vidler Water Co..doc

**APPLICATION #: AB-08-126**  
**Abandonment of Public Right of way for parcel 10-681-06**

Table of Contents

Carson City Abandonment of Public Right-of-Way Form

Legal Description of 50' PUE and ROW to be abandoned  
Exhibit  
Closures

Exhibit "A" Legal Description of 20' Drainage Easement to be granted  
Exhibit

Conformed Copy of Document #385026 (Utility Relinquishment of Easements – 4 pages)

Letter of cooperation from Carson City Engineering Division

Attachment A – Letter of Explanation for Abandonment  
Document #92573 – Grant of PUE and ROW  
APN Map 10-02  
APN Map 10-68  
Site Map of Area

Document # 374669 – Sale Deed with corrected legal description

APN Map 10-58 (Prior to LLA-08-087 and PM 2701)

Document # 383666 – LLA-08-087

PM 2700 (LLA-08-087) 11x17

PM 2701 11x17

Carson City Planning Division  
2621 Northgate Lane, Suite 62 • Carson City NV 89706  
Phone: (775) 887-2180 • E-mail: plandept@ci.carson-city.nv.us

FOR OFFICE USE ONLY:

**ABANDONMENT OF  
PUBLIC RIGHT-OF-WAY**

**FILE # AB - 08 -**

**PROPERTY OWNER**

Vidler Water Company, Inc.

**MAILING ADDRESS, CITY, STATE, ZIP**

3480 GS Richards Blvd, Carson City, NV 89703

**PHONE #**

775-885-5000 ext 115

**FAX #**

775-885-5005

**E-MAIL ADDRESS**

Name of Person to Whom All Correspondence Should Be Sent

**APPLICANT/AGENT**

Andrew Ailes

**MAILING ADDRESS, CITY, STATE ZIP**

3480 GS Richards Blvd, Carson City, NV 89703

**PHONE #**

775-885-5000 ext 115

**FAX #**

775-885-5005

**E-MAIL ADDRESS**

aailles@vidlerwater.com

**FEE:** \$2,450.00 + noticing fee

**SUBMITTAL PACKET**

- G Application Form
- G 26 Completed Application Packets  
(1 Original + 25 Copies)
- G Legal Description
- G Site Map
- G Utility Statements (original)
- G Documentation of taxes paid to date
- G Chain of Title or Title Report for subject parcel  
showing how right of way was originally dedicated
- G Complied with notes below.\*

Application Reviewed and Received By:

Submission Deadline: See attached PC application submittal schedule.

**Project's Assessor Parcel Number(s):**

10-681-06

**Street Address**

5080 Hells Bells Road

**ZIP Code**

89706

Briefly describe location, width and length of the proposed abandonment:

Approximately 400 LF of a 50' Public Utilities & Roadway Easement Per File No 92573 along the south property line will be replaced by a 20' utility easement.

**JUSTIFICATION:** Explain why the request is being made, if the subject right-of-way was ever dedicated to Carson City, when and by whom, and why the abandonment will not damage any adjacent properties: See Attachment A

If you are abandoning an access, explain how the parcel will be accessed: See Attachment A

**PROPERTY OWNER'S AFFIDAVIT**

I, Dorothy Timms Palmer, being duly deposed, do hereby affirm that I am the record owner of the subject property, and the information herewith submitted is in all respects true and correct to the best of my knowledge.

Dorothy A. Palmer  
Signature

3480 GS Richards Blvd, Carson City, NV 89703  
Address

12/12/08  
Date

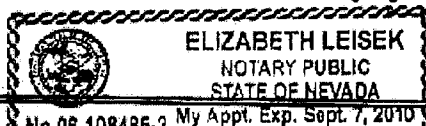
Use additional page(s) if necessary for other names.

STATE OF NEVADA

COUNTY Carson City

On December 12<sup>th</sup>, 2008, Dorothy Timms Palmer, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Elizabeth Leisek  
Notary Public



\*NOTES: In order to facilitate the processing of your application, please contact Development Engineering at 2621 Northgate Lane, Suite 6, to ensure that department has no concerns with your application, and take your packet to the Utilities Department for signature. A signed utility statement, a typed legal description, and an 8 1/2 by 11 inch map prepared by a licensed surveyor describing the land to be abandoned are required to be submitted with this application. Please submit detailed and explicit plans, as they will be submitted for review by the Planning Commission and Board of Supervisors, and subsequently recorded.

**PRIOR TO AGENDIZING FOR BOARD OF SUPERVISORS, DOCUMENTATION OF TAXES PAID IN FULL FOR THE FISCAL YEAR IS REQUIRED.**



*Land Information Solutions*

## TRI STATE SURVEYING, LTD.

425 E. Long Street  
Carson City, Nevada 89706  
Telephone (775) 887-9911 ♦ FAX (775) 887-9915  
Toll Free: 1-800-411-3752

JN 07518.01.CM

### LEGAL DESCRIPTION TO SUPPORT THE ABANDONMENT OF A 50' WIDE PUBLIC UTILITIES AND PUBLIC ROADWAY EASEMENT

A strip of land fifty feet (50') in width, situate within the Northwest One-Quarter (NW 1/4) of Section Fourteen (14), Township Fifteen (15) North, Range Twenty (20) East, M.D.M., Carson City, State of Nevada, being a portion of that public utilities and public roadway easement described in File No. 92573 in the Official Records of Carson City and being more particularly described as follows:

**BEGINNING** at the Southeast corner of Parcel 4 as shown on that Parcel Map for Vidler Water Company, Inc., Map No. 2701, recorded as File No. 383668 in the Official Records of Carson City, Nevada;

**THENCE** from the POINT OF BEGINNING, along the south line of said Parcel 4, North  $89^{\circ}14'51''$  West, 445.30 feet to a point on a non-tangent curve to the left, having a radius of 64.27 feet, from which the radius point bears North  $27^{\circ}41'02''$ ;

**THENCE** northeasterly along said curve, 62.53 feet through a central angle of  $55^{\circ}44'42''$ ;

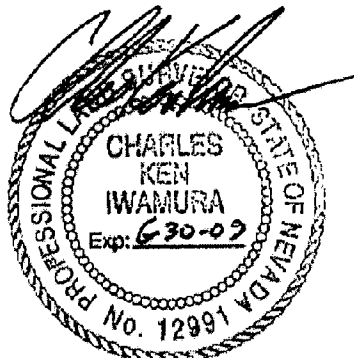
**THENCE** along a line parallel and 50 feet northerly of said south line of Parcel 4, South  $89^{\circ}14'51''$  East, 411.31 feet to a point on the east line of said Parcel 4;

**THENCE** along said east line, South  $00^{\circ}00'00''$  West, a distance of 50.00 feet to the **POINT OF BEGINNING** and the end of this description.

Contains 21,113 Square Feet, more or less.

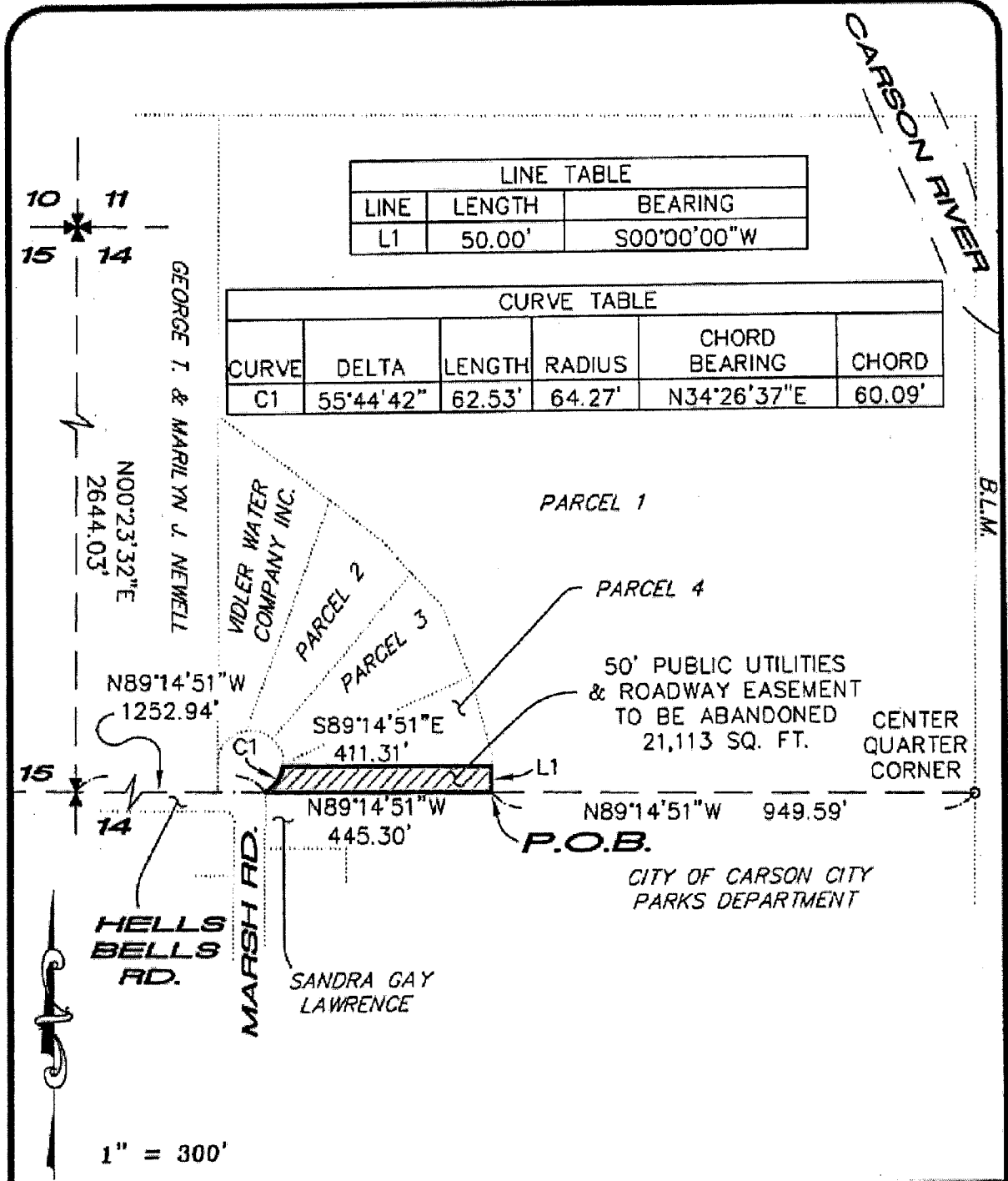
The basis of bearings is said Parcel Map for Vidler Water Company, Inc., Map No. 2701 in the Official Records of Carson City, Nevada.

Prepared by Tri State Surveying, Ltd.



11-21-08

Charles Ken Iwamura, PLS  
Nevada Certificate No. 12991



**EXHIBIT FOR A 50' WIDE PUBLIC UTILITIES AND ROADWAY EASEMENT ABANDONMENT**  
 A PORTION OF THE NW 1/4 OF SECTION 14, T.15N., R.20E., M.D.M. CARSON CITY, NEVADA



**TRI STATE SURVEYING, LTD**  
 425 E. Long Street  
 Carson City, Nevada 89706  
 (775) 887-9911  
 • FAX: (775) 887-9915

Land Information Solutions

JN 07518.01.CM



EASE ABAN CLOSURE.txt

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Parcel name: EASE ABAND

North: 14735401.8415 East : 2306099.1048  
Line Course: N 89-14-51 W Length: 445.30  
North: 14735407.6898 East : 2305653.8432  
Curve Length: 62.53 Radius: 64.27  
Delta: 55-44-42 Tangent: 33.99  
Chord: 60.09 Course: N 34-26-37 E  
Course In: N 27-41-02 W Course Out: S 83-25-44 E  
RP North: 14735464.6024 East : 2305623.9838  
End North: 14735457.2476 East : 2305687.8316  
Line Course: S 89-14-51 E Length: 411.31  
North: 14735451.8458 East : 2306099.1061  
Line Course: S 00-00-00 W Length: 50.00  
North: 14735401.8458 East : 2306099.1061  
Line Course: S 00-00-00 W Length: 0.00  
North: 14735401.8458 East : 2306099.1061

Perimeter: 969.14 Area: 21,113 SQ. FT. 0.48 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0044 Course: N 17-20-24 E  
Error North: 0.00423 East : 0.00132  
Precision 1: 220,259.09



*Land Information Solutions*

## **TRI STATE SURVEYING, LTD.**

425 E. Long Street  
Carson City, Nevada 89706  
Telephone (775) 887-9911 ♦ FAX (775) 887-9915  
Toll Free: 1-800-411-3752

JN 07518.01.CM

### **EXHIBIT "A" LEGAL DESCRIPTION TO SUPPORT A 20' WIDE DRAINAGE EASEMENT**

A strip of land twenty feet (20') in width, situate within the Northwest One-Quarter (NW 1/4) of Section Fourteen (14), Township Fifteen (15) North, Range Twenty (20) East, M.D.M., Carson City, State of Nevada, being a portion of Parcel 4 of that Parcel Map for Vidler Water Company, Inc., Map No. 2701, recorded as File No. 383668 in the Official Records of Carson City and being more particularly described as follows:

**BEGINNING** at the Southeast corner of Parcel 4 as shown on said Parcel Map for Vidler Water Company, Inc.;

**THENCE** from the **POINT OF BEGINNING**, along the south line of said Parcel 4, North  $89^{\circ}14'51''$  West, 445.30 feet to a point on a non-tangent curve to the left, having a radius of 64.27 feet, from which the radius point bears North  $27^{\circ}41'02''$ ;

**THENCE** northeasterly along said curve, 30.22 feet through a central angle of  $26^{\circ}56'30''$ ;

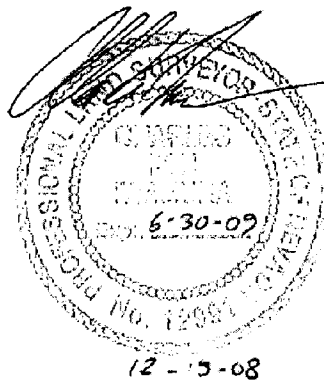
**THENCE** along a line parallel and 20 feet northerly of said south line of Parcel 4, South  $89^{\circ}14'51''$  East, 422.75 feet to a point on the east line of said Parcel 4;

**THENCE** along said east line, South  $00^{\circ}00'00''$  West, a distance of 20.00 feet to the **POINT OF BEGINNING** and the end of this description.

Contains 8,645 Square Feet, more or less.

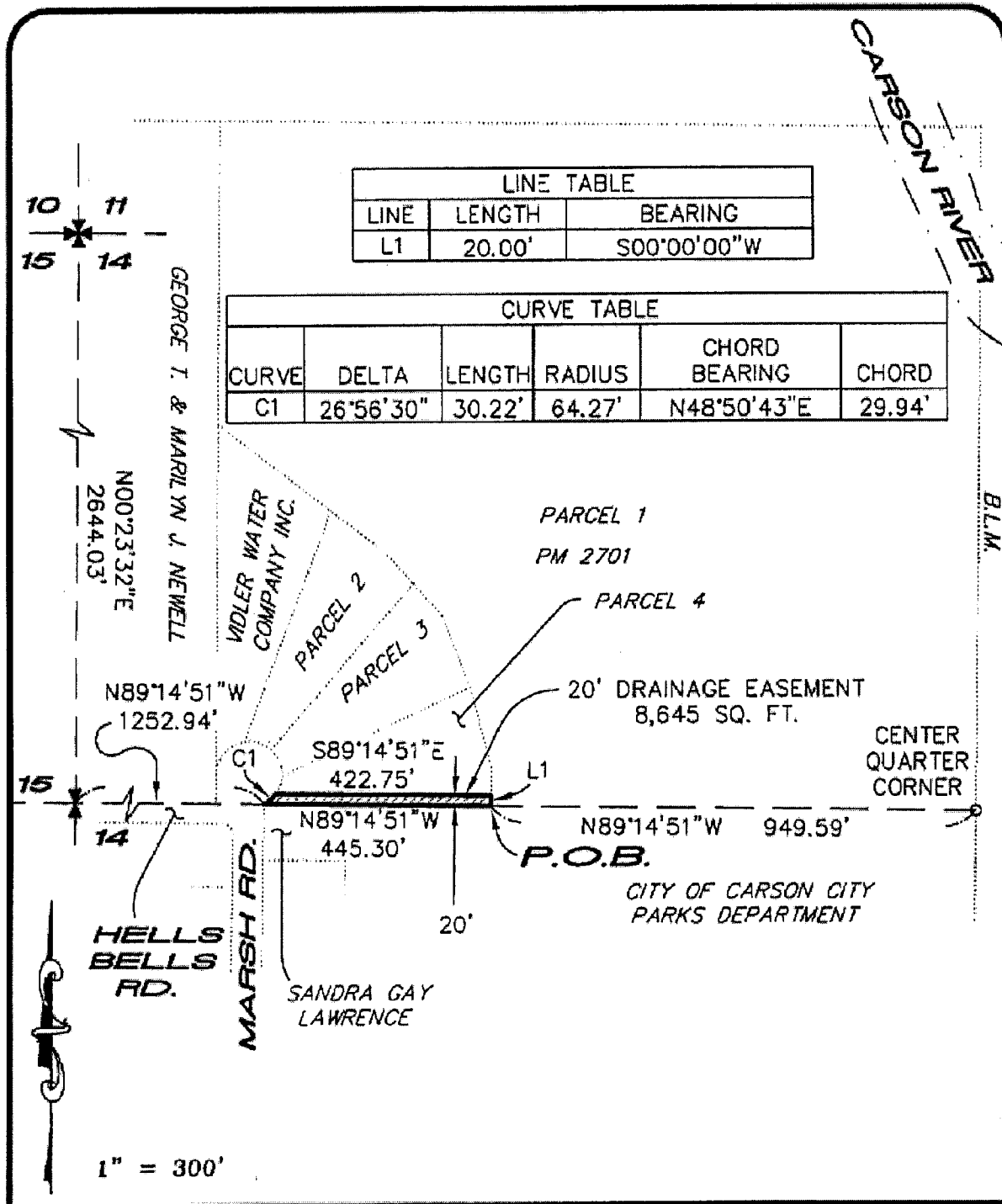
The basis of bearings is said Parcel Map for Vidler Water Company, Inc.

Prepared by Tri State Surveying, Ltd.



Charles Ken Iwamura, PLS  
Nevada Certificate No. 12991

12-15-08



LINE TABLE		
LINE	LENGTH	BEARING
L1	20.00'	S00°00'00"W

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	26°56'30"	30.22'	64.27'	N48°50'43"E	29.94'

1" = 300'

**EXHIBIT "B"**  
**20' WIDE**  
**DRAINAGE EASEMENT**  
 A PORTION OF THE NW 1/4  
 OF SECTION 14, T.15N., R.20E., M.D.M.  
 CARSON CITY, NEVADA



**TRI STATE SURVEYING, LTD**  
 425 E. Long Street  
 Carson City, Nevada 89706  
 (775) 887-9911  
 \* FAX: (775) 887-9915

Land Information Solutions

JN 07518.01.CM

A.P.N.: 10-681-06

2008 DEC 15 AM 9:17  
385026

After Recordation Return To:  
SIERRA PACIFIC POWER COMPANY  
Land Operations  
PO Box 10100  
Reno, Nevada 89520

FILE NO. \_\_\_\_\_  
ALAN GLOVER  
CARSON CITY RECORDER  
FEE \$ \_\_\_\_\_ OFP \_\_\_\_\_

**CONFORMED COPY  
HAS NOT BEEN COMPARED  
TO THE ORIGINAL**

**RELINQUISHMENT OF EASEMENTS**

**KNOW ALL MEN BY THESE PRESENTS:**

SIERRA PACIFIC POWER COMPANY, a Nevada corporation, NEVADA BELL TELEPHONE COMPANY, dba AT&T NEVADA, a Nevada corporation, CHARTER COMMUNICATIONS, a Falcon Cable Systems Company II, L.P., SOUTHWEST GAS, a California corporation, do by these presents, relinquish and reconvey unto, VIDLER WATER COMPANY, INC, and any and all persons legally entitled thereto, that portion of the easement as shown on that certain Grant, Bargain, Sale Deed, recorded on November 2, 1989, as Document No. 92573, Official Records of Carson City, Nevada, TO WIT:

SEE EXHIBIT "A"

TOGETHER WITH ALL AND SINGULAR the tenements, hereditaments and appurtenances thereunto belonging or in anyways appertaining thereto.

DATED this 15<sup>th</sup> day of December, 2008.

SIERRA PACIFIC POWER COMPANY, dba  
NV Energy  
a Nevada corporation

BY:

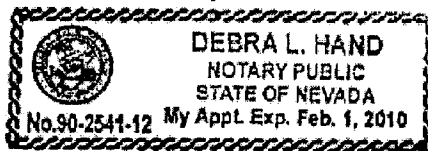
Carolyn C. Barbash  
CAROLYN C. BARBASH,  
Executive, Regional Operations

*on behalf of  
James P. Saavedra, Director Land  
Services*

STATE OF NEVADA  
COUNTY OF CARSON )

This instrument was acknowledged before me on DECEMBER 15, 2008 by JAMES R. SAAVEDRA as Director, Land Services for SIERRA PACIFIC POWER COMPANY, a Nevada corporation.

Debra L. Hand  
Notary Public



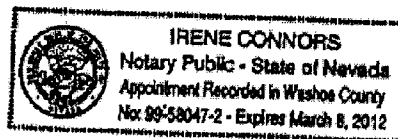
NEVADA BELL TELEPHONE COMPANY, dba  
AT&T NEVADA  
a Nevada corporation

By: Deanna Vieira  
DEANNA VIEIRA, Manager OSP Planning and Engineering Design

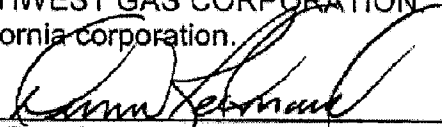
STATE OF NEVADA            )  
COUNTY OF WASHOE        )

This instrument was acknowledged before me, a Notary Public, on December 4<sup>th</sup>, 2008 by DEANNA VIEIRA, Manager OSP Planning and Engineering Design, NEVADA BELL TELEPHONE COMPANY, a Nevada corporation.

Irene Connors  
Notary Public

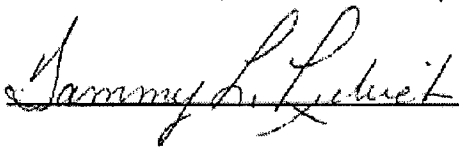


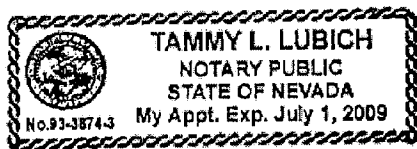
SOUTHWEST GAS CORPORATION  
a California corporation.

By:   
Dennis Redmond, Vice President

STATE OF NEVADA            )  
COUNTY OF CARSON        )

This instrument was acknowledged before me, a Notary Public, on NOVEMBER 25, 2008, by Dennis Redmond as Vice President of SOUTHWEST GAS CORPORATION, a California corporation.

 Notary Public




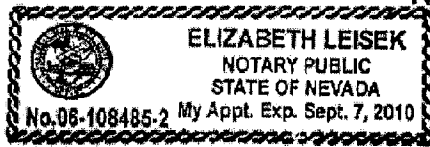
CHARTER COMMUNICATIONS.  
Falcon Cable Systems Company II, L.P.

By:   
JARED BEISNER, Interim Construction Coordinator

STATE OF NEVADA            )  
COUNTY OF CARSON        )

This instrument was acknowledged before me, a Notary Public, on November 25<sup>th</sup>, 2008, by JARED BEISNER, Interim Construction Coordinator of CHARTER COMMUNICATIONS, c/o Falcon Cable Systems Company II, L.P.

  
Notary Public



## Andrew Ailes

---

**From:** Jeff Sharp [JSharp@ci.carson-city.nv.us]  
**Sent:** Monday, December 15, 2008 3:29 PM  
**To:** Andrew Ailes  
**Subject:** Hells Bells Access Easement Abandonment

Andrew:

Let this email serve as a memo of support from the Engineering Division regarding the proposed abandonment of the 50 foot wide access easement along the south boundary of the Hells Bells property. You may attach this email to your Planning application for the abandonment.

Sincerely,

Jeff Sharp, P.E.  
City Engineer  
Carson City Development Services  
Engineering Division  
2621 Northgate Lane, Suite 54  
Carson City, NV 89706  
(775) 887-2300 ext 30084  
jsharp@ci.carson-city.nv.us

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.552 / Virus Database: 270.9.18/1850 - Release Date: 12/15/2008 5:04 PM



## Attachment A

The existing 50 foot public utility and right of way easement since it was established has only been utilized for drainage which will be perpetuated through the new 20 foot public utility easement. The existing 50 foot public utility and roadway easement was created by Document #92573 recorded November 2<sup>nd</sup>, 1989 in the Official Records of the Recorder, Carson City, Nevada. Vidler Water Company as the property owner is the successor in interest to the grantee under the above reference Document.

As indicated the right of way and public utility easement has NEVER been utilized for access purposes or public utilities (other than drainage) purposes from its inception and has never been accessed by the adjoining property owner to the south. There is no reason for an additional access to any of the properties that have been created and the area in question will be a landscaped edge to improve the area for both future owners of lots within the project as well as the property owner on the southerly adjacent property. There will be no future use of this area except for drainage purposes which as indicated will continue to be perpetuated.

The termination and abandonment of this easement does not impact or affect any third parties including adjacent owners who do not have access to the areas easterly of the project which will continue to have access to Riverview Park through existing access points to the south. There continues to be no existing need for the right of way nor has there been from the inception. Applicant met with the Parks Department relative to the trails plan prior to moving forward with this abandonment request and the participants agreed that there was ample existing access and that creating a new access for equestrian use in this location would impact the existing residences and be unsafe for horses and riders.



Order No.: 89050879

Exhibit "A"

DESCRIPTION

All that certain real property situated in Carson City, State of Nevada, described as follows:

PARCEL ONE:

The Southeast 1/4 of the Northwest 1/4 of Section 14, Township 15 North, Range 20 East, M.D.B. &M., excepting therefrom an easement for public utilities and public roadway 50 feet wide along the entire South boundary. (APN 10-021-02)

PARCEL TWO:

The East 1/2 of the East 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 14, Township 15 North, Range 20 East, M.D.B. &M., excepting therefrom an easement for public utilities and public roadway 50 feet wide along the entire South boundary.

(APN 10-021-15)

-oOo-

RECORD  
OF  
STEWART TITLE OF CARSON CITY

89 NOV -2 P4:08

FILE 000 92573

ORDER  
BY *D. Henne* DEPUTY

#60082

000 92573

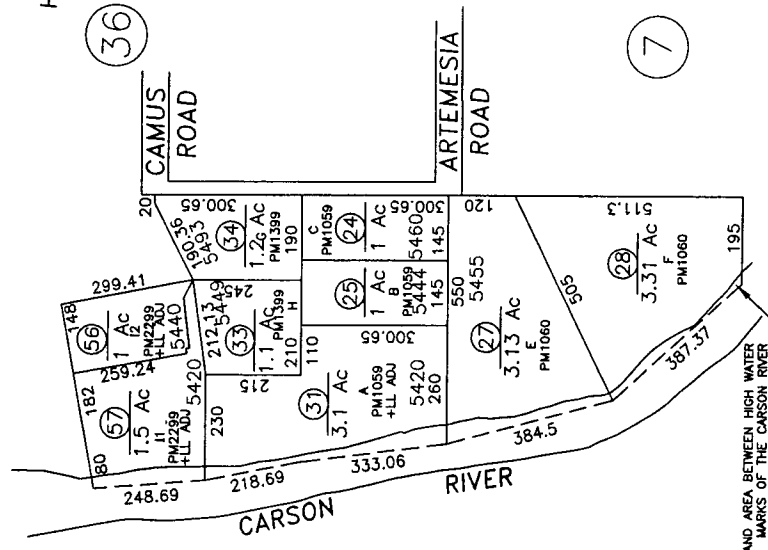
T.15 N., R.20 E., M.D.B. & M.

CARSON CITY, NEVADA  
 THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY  
 ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES  
 ONLY. IT DOES NOT REPRESENT A SURVEY. NO LIABILITY  
 IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF THE  
 DATA DELINEATED HEREON. YOU CAN VIEW AND PRINT OUR  
 MAPS AT NO CHARGE FROM OUR WEBSITE AT  
 www.carson-city.nv.gov

NOTE  
 SOME PARCELS DELINEATED HEREON MAY NOT  
 BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION  
 DUE TO DISCREPANCIES BETWEEN LOT LINES.



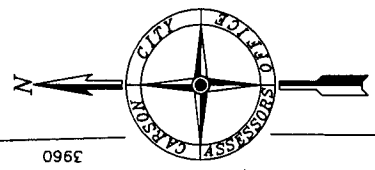
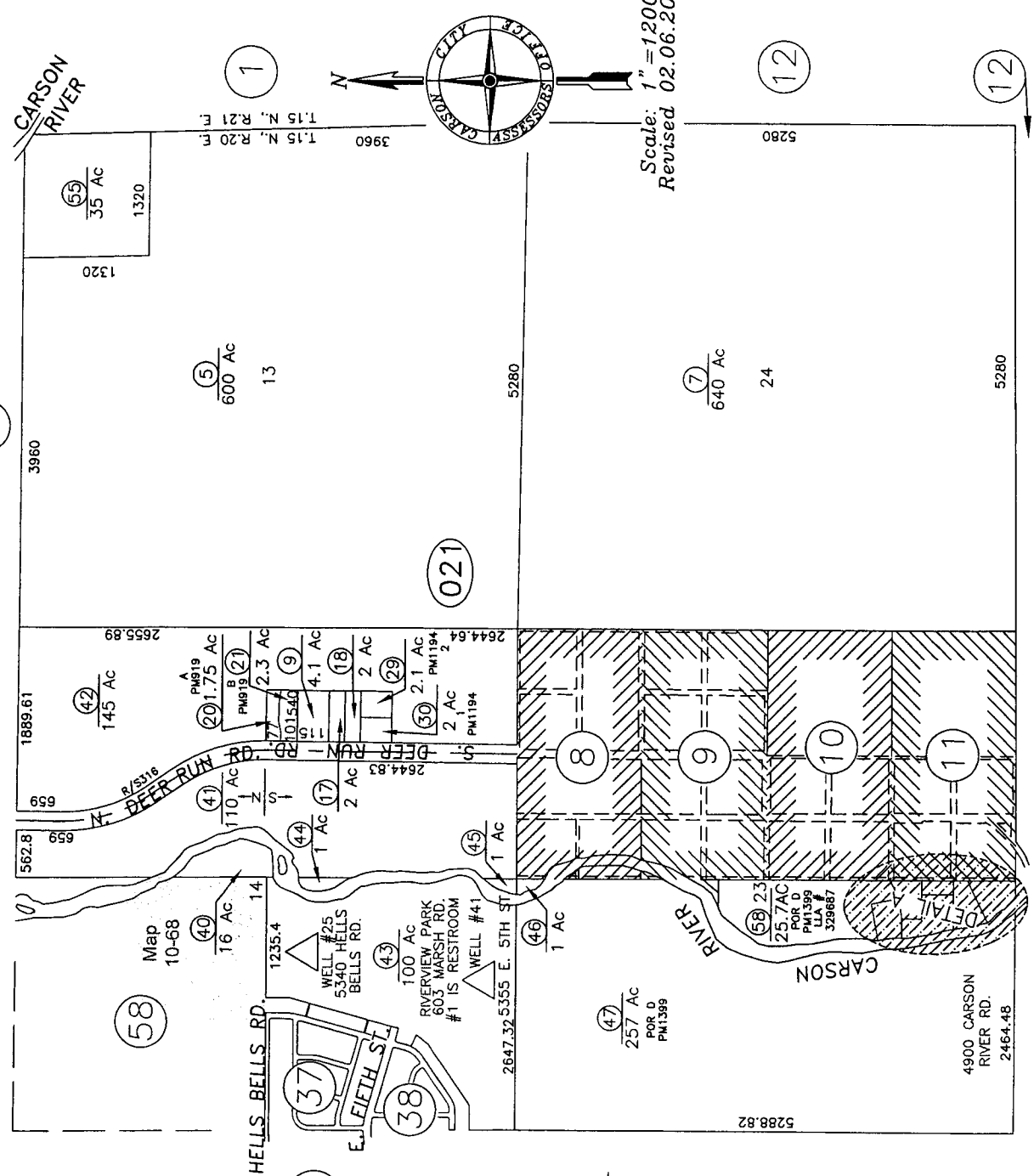
3



DETAIL A

Scale: 1"=300'

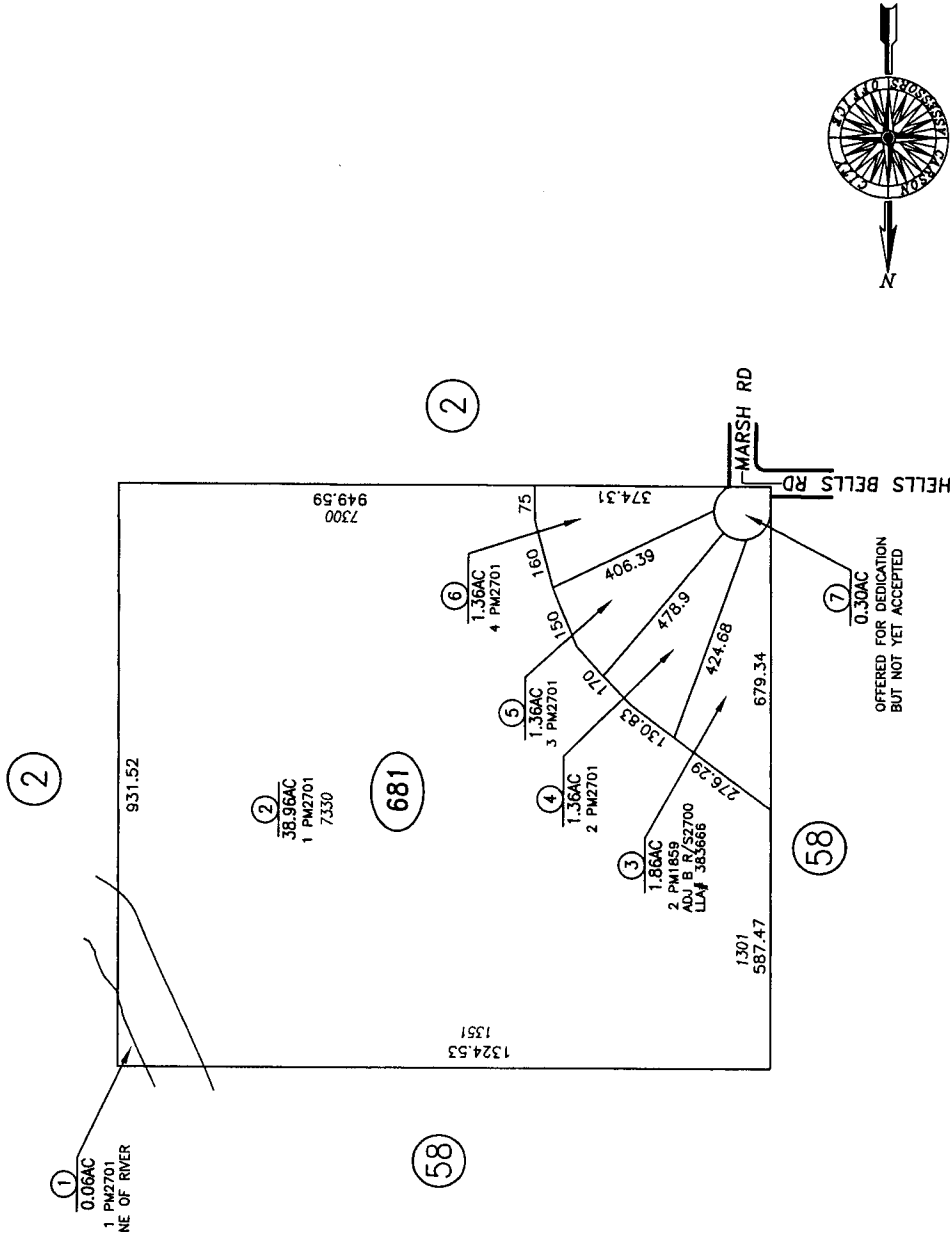
LAND AREA BETWEEN HIGH WATER  
 MARKS OF THE CARSON RIVER  
 BELONGS TO THE STATE OF  
 NEVADA



Scale: 1"=1200'  
 Revised 02.06.2007

Bk 8  
 53

PORTION OF THE NW1/4 SECTION 14, T.15 N., R.20 E., M.D.B. & M. 10-68



NOTE: SOME PARCELS DELINEATED HEREON MAY NOT BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION DUE TO DISCREPANCIES BETWEEN LOT LINES. CARSON CITY, NEVADA THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES ONLY. IT DOES NOT REPRESENT A SURVEY. NO LIABILITY FOR THE ACCURACY OR COMPLETENESS OF THE DATA DELINEATED HEREON. YOU CAN VIEW AND PRINT OUR MAPS AT NO CHARGE FROM OUR WEBSITE AT WWW.CARSON-CITY.NV.US



APN# 10-581-05; 10-581-06, 10-582-06

Recording Requested by:

Name Ticor Title of Nevada

Address 5441 Kietzke Lane Sikejo

City/State/Zip Reno, NV 89511

07004170mm

RECORDED AT THE REQUEST OF  
TICOR TITLE - RENO  
12/10/2007 03:30PM  
FILE NO. 374669  
ALAN GLOVER  
CARSON CITY RECORDER  
FEE \$43.00 DEP JIDE

(for Recorder's use only)

Re-record Grant, Burial and Sale Deed  
(Title of Document)

To correct legal description

This page added to provide additional information required by NRS 111.312 Sections 1-2.  
(Additional recording fee applies)

This cover page must be typed or printed.

374669

RECORDED AT THE  
REQUEST OF

TICOR TITLE OF NEVADA, INC.

2007 OCT 30 PM 4:40

FILE NO. 373459

ALAN GLOVER  
CARSON CITY RECORDER

FEE \$16.00

MAIL TAX STATEMENT AND  
WHEN RECORDED RETURN TO:  
Vidler Water Company, Inc.  
3480 GS Richards Blvd, Ste 101  
Carson City, NV 89703

Essex NO. 7004170-mm  
APN: 010-581-05; 010-581-06; 010-582-06

**GRANT BARGAIN AND SALE DEED**

THIS GRANT BARGAIN & SALE DEED is made this 25th day of October, 2007 by and between GARY ROBERT FRAZEE, Co-Trustee of THE RUSSELL EARL GRAHAM, JR. 2006 TRUST DATED AUGUST 5, 2006, hereafter referred as "GRANTOR," and VIDLER WATER COMPANY, INC., a Nevada corporation, hereafter referred as "GRANTEE,"

GRANTOR, in consideration for the sum of Ten Dollars (\$10.00), lawful money of the United States, and other good and valuable consideration to GRANTOR in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, and sell to GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest in and to that certain real property situated in Carson City County, State of Nevada, and more particularly described on Exhibit "A", attached hereto.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, except as otherwise expressly provided in this Deed.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the said GRANTEE, and to GRANTEE's heirs, and successors and assigns forever.

IN WITNESS WHEREOF, the GRANTOR has executed this conveyance the day and year first above written.

THE RUSSELL EARL GRAHAM JR. 2006 TRUST  
DATED AUGUST 5, 2006

By: Gary Robert Frazee  
Gary Robert Frazee, Co-Trustee

373459

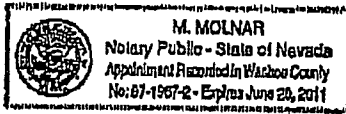
374669



STATE OF NEVADA )  
 ) ss.  
COUNTY OF Nevada )

This instrument was acknowledged before me on this 25<sup>th</sup> day of October, 2007 by Gary Robert Prazee, Co-Trustee of the Russell Earl Graham Jr. 2006 Trust dated August 5, 2006.

M. Molnar  
Notary Public



373459

374669

EXHIBIT A

All that certain real property situated in the County of Carson City, State of Nevada, described as follows:

PARCEL 1:

A parcel of land located within the Southeast 1/4 of the Northwest 1/4 of Section 14, Township 15 North, Range 20 East, M.D.B.&M., Carson City, Nevada being more particularly described as follows:

Beginning at the North center 1/16<sup>th</sup> corner of said Section 14, as shown on the Russell E. Graham Jr. and Linda D. Graham Parcel Map, Document No. 112019 of the Carson City Recorder's Office, which bears South 00°27'26" West 1,324.09 feet from the North 1/4 corner of said Section 14, thence South 00°27'36" West along the East line of the Northwest 1/4 of said Section 14; 1,324.09 feet to the center 1/4 corner of said Section 14; thence North 89°14'45" West along the South line of the Northwest 1/4 of said Section 14, 1,323.81 feet to the Southeast corner of Parcel 2 as shown on said Parcel Map; thence North 00°25'50" East along the East line of said Parcel 2, 133.17 feet; thence South 89°17'08" East along the North line of said Southeast 1/4 of the Northwest 1/4, 1,324.89 feet to the Point of Beginning.

EXCEPTING THEREFROM the area between the banks of the Carson River lying below the mean high water line, being the land of the State of Nevada.

Document Number 157321 is provided pursuant to the requirements of Section 1 NRS 111.312

PARCEL 2:

A Parcel of land located within the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of Section 14, Township 15 North, Range 20 East, M.D.B.&M., Carson City, Nevada, being more particularly described as follows:

Parcel 2 of that certain Parcel Map filed for Russell E. Graham Jr. and Linda D. Graham, recorded in the office of the County Recorder of Carson City, Nevada on February 14, 1991 in Book 7 of Maps, Page 1859, as File No. 112019.

APN: 010-381-05, 010-581-06 AND 010-582-06

373459

374669

Exhibit A

All that certain real property situate in the County of Carson City, State of Nevada, described as follows:

PARCEL 1

A parcel of land located within the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 14, Township 15 North, Range 20 East, M D B. & M., Carson City, Nevada being more particularly described as follows

Beginning at the North center  $\frac{1}{16}$ <sup>th</sup> corner of said Section 14, as shown on the Russell E Graham Jr and Linda D Graham Parcel Map, Document No. 112019 of the Carson City Recorder's Office, which bears South  $00^{\circ}27'26''$  West 1,324.09 feet from the North  $\frac{1}{4}$  corner of said Section 14, thence South  $00^{\circ}27'36''$  West along the East line of the Northwest  $\frac{1}{4}$  of said Section 14, 1,324.09 feet to the center  $\frac{1}{4}$  corner of said Section 14; thence North  $89^{\circ}14'45''$  West along the South line of the Northwest  $\frac{1}{4}$  of said Section 14, 1,323.81 feet to the Southeast corner of Parcel 2 as shown on said Parcel Map; thence North  $00^{\circ}25'50''$  East along the East line of said Parcel 2, 1,323.17 feet; thence South  $89^{\circ}17'08''$  East along the North line of said Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , 1,324.49 feet to the Point of Beginning.

EXCEPTING THEREFROM the area between the banks of the Carson River lying below the mean high water line, being the land of the State of Nevada

Document Number 357222 is provided pursuant to the requirements of Section 1 NRS 111.312

PARCEL 2

A Parcel of land located within the Southwest One-Quarter (SW  $\frac{1}{4}$ ) of the Northwest One-Quarter (NW  $\frac{1}{4}$ ) of Section 14, Township 15 North, Range 20 East, M. D B & M., Carson City, Nevada, being more particularly described as follows

Parcel 2 of that certain Parcel Map filed for Russell E. Graham Jr. and Linda D Graham, recorded in the office of the County Recorder of Carson City, Nevada on February 14, 1991 in Book 7 of Maps, Page 1859, as File No. 112019.

APN 010-581-05, 010-581-06 AND 010-582-06

Legal rev. 2/10/05

374669

**STATE OF NEVADA  
 DECLARATION OF VALUE**

**1. Assessor Parcel Number (a)**

a) 10-581-03  
 b) 10-581-06  
 c) 10-582-42  
 d) \_\_\_\_\_

**2. Type of Property:**

a)  Vacant Land      b)  Single Fam Res  
 c)  Condo/TWhse      d)  2-4 Plex  
 e)  Apt, Bldg      f)  Combr/Indl  
 g)  Agricultural      h)  Mobile Home  
 i)  Other

FOR RECORDERS OPTIONAL USE ONLY	
Notes:	_____
_____	_____

**3. Total Value/Sales Price of Property:**

Dead in Lieu of Foreclosure Only (value of property) \$ 4  
 Transfer Tax Value: \$ \_\_\_\_\_  
 Real Property Transfer Tax Due: \$ 4

**4. If Exemption Claimed:**

a. Transfer Tax Exemption, per NRS 375.090, Section: 2  
 b. Explain Reason for Exemption: paid on 777454 - This is foreclosed

**5. Partial Interest: Percentage being transferred: \_\_\_\_\_ %**

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375 080 and NRS 375 110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month.

Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Sharon M. W. Capacity Agent  
 Signature \_\_\_\_\_ Capacity \_\_\_\_\_

**SELLER (GRANTOR) INFORMATION**

**BUYER (GRANTEE) INFORMATION**

(REQUIRED)  
 Print Name: GARY FRASER  
 Address: 7655 Gilman Street  
 City: Reno  
 State: NV Zip: 89506

(REQUIRED)  
 Print Name: Vivier Water Company  
 Address: 3480 GS Richards Blvd Ste 101  
 City: Carson City  
 State: NV Zip: 89701

**COMPANY/PERSON REQUESTING RECORDING**

(REQUIRED IF NOT THE SELLER OR BUYER)  
 Print Name: Sharon M. W. - Tico Escrow # 0700417041  
 Address: 5441 Rietake Lane #100  
 City: Reno State: NV Zip: 89511

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED)

10-58

PORTION W1/2 SECTION 11  
T.15 N., R.20 E., M.D.B. & M.

PORTION E1/2 SECTION 10  
T.15 N., R.20 E., M.D.B. & M.

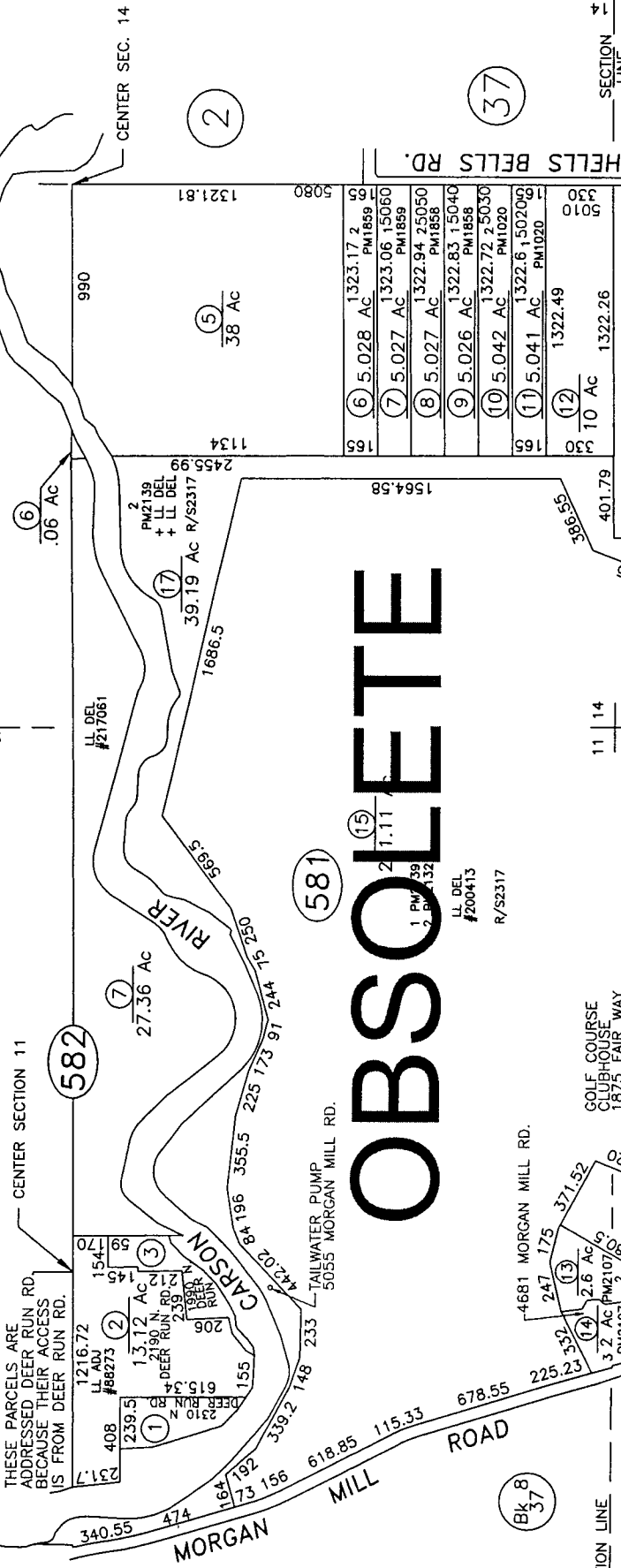
11 | 14

SECTION LINE

(2)

Bk 8  
54

THESE PARCELS ARE  
ADDRESSED DEER RUN RD.  
BECAUSE THEIR ACCESS  
IS FROM DEER RUN RD.



OBSOLETE

(581)

(582)

(58)

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APN: 010-581-05  
010-581-06  
010-582-06

RECORDED AT THE  
REQUEST OF

*Vidler Water*  
2008 OCT 22 AM 8:03

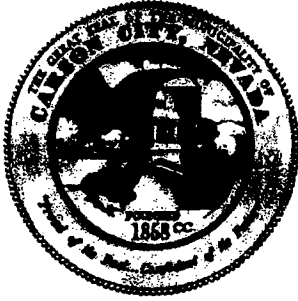
FILE NO. 383666  
ALAN GUYER  
CARSON CITY RECORDER  
FEES *20* DEP

TITLE OF DOCUMENT: **Lot Line Adjustment  
LLA-08-087 Vidler Water Company, Inc.**

WHEN RECORDED MAIL TO:

Development Services  
Planning Division  
2621 Northgate Lane, Suite 62  
Carson City, Nevada 89706

383666



## Carson City Planning Division

2621 Northgate Lane, Suite 62

Carson City, Nevada 89706

(775) 887-2180

[Plandiv@ci.carson-city.nv.us](mailto:Plandiv@ci.carson-city.nv.us)

[www.carson-city.nv.us](http://www.carson-city.nv.us)

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### CARSON CITY LOT LINE ADJUSTMENT LLA-08-087

Vidler Water Company Inc.  
3480 GS Richards Blvd. Suite 101  
Carson City, NV 89703

010-581-05  
010-581-06  
010-582-06

In response to your application of August 07, 2008 in which you requested a lot line adjustment between Assessor's Parcel Numbers 010-581-05, 010-581-06 and 010-582-06, which are owned by **yourself**:

A parcel map is not required to change the lot line between these parcels. Section 8, NRS 278.461 and NRS 278.467 states that a parcel map is not required when there is an adjustment of the boundary line or the transfer of land between two adjacent parcels which does not result in the creation of any additional parcels.

We will record the appropriate documents and notify the Carson City Recorder and Assessor of this adjustment.

Sincerely,  
ENGINEERING DIVISION

  
\_\_\_\_\_  
Jeff Sharp, City Engineer

Date: 10/20/08

PLANNING DIVISION

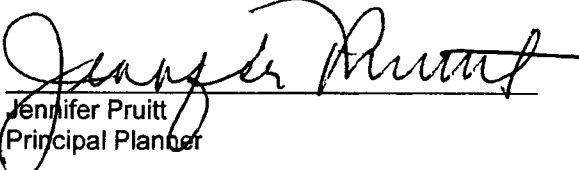
  
\_\_\_\_\_  
Lee Plemel, Planning Director

Date: 10/20/08

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### LOT LINE ADJUSTMENT CERTIFICATION

Pursuant to the above approval, the lot line adjustment between Assessor's Parcel Number (s) 010-581-05, 010-581-06 and 010-582-06 was ordered adjusted on October 20, 2008 by the Carson City Planning Division Director and City Engineer. This letter certifies that all requirements for an adjustment have been satisfactorily completed by the applicant. This letter, along with the utility statements, revised deeds and the attached map and legal descriptions, must be recorded within 120 days from this date. Failure to record the above information within 120 days may invalidate the adjustment approval.

  
\_\_\_\_\_  
Jennifer Pruitt  
Principal Planner

10-20-08  
Date

383666

<b>Carson City Planning Division</b> 2621 Northgate Lane, Suite 62 • Carson City NV 89706 Phone: (775) 887-2180 • E-mail: plandept@ci.carson-city.nv.us	<b>FOR OFFICE USE ONLY:</b>  <b>LOT LINE ADJUSTMENT</b>  <b>FEE: \$500.00 + \$60/hr over 4 hours</b>  <b>SUBMITTAL PACKET</b> <input checked="" type="checkbox"/> G Application Form <input checked="" type="checkbox"/> G Metes and Bounds Description (2 copies) <input checked="" type="checkbox"/> G Drawing (2 copies) <input checked="" type="checkbox"/> G Record of Survey Plat (2 copies) <input checked="" type="checkbox"/> G New Deed with Legal Descriptions (2 copies) <input checked="" type="checkbox"/> G Utility Statements (Original) <input checked="" type="checkbox"/> G Transfer Tax Statement <input checked="" type="checkbox"/> G Owner's Certificate <input checked="" type="checkbox"/> G Surveyor's/Treasurer's/Clerk Recorder's Certificate <input checked="" type="checkbox"/> G Documentation of Taxes Paid-to-Date <b>Application Reviewed and Received By:</b> 
<b>FILE # LLA - 08 - 087</b>	
<b>PROPERTY OWNER #1</b> <span style="float: right;"><b>PHONE #</b></span> <u>Vidler Water Company</u> <span style="float: right;"><u>775-885-5000</u></span>	
<b>MAILING ADDRESS, CITY, STATE, ZIP</b> <u>GS Richards Blvd, Carson City, NV 89703</u>	
<b>E-MAIL ADDRESS</b> <u>aailles@vidlerwater.com</u>	
<b>PROPERTY OWNER #2</b> <span style="float: right;"><b>PHONE #</b></span> <u>Vidler Water Company</u> <span style="float: right;"><u>775-885-5000</u></span>	
<b>MAILING ADDRESS, CITY, STATE ZIP</b> <u>GS Richards Blvd, Carson City, NV 89703</u>	
<b>PROPERTY OWNER #3</b> <span style="float: right;"><b>PHONE #</b></span>	
<b>MAILING ADDRESS, CITY, STATE ZIP</b>	
<b>SURVEYOR (If Required)</b> <span style="float: right;"><b>PHONE #</b></span> <u>Ken Iwamura, Tri State Surveying</u> <span style="float: right;"><u>775-887-9911</u></span>	
<b>MAILING ADDRESS, CITY, STATE ZIP</b> <u>425 E Long St, Carson City, NV 89706</u>	
<b>PRESENT ZONING OF PARCEL(s)</b> <u>SF1A</u>	<b>MEETING DATE:</b> _____  <b>Submittal Deadline: Anytime during business hours.</b> <b>Note: Submittals must be of sufficient clarity and detail such that all departments are able to approve. If they can support the request, additional information may be required.</b> <div style="border: 2px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>   <b>AUG 07 2008</b>   <b>CARSON CITY PLANNING DIVISION</b> </div>

In accordance with the provisions of Title 17 of the Carson City Municipal Code, application is hereby made for a lot line adjustment between property situated at:

<u>Address of Property</u>	<u>Assessor's Parcel Number of Property</u>
1) <u>5080 Hells Bells</u>	<u>10-581-05</u>
2) <u>Hells Bells</u>	<u>10-581-06</u>
3) <u>Hells Bells</u>	<u>10-582-06</u>

**ACKNOWLEDGMENT OF APPLICANT(S):**

- 1) I certify that the foregoing statements are true and correct to the best of my knowledge and belief.
- 2) I agree to fulfill all conditions established by the Planning Division and to submit the lot line documentation within 90 days of said approval to the Planning Division for recording. A single 90-day extension may be granted by the Planning Director, if necessary.
- 3) All structures, wells, and/or septic are shown on the plat adjustment map.
- 4) All required documentation has been submitted to the Planning Division.

\_\_\_\_\_  
 Applicant's Signature

7-31-08  
 Date

\_\_\_\_\_  
 Applicant's Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Applicant's Signature

\_\_\_\_\_  
 Date

NOTE: ALL DOCUMENTS TO BE RECORDED MUST MAINTAIN A MINIMUM ONE-INCH MARGIN (Top, Bottom, Left, and Right)

17. 383666





*Land Information Solutions*

## **TRI STATE SURVEYING, LTD.**

425 East Long Street  
Carson City, Nevada 89706  
Telephone (775) 887-9911 ♦ FAX (775) 887-9915  
Toll Free: 1-800-411-3752

### **EXHIBIT A**

#### **ADJUSTED PARCEL A**

All that certain real property situate within a portion of the Northwest 1/4 of Section 14, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being more particularly described as follows:

**Beginning** at the southwest corner of Parcel 2 of Parcel Map for Russell E. Graham, Jr. and Linda D. Graham, recorded as File No. 112019 in the Official Records of Carson City, Nevada; Thence along the West line of said Parcel 2, North 00°24'42" East, 56.26 feet to a point on a non-tangent curve to the right having a radius of 64.27 feet, to which a radial line bears North 89°28'51" West;

Thence 91.53 feet along the arc of said curve through a central angle of 81°35'45";

Thence North 20°37'49" East, 478.90 feet;

Thence North 52°32'18" West, 276.29 feet to a point on the above-mentioned West line of Parcel 2;

Thence continuing along said West line, North 0°24'42" East, 587.47 feet;

Thence along the North Line of said Parcel 2, North 89°16'26" West, 165.63 feet;

Thence along the North Line of the Southeast 1/4 of the Northwest 1/4 of Section 14, North 89°17'45" West, 1324.53 feet;

Thence along the East line of said Southeast 1/4 of the Northwest 1/4 of Section 14, South 0°26'36" West, 1324.26 feet;

Thence along the South line of said Southeast 1/4 of the Northwest 1/4 of Section 14 and the South line of the above-mentioned Parcel 2, North 89°14'51" West, 1489.43 feet to the **Point of Beginning**.

Excepting therefrom the area between the banks of the Carson River lying below the mean high water line, being the land of the State of Nevada.

Contains 43.41 acres (gross), more or less.

**383666**

## ADJUSTED PARCEL B

All that certain real property situate within a portion of the Northwest 1/4 of Section 14, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being more particularly described as follows:

**Commencing** at the southwest corner of Parcel 2 of Parcel Map for Russell E. Graham, Jr. and Linda D. Graham, recorded as File No. 112019 in the Official Records of Carson City, Nevada;  
Thence along the West line of said Parcel 2, North 00°24'42" East, 56.26 feet to the **Point of Beginning**;

Thence continuing along said West line, North 0°24'42" East, 679.34 feet;

Thence departing said West line, South 52°32'18" East, 276.29 feet;

Thence South 20°37'49" West, 478.90 feet to a point on a non-tangent curve to the left having a radius of 64.27 feet, to which a radial line bears North 7°53'05" West;

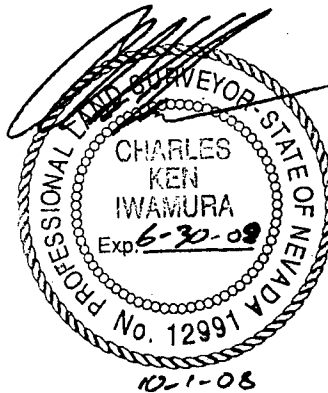
Thence 91.53 feet along the arc of said curve through a central angle of 81°35'45" to the **Point of Beginning**;

Contains 81,107 square feet, more or less.

The **Basis of Bearings** for these descriptions is Grid North, Nevada State Plane Coordinate System, West Zone, NAD83/94.

Prepared by:  
**TRI STATE SURVEYING, LTD.**

Charles Ken Iwamura, P.L.S.  
Nevada Certificate No. 12991



383666

A.P.N.'s 10-581-05, 10-581-06 & 10-582-06

Mail Tax Statements to:  
Vidler Water Company  
4580 GS Richard Boulevard  
Carson City, NV 89703

When Recorded, return to:  
Tri State Surveying, Ltd.  
425 East Long Street  
Carson City, NV 89706

**BOUNDARY LINE ADJUSTMENT**

**QUITCLAIM DEED**

COMES NOW, VILDER WATER COMPANY, INC., A NEVADA CORPORTION, as owner of Parcel 1 as described in Document No. 357222 , filed in the Official Records of Carson City, Nevada on December, 10, 2007, **FIRST PARTY**, and VILDER WATER COMPANY, INC., A NEVADA CORPORTION, as owner of Parcel 2 of Parcel Map No. 1859, filed in the Official Records of Carson City, Nevada on February 14, 1991, **SECOND PARTY**, enter into this indenture as of the 14<sup>TH</sup> day of OCTOBER, 2008.

**WITNESSETH**

**THAT THE PARTIES**, as owners of adjacent and abutting parcels of land, for good and valuable consideration, does by these presents desire to adjust the boundary lines between said parcels pursuant to NRS 278.461 4 (c), said parcels situate within a portion of the Northwest One-Quarter (NW1/4) of Section Fourteen (14), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Meridian, Carson City, State of Nevada:

**NOW THEREFORE**, the **FIRST PARTY** does by these presents, quitclaim, bargain, and convey to the **SECOND**, all lands necessary to effect this boundary line adjustment, so that the parcel of land owned by the **FIRST PARTY** shall be described as **ADJUSTED PARCEL A**, and the parcel of land owned by the **SECOND PARTY** shall be described as **ADJUSTED PARCEL B** in EXHIBIT "A", attached hereto and incorporated herein by reference.

**THE PARTIES** also desire to enter into an agreement with the utility companies and cable television company having an interest in the Public Utility and Cable TV Easements granted along the original lot lines of said Parcel 2 of Parcel Map No. 1859 to relocate said easements along the adjusted lot lines of Adjusted Parcel B as described in said EXHIBIT "A".

**IN WITNESS WHEREOF, THE PARTIES** have caused these presents to be executed the day and year first above written.

383666

**FIRST PARTY:**

Dorothy Timians - Palmer

STATE OF NEVADA

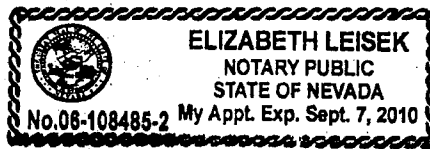
S.S.

COUNTY OF Carson City

On this 14<sup>th</sup> day of OCTOBER, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Dorothy Timians - Palmer, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.

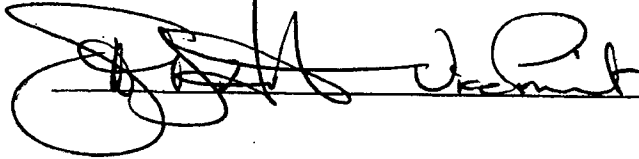
Witness my hand and official seal.

Elizabeth Leisek  
NOTARY PUBLIC



383666

**SECOND PARTY:**



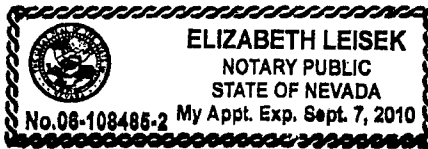
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STATE OF NEVADA

COUNTY OF Crescent City S.S.

On this 29th day of September, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared STEPHEN D. HARTMAN, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.  
Witness my hand and official seal.

  
NOTARY PUBLIC



383666

**UTILITY COMPANIES ACCEPTANCE AND APPROVALS:**

**SIERRA PACIFIC POWER COMPANY**

d/b/a NV Energy

*Carolyn C. Barbash*

Carolyn C Barbash Executive, Regional Operations  
Print Name and Title

STATE OF NEVADA

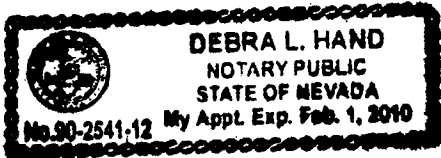
S.S.

COUNTY OF WASHOE

On this 13<sup>th</sup> day of October, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared CAROLYN C. BARBASH, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.

Witness my hand and official seal.

*Debra Hand*  
NOTARY PUBLIC

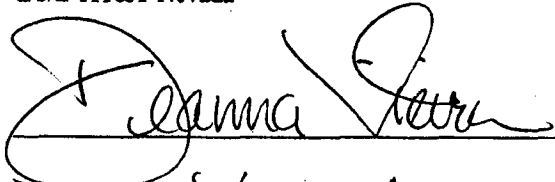


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UTILITY COMPANIES ACCEPTANCE AND APPROVALS: (cont.)

NEVADA BELL TELEPHONE CO.

d/b/a/ AT&T Nevada



DEANNA VIEIRA, Mgr.-OSP Planning

Print Name and Title

& Eng. Design

STATE OF NEVADA

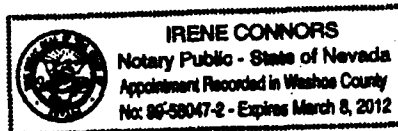
S.S.

COUNTY OF WASHOE

On this 13<sup>th</sup> day of October, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Deanna Vieira, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.

Witness my hand and official seal.


  
NOTARY PUBLIC



383666

UTILITY COMPANIES ACCEPTANCE AND APPROVALS: (cont.)

SOUTHWEST GAS CORPORATION

  
\_\_\_\_\_

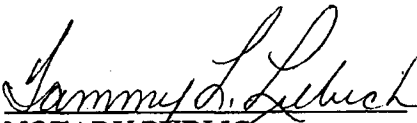
DENNIS REDMOND, VICE PRESIDENT  
Print Name and Title

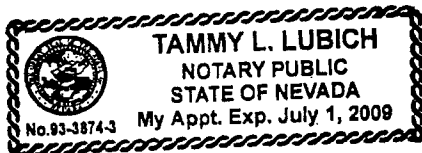
STATE OF NEVADA

S.S.

COUNTY OF ~~WASHOE~~ CARSON *ku*

On this 10 day of OCTOBER, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared DENNIS REDMOND, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.  
Witness my hand and official seal.

  
NOTARY PUBLIC



383666



UTILITY COMPANIES ACCEPTANCE AND APPROVALS: (cont.)

CHARTER COMMUNICATIONS



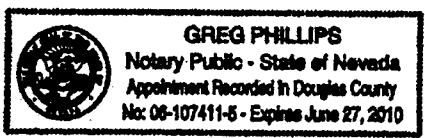
D.S. MENZEL CONST. COORDINATOR  
Print Name and Title

STATE OF NEVADA

S.S.

COUNTY OF ~~WASHOE~~  
Carson

On this 10<sup>TH</sup> day of October, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Dwight Jeffrey Menzel, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument for the purposes herein stated.  
Witness my hand and official seal.

  
NOTARY PUBLIC

383666

383666

UTILITY STATEMENTS FOR LOT LINE ADJUSTMENTS

LOCATED AT: 5080 Hells Bells / Common lot line of APN 10-581-05 and 06  
 (THE LOCATION MUST BE LISTED ABOVE PRIOR TO OBTAINING SIGNATURES)

1. We have a utility easement adjoining the line to be adjusted and require a like easement at the new lot line location at the time of relinquishment.

Signed: \_\_\_\_\_  
 Signature Company Date

Signed: \_\_\_\_\_  
 Signature Company Date

Signed: \_\_\_\_\_  
 Signature Company Date

2. We have a utility in the easement(s) adjoining the line to be adjusted and desire a continuation of said easement in its present location regardless of lot line location.

Signed: \_\_\_\_\_  
 Signature Company Date

Signed: \_\_\_\_\_  
 Signature Company Date

Signed: \_\_\_\_\_  
 Signature Company Date

3. OTHER: (Please type in a statement which applies to your situation): SPPCO SWG DOES NOT

HAVE A UTILITY ADJOINING THE LINE TO BE ADJUSTED.

Signed: Dany Gibson Southwest Gas Corp 7/31/08  
 Signature Company Date

Signed: Carly C. Burt Sierra Pacific Power Co 7/31/08  
 Signature Company Date

Signed: Daryl O.S. Mentez CHARTER COMM 8/4/08  
 Signature Company Date

CC Utilities 10/20/08

THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

- Sierra Pacific Power Company
- Charter Communication
- Carson City Engineering (will sign during review)
- Southwest Gas Corporation
- AT&T Nevada
- Carson City Utilities (will sign during review)

383667  
 383666



