

**City of Carson City  
Agenda Report**

**Date Submitted:** July 9, 2013

**Agenda Date Requested:** July 18, 2013

**Time Requested:** 20 Minutes

**To:** Mayor and Supervisors

**From:** Parks and Recreation Department - Open Space Division

**Subject Title:** For possible action to approve the recommendation of the Open Space Advisory Committee to purchase APN 3-151-25 , 9-014-05, plus an area between those two parcels, containing 22.35 acres, located at the southwest quarter of the intersection of Ormsby Boulevard and Kings Canyon Road and owned by the Potter Family Trust, and to authorize the Mayor and staff to execute documents to complete the transaction. (Juan F. Guzman)

**Staff Summary:** The 22.35 acres are located west of Terrace Street and south of King Canyon road. The Potter Family Trust has agreed to sell the lands for open space for \$225,000 which is the appraised value. The property is in a priority area for acquisitions based on the Open Space Master Plan. This transaction will bring into public ownership cultural resources such as the Pioneer Cemetery, scenic views at the base of C-Hill, and a trail that is used for passive recreation.

**Type of Action Requested:** (check one)

- Resolution                       Ordinance  
 Formal Action/Motion    Other (Specify)

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

**Recommended Board Action:** I move to approve the recommendation of the Open Space Advisory Committee to purchase APN 3-151-25 , 9-014-05, plus an area between those two parcels, containing 22.35 acres, located at the southwest quarter of the intersection of Ormsby Boulevard and Kings Canyon Road and owned by the Potter Family Trust, and to authorize the Mayor and staff to execute documents to complete the transaction.

**Explanation for Recommended Board Action:** Please see the attached documentation. In keeping with the Board's direction, this acquisition has been the subject of extensive review by the Open Space Advisory Committee and staff. Attached are the staff report and minutes of the April 15, 2013, Open Space Advisory Committee meeting where a detailed analysis of the suitability of this land for passive recreation was discussed. Staff and the Seller have systematically collaborated to reach this point where the next step is to proceed to the Board of Supervisors for their consideration to purchase the 22.35 acre area.

**Applicable Statue, Code, Policy, Rule or Regulation:**

Carson City Municipal Code 13.06 - Open Space  
N.R.S. 244.275 Purchase or lease of property  
N.R.S. 342 Acquisition of real property

**Fiscal Impact:**

Approximately \$230,000 in total acquisition cost  
Loss of \$1,096.12 projected taxes for 2013/14 (APN 3-15-125)  
Loss of \$27.42 projected taxes for 2013/14 (APN 9-014-05)

**Explanation of Impact:** The purchase price of \$225,000 plus approximately \$5,000 for escrow is the anticipated cost. The ad valorem tax will be reduced by \$1,123.54 upon the property becoming public as opposed to private ownership. The long-term maintenance concerns include fuels management, trail cleanups, and securing and conserving the cemetery.

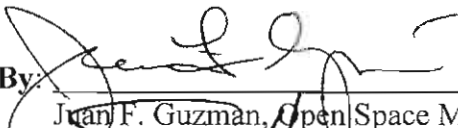
**Funding Source:** Open Space acquisition account with a balance of \$90,000 plus saving from the fuels line item and the federal acquisitions.

**Alternatives:**

- 1) Not to purchase the property.
- 2) Instruct staff to amend the terms of the purchase.

**Supporting Material:**

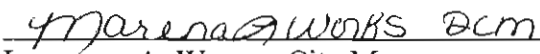
- Aerial photo of property and vicinity (Exhibit A)
- Minutes of the April 15, 2013, Open Space Advisory Committee meeting (Exhibit B)
- Staff report for Item 3C from the April 15, 2013, Open Space Advisory Committee meeting (Exhibit C)
- Staff report for Item 3D from the April 15, 2013, OSAC meeting (Environmental Assessment) (Exhibit D)
- Draft purchase agreement (Exhibit E)
- Preliminary Title Report (Exhibit F)
- Appraisal (Exhibit G)
- Cultural Resources Inventory (Exhibit H)
- Nevada Appeal article dated February 27, 2013 (Exhibit I)

Prepared By:   
\_\_\_\_\_  
Juan F. Guzman, Open Space Manager

Date: 7/9/13

Reviewed By:   
\_\_\_\_\_  
Roger Moellendorf, Parks & Recreation Director

Date: 7/9/13

  
\_\_\_\_\_  
Lawrence A. Werner, City Manager

Date: 7/9/13

  
\_\_\_\_\_  
District Attorney's Office

Date: 7/9/13

  
\_\_\_\_\_  
Finance Department

Date: 7/9/13

**Board Action Taken:**

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

2: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

# Potter Properties

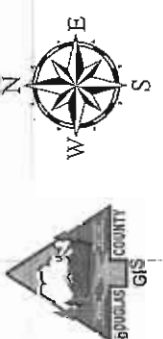


1 inch = 500 feet

0 0.15 0.3 Miles

The data contained herein has been housed and/or compiled in a geographic information system (GIS) by Douglas County for the use of Carson City. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Carson City or Douglas County or as to the sufficiency or accuracy of the data.

-  Potter Properties
-  40+ Acre Adjacent Parcels



**CARSON CITY OPEN SPACE ADVISORY COMMITTEE****Minutes of the April 15, 2013 Meeting**

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, April 15, 2013 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Bruce Scott  
Vice Chairperson Howard Riedl  
Member Margie Evans  
Member Donna Inversin  
Member Tricia Lincoln  
Member Toby Welborn

**STAFF:** Roger Moellendorf, Parks and Recreation Department Director  
Juan Guzman, Open Space Property Manager  
Ann Bollinger, Natural Resources Specialist  
Tina Russom, Senior Deputy District Attorney  
Tamar Warren, Deputy Clerk / Recording Secretary

**NOTE:** A recording of these proceedings, the committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

**CALL TO ORDER (6:00:25)** – Chairperson Scott called the meeting to order at 6:00 p.m.

**ROLL CALL AND DETERMINATION OF A QUORUM (6:01:05)** – Roll was called and a quorum was present. Member Fitzsimmons was absent as excused.

**CITIZEN COMMENTS (6:01:43)** – Chairperson Scott entertained public comments. Rob Scanland, representing the Carson City Kiwanis Club, thanked the Open Space Advisory Committee (OSAC) for partnering with the Kiwanis Club for the 24<sup>th</sup> Annual Carson River Cleanup. He thanked Randy Pahl, former chairperson of the Carson River Advisory Committee for his support. Mr. Scanland also noted that he would return to a future meeting to provide the Committee with a firm date for the cleanup in September. Mr. Pahl also offered his support to the Kiwanis Club liaison, Member Welborn. Chairperson Scott recognized the importance of the Carson River and affirmed this Committee's support.

**1. ACTION ON APPROVAL OF MINUTES (6:06:43)** – Chairperson Scott introduced the item. Vice Chairperson Riedl moved to approve the minutes of the February 25, 2013 meeting as amended. The motion was seconded by Member Evans. Motion carried 6-0.

**2. MODIFICATIONS TO THE AGENDA (6:05:17)** – Chairperson Scott entertained modifications to the agenda. Mr. Guzman suggested hearing item 3I prior to item 3E, and removing item 3H from the agenda.

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**3. MEETING ITEMS:**

**A. FOR DISCUSSION AND POSSIBLE ACTION: TO PRESENT A RESOLUTION EXPRESSING GRATITUDE TO TERI GREEN-PRESTON FOR HER YEARS OF SERVICE AS A MEMBER OF THE OPEN SPACE ADVISORY COMMITTEE.** (6:10:10) – Chairperson Scott introduced the item and invited former OSAC member, Teri Green-Preston, to come forward. Mr. Guzman presented Ms. Green-Preston with a resolution, incorporated into the record, thanking her for her dedication and service on this Committee. Chairperson Scott also thanked Ms. Green-Preston for her service and presented her with a photograph of the Carson River noting that she was “not off the hook” and encouraged her participation in the future. Ms. Green-Preston thanked everyone for giving her the opportunity to serve on this Commission and spoke of volunteer opportunities. Chairperson Scott indicated that he had spoken to Ms. Green-Preston about providing input to the Committee, especially in relation to off-highway vehicle (OHV) activities. He also entertained citizen comments; however, none were forthcoming.

**B. FOR DISCUSSION AND POSSIBLE ACTION: TO REVIEW AND APPROVE THE CARSON CITY/NEVADA DIVISION OF FORESTRY WILDFIRE PROTECTION PLAN AND THE ASSOCIATED FUNDING AMOUNT AND MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS TO APPROVE THE PLAN.** (6:13:50) – Chairperson Scott introduced the item. Mr. Guzman presented a Staff Report, with background information, regarding the agenda item, and introduced Tom Tarulli, Assistant Fire Chief. Mr. Tarulli presented an agreement, incorporated into the record, between the Nevada Division of Forestry (NDF) and the Consolidated Municipality of Carson City. He clarified that all the fire districts throughout the state had been offered a participatory agreement outlining services provided by the NDF in exchange for an annual fee of \$150,000. Mr. Tarulli outlined some of the services which included fire management participation by providing fire and hand crews and helicopters, adding that previous fires in Douglas County had a firefighting cost of \$1.1 million each, which could be costly without this agreement. Mr. Guzman explained that over the years, they had consulted NDF for various projects, tapping into their high level of expertise, and noted that this agreement would assist in further consulting with NDF. He also clarified that the fee would be divided equally between Open Space, the General Fund, the Utility Fund, and Storm Water funds, at the cost of \$37,500 per source. Mr. Guzman stated that \$100,000 was already set aside by Open Space for fire expenditures, and with this agreement that amount would be reduced. Vice Chairperson Riedl received confirmation that the agreement would also cover restoration of the burnt areas. Mr. Guzman responded to Member Lincoln’s question noting that since there had been no fires within the past years, the reserved funds had been rolled over year-after-year. Chairperson Scott entertained citizen comments, and when none were forthcoming, a motion. **Member Lincoln moved to approve the Carson City/Nevada Division of Forestry Wildlife Protection Plan and the associated funding amount, and to make a recommendation to the Board of Supervisors to approve the plan. The motion was seconded by Member Inversin. Motion carried 6-0.**

**C. FOR DISCUSSION AND POSSIBLE ACTION: TO MAKE A**

**CARSON CITY OPEN SPACE ADVISORY COMMITTEE**

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**RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE AVAILABLE OPTIONS TOWARDS THE POTTER PROPERTY TRANSACTION CONTAINING APPROXIMATELY 22 ACRES OF LAND LOCATED NEAR THE SOUTHWEST CORNER OF ORMSBY BOULEVARD AND KINGS CANYON ROAD, APNS 9-014-05 AND 3-151-25.** (6:24:02) – Chairperson Scott introduced the item. Mr. Guzman believed that “we have figured out a way of being able to complete the Potter transaction”. He gave background on the property location, and presented the agenda materials in the form of a Staff Report, which is incorporated into the record. Mr. Guzman stated that the property meets the criteria for Open Space and has been identified as part of the Master Plan. In response to an inquiry by Member Lincoln, Mr. Guzman stated that the Potter Family Trust had requested “a good faith deposit that they can realize immediately”, adding that the amount was still being discussed. He also clarified that the cemetery, a part of the property, was considered a cultural resource; therefore, the City would work closely with the Office of Historic Preservation and would have the responsibility of protecting it. Mr. Guzman acknowledged that Robert Potter had cleared the cemetery area in the past, and stated that they would like to begin managing the land as soon as possible to avoid issues such as fires. Member Lincoln thanked the Potter family for being “extremely patient” and demonstrating their intent to benefit the City. She also received confirmation that the purchase price was fair. Mr. Guzman confirmed for Vice Chairperson Riedl that an appraisal had been obtained six months ago. He also clarified that the Board of Supervisors was aware of this transaction and the modifications made so far. Chairperson Scott received confirmation that this year’s budget contained funds, expiring in two months, which could be used in part to make an initial payment, with the possibility of completing the transaction after July, “without extending it over a long time”. Member Inversin was informed that the Open Space portion of the budget was around \$700,000, half of which was committed towards the payment of a loan and the balance would be used for consulting, management, etc. Any funds left over, according to Mr. Guzman, would be allocated to acquisitions. Chairperson Scott suggested hearing from members of the Potter family.

(6:55:46) – Julian Potter commended the Committee for moving quickly and for recognizing the land as one piece of property. Rob Potter wished to change some right-of-way terminologies to “proposed”, and clarified that the appraisal fee would be shared by the seller and the buyer “if an exchange is finalized”. Mr. Potter stated that the FEMA road was built without the approval of his mother, a former chairperson of the Parks and Recreation Commission. He requested addressing the facts that “the water is being directed towards the main residence”, the fire hydrant that had not been installed, and the placement of a permanent fence between the main residence and the property in question would be addressed. Eileen Potter introduced herself as the daughter-in-law of the late Pat Potter. Ms. Potter stated that a City official, at the time of constructing the fire road, had confirmed that it was done by the City and not by NDF. She also conveyed Mrs. Potter’s wish to keep the hill an Open Space forever, and requested appropriate language in the agreement to reflect that. Ms. Potter inquired about liability issues once the down payment has been placed by the City, clarifying that the family had accepted liability by allowing people to walk through their property, but was not certain how the City would accept that responsibility. She also thanked all those who had put a lot of hard work into the property. Chairperson Scott assured Ms. Potter that the use of funds from Question 18, and approved by the voters, were very restrictive regarding property purchased with Open Space funds. Rob Potter

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noted that he had a liability policy for granting access to those walking through the property, and wished to ensure that the City would be liable once the property transfer occurred. Vice Chairperson Riedl wished to see the Board of Supervisors consider pursuing the property purchase as “quickly and cheaply” as possible. **Member Welborn moved to recommend to the Board of Supervisors that a long-term purchase agreement be used toward the acquisition of the Potter Family Trust property. The motion was seconded by Member Evans. Motion carried 6-0.**

**D. FOR DISCUSSION AND POSSIBLE ACTION: TO MAKE A RECOMMENDATION TO THE BOARD OF SUPERVISORS REGARDING THE CONSIDERATION OF POTENTIAL PROPERTY TRANSACTIONS OF POTTER APNS 009-014-05 AND 003-151-25, ERICKSON (APNS 010-011-22 AND 010-011-23, AND HAMM (APNS 007-091-66 AND 007-293-29. (7:17:55) –** Chairperson Scott introduced the item. Mr. Guzman gave background and reviewed the agenda materials, incorporated into the record. Chairperson Scott received confirmation from Mr. Guzman that the Ham property is of interest; however, due to the lack of funds “we would be potentially looking to partners who might consider purchasing it as an open space element, but not from a financial perspective a commitment on our part”. Regarding the Erickson property, Member Inversin inquired about controlling the impact from motorized vehicles coming from Lyon County should the land become the property of BLM. Mr. Guzman clarified that BLM was working on a management plan, and he anticipated that Carson City would influence a designated road system. Discussion ensued regarding BLM’s leniency toward OHVs. Member Evans noted that it was difficult to get to this property for weed control. Chairperson Scott entertained public comments. Jeff Potter, Trail Coordinator for Muscle Powered, supported pursuing the acquisition of the Hamm property as it would tie in well with the Kings to Ash Canyon trail, adding that many visitors from Minden, Gardnerville, and Tahoe were using that area for recreation. **Member Lincoln moved to make a recommendation to the Board of Supervisors regarding the consideration of potential property transactions of Erickson APNs 010-011-22 and 010-011-23, and Hamm APNs 007-091-66 and 007-293-29; to explore the feasibility of a non-profit organization becoming the main force for the conservation of the Hamm property; to write a letter to the Bureau of Land Management recommending that they consider the acquisition of the Erickson property. The motion was seconded by Member Welborn. Chairperson Scott noted that technical support, such as mapping, would be provided to the potential funding agencies. It was also agreed that Staff would pursue other sources of funding. Motion carried 6-0.**

**E. FOR DISCUSSION AND POSSIBLE ACTION: TO RECOMMEND TO THE BOARD OF SUPERVISORS A PRESENTATION AND PROCLAMATION FOR INVASIVE SPECIES AWARENESS WEEK, MAY 20 – MAY 26, 2013. (7:41:39) –** Chairperson Scott introduced the item. Ms. Bollinger gave background and presented the agenda materials and a proposed resolution in the form of a Staff Report which is incorporated into the record. Member Evans presented their goals and offered assistance to anyone who wished to inquire about invasive species. She also reviewed, via a PowerPoint presentation, the weeds that had been eradicated and those that were being controlled. Member Evans explained the methods by which the seeds could be transferred from other counties, and discussed some ways to prevent spreading them. She hoped that an Invasive Species Awareness Week would acquaint Carson City residents with educational maps, or arm them

## OPEN SPACE ADVISORY COMMITTEE STAFF REPORT

**MEETING DATE:** April 15, 2013

**AGENDA ITEM NUMBER:** 3C

**STAFF:** Juan F. Guzman, Open Space Manager

**REQUEST:** For Discussion and Possible Action: To make a recommendation to the Board of Supervisors regarding the available options towards the Potter property transaction containing approximately 22 acres of land located near the southwest corner of Ormsby Boulevard and Kings Canyon Road, APNs 9-014-05 and 3-151-25.

### **GENERAL DISCUSSION:**

#### Property Location

The Potter Family Trust property consists of two Assessor Parcel Numbers and an area of land previously designated for a road in between those two Assessor Parcel Numbers. The gross land area encumbered by these three polygons approximates 22.35 acres. There are three main components to the land.

The project site is located south of Kings Canyon Road and the Ormsby Boulevard intersection. This is an urban interface site adjacent to developed portions of town. The project site overall meets the definition of open space as an area that is primarily in a natural state. However, it also contains a facility used as a trail by residents along the north-south former right-of-way for the extension of Ormsby Boulevard, as well as social trails towards the west connecting towards the higher lands on C-Hill. To the south and east there are developed single-family dwellings in the vicinity of the 5<sup>th</sup> Street and Terrace Street neighborhoods. There is pedestrian access immediately to the south across from the Mormon Temple. The site contains sparse vegetation mostly in the form of grasses and brush.

Towards the east portion of the site there is an area characterized by gentle to moderate topography. Within this sector, which includes the old right-of-way for Ormsby Boulevard, there is an historic cemetery known as the Pioneer Cemetery.

The area west of the former right-of-way for Ormsby Boulevard is characterized by steep topography with rocky outcrops and a hill. There are some flat areas at the very top ridge with superb views of Carson City and the vicinity.

#### Board of Supervisors Direction

Through an adopted resolution, the Board of Supervisors communicated to staff and the Open space Advisory Committee their direction for our efforts to be directed primarily at management of land as opposed to new acquisitions. At the time of the adoption of the 2013 Work Program, the Board understood that we were under discussions with the Potter Family Trust. Furthermore, Chairman Scott and staff entered into conversations with Mayor Crowell and the City Manager in order to brief them that this item would come forward for Board action.



## Open Space Values

The property contains high scenic values and it is important for the preservation of views from the top of the ridge towards town as well as from town towards the topographic formation. Conservation of this property will protect views from the valley to the hill and from the hill into the valley.

A second high value for this property consists of the enhancement of recreation opportunities and its ability to connect existing trails. This property is the natural link between the Kings Canyon Road and what is being used by the public as a trail which is the former right-of-way extension for Ormsby Boulevard along the foothill of C-Hill. This trail continues south and easterly behind Crain Street where the land is private. However, the residents have allowed for access along a fire road. It then veers south just west of the U.S. Forest Service facility and continues across different ownerships of land all the way into the vicinity of Rhodes Street and the Greenhouse Garden Center. This is a major north-south section of off-road trails within Carson City. This trail is heavily used by many residents.

The third outstanding value and opportunity that the property offers is the chance to become stewards of the Pioneer Cemetery. The Pioneer Cemetery contains graves dating from the late 1800's as well as some modern monuments that have been placed by civic organizations at the site. Please see the attached cultural resources inventory prepared by Mr. Mark Drews, Archeologist, as a consultant to the open space program.

In addition to those three salient characteristics, this property has been designated by the Open Space Master Plan as desirable for open space conservation. The property is adjacent to open space lands to the west.

## Potential Effect of Not Acquiring this Property

Staff would like to address this question since it has been asked by the Board of Supervisors consistently for all of our recent acquisitions. It is staff's opinion that if the property were to be sold in the market there are two major possibilities. First, a developer/investor would purchase it for the purpose of creating lots for home sites, a planned unit development, or a parcel map to create single-family dwelling homes or some form of attached project. Second, a person would purchase it as a home site. Under both scenarios it is possible that a new property owner may not wish to tolerate the access that is presently enjoyed by the public at large on the property. Fences and disturbance in the form of grading and building sites are likely to occur with any type of development of the property. Those would be detrimental to the scenic resource and potentially the recreation facilities presently enjoyed by the public.

## Acquisition Efforts and Land Value

The Open Space Advisory Committee has considered this property over a considerable amount of time. However, there were more pressing priorities that prevented a transaction from taking place. The Trust has expressed their need to proceed with a transaction or going to the private market. It is their desire to make the parcel available first to Carson City for the Open Space Program. As of recently the Trust has been represented by Julian Potter and Jenny Lopiccolo, a local broker. Through email correspondence, Jenny outlined three potential methods for Carson City to obtain this property. It is important to establish that the Trust has agreed that the purchase price will be \$225,000 which is the same as the appraised fair market value as provided in a report by Steve Johnson and Associates dated February 5, 2013. The Nevada Revised Statutes require an appraisal of the property prior to acquisition by a county. It also should be noted that if a transaction were in fact to be completed, Supervisor Aldean and the Board of Supervisors previously negotiated that the appraisal costs will be divided in half between the seller and the buyer.

Option #1 is for the City to buy the property at fair market value. At the suggestion of Mr. Crowell, staff has contacted the Nevada Land Conservancy as well as The Nature Conservancy for assistance on this property. The assistance requested is primarily a three-way transaction in which the entire cost of the property will be paid off. Such a transaction does not appear to be feasible at this point based on our most recent conversation with both non-profit organizations.

Cities and counties are permitted to purchase properties under installments; however, the financing mechanism requires that the City enter into a bond or a short financing agreement with a private provider. This must be accomplished through a bid process and it was not deemed to be feasible for the acquisition of the Joost property a few months ago. There is a relatively high fixed cost of these transactions because they require special counsel and advisors in order to proceed.

The second alternative consists of a potential trade for properties of equivalent value presently owned by the City and of interest to the Trust. That appeared to be the most feasible alternative and staff anticipated a recommendation based on this option. To that effect, we already have an appraisal of the Potter property. We will need to continue to investigate alternatives on the City side and to be discussed with the Trust representative as to the feasibility for their needs. Once those properties are identified, the appraiser designated by the Board of Supervisors for this transaction is Steve Johnson and Associates will conduct an appraisal on the City property side. There may be a small exchange of cash needed in order to be able to complete the transaction. The acquisition account presently has a balance of approximately \$90,000. Of particular interest was a property identified on Arrowhead Drive owned by Carson City. The property in question contains a lease that is until the year 2026 to the State of Nevada for the price of \$1 annually. Unfortunately that lease is not suitable to the Trust's interests. It must be noted that this alternative is not the first choice of the seller because the Trust must complete their affairs as opposed to obtaining real property which they will then have to sell in order to raise the cash. The Trust informed staff on April 11, 2013, after reviewing an advance draft staff report that they would work on a draft long-term agreement as a viable solution to both parties. This solution has been incorporated as staff's recommendation to the Committee.

The last alternative, discussed with the Trust in detail, consists of an option. An option is a tool discussed in our master plan which is used commonly by non-profit organizations and others that do not have the money at hand to complete the transaction. Under an option, an agreement is drafted that provides for the terms of the option. In this case, the principle framework will consist of a payment of anywhere from \$25,000 to \$50,000 and in exchange will have immediate access and control of the property. The option will state that within one year, or whatever time is agreed to, Carson City must complete the transaction. That alternative was discussed with the applicants because they understand that our budget situation provides for the payment of mid-term financing in 2014. Once that financing is paid it will free up approximately \$300,000 of additional income. If the City does not exercise the option, the monies paid will be lost. If the City exercises the option, the monies will be used towards the payment of the overall cost of the transaction. This alternative also fixes the value of the land in accordance with the present appraisal at \$225,000. In discussions with Chairman Scott and others, an option is not a preferred alternative for the City.

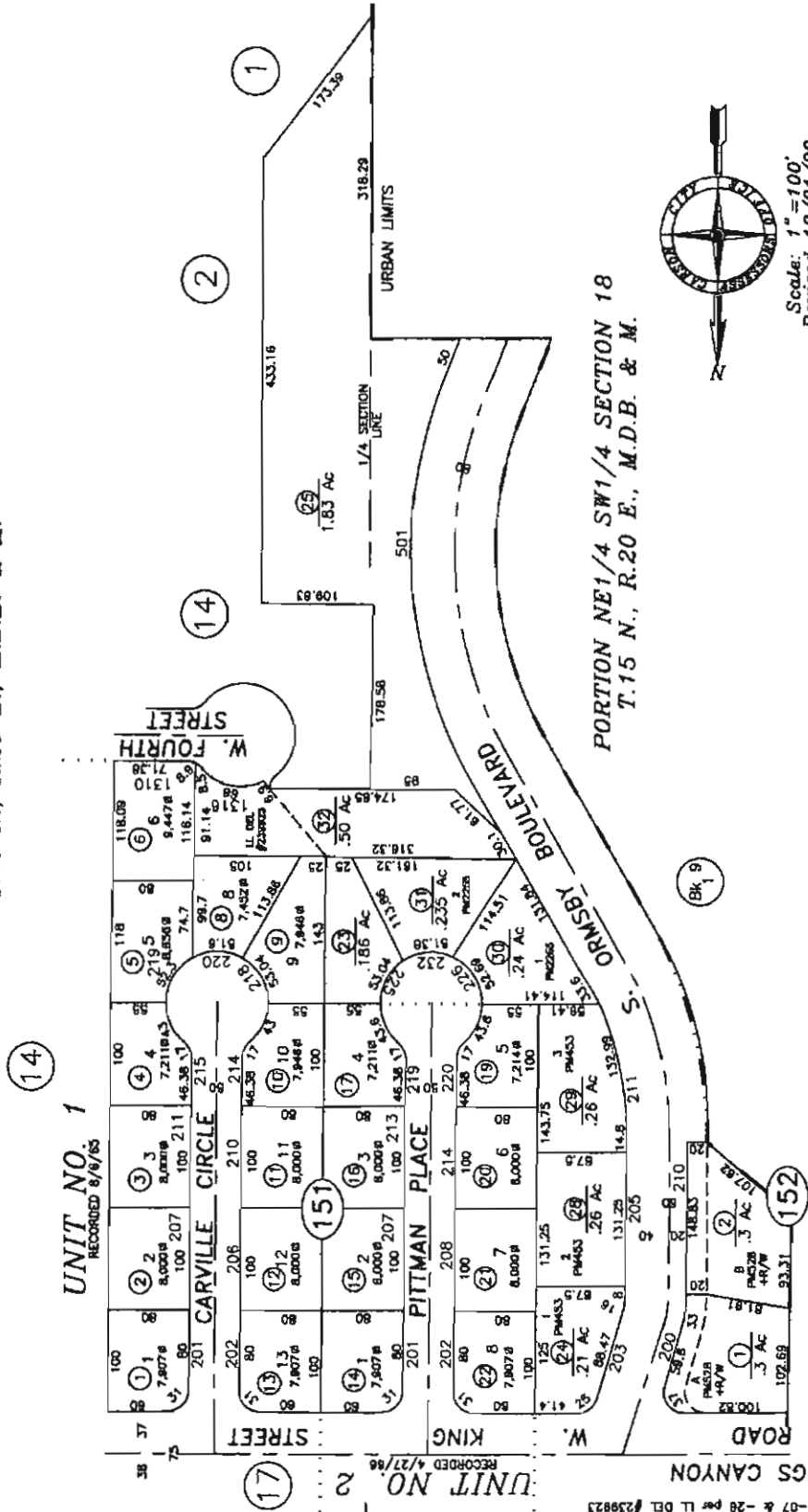
Staff will recommend that the Open Space Advisory Committee approves a motion recommending to the Board of Supervisors the acquisition of the Potter property based on a long-term purchase agreement. This is a departure from the prior emphasis on finding City property to trade. In a telephone conference with Julian Potter and Jenny Lopiccolo, they expressed that they have expended a considerable amount of time reviewing the list of available City properties without finding one with the appropriate characteristics to advance the transaction. The Arrowhead property is not suitable due to the present lease calling for \$1 annually in revenue until 2026. The long-term purchase agreement will provide for the City to make a

non-refundable deposit of funds with the escrow closing once the Open Space Program mid-term bond is paid approximately a year from now. The deposit will be credited towards the final purchase price of \$225,000. Staff will also ask that the agreement provide for the ability of a non-profit organization to participate with monetary or expertise in order to complete this transaction.

**RECOMMENDED ACTION:** I move to recommend to the Board of Supervisors that a long-term purchase agreement be used towards the acquisition of the Potter Family Trust property.

3-15

PORTION NW1/4 SE1/4 SECTION 18  
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 HEREIN.

KINGS HILL PARK



**OPEN SPACE ADVISORY COMMITTEE  
STAFF REPORT**

**MEETING DATE:** April 15, 2013

**AGENDA ITEM NUMBER:** 3D

**STAFF:** Juan F. Guzman, Open Space Manager

**REQUEST:** For Discussion and Possible Action: To make a recommendation to the Board of Supervisors regarding the consideration of potential property transactions of Potter APNs 009-014-05 and 003-151-25, Erickson APNs 010-011-22 and 010-011-23, and Hamm APNs 007-091-66 and 007-293-29.

**GENERAL DISCUSSION:** This item has been placed on the agenda at the request of a Board of Supervisors member who seeks to understand the potential future acquisitions that may be considered by the Committee and the Board. These three properties (Potter, Erickson and Hamm) have been mentioned as part of the work program and/or brought to staff's attention by realtors.

Staff has attached the Environmental Review Assessment forms for the three properties. The Potter transaction is much ahead in terms of progress since it is already under consideration. The Hamm property was visited by staff and former Chairman Jacquet with the realtor. The Erickson property has been visited only at the westernmost area adjacent to the former Bently north boundary.

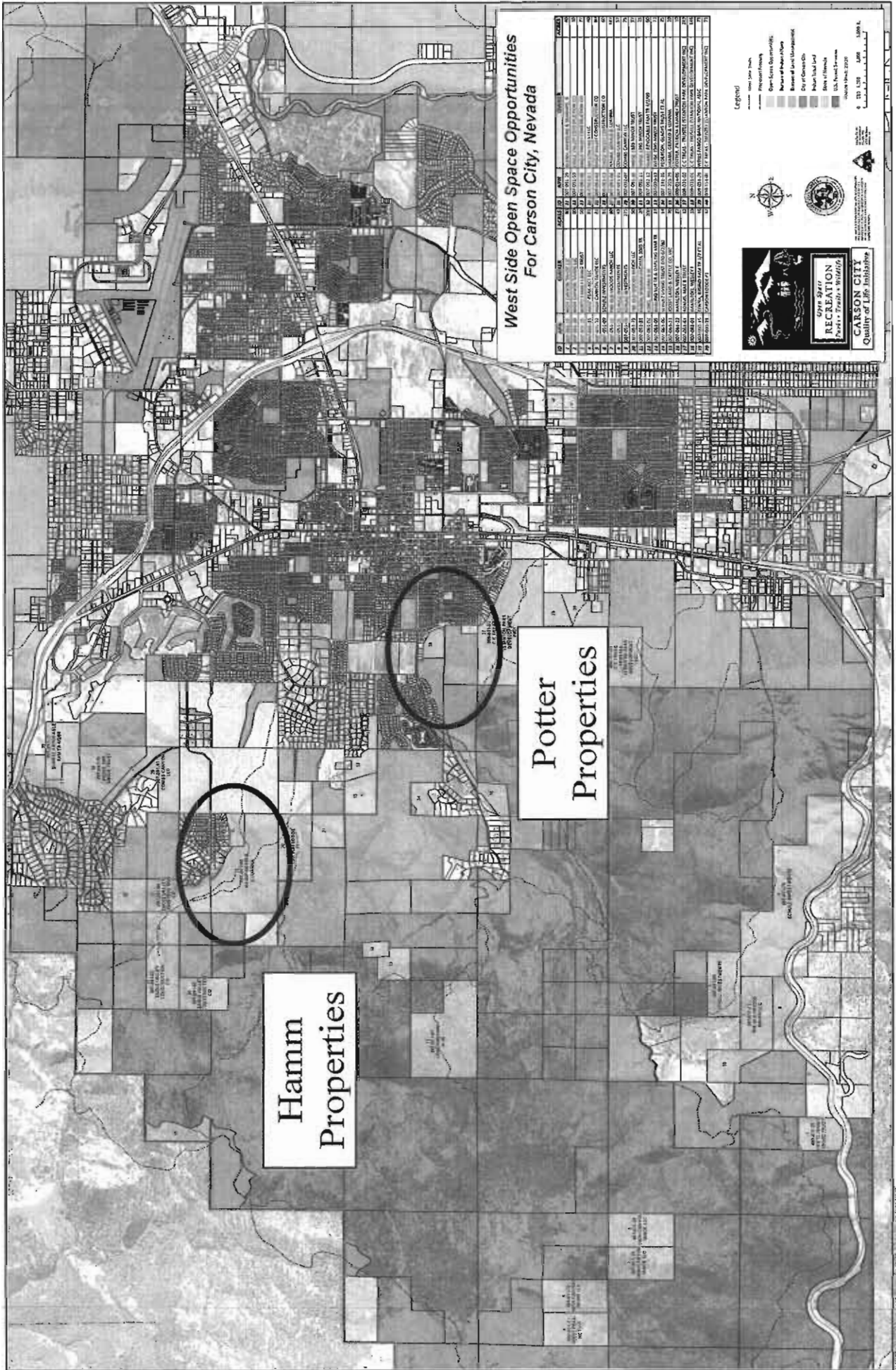
Staff wishes to obtain a first impression from the Committee regarding these properties. We have provided you with maps illustrating their adjacency to other open space property and most salient features. As a general comment, staff believes that the Potter property is very important to the program for its cultural resources, scenic value, and ability to link existing trails.

The Hamm property is important to the program due to its environmental value since Vicee Canyon traverses the property. The creek exhibits small riparian areas and related habitats. This property also contains social trails that are heavily used by residents and visitors of Carson City.

Regarding the Erickson property, its importance relates to the Carson River and riparian areas. In the future, it may also facilitate the control of motorized access from Lyon County. The property also contains cultural resources. It is staff's opinion that the appropriate strategy towards the Erickson property would be to encourage a purchase by BLM through the Southern Nevada Public Land Management Act grant opportunities. That will also facilitate the acquisition of the portion of the land located in Lyon County. Carson City's most immediate interest would be the portion of the land located north of the Carson River and west of the Lyon County line, a relatively small portion of the entire property.

**RECOMMENDED ACTION:**

I move to make the following recommendation to the Board of Supervisors regarding the consideration of potential property transactions of Potter APNs 009-014-05 and 003-151-25, Erickson APNs 010-011-22 and 010-011-23, and Hamm APNs 007-091-66 and 007-293-29; to continue to complete the Potter transaction; to explore the feasibility of a non-profit organization becoming the main force for the conservation of the Hamm property; to write a letter to the Bureau of Land Management recommending that they consider the acquisition of the Erickson property.



**West Side Open Space Opportunities  
For Carson City, Nevada**

LOT	OWNER	ACRES	APPLICABLE ZONING
1	AT&T	1.0	COMMERCIAL
2	AT&T	1.0	COMMERCIAL
3	AT&T	1.0	COMMERCIAL
4	AT&T	1.0	COMMERCIAL
5	AT&T	1.0	COMMERCIAL
6	AT&T	1.0	COMMERCIAL
7	AT&T	1.0	COMMERCIAL
8	AT&T	1.0	COMMERCIAL
9	AT&T	1.0	COMMERCIAL
10	AT&T	1.0	COMMERCIAL
11	AT&T	1.0	COMMERCIAL
12	AT&T	1.0	COMMERCIAL
13	AT&T	1.0	COMMERCIAL
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18	AT&T	1.0	COMMERCIAL
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97	AT&T	1.0	COMMERCIAL
98	AT&T	1.0	COMMERCIAL
99	AT&T	1.0	COMMERCIAL
100	AT&T	1.0	COMMERCIAL

- Legend**
- Proposed Property
  - Open Space Opportunity
  - Recreation Opportunity
  - Remain of Land Management
  - City of Carson City
  - Public Land
  - State of Nevada
  - US Forest Service

**Carson City Recreation**  
Play • Train • Inspire

**Carson City**  
Quality of Life Initiatives

**Hamm  
Properties**

**Potter  
Properties**

**West Side Open Space Opportunities  
For Carson City, Nevada**



# Potter Properties



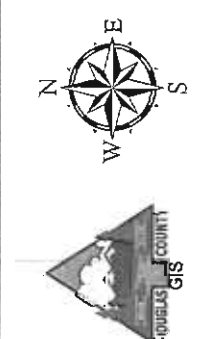
1 inch = 500 feet

0 0.15 0.3 Miles

Potter Properties

40+ Acre Adjacent Parcels

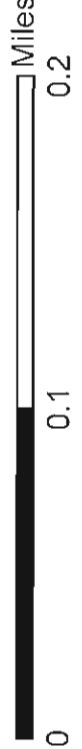
The data contained herein has been housed and/or compiled in a geographic information system (GIS) by Douglas County for the use of Carson City. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Carson City or Douglas County or as to the sufficiency or accuracy of the data.



# Potter Properties



1 inch = 306 feet



-  Potter Properties
-  100 Ft Contour Lines

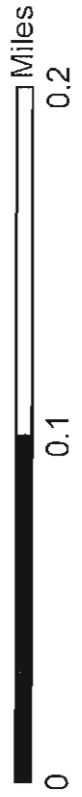





The data contained herein has been housed and/or compiled in a geographic information system (GIS) by Douglas County for the use of Carson City. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Carson City or Douglas County or as to the sufficiency or accuracy of the data.

# Potter Properties



1 inch = 292 feet



-  Potter Properties
-  Single Track Trail
-  Double Track Trail

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## OPEN SPACE EVALUATION FORM

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<b>Landowner</b>	Patricia R Potter Family Trust
<b>Assessor's Parcel Number</b>	009-014-05 - 19 acres
<b>Location</b>	West side of Carson City, southwest of the Kings Canyon Road and Ormsby Boulevard intersection, and the base of C-Hill
<b>Access</b>	1) From the north - Ormsby Boulevard and 2) From the south - Open Space property and the trailhead parking on McKay Drive.
<b>Zoning</b>	Current Land Use Code 120: Vacant Single Family Zoning: SF2A (Single Family 2 Acre)
<b>Master Plan</b>	Low Density Residential (0.2-3 dwellings per acre or 5-0.33 acres per dwelling)

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<b>Landowner</b>	Patricia R Potter Family Trust
<b>Assessor's Parcel Number</b>	003-151-25 - 1.83 acres
<b>Location</b>	West side of Carson City, south of the Timberline Subdivision and Vicee Canyon
<b>Access</b>	1) From the north - Ormsby Boulevard and 2) From the south - Open Space property and the trailhead parking on McKay Drive.
<b>Zoning</b>	Current Land Use Code 120: Vacant Single Family Zoning: SF6 (Single Family 6000)
<b>Master Plan</b>	Low Density Residential (0.2-3 dwellings per acre or 5-0.33 acres per dwelling)

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**Table A. Physical Characteristics**

For each parcel, select the highest value for each physical feature. If none apply, leave blank.

Physical Feature	Defining Authorities	Characteristics (check if present or applicable)	Value
<b>Wildlife Habitats / Corridors</b>	US Fish & Wildlife Service, NV Dept of Wildlife, or documented scientific observation	<input type="checkbox"/> Contains habitat or corridor for threatened or endangered (T&E) species <input type="checkbox"/> Contains high value habitat for non-T&E species <input checked="" type="checkbox"/> Contains migration corridor <input type="checkbox"/> Observed presence of wildlife or fish	<input type="checkbox"/> Very High <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate
<b>Natural Communities</b>	US Army Corps of Eng. or competent specialist, such as the Nevada Natural Heritage Program	<input type="checkbox"/> Has healthy, sustainable riparian area <input checked="" type="checkbox"/> Presence of mature canopy trees, shrubs <input type="checkbox"/> Majority of parcel with healthy native grasses <input type="checkbox"/> Contains jurisdictional (ACOE) wetlands	<input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate <input type="checkbox"/> Low
<p>This parcel, like many areas around it, burned in July 2004 during the Waterfall Fire. Shrubs and grasses have established well on the north-facing slopes. Revegetation has not been as successful on the south-facing slopes which experience hotter and drier conditions. Shrub height averages 2-3 feet, which is the mature height for some species but others will grow up to six foot tall. A good diversity of shrub species exists throughout the property including sagebrush, bitterbrush, ephedra, desert peach, rabbitbrush, and others. The herbaceous component includes native species such as Sandberg bluegrass, squirreltail, and lupine; and non-native seeded grasses such as crested wheatgrass,</p> <p>Non-native annual species, such as cheatgrass and redstem filaree, are most common on the south-facing slopes. The property owners have been willing participants in the sheep grazing project to help reduce the fine fuel hazard at the wildland-urban interface. No noxious weeds are present.</p>			
<b>Landform / Scenic Quality</b>	Committee, staff, consultants	<input type="checkbox"/> Open water (lakes, ponds, river, stream) <input checked="" type="checkbox"/> Contains ridge or promontory with long views <input type="checkbox"/> Contains a valley that provides enclosure / privacy	<input type="checkbox"/> High <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium
<b>Visibility</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Visible from major roads <input checked="" type="checkbox"/> Visible only from local roads <input type="checkbox"/> Visible primarily from adjacent residences	<input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low
<b>Size</b>	Staff	<input type="checkbox"/> Large than 40 acres <input checked="" type="checkbox"/> 20 to 40 acres <input type="checkbox"/> 10 to 20 acres	<input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low

009-014-05 - 19 acres and 003-151-25 - 1.83 acres

<b>Accessibility</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Significant portions can be opened to public <input type="checkbox"/> Limited portions opened to public use	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium
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<b>Historic / Cultural</b>	State Historic Preservation Office	<input checked="" type="checkbox"/> Known or high potential archaeological resource <input type="checkbox"/> Historic designation (national, state, or local) <input type="checkbox"/> Significant local cultural feature (physical landmark, working farm, unique structure, etc.)	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Moderate
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The Pioneer Cemetery is located on the smaller parcel.

<b>Water Protection</b>	CC Public Works	<input type="checkbox"/> Within 5 year well protection zone <input type="checkbox"/> Within 10 year well protection zone <input type="checkbox"/> Contains high-infiltration soils within watershed protection area	<input type="checkbox"/> High <input type="checkbox"/> High <input type="checkbox"/> Medium
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Unknown at the present time.

<b>Flood Hazard</b>	Federal Emergency Management Agency	<input type="checkbox"/> Within FEMA-designated 100 year floodplain <input type="checkbox"/> Within area of known flooding	<input type="checkbox"/> Low <input type="checkbox"/> Medium
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No.

<b>Prime Farmland</b>	US Dept of Agriculture	<input type="checkbox"/> Land has statewide agricultural importance (irrigated farmland)	<input type="checkbox"/> High
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No.

Submitted by: A. Buehner

Date: 4 / 11 / 13

**Table B. Prioritizing Factors**

This part of the evaluation assumes that some form of acquisition is necessary to protect the parcel(s) not otherwise protected by existing City, State or Federal regulation (wetlands, floodplain, easements, etc.)

For each parcel check the most appropriate priority factor for each category below.

Category	Definition (check if present)	Priority
<b>Uniqueness of Habitat Type</b>	<input checked="" type="checkbox"/> One of few remaining examples of at least one characteristic in Table A	<input checked="" type="checkbox"/> High
	<input type="checkbox"/> Habitat or physical setting is relatively rare in Carson City	<input type="checkbox"/> Low

The hillside characteristics, scenic views from above and below, access, and location to the urban interface all contribute to the properties' significance.

<b>Ease of Acquisition</b>	<input type="checkbox"/> Landowner motivated to sell at less cost than market value	<input type="checkbox"/> High
	<input checked="" type="checkbox"/> Can be acquired with terms (options, payment structure, trade, etc.) favorable to the city	<input checked="" type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Cost is not greater than appraised value, terms are not unfavorable	<input checked="" type="checkbox"/> Low

<b>Potential To Share Cost</b>	<input type="checkbox"/> Likely significant participation of non-city funding partners	<input type="checkbox"/> High
	<input type="checkbox"/> Likely participation from other funding sources	<input type="checkbox"/> Medium
	<input type="checkbox"/> Likely significant participation from other city departments	<input type="checkbox"/> Low

Most likely, the cost will be wholly funded by the Open Space program.

<b>Urgency</b>	<input type="checkbox"/> Development is imminent	<input type="checkbox"/> High
	<input type="checkbox"/> For sale (acquisition / development likely)	<input type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Private negotiation, not on open market	<input checked="" type="checkbox"/> Low

The landowner is interested in selling to the Open Space program. If there is no interest or support from the Open Space Advisory Committee and Board of Supervisors, the parcels will be listed for sale.

<b>Is a Significant Part of Open Space Plan</b>	<input checked="" type="checkbox"/> Located within an Open Space priority area	<input checked="" type="checkbox"/> High
	<input checked="" type="checkbox"/> Parcel is designated on current Open Space master plan	<input checked="" type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Adjacent to or can be linked to other Open Space parcel(s), trail(s), or park(s)	<input checked="" type="checkbox"/> Medium

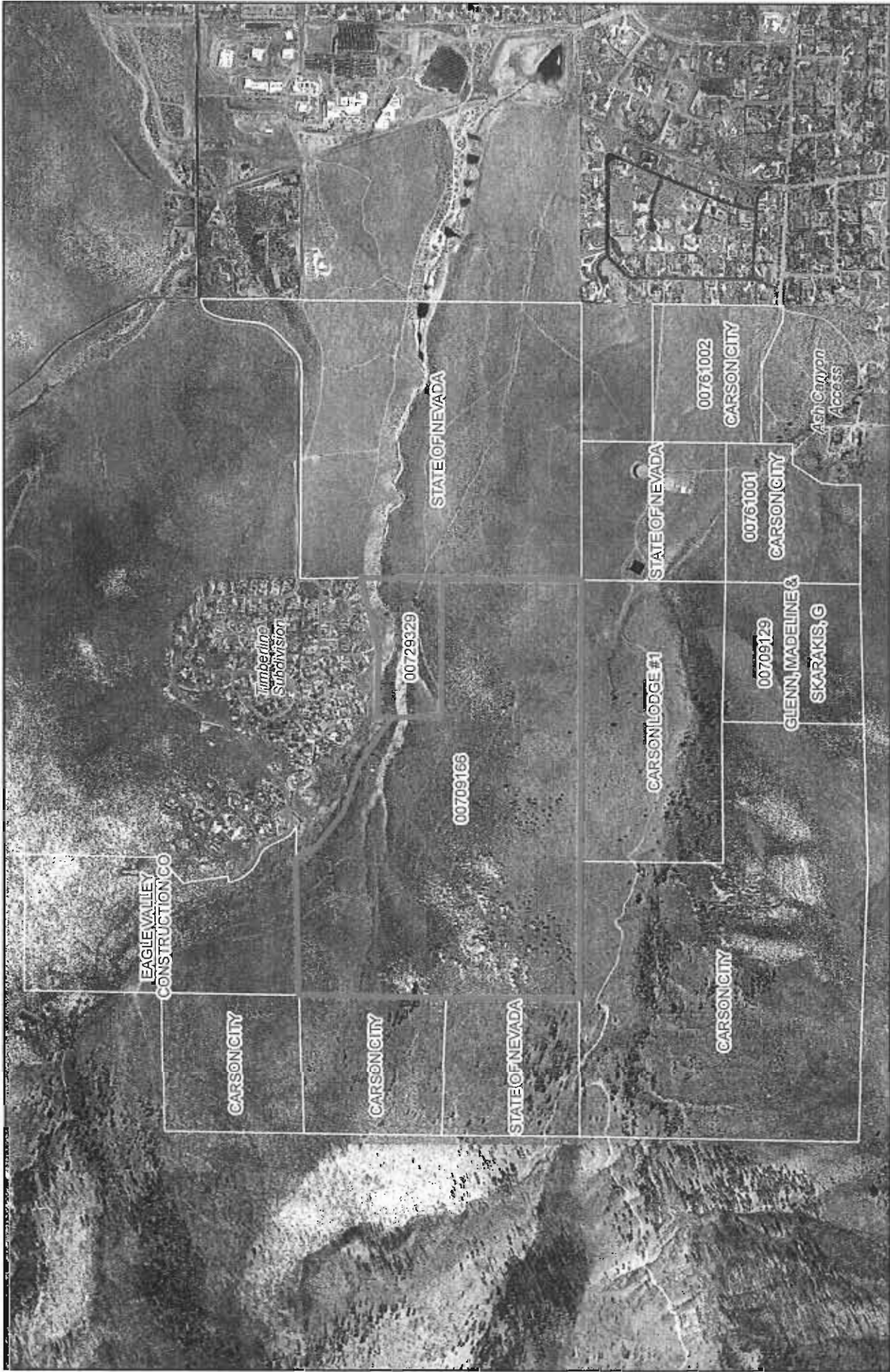
<b>Citizen Support</b>	<input checked="" type="checkbox"/> Has city-wide citizen support / advocacy	<input checked="" type="checkbox"/> High
	<input type="checkbox"/> Has local citizen support	<input type="checkbox"/> Medium
	<input type="checkbox"/> No significant opposition	<input type="checkbox"/> Low


These parcels have been subject of discussion for several years. Due to the number of trails throughout the area, it is anticipated that many citizens and nearby residents would support acquisition.


Submitted by: *A. Boelen*

Date: 4 / 11 / 13

# Hamm Properties



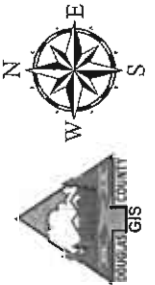
 Hamm Properties

 40+ Acre Adjacent Parcels

Miles

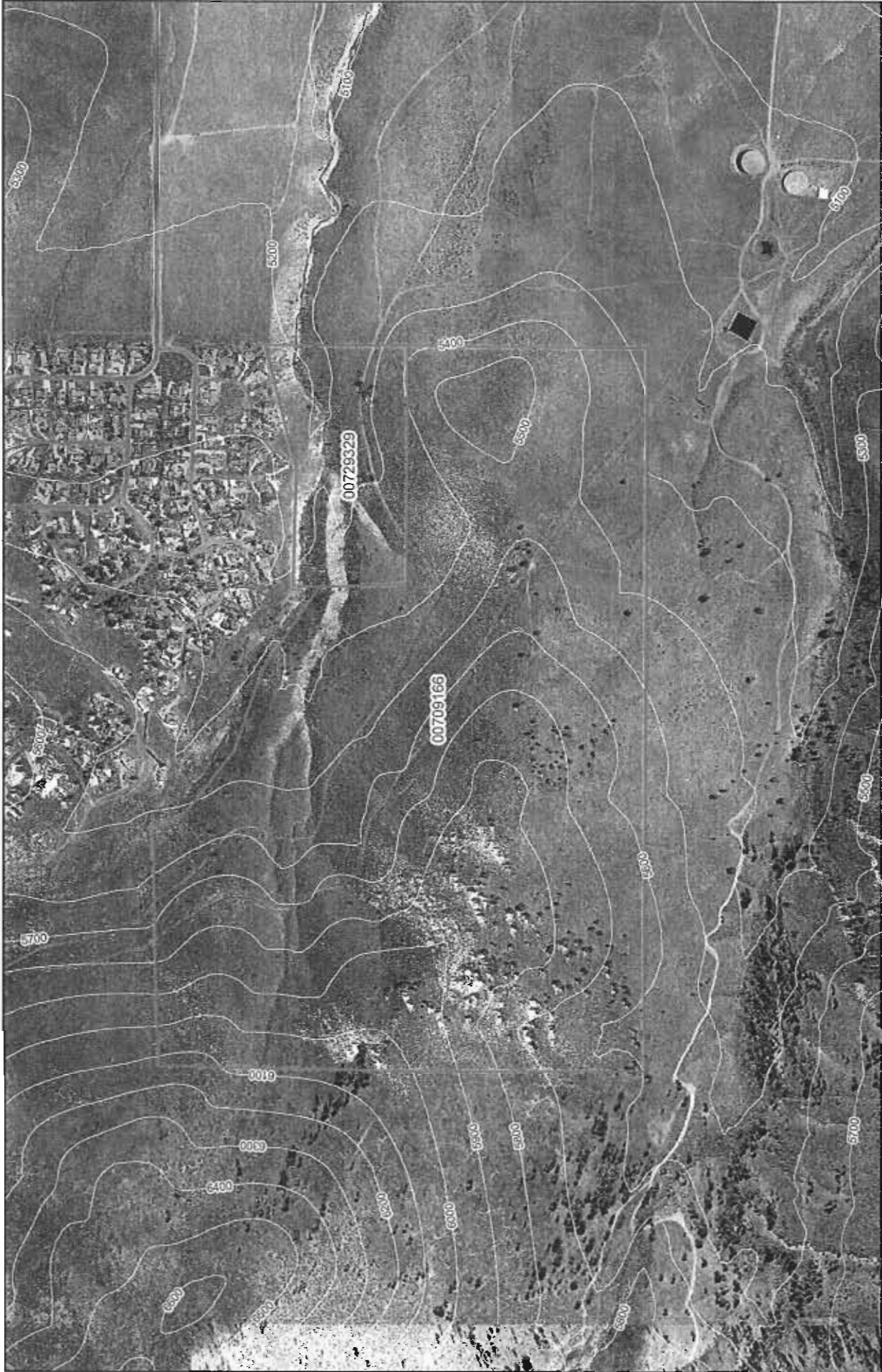



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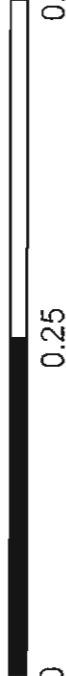




# Hamm Properties



 Hamm Properties  
 100 Ft Contour Lines

 Miles  
0 0.25 0.5



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# Hamm Properties



The data contained herein has been housed and/or compiled in a geographic information system (GIS) by Douglas County for the use of Carson City. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Carson City or Douglas County or as to the sufficiency or accuracy of the data.

## OPEN SPACE EVALUATION FORM

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<b>Landowner</b>	Gerald and Luanna Hamm
<b>Assessor's Parcel Number</b>	007-091-66 - 187.20 acres
<b>Location</b>	West side of Carson City, southwest of the Timberline Subdivision and Vicee Canyon
<b>Access</b>	At the present time, it is unclear whether legal access exists. Trail users access the property through State Lands and other private parcels.
<b>Zoning</b>	Current Land Use Code 120: Vacant Single Family Zoning: CR (Conservation Reserve)
<b>Master Plan</b>	Conservation Reserve (Private) - Minimum 20 acres per dwelling unit

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<b>Landowner</b>	Gerald and Luanna Hamm
<b>Assessor's Parcel Number</b>	007-293-29 - 19.02 acres
<b>Location</b>	West side of Carson City, south of the Timberline Subdivision and Vicee Canyon
<b>Access</b>	At the present time, it is unclear whether legal access exists. Trail users access the property through State Lands and other private parcels.
<b>Zoning</b>	Current Land Use Code 170: Other unbuildable - roads, legal restrictions, cemetery, extreme terrain, etc. Zoning: SF1A-P (Single Family 1 acre - Planned Unit Development)
<b>Master Plan</b>	Open Space

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**Table A. Physical Characteristics**

For each parcel, select the highest value for each physical feature. If none apply, leave blank.

Physical Feature	Defining Authorities	Characteristics (check if present or applicable)	Value
<b>Wildlife Habitats / Corridors</b>	US Fish & Wildlife Service, NV Dept of Wildlife, or documented scientific observation	<input type="checkbox"/> Contains habitat or corridor for threatened or endangered (T&E) species <input type="checkbox"/> Contains high value habitat for non-T&E species <input checked="" type="checkbox"/> Contains migration corridor <input type="checkbox"/> Observed presence of wildlife or fish	<input type="checkbox"/> Very High <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate

The Nevada Department of Wildlife provided the following statement for the Joost acquisition, and staff believes it is relevant for these parcels as well. "This parcel is considered 'mule deer winter range' and does occur within a movement corridor that extends north and east. Even though it may not be considered 'high quality habitat' based on adjacent development, recreation use and degradation, it doesn't mean that it's not important to mule deer and other wildlife. Much mule deer winter range has been lost along the Eastern Sierra due to urban encroachment, habitat fragmentation, degradation, increased recreation use, etc; therefore, conserving as much winter range as possible is important for this mule deer herd."

In addition to deer, other common wildlife in the area include black bears, bobcats, and coyotes. Wildlife also benefit from the perennial stream located in Vicee Canyon.

<b>Natural Communities</b>	US Army Corps of Eng. or competent specialist, such as the Nevada Natural Heritage Program	<input type="checkbox"/> Has healthy, sustainable riparian area <input checked="" type="checkbox"/> Presence of mature canopy trees, shrubs <input type="checkbox"/> Majority of parcel with healthy native grasses <input type="checkbox"/> Contains jurisdictional (ACOE) wetlands	<input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate <input type="checkbox"/> Low
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The soil type (granitic) and topography (narrow, steep canyon formation) are very conducive to erosion and therefore limits the growth and sustainability of healthy, riparian species within the Vicee Canyon drainage.

This parcel, like many areas around it, burned in July 2004 during the Waterfall Fire. The presence of canopy trees (pines) is sporadic. The shrub component has established well and has become the dominant vegetation type. Shrub height averages 2-3 feet, which is the mature height for some species but others will grow up to six foot tall. A good diversity of shrub species exists throughout the property including manzanita, sagebrush, bitterbrush, ephedra, desert peach, rabbitbrush, and others.

<b>Landform / Scenic Quality</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Open water (lakes, ponds, river, stream) <input checked="" type="checkbox"/> Contains ridge or promontory with long views <input checked="" type="checkbox"/> Contains a valley that provides enclosure / privacy	<input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Medium
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<b>Visibility</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Visible from major roads <input checked="" type="checkbox"/> Visible only from local roads <input type="checkbox"/> Visible primarily from adjacent residences	<input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low
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<b>Size</b>	Staff	<input checked="" type="checkbox"/> Large than 40 acres <input type="checkbox"/> 20 to 40 acres <input type="checkbox"/> 10 to 20 acres	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low
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007-091-66 - 187.20 acres and 007-293-29 - 19.02 acres

<b>Accessibility</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Significant portions can be opened to public <input type="checkbox"/> Limited portions opened to public use	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium
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<b>Historic / Cultural</b>	State Historic Preservation Office	<input type="checkbox"/> Known or high potential archaeological resource <input type="checkbox"/> Historic designation (national, state, or local) <input type="checkbox"/> Significant local cultural feature (physical landmark, working farm, unique structure, etc.)	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Moderate
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Unknown at the present time.

<b>Water Protection</b>	CC Public Works	<input type="checkbox"/> Within 5 year well protection zone <input type="checkbox"/> Within 10 year well protection zone <input type="checkbox"/> Contains high-infiltration soils within watershed protection area	<input type="checkbox"/> High <input type="checkbox"/> High <input type="checkbox"/> Medium
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Unknown at the present time.

<b>Flood Hazard</b>	Federal Emergency Management Agency	<input type="checkbox"/> Within FEMA-designated 100 year floodplain <input type="checkbox"/> Within area of known flooding	<input type="checkbox"/> Low <input type="checkbox"/> Medium
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No.

<b>Prime Farmland</b>	US Dept of Agriculture	<input type="checkbox"/> Land has statewide agricultural importance (irrigated farmland)	<input type="checkbox"/> High
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No.

Submitted by: *A. Bolley*

Date: 4 / 11 / 13

## Table B. Prioritizing Factors

This part of the evaluation assumes that some form of acquisition is necessary to protect the parcel(s) not otherwise protected by existing City, State or Federal regulation (wetlands, floodplain, easements, etc.)

For each parcel check the most appropriate priority factor for each category below.

Category	Definition (check if present)	Priority
Uniqueness of Habitat Type	<input checked="" type="checkbox"/> One of few remaining examples of at least one characteristic in Table A	<input checked="" type="checkbox"/> High
	<input type="checkbox"/> Habitat or physical setting is relatively rare in Carson City	<input type="checkbox"/> Low

The parcels are located at the wildland-urban interface.

Ease of Acquisition	<input type="checkbox"/> Landowner motivated to sell at less cost than market value	<input type="checkbox"/> High
	<input checked="" type="checkbox"/> Can be acquired with terms (options, payment structure, trade, etc.) favorable to the city	<input checked="" type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Cost is not greater than appraised value, terms are not unfavorable	<input checked="" type="checkbox"/> Low

The landowner is interested in selling to the Open Space program.

Potential To Share Cost	<input type="checkbox"/> Likely significant participation of non-city funding partners	<input type="checkbox"/> High
	<input type="checkbox"/> Likely participation from other funding sources	<input type="checkbox"/> Medium
	<input type="checkbox"/> Likely significant participation from other city departments	<input type="checkbox"/> Low

Most likely, the cost will be wholly funded by the Open Space program.

Urgency	<input type="checkbox"/> Development is imminent	<input type="checkbox"/> High
	<input type="checkbox"/> For sale (acquisition / development likely)	<input type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Private negotiation, not on open market	<input checked="" type="checkbox"/> Low

The landowner is interested in selling to the Open Space program. If there is no interest or support from the Open Space Advisory Committee and Board of Supervisors, the parcels will be listed for sale.

Is a Significant Part of Open Space Plan	<input checked="" type="checkbox"/> Located within an Open Space priority area	<input checked="" type="checkbox"/> High
	<input checked="" type="checkbox"/> Parcel is designated on current Open Space master plan	<input checked="" type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Adjacent to or can be linked to other Open Space parcel(s), trail(s), or park(s)	<input checked="" type="checkbox"/> Medium

Citizen Support	<input type="checkbox"/> Has city-wide citizen support / advocacy	<input type="checkbox"/> High
	<input type="checkbox"/> Has local citizen support	<input type="checkbox"/> Medium
	<input type="checkbox"/> No significant opposition	<input type="checkbox"/> Low

Unknown.

Other than identification on the Open Space Opportunities map, these parcels have not previously been a subject of discussion. Due to the number of trails throughout the area, it is anticipated that many citizens and nearby residents would support acquisition.

Submitted by:           *A. Breen*          

Date:           4 / 11 / 13

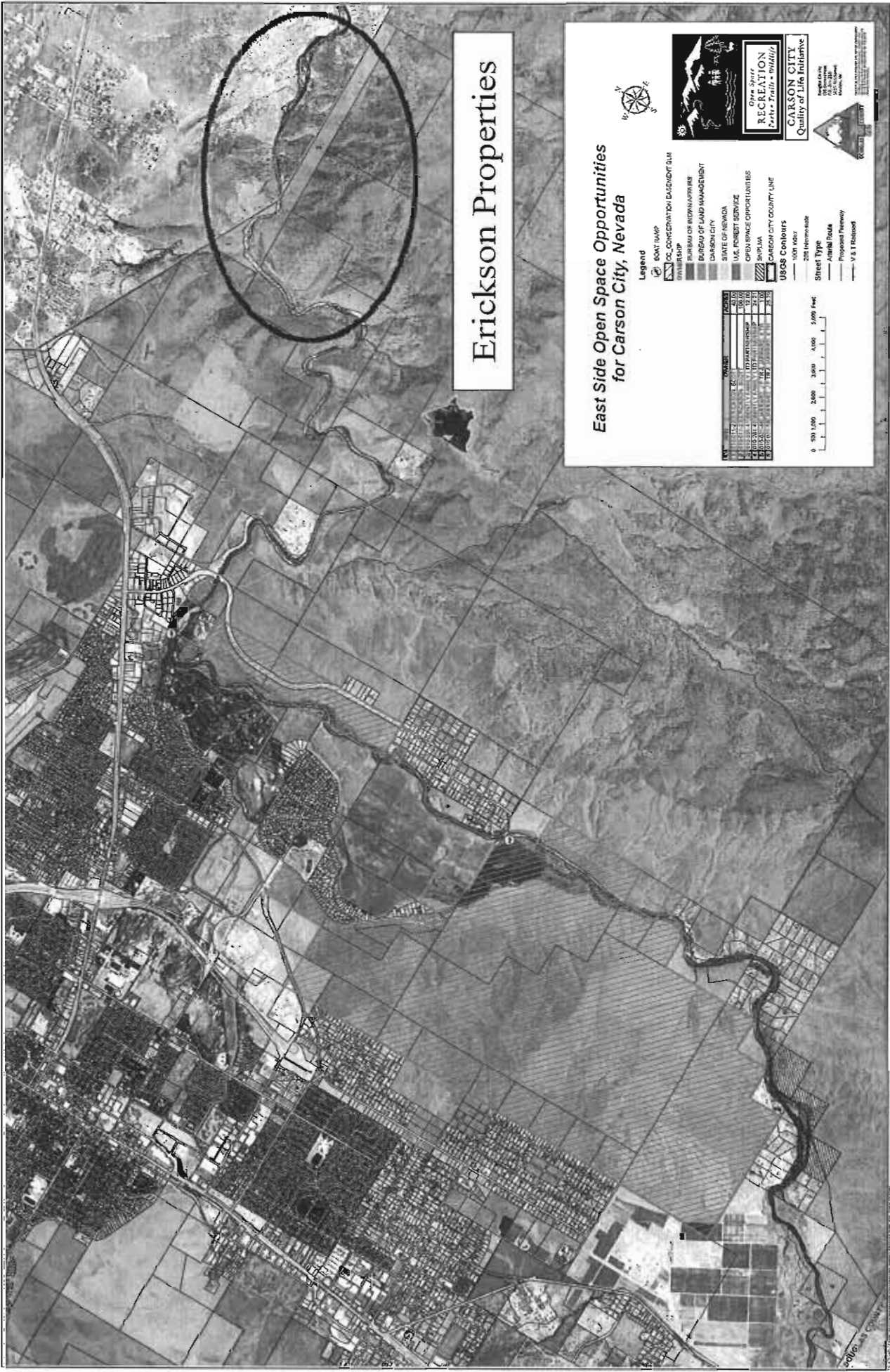
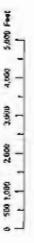
# Erickson Properties

## East Side Open Space Opportunities for Carson City, Nevada

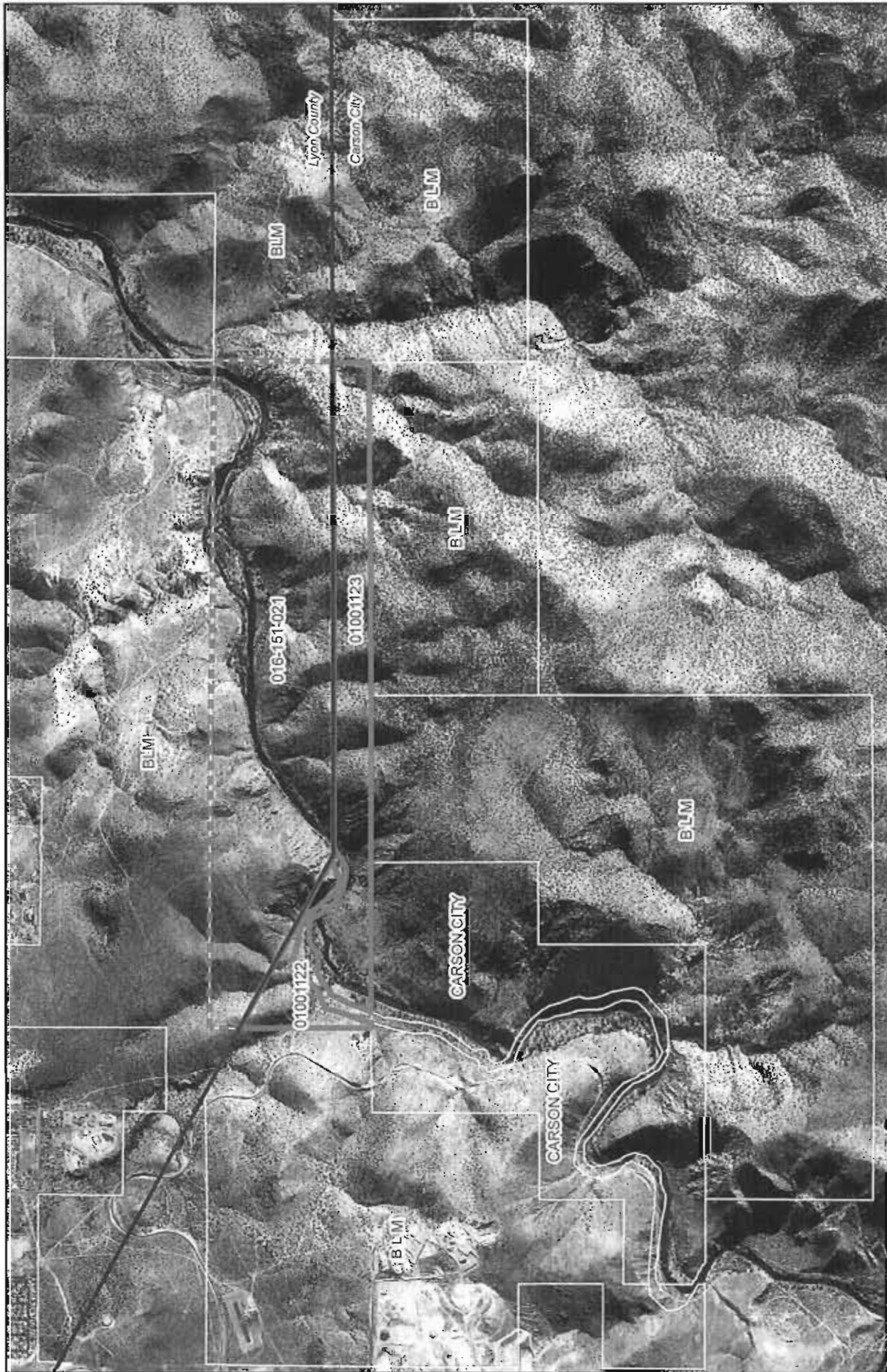
- Legend**
- BOAT RAMP
  - DC CONSERVATION BASEMENT FIRM
  - BUREAU OF INDIAN AFFAIRS
  - BUREAU OF LAND MANAGEMENT
  - CARSON CITY
  - STATE OF NEVADA
  - U.S. FOREST SERVICE
  - OPEN SPACE OPPORTUNITIES
  - SKP/LMA
  - CARSON CITY COUNTY LINE
  - USGS Contours
  - 100' Index
  - 200 Intermediate
  - Street Type
  - Arched Bridge
  - Proposed Freeway
  - 1/8" = 1' (Historic)






NO.	ACRES	PERCENT
1	11.7	1.1
2	10.7	1.0
3	10.7	1.0
4	10.7	1.0
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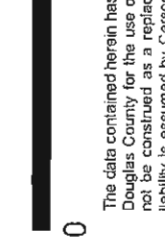


# Erickson Properties



-  Erickson Properties
-  40+ Acre Adjacent Parcels
-  Carson City Boundary

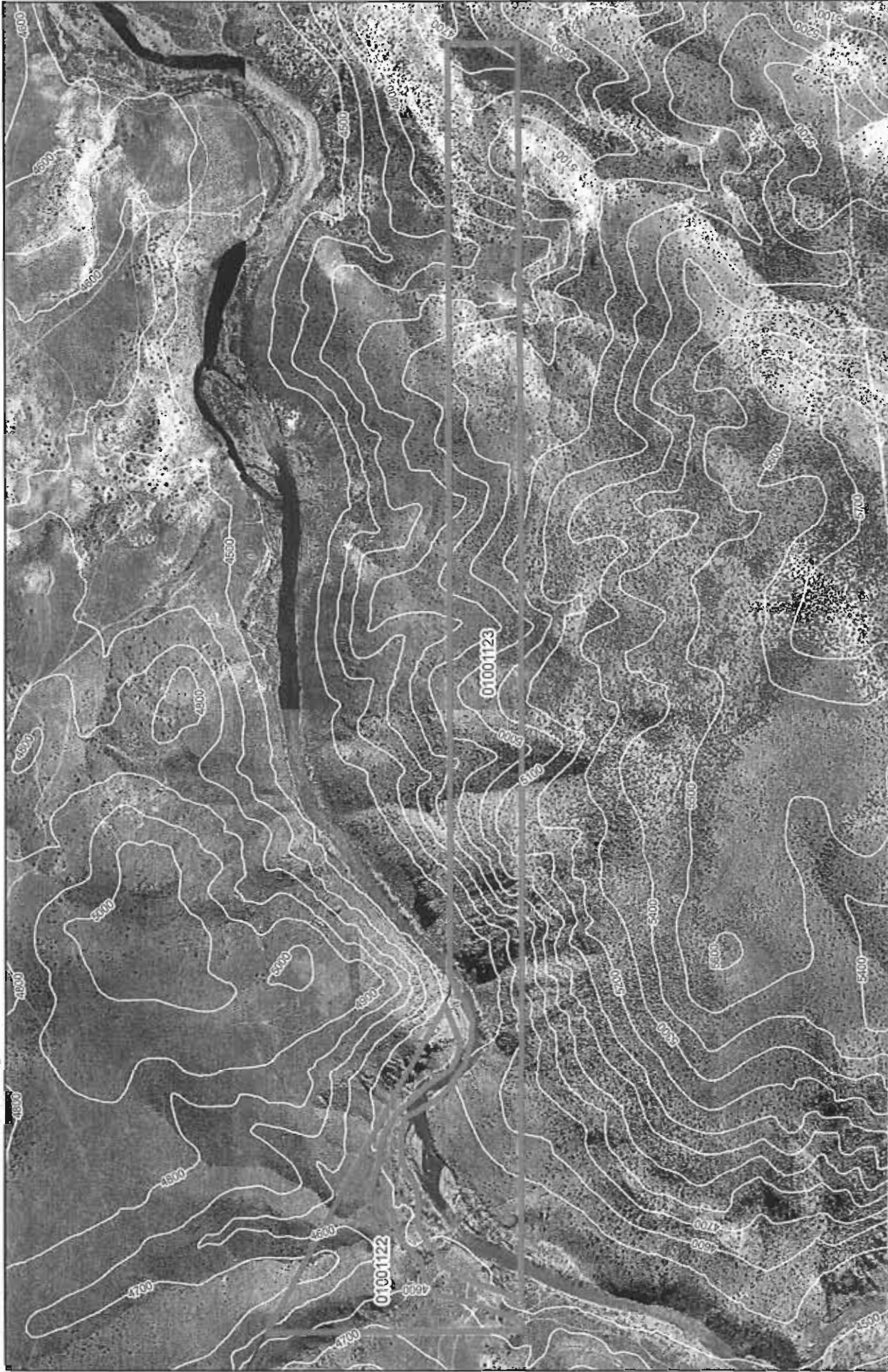
1 inch = 2,167 feet






The data contained herein has been housed and/or compiled in a geographic information system (GIS) by Douglas County for the use of Carson City. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Carson City or Douglas County or as to the sufficiency or accuracy of the data.



# Erickson Properties



-  Erickson Properties
-  100 Ft Contour Lines
-  Carson City Boundary

1 inch = 1,121 feet



The data contained herein has been housed and/or compiled in a geographic information system (GIS) by Douglas County for the use of Carson City. The data does not represent survey delineation and should not be construed as a replacement for the authoritative source, plat maps, deeds, resurveys, etc. No liability is assumed by Carson City or Douglas County or as to the sufficiency or accuracy of the data.

## OPEN SPACE EVALUATION FORM

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<b>Landowner</b>	Scott Erickson
<b>Assessor's Parcel Number</b>	010-011-22 - 40 acres
<b>Location</b>	Easternmost side of Carson City, within the Carson River Canyon and north side of the river, borders with Lyon County.
<b>Access</b>	Limited; 4WD access through Lyon County and Kit Kat Road; access via the Carson River Aquatic Trail
<b>Zoning</b>	Current Land Use Code 120: Vacant Single Family Zoning: CR (Conservation Reserve)
<b>Master Plan</b>	Conservation Reserve (Private) - Minimum 20 acres per dwelling unit

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<b>Landowner</b>	Scott Erickson
<b>Assessor's Parcel Number</b>	010-011-23 - 106 acres
<b>Location</b>	Easternmost side of Carson City, within the Carson River Canyon and south side of the river, borders with Lyon County.
<b>Access</b>	Limited; access via the Carson River Aquatic Trail
<b>Zoning</b>	Current Land Use Code 120: Vacant Single Family Zoning: CR (Conservation Reserve)
<b>Master Plan</b>	Conservation Reserve (Private) - Minimum 20 acres per dwelling unit

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**Table A. Physical Characteristics**

For each parcel, select the highest value for each physical feature. If none apply, leave blank.

Physical Feature	Defining Authorities	Characteristics (check if present or applicable)	Value
<b>Wildlife Habitats / Corridors</b>	US Fish & Wildlife Service, NV Dept of Wildlife, or documented scientific observation	<input type="checkbox"/> Contains habitat or corridor for threatened or endangered (T&E) species <input checked="" type="checkbox"/> Contains high value habitat for non-T&E species <input type="checkbox"/> Contains migration corridor <input type="checkbox"/> Observed presence of wildlife or fish	<input type="checkbox"/> Very High <input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Moderate

The Carson River separates the two parcels. With this water availability, it is assumed that wildlife is present throughout the area. Also, but to be confirmed, sagegrouse habitat has been identified within or near these parcels.

<b>Natural Communities</b>	US Army Corps of Eng. or competent specialist, such as the Nevada Natural Heritage Program	<input checked="" type="checkbox"/> Has healthy, sustainable riparian area <input checked="" type="checkbox"/> Presence of mature canopy trees, shrubs <input type="checkbox"/> Majority of parcel with healthy native grasses <input type="checkbox"/> Contains jurisdictional (ACOE) wetlands	<input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate <input type="checkbox"/> Low
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The dominant topography and plant community relates to upland vegetation (sagebrush and/or pinion and juniper), but riparian plant species and habitat is present along the river corridor.

<b>Landform / Scenic Quality</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Open water (lakes, ponds, river, stream) <input checked="" type="checkbox"/> Contains ridge or promontory with long views <input checked="" type="checkbox"/> Contains a valley that provides enclosure / privacy	<input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Medium
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<b>Visibility</b>	Committee, staff, consultants	<input type="checkbox"/> Visible from major roads <input checked="" type="checkbox"/> Visible only from local roads <input checked="" type="checkbox"/> Visible primarily from adjacent residences	<input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input checked="" type="checkbox"/> Low
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<b>Size</b>	Staff	<input checked="" type="checkbox"/> Large than 40 acres <input type="checkbox"/> 20 to 40 acres <input type="checkbox"/> 10 to 20 acres	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low
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010-011-22 - 40 acres and 010-011-23 - 106 acres

<b>Accessibility</b>	Committee, staff, consultants	<input checked="" type="checkbox"/> Significant portions can be opened to public <input type="checkbox"/> Limited portions opened to public use	<input checked="" type="checkbox"/> High <input type="checkbox"/> Medium
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While it's not anticipated to place any restrictions related to access, the topography is very rugged. The Carson River Aquatic Trail provides access within the river corridor.

<b>Historic / Cultural</b>	State Historic Preservation Office	<input checked="" type="checkbox"/> Known or high potential archaeological resource <input checked="" type="checkbox"/> Historic designation (national, state, or local) <input type="checkbox"/> Significant local cultural feature (physical landmark, working farm, unique structure, etc.)	<input checked="" type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Moderate
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The properties are considered a contributing feature of the Virginia City Historic Mining District. Additionally, it is located within a recognized Superfund site.

<b>Water Protection</b>	CC Public Works	<input type="checkbox"/> Within 5 year well protection zone <input type="checkbox"/> Within 10 year well protection zone <input type="checkbox"/> Contains high-infiltration soils within watershed protection area	<input type="checkbox"/> High <input type="checkbox"/> High <input type="checkbox"/> Medium
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Unknown at the present time.

<b>Flood Hazard</b>	Federal Emergency Management Agency	<input checked="" type="checkbox"/> Within FEMA-designated 100 year floodplain <input checked="" type="checkbox"/> Within area of known flooding	<input checked="" type="checkbox"/> Low <input checked="" type="checkbox"/> Medium
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<b>Prime Farmland</b>	US Dept of Agriculture	<input type="checkbox"/> Land has statewide agricultural importance (irrigated farmland)	<input type="checkbox"/> High
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No.

Submitted by: *A. Bally*

Date: 4/11/13

**Table B. Prioritizing Factors**

This part of the evaluation assumes that some form of acquisition is necessary to protect the parcel(s) not otherwise protected by existing City, State or Federal regulation (wetlands, floodplain, easements, etc.)

For each parcel check the most appropriate priority factor for each category below.

Category	Definition (check if present)	Priority
Uniqueness of Habitat Type	<input checked="" type="checkbox"/> One of few remaining examples of at least one characteristic in Table A	<input checked="" type="checkbox"/> High
	<input type="checkbox"/> Habitat or physical setting is relatively rare in Carson City	<input type="checkbox"/> Low

These parcels are the last privately-owned parcels located within the Carson River Canyon.

Ease of Acquisition	<input type="checkbox"/> Landowner motivated to sell at less cost than market value	<input type="checkbox"/> High
	<input checked="" type="checkbox"/> Can be acquired with terms (options, payment structure, trade, etc.) favorable to the city	<input checked="" type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Cost is not greater than appraised value, terms are not unfavorable	<input checked="" type="checkbox"/> Low

Potential To Share Cost	<input type="checkbox"/> Likely significant participation of non-city funding partners	<input type="checkbox"/> High
	<input type="checkbox"/> Likely participation from other funding sources	<input type="checkbox"/> Medium
	<input type="checkbox"/> Likely significant participation from other city departments	<input type="checkbox"/> Low

Most likely, the cost will be wholly funded by the Open Space program. If time allows, the Southern Nevada Land Management Act (SNPLMA) could be a relevant grant funding option. SNPLMA funded the adjacent Bently acquisition. Additionally, Open Space could facilitate BLM acquisition through SNPLMA funding.

Urgency	<input type="checkbox"/> Development is imminent	<input type="checkbox"/> High
	<input checked="" type="checkbox"/> For sale (acquisition / development likely)	<input checked="" type="checkbox"/> Medium
	<input type="checkbox"/> Private negotiation, not on open market	<input type="checkbox"/> Low

Is a Significant Part of Open Space Plan	<input checked="" type="checkbox"/> Located within an Open Space priority area	<input checked="" type="checkbox"/> High
	<input checked="" type="checkbox"/> Parcel is designated on current Open Space master plan	<input checked="" type="checkbox"/> Medium
	<input checked="" type="checkbox"/> Adjacent to or can be linked to other Open Space parcel(s), trail(s), or park(s)	<input checked="" type="checkbox"/> Medium

Citizen Support	<input type="checkbox"/> Has city-wide citizen support / advocacy	<input type="checkbox"/> High
	<input type="checkbox"/> Has local citizen support	<input type="checkbox"/> Medium
	<input type="checkbox"/> No significant opposition	<input type="checkbox"/> Low

Unknown.

Other than identification on the Open Space Opportunities map, these parcels have not previously been a subject of discussion.

Submitted by: *A. Baccig*

Date: 4 / 11 / 13

**PURCHASE AND SALE AGREEMENT**

Revised May 29, 2013

THIS AGREEMENT ("Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the Patricia R. Potter Family Trust, dated the 7<sup>th</sup> day of May 1998, in Carson City, Nevada ("SELLER"), and Carson City, a consolidated municipality of the State of Nevada by and through its Board of Supervisors, of 201 North Carson Street, Suite 2, Carson City, Nevada 89701 ("BUYER"). SELLER and BUYER are sometimes hereinafter referred to individually as a "Party" and collectively as the "Parties."

**RECITALS**

A. SELLER is the fee simple owner of all that land and real property lying and situated in Carson City, Nevada, more particularly described in "Exhibit A" attached hereto and incorporated herein by this reference (herein sometimes referred to as "Property") and SELLER desires to sell and BUYER desires to acquire the Property. It is understood that this purchase agreement includes approximately 1.52 acres of real property specifically designated as a former right-of-way for South Ormsby Boulevard and located between Assessor Parcel Number (APN) 3-151-25 and 9-014-05; APN 3-151-25 containing 1.83 acres and APN 9-014-05 containing 19.0 acres and more specifically set forth in the Preliminary Title Report attached hereto as "Exhibit B" and incorporated herein by this reference.

B. BUYER desires to acquire the Property to preserve open space and for other purposes as set forth in Carson City Municipal Code, Chapter 13.06.

C. The property is uniquely located at the Carson Range foothills and contains a drainage feature used by the public as an off-road gravel trail that accesses Kings Canyon Road and accesses pedestrian non-motorized trails and other properties on C-Hill, with viewscapes and other qualities which make it very desirable to preserve as open space.

D. The property contains the historic Pioneer Cemetery, a unique historic resource from the late 1800's.

E. The Property possesses residential development potential, based on the master plan. The zoning is for one dwelling unit per two acres (SF2ac and SF 8,000 sq. ft.), which, if permitted, would frustrate BUYER's desire to preserve the open space qualities of the Property.

F. The Property contains primitive trails used by hikers, cyclists, and equestrian residents and visitors. These trails connect to other public lands and developed recreation facility such as the Long Ranch Multi-Purpose Trail developed and maintained by Carson City.

G. The Parties desire and intend by this Agreement to memorialize their agreements by this writing.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions herein contained, the Parties hereby agree as follows:

1. REPRESENTATIONS AND WARRANTIES: NO PERSON IS AUTHORIZED TO MAKE, AND BY EXECUTION HEREOF BUYER ACKNOWLEDGES THAT NO PERSON HAS MADE, ANY REPRESENTATION, WARRANTY, GUARANTY OR PROMISE EXCEPT AS SET FORTH HEREIN; AND NO AGREEMENT, STATEMENT, REPRESENTATION OR PROMISE MADE BY

ANY SUCH PERSON WHICH IS NOT CONTAINED HEREIN SHALL BE VALID OR BINDING ON SELLER. THE ONLY REPRESENTATIONS OR WARRANTIES OUTSTANDING WITH RESPECT TO THE SUBJECT MATTER OF THIS TRANSACTION, EITHER EXPRESS OR IMPLIED BY LAW, ARE SET FORTH HEREIN, AND BUYER EXPRESSLY WAIVES THE RIGHT TO ANY WARRANTY IMPLIED BY LAW. THE PARTIES ACKNOWLEDGE THAT BUYER AND SELLER HAVE MADE THE SUBJECT PROPERTY AVAILABLE FOR THE OTHER'S INDEPENDENT INSPECTION.

2. PURCHASE AND SALE OF PROPERTY: SELLER agrees to convey the Property, together with all rights, title, and interest in accordance with the terms of this Agreement the following which shall comprise the sale contemplated in this Agreement:

a. All of the real property lying and situate in Carson City, Nevada, consisting of 23.25 acres, more or less, and described in "Exhibit A,"

b. Any and all licenses, encroachment permits, ways, easements of whatever type or kind, together with all mineral rights, oil rights, gas rights, geothermal rights, sands and gravels which are appurtenant to or associated in any way with the Property which are owned by SELLER.

The foregoing listed elements of the Property in this Paragraph 2 are hereinafter collectively referred to as the "Property."

3. PURCHASE PRICE: The purchase price for the above described Property shall be Two Hundred Twenty-Five Thousand and no/100 Dollars (\$225,000.00) which shall be paid by BUYER to SELLER in accordance with the terms of this Agreement.



4. ESCROW, CONVEYANCE, AND TITLE INSURANCE: Escrow shall be with NORTHERN NEVADA TITLE COMPANY (“Escrow Holder”), which is located at 307 W. Winnie Lane, Suite 5, Carson City, Nevada, 89703.

a. Escrow shall open as of the date upon which Escrow Holder has received a fully signed original, or counterpart originals, of this Agreement, accompanied by the sums and documents required herein. The date all such items have been delivered to Escrow Holder shall be referred to herein as the “Opening of Escrow” and reported by letter to the Parties by Escrow Holder, and the date escrow actually closes and the deed is recorded shall be referred to as “Close of Escrow.” Escrow Holder is hereby authorized and instructed to act in accordance with the provisions of this Agreement, which Agreement, together with Escrow Holder’s standard escrow instructions, shall constitute Escrow Holder’s escrow instructions. As between the Parties, if there is a conflict between Escrow Holder’s standard instructions and this Agreement, this Agreement will control.

b. Ad valorem property taxes for the current fiscal year shall be prorated as of the Close of Escrow.

c. All assessments, and/or special taxes, including the full principal amount of all bonded indebtedness encumbering the Property, if any, shall be prorated to the close of escrow. To the extent such amounts can be identified or reasonably estimated by Escrow Holder they shall be accordingly paid (or reserved for payment) at Close of Escrow.

d. SELLER, at SELLER’S expense, shall furnish BUYER with a C.L.T.A. owner’s policy of title insurance in the full amount of the purchase price issued by NORTHERN NEVADA TITLE COMPANY of Carson City, subject only to those

exceptions disclosed herein or otherwise not objected to by BUYER or the preliminary title report.

e. BUYER shall pay the escrow fee and any and all other fees, including recording fees, document preparation fees, real property transfer taxes and similar costs not specifically allocated in this Agreement.

f. In accordance with Nevada Revised Statutes (NRS) 361.060 and NRS 361A.265, SELLER shall have no liability for deferred taxes, interest, or penalties, arising out of any conversion of the Property from agricultural uses to open space or any higher use.

g. Title to the Property shall be conveyed by Grant, Bargain and Sale Deed AND MUST CONTAIN THE FOLLOWING LANGUAGE: "This land was purchased with Quality of Life Sales and Use Tax Funds and is subject to the provisions of the Carson City Municipal Code Section 13.06."

h. BUYER agrees that the deed shall contain the following deed restriction: "The use of this property is specifically reserved for open space and public use in perpetuity. This restriction will run with the land."

5. PAYMENT OF PURCHASE PRICE: The Purchase Price for the Property described in Paragraph 3 above and detailed on the Exhibits hereto shall upon satisfaction of the conditions set forth in Paragraph 6 be paid by BUYER to Escrow Holder for SELLER as follows: The sum of Two Hundred Twenty-Five Thousand and no/100 Dollars (\$225,000.00) shall be paid into Escrow on or before the date set for the Close of Escrow, which is to close not later than July 30, 2014, subject to the availability of federal funds or other readily available funds.

Buyer will deposit in escrow the sum of \$35,000 as a good faith deposit. The deposit shall be counted towards the purchase price. The deposit is not refundable unless the transaction is terminated by the SELLER prior to the close of escrow. The deposit may be released to SELLER upon BUYER satisfaction of all conditions in Item 6.

6. BUYER'S CONDITIONS ON CLOSE OF ESCROW: Close of Escrow shall be subject to the following conditions: SELLER and BUYER shall diligently attempt to achieve the satisfaction of these conditions without undue delay. If any of these conditions cannot be met, then, unless waived by BUYER, Escrow Holder, upon receipt of notification from BUYER or from SELLER that it cannot or will not be able to satisfy a condition, shall immediately cancel the escrow and return the respective documents to SELLER and BUYER, and each Party shall be responsible for one-half (½) of the escrow costs incurred, and thereafter neither Party shall have any further obligation, rights, or liability under this Agreement.

a. Except as otherwise approved by BUYER, title to the Property shall be conveyed to BUYER free of liens and encumbrances. SELLER shall, at its expense, furnish BUYER with a preliminary title report and, upon request, copies of all recorded exceptions to title referred to therein within ten (10) days after Opening of Escrow. Within seven (7) days of receipt of: (i) the preliminary title report and all documents referred to in it; or (ii) any supplemental or amendatory report and the documents referred to as exceptions thereto, BUYER shall give SELLER notice specifying those matters which are unacceptable conditions of title. Said preliminary title report as supplemented and/or amended is hereinafter referred to as the "Title Report." All exceptions in the Title Report not specifically disapproved by BUYER within seven (7) days after receipt of the initial submittal and/or, as applicable, supplementary or

amendatory materials by BUYER, shall be deemed to have been approved. SELLER shall remove such objectionable items within fifteen (15) days thereafter, but in any event prior to the Close of Escrow and if SELLER fails to remove such objectionable items within said period, and/or if the Title Policy will not be issued in the exact form approved by BUYER, SELLER shall notify BUYER in writing of such fact, and BUYER shall have the election to be exercised in writing within five (5) days after delivery to BUYER of such notice of SELLER of either:

1) terminating this Agreement, in which event Escrow Holder shall return the documents deposited herein to the Party depositing same; or

2) accepting the Property subject to the objectionable items.

b. To the extent that the same exists, SELLER shall furnish BUYER with any and all land surveys, engineering information, environmental assessments, planning or zoning information of the Property in SELLER's possession, within seven (7) days after Opening of Escrow. Should BUYER fail to close escrow for whatever reason, BUYER shall promptly return all such land surveys, engineering information, environmental assessments, planning or zoning information or other evaluations of the Property to SELLER and treat as confidential all information contained therein.

c. SELLER shall perform and approve, at its sole cost and expense, a legal marketable parcel as illustrated in "Exhibit A."

d. This Agreement shall be approved by the Carson City Board of Supervisors on or before July 18, 2013.

In the event that any of the conditions to close are not met within the time frames set forth herein the SELLER or the BUYER may cancel and terminate this Agreement. In such event, this Agreement shall become null and void and the Parties

shall be returned to their original pre-Agreement condition. The Parties will be released from any further obligation to each other and neither will be liable to the other for costs of partial performance or failure to perform. BUYER will be entitled to the return of all monies paid by it to the Escrow less one-half of the reasonable charges incurred by the Escrow Agent.

7. SELLER'S REPRESENTATIONS, COVENANTS, WARRANTIES AND OBLIGATIONS:

a. SELLER represents to BUYER that to the best knowledge of SELLER, the title to be conveyed to BUYER will not be encumbered by any easements, persons in possession, government patents or other rights, other than those items disclosed on the Title Report or which would be disclosed by a physical inspection of the Property. To the best knowledge of SELLER, there is no hazardous, toxic or radioactive material on the Property. SELLER agrees BUYER and/or its agents may make all disclosures and file all reports which may be required by law with respect to discovery of any hazardous, toxic or radioactive materials on the Property as a result of such investigations and hereby releases and holds BUYER harmless with respect to liability arising out of such disclosure.

b. SELLER warrants there are no threatened or pending condemnation proceedings against or affecting any part of the Property.

c. SELLER shall not commit knowingly or suffer to be committed any waste in or upon the Property. Waste shall include, but not be limited to, any injury to the Property which renders it in a condition materially different from its condition at the date of this Agreement.

d. To the best knowledge of SELLER, SELLER has complied, and the Property is in compliance, with all laws relating to the storage, use and disposal of hazardous, toxic or radioactive materials (collectively, "Toxic Materials").

e. To the best knowledge of SELLER, the execution and consummation of this Agreement pursuant to its terms will not result in a material breach of, contravene any provisions of, violate, or constitute a default under any articles of incorporation, charter, bylaw, mortgage, contract agreement to which SELLER is subject.

f. From the date of this Agreement to the Close of Escrow, the SELLER will continue to provide BUYER full access to all of the Property and information relating to the historical use and operation of the Property.

g. Pursuant to NRS 342.075(1), SELLER hereby agrees that the purchase price and terms of sale offered by BUYER for the purchase of the Property are agreed to knowingly and willingly, and SELLER waives any services or benefits available pursuant to NRS 342.015 through NRS 342.065, inclusive.

8. POSSESSION: Full possession of the Property shall be given to the BUYER at Close of Escrow, but during the term of this Agreement SELLER shall continue to allow public access and use of the property during the escrow period; however, BUYER shall assume all responsibility for maintenance and liability during escrow period, and shall specifically indemnify the SELLER and hold SELLER harmless from any liability as a result of such public access and/or maintenance.

9. GOOD FAITH AND FAIR DEALING: During the term of this transaction the Parties hereto agree and covenant, one unto the other, to act in good faith and to fairly and openly deal with each other to accomplish the goals and objectives of the respective Parties in closing the escrow envisioned herein.

10. BINDING EFFECT: This Agreement shall bind and inure to the benefit of the respective heirs, representatives, successors and assigns of BUYER and SELLER.

11. NOTICES: No notice, request, demand, instruction or other document to be given hereunder to any Party shall be effective for any purpose unless personally delivered to the person at the appropriate address set forth below (in which event such notice shall be deemed effective only upon such delivery) delivered by air courier next-day delivery (e.g., Federal Express), or delivered by U.S. mail, sent by registered or certified mail, return receipt requested as follows:

If to SELLER, to: Elizabeth Julian Potter  
4201 - 22<sup>nd</sup> Street  
San Francisco, CA 94114

If to BUYER, to: Carson City, a Consolidated Municipality  
Juan F. Guzman, Open Space Manager  
3303 Butti Way, Building #9  
Carson City, NV 89701

Notices delivered by air courier shall be deemed to have been given the next business day after deposit with the courier and notices mailed shall be deemed to have been given on the second day following deposit of same in any United States Post Office mailbox in the state to which the notice is addressed or on the third day following deposit in any such post office box other than in the state to which the notice is addressed, postage prepaid, addressed as set forth above. The addresses and addressees, for the purpose of this Paragraph, may be changed by giving written notice of such change in the manner herein provided for giving notice. Unless and until such written notice of change is received, the last address and addressee stated by written notice, or

provided herein if no such written notice of change has been received, shall be deemed to continue in effect for all purposes hereunder.

12. TIME: Time is of the essence for each provision of this Agreement of which time is a factor, and if this transaction is not completed prior to or on July 30, 2014, it shall terminate and SELLER shall be relieved of any further obligation to convey the Property to BUYER. BUYER has requested that this transaction be completed as soon as possible prior to July 30, 2014. In no event will escrow close after July 30, 2014.

13. ATTORNEYS' FEES: In the event of any action or proceeding, including an arbitration brought by either Party against the other under this Agreement, the prevailing Party shall be entitled to recover all costs and expenses including the actual fees of its attorneys incurred for prosecution, defense, consultation or advice in such action or proceeding.

14. COMPUTATION OF PERIODS: All periods of time referred to in this Agreement shall include all Saturdays, Sundays and state or national holidays, unless the period of time specifies business days, provided that if the date to perform any act or give any notice with respect to this Agreement, shall fall on a Saturday, Sunday or state or national holiday, such act or notice may be timely performed or given on the next succeeding day which is not a Saturday, Sunday or state or national holiday.

15. INTERPRETATION: The Parties hereto acknowledge and agree that each has been given the opportunity to review this Agreement with legal counsel independently, and/or has the requisite experience and sophistication to understand, interpret and agree to the particular language of the provisions hereof. The Parties have equal bargaining power, and intend the plain meaning of the provisions herein. In the event of an ambiguity in or dispute regarding the interpretation of same, the interpretation



of this Agreement shall not be resolved by any rule of interpretation providing for interpretation against the Party who causes the uncertainty to exist or against the draftsman. This Agreement contains the entire agreement between the Parties relating to the transactions contemplated hereby and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged and integrated into this Agreement.

16. SURVIVABILITY: All covenants of BUYER or SELLER which are intended hereunder to be performed in whole or in part after Close of Escrow and all representations, warranties and indemnities by either Party to the other, shall survive Close of Escrow and delivery of the Grant, Bargain and Sale Deed, and be binding upon and inure to the benefit of the respective Parties.

17. MUTUAL INDEMNITY: SELLER and BUYER hereby agree to indemnify, defend and hold the other Party harmless against any and all liability, claims, costs or expenses arising directly or indirectly out of the covenants, representations and warranties given by the indemnifying Party to the other in this Agreement.

18. AUTHORITY OF PARTIES: Any corporation signing this Agreement, and each agent, officer, director, or employee signing on behalf of such corporation, but in his individual capacity, represents and warrants that said Agreement is duly authorized by and binding upon said corporation. Any individual signing this Agreement on behalf of a partnership or business entity other than a corporation represents that such other entity has power and authority to enter into this Agreement, and by such person's act is bound hereby.

19. COUNTERPART: This Agreement and any other agreement (or document) delivered pursuant hereto may be executed in one or more counterparts and by

different Parties in separate counterparts. All of such counterparts shall constitute one and the same agreement and shall become effective when one or more counterparts of this Agreement have been signed by each Party and delivered to the other Parties.

IN WITNESS WHEREOF, SELLER and BUYER have fully executed this Agreement as of the date first above written.

**“SELLER”**  
PATRICIA R. POTTER FAMILY TRUST  
By: Co-Trustees:

**“BUYER”**  
CARSON CITY  
By:

\_\_\_\_\_  
Elizabeth Julian Potter

\_\_\_\_\_  
Robert L. Crowell, Mayor

\_\_\_\_\_  
Christiana Potter Haro

\_\_\_\_\_  
Juan F. Guzman, Open Space Manager

\_\_\_\_\_  
Brock Thomas Potter

DATE: \_\_\_\_\_, 2013

DATE: \_\_\_\_\_, 2013



307 W Winnie Lane, Suite 1  
Carson City, NV 89703  
Phone (775)883-7513  
Fax (775)887-5065

## PRELIMINARY REPORT

Issued for the sole use of:

**Carson City Parks and Recreation  
Attn: Juan Guzman**

Our Order No.: **1100024-LI**

Title No.: **1100024-LI**

Your No.: **CC-1100024-LI / 1st Update**

Buyer:

**Carson City**

Property Address:

**501 and 502 S. Ormsby Blvd.  
Carson City, NV 89701**

When Replying Please Contact:

Lanette Inman, Escrow Officer

Assessor's Parcel No.:

**009-014-05 and 003-151-25**

In response to the above referenced application for a policy of title insurance, Northern Nevada Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the Policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of May 24, 2013 at 07:30AM

Title Officer: Tammy May

For Exceptions Shown or Referred to, See Attached

**Northern Nevada Title Company**

The form of policy of title insurance contemplated by this report is:

CLTA Owners.. A specific request should be made if another form or additional cover is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

A Fee

Title to said estate or interest at the date hereof is vested in:

Patricia R. Potter, Trustee of the Patricia R. Potter Family Trust, dated the 7th day of May 1998

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

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Property Taxes for the fiscal year 2012-2013 shown below are paid. For Pro-ration purposes the amounts are:

Assessor's Parcel No.: 003-151-25

Total: \$1,052.40

First Installment: \$263.40, paid

Second Installment: \$263.00, paid

Third Installment: \$263.00, paid

Fourth Installment: \$263.00, paid

2. Property Taxes for the fiscal year 2012-2013 shown below are paid. For Pro-ration purposes the amounts are:

Assessor's Parcel No.: 009-014-05

Total: \$27.42

3. The lien, if any, for taxes for improvements completed or in progress, but which were not shown on the tax bill for the current year.
4. Liens levied by the Carson City Water and Sewer District for water, sewer and storm water utilities, by reason that subject property is located within said district. To verify payments, delinquencies or liens, contact Carson City Utilities at (775) 887-2355.
5. Rights of the public, county and/or city in that portion lying within the street as it now exists.

STREET NAME: S. Ormsby Blvd.

6. Reservation contained in Deeds,

Reserved by: Earl Crain and Isabel Crain, husband and wife

Recorded: November 25, 1964

Book: 29

Page: 296 and 299

Document No. 84596 and 84597, Official Records

**Northern Nevada Title Company**

7. Easement, together with the rights incidental thereto,

Granted to: Carson Water Company  
Purpose: Construct, operate and maintain a water pipeline  
Recorded: August 29, 1966  
Book: 54  
Page: 564  
Document No. 10181, Official Records

8. The requirement that an executed Certification of Trust pursuant to NRS 164.400 et.seq. be submitted prior to the issuance of a Title Insurance Policy.

NOTE: Our investigation has been completed and said land is vacant known as **501 and 502 S. Ormsby Blvd., Carson City, Nevada**. The ALTA loan policy, when issued, will contain the CLTA 100 Endorsement and 116 series Endorsement.

NOTE: Recorded transfers or agreements to transfer the land described herein within the last 24 months prior to the date hereof are as follows: NONE

NOTE: The last recorded transfer or agreement to transfer the land described herein is as follows:

INSTRUMENT ENTITLED: Quitclaim Deed  
BY/FROM: Patricia R. Potter, a single woman  
TO: Patricia R. Potter Family Trust, dated the 7th day of May 1998  
RECORDED: May 11, 1998  
DOCUMENT NO. 217345, Official Records

Note: The charge for a policy of title insurance, when issued through this title order, will be based on the Basic (not Short-Term) Title Insurance Rate.

## Northern Nevada Title Company

### Privacy Policy Notice

#### PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Northern Nevada Title Company**.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from [our affiliates or] others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Northern Nevada Title Company

**CALIFORNIA LAND TITLE ASSOCIATION  
STANDARD COVERAGE POLICY - 1990  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

**EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
  
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land which may be asserted by persons in possession thereof,
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**Northern Nevada Title Company**

**AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)**  
**AMERICAN LAND TITLE ASSOCIATION LEASEHOLD LOAN POLICY (10-17-92)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters.
  - (a) created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy); or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
  - (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
  - (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
    - (a) to timely record the instrument of transfer, or
    - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above policy forms may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following General Exceptions:

**Northern Nevada Title Company**



**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
  
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**AMERICAN LAND TITLE ASSOCIATION  
LOAN POLICY OF TITLE INSURANCE - 2006  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (i) the occupancy, use, or enjoyment of the Land;
  - (ii) the character, dimensions, or location of any improvement erected on the Land;
  - (iii) the subdivision of land; or
  - (iv) environmental protection; or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
  - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
  - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
  - (a) a fraudulent conveyance or fraudulent transfer, or
  - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

**EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART 1, SECTION ONE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

**Northern Nevada Title Company**

**AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)**  
and  
**AMERICAN LAND TITLE ASSOCIATION LEASEHOLD OWNERS POLICY (10-17-92)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy, or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
  - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
    - (a) to timely record the instrument of transfer, or
    - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

The above policy forms may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage Policy will also include the following General Exceptions:

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**Northern Nevada Title Company**

**AMERICAN LAND TITLE ASSOCIATION  
OWNER'S POLICY OF TITLE INSURANCE - 2006  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
    - (i) the occupancy, use, or enjoyment of the Land;
    - (v) the character, dimensions, or location of any improvement erected on the Land;
    - (vi) the subdivision of land; or
    - (vii) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
  - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
  3. Defects, liens, encumbrances, adverse claims, or other matters
    - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
    - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
    - (c) resulting in no loss or damage to the Insured Claimant;
    - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
    - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
  4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is:
    - (a) a fraudulent conveyance or fraudulent transfer; or
    - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
  5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in Public Records that vests Title as shown in Schedule A.

**EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART ONE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

**Northern Nevada Title Company**

Exhibit A

**AMERICAN LAND TITLE ASSOCIATION  
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)  
EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
  - land use
  - improvements on the land
  - land division
  - environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date.

This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
  - a notice of exercising the right appears in the public records on the Policy Date
  - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking
3. Title Risks:
  - that are created, allowed, or agreed to by you
  - that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
  - that result in no loss to you
  - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
  - to any land outside the area specifically described and referred to in Item 3 of Schedule AOR
  - in streets, alleys, or Waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**Northern Nevada Title Company**

**AMERICAN LAND TITLE ASSOCIATION  
SHORT FORM RESIDENTIAL LOAN POLICY - 2006  
ONE-TO-FOUR FAMILY**

ANY ADDENDUM ATTACHED HERETO, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, A MINNESOTA CORPORATION, HEREIN CALLED THE "COMPANY", HEREBY INSURES THE INSURED IN ACCORDANCE WITH AND SUBJECT TO THE TERMS, EXCLUSIONS AND CONDITIONS SET FORTH IN THE AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (6-17-06), ALL OF WHICH ARE INCORPORATED HEREIN. ALL REFERENCES TO SCHEDULES A AND B SHALL REFER TO SCHEDULES A AND B OF THIS POLICY.

**SCHEDULE B**

**EXCEPTIONS FROM COVERAGE AND AFFIRMATIVE ASSURANCES**

Except to the extent of the affirmative insurance set forth below, this policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees, or expenses) which arise by reason of:

1. Covenants, conditions and restrictions, if any, appearing in the Public Records; however, this policy insures against loss or damage arising from:
  - (a) The violation of those covenants, conditions, or restrictions on or prior to Date of Policy;
  - (b) a forfeiture or reversion of Title from a future violation of those covenants, conditions, or restrictions, including those relating to environmental protection; and
  - (c) provisions in those covenants, conditions, or restrictions, including those relating to environmental protection, under which the lien of the Insured Mortgage can be extinguished, subordinated, or impaired.

As used in paragraph 2(a), the words "covenants, conditions, or restrictions" do not refer to or include any covenant, condition, or restriction (a) relating to obligations of any type to perform maintenance, repair or remediation on the Land, or (b) pertaining to environmental protection of any kind or nature, including hazardous or toxic matters, conditions, or substances, except to the extent that a notice of a violation or alleged violation affecting the Land has been recorded or filed in the Public Records at Date of Policy and is not referenced in an addendum attached to this policy.

2. Any easements or servitudes appearing in the Public Records; however, this policy insures against loss or damage arising from (a) the encroachment, at Date of Policy, of the improvements on any easement, and (b) any interference with or damage to existing improvements, including lawns, shrubbery, and trees, resulting from the use of the easements for the purposes granted or reserved.
3. Any lease, grant, exception, or reservation of minerals or mineral rights appearing in the Public Records; however, this policy insures against loss or damage arising from (a) any affect on or impairment of the use of the Land for residential one-to-four family dwelling purposes by reason of such lease, grant, exception or reservation of minerals or mineral rights, and (b) any damage to existing improvements, including lawns, shrubbery, and trees, resulting from the future exercise of any right to use the surface of the Land for the extraction or development of the minerals or mineral rights so leased, granted, excepted, or reserved. Nothing herein shall insure against loss or damage resulting from subsidence.

## EXHIBIT "A"

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

Beginning at a point on the quarter Section Line of Section 18, Township 15 North, Range 20 East, M.D.B. & M., from which point the South quarter corner bears South 01°15'36" East 1000.71 feet; thence North 36°45'00" East 173.39 feet; thence North 0°22'40" West 433.16 feet to a point on the Southerly line of KINGS MANOR SUBDIVISION, NO. 4, filed in the office of the recorder of Carson City (formerly known as Ormsby County), Nevada on December 3, 1959; thence North 89°45'55" West along the Southerly line of said KINGS MANOR SUBDIVISION, NO. 4, 100 feet more or less to the Southwest corner of said KINGS MANOR SUBDIVISION; thence North 0°21'30" East 178.58 feet; thence South 89°38'30" East 99.84 feet to a point on a curve; thence on a curve to the left having a radius of 20 feet, through a central angle of 7°16'38" a distance of 2.54; thence South 79°51'36" East 50.74 feet; thence on a curve to the Left which tangent bears South 0°21'30" West, having a radius of 20 feet through a central angle of 90° a distance of 31.42 feet; thence South 89°38'30" East 80.00 feet; thence North 0°21'30" East 636.09 feet to a point on the South line of Kings Canyon Road; thence North 89°38'30" West along the South line of said Kings Canyon Road, 965.0 feet more or less, to the Northeast corner of the property conveyed to Fred McGinnis, Sr. et ux in Deed recorded July 19, 1961 in Book 93 of Deeds, Page 191; thence leaving the South line of Kings Canyon Road, South 0°09' East 218 feet; thence North 89°33'15" West 397.97 feet; thence North 87°29'10" West 199.93 feet to a point on the West line of the Northeast quarter of the Southwest quarter of said Section 18; thence along the said West line South 0°09' East 850.94 feet, more or less, to the Southwest corner of the Northeast quarter of the Southwest quarter of said Section 18; thence South 89°51' East along the South line of the Northeast quarter of the Southwest quarter of said Section 18, 1320 feet, more or less to the quarter Section line of said Section 18; thence South 0°09' East along said Quarter Section Line 318.29 feet, more or less to the Point of Beginning.

EXCEPTING THEREFROM any portion lying within KINGS MANOR SUBDIVISION, NO. 4, CARSON HIGHLAND SUBDIVISION, NO. 1, CARSON HIGHLAND SUBDIVISION, NO. 2 and KING HILL PARK SUBDIVISION, UNIT NO. 1 and 2.

FURTHER EXCEPTING THEREFROM that portion conveyed to NEVADA TITLE GUARANTEE COMPANY, by Deed recorded October 18, 1965 in Book 42, Page 433.

ALSO EXCEPTING THEREFROM that portion conveyed to JACK E. CRANER, et ux, recorded March 27, 1969 in Book 83, Page 395, Official Records of Carson City, Nevada.

ALSO EXCEPTING THEREFROM that portion conveyed to GEORGE MILLER, et ux, recorded September 3, 1971 in Book 113, Page 376, Official Records of Carson City, Nevada.

ALSO EXCEPTING THEREFROM that portion conveyed to TED F. SHORT, et ux, by Deed recorded December 30, 1971 in Book 118, Page 140, Official Records of Carson City, Nevada.

ALSO EXCEPTING THEREFROM that portion lying within Kings Canyon Road and Ormsby Boulevard.

ALSO EXCEPTING THEREFROM that portion conveyed to WILLIAM HENRY VANCE and GARRY DEAN VANCE recorded July 12, 1972 in Book 126, Page 614, Document No. 7472, Official Records of Carson City, Nevada.

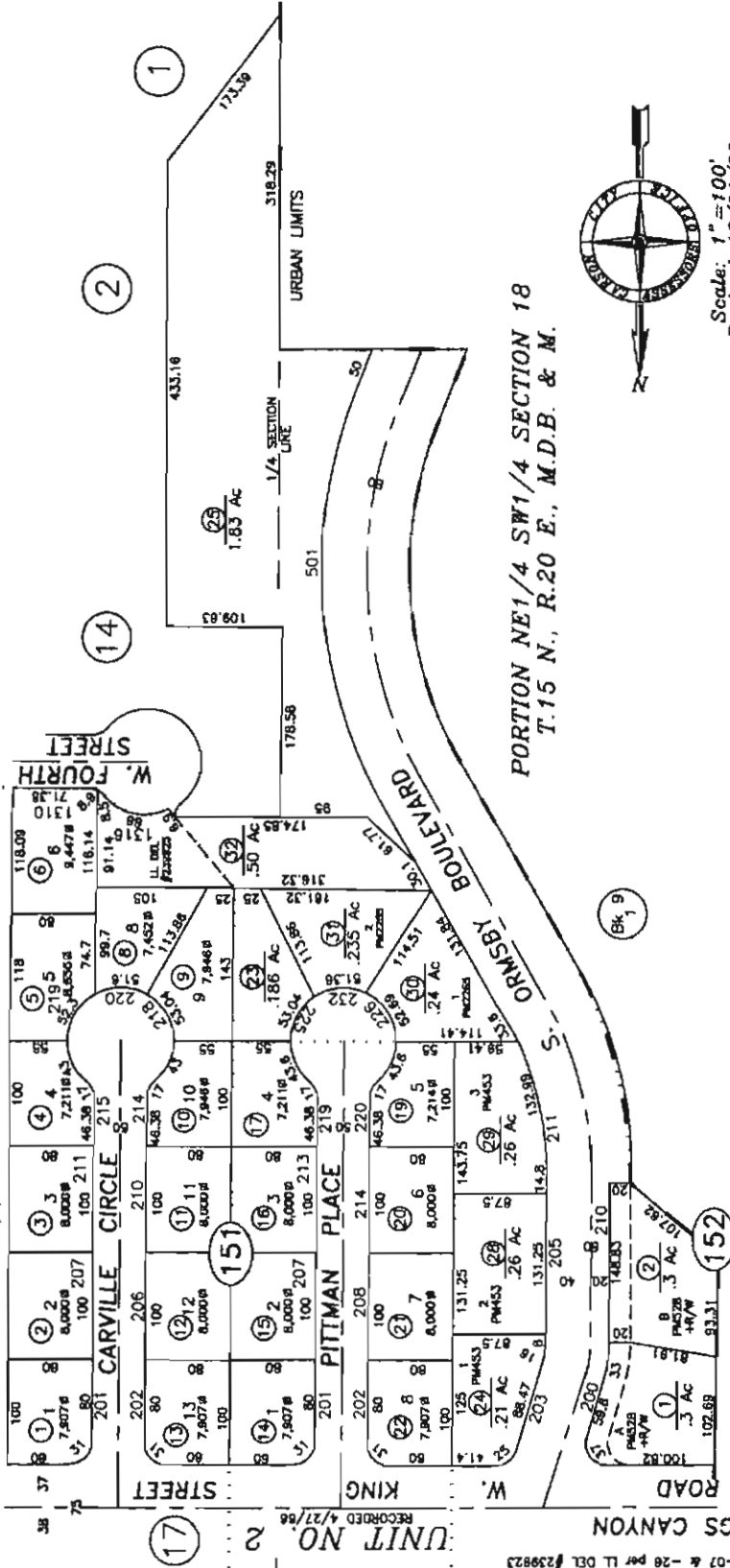
NOTE: Legal description previously contained in Document No. 217345 recorded on May 11, 1998.

### Northern Nevada Title Company

3-15

PORTION NW1/4 SE1/4 SECTION 18  
T.15 N., R.20 E., M.D.B. & M.

UNIT NO. 1  
RECORDED 8/8/85



PORTION NE1/4 SW1/4 SECTION 18  
T.15 N., R.20 E., M.D.B. & M.



Scale: 1" = 100'  
Revised 10/01/99

KINGS HILL PARK

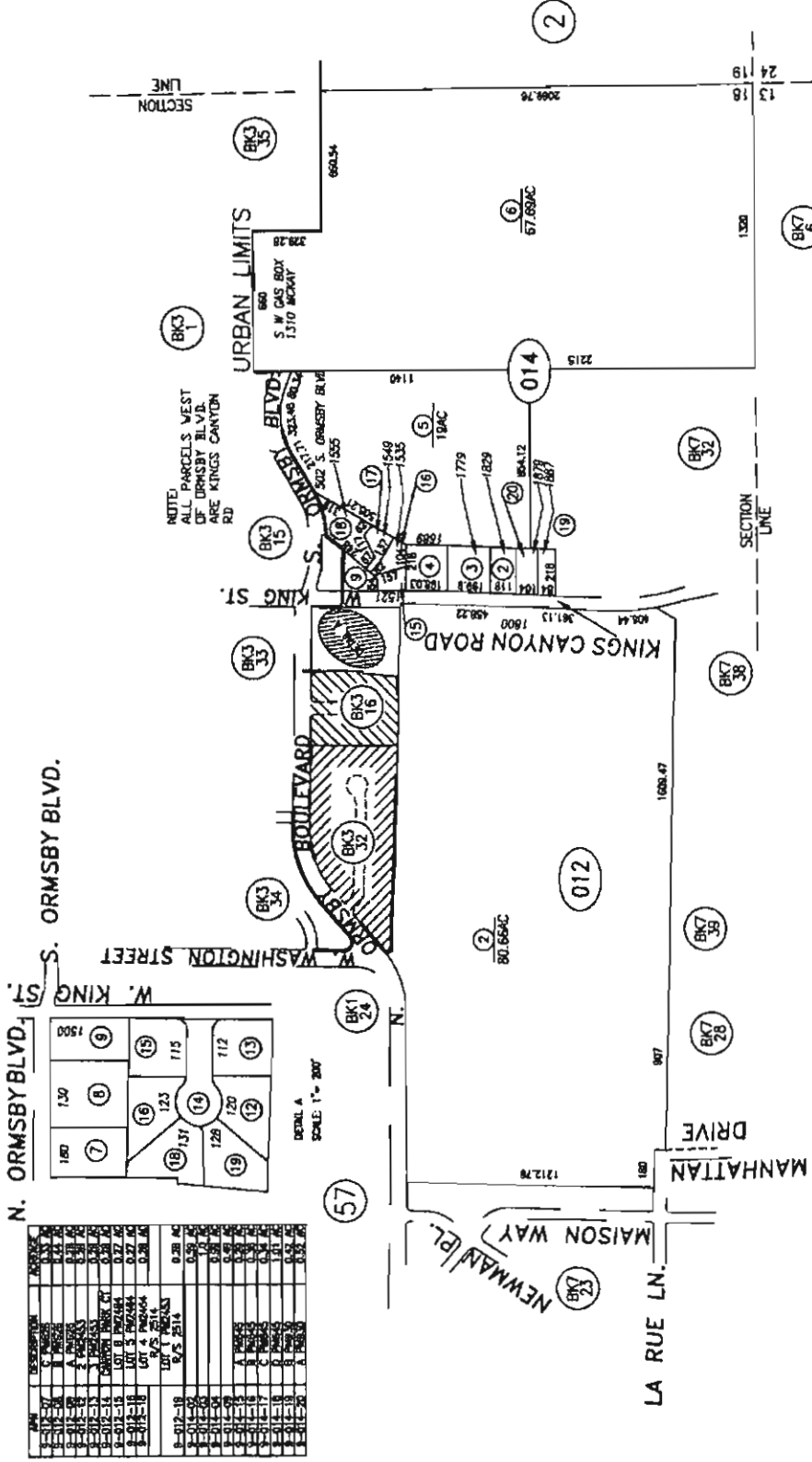
CARSON CITY, NEVADA  
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY  
PLAT MAPS DEPARTMENT AND ILLUSTRATIVE PURPOSES  
ONLY. IT DOES NOT REPRESENT A SURVEY AND LIABILITY  
IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF  
THE DATA DELINEATED HEREIN.

UNIT NO. 2  
RECORDED 4/27/86

3-151-32 was -07 & -28 per LL DEL #239823



PORTION W1/2 SECTION 18, T.15 N., R.20 E., M.D.B. & M.



DETAIL A  
SCALE: 1" = 200'

180	130	1500
7	8	9
19	123	115
19	137	14
19	128	120
19	120	112
19	120	112
19	120	112

LOT	ACRES	AREA
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100	0.28	1932.00



NOTE: THESE PARCELS ARE UNREGISTERED INTERESTS AND ARE NOT SUBJECT TO THE RECORDS OF THE COUNTY OF OKLAHOMA. THESE MAPS ARE PREPARED FOR THE USE OF THE OKLAHOMA CITY PLANNING DEPARTMENT AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. ONLY IT DOES NOT REPRESENT A WARRANTY, NO LIABILITY IS ASSUMED AS TO THE ACCURACY OR ATTACHMENT OF THE MAPS TO THE SURFACE OR TO THE UNDERGROUND. THE CITY OF OKLAHOMA DOES NOT WARRANT THE ACCURACY OF THE MAPS AT ANY TIME OR DATE.

OKLAHOMA CITY PLANNING DEPARTMENT  
CITY ENGINEER  
CITY OF OKLAHOMA

A SUMMARY APPRAISAL  
OF THE

**POTTER HILL PROPERTY**

LOCATED

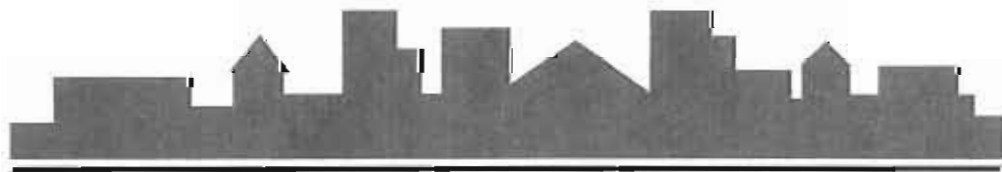
260± FEET SOUTH OF THE INTERSECTION OF  
KINGS CANYON ROAD  
AND SOUTH ORMSBY BOULEVARD,  
CARSON CITY, NEVADA

OWNED BY

THE PATRICIA R. POTTER FAMILY TRUST

PREPARED FOR

CARSON CITY PARKS AND RECREATION DEPARTMENT



**JOHNSON~PERKINS & ASSOCIATES, INC.**  
REAL ESTATE APPRAISERS & CONSULTANTS

A Summary Appraisal  
Of The

## Potter Hill Property

Located

260± Feet South of the Intersection of  
Kings Canyon Road And South Ormsby Boulevard,  
Carson City, Nevada

Owned By

The Patricia R. Potter Family Trust

Prepared For

Carson City Parks and Recreation Department

For the Purpose of Estimating  
Market Value  
As of  
February 5, 2013

**JOHNSON~PERKINS & ASSOCIATES, INC.**  
REAL ESTATE APPRAISERS & CONSULTANTS

Main Office: 295 Holcomb Avenue, Suite 1 ■ Reno, Nevada 89502 ■ Telephone (775) 322-1155  
Lake Tahoe Office: P.O. Box 11430 ■ Zephyr Cove, Nevada 89448 ■ Telephone (775) 588-4787  
FAX: Main Office (775) 322-1156 ■ Lake Tahoe Office (775) 588-8295  
E-mail: jpareno@johnsonperkins.com ■ jpatahoe@johnsonperkins.com

Stephen R. Johnson, MAI, SREA  
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Cynthia Johnson, SRA  
Cindy Lund Fogel, MAI  
Scott Q. Griffin, MAI  
Daniel B. Oaks, MAI  
Benjamin Q. Johnson, MAI

Karen K. Sanders  
Gregory D. Ruzzine  
Chad Gerken

February 15, 2013

Mr. Juan Guzman, Open Space Manager  
Carson City Parks and Recreation Department  
3303 Butti Way, Building 9  
Carson City, Nevada 89701

Re: The Potter Hill Property, Located 260± Feet South of the Intersection of Kings  
Canyon Road and South Ormsby Boulevard, Carson City, Nevada

Dear Mr. Guzman:

This is in response to your request for a summary appraisal of the Potter Hill property located approximately 260 feet south of the intersection of Kings Canyon Road and Ormsby Boulevard, Carson City, Nevada. The property is also identified as Carson City Assessor's Parcel Numbers 009-014-05 and 003-151-25 and the portion of the adjacent Ormsby Boulevard. The subject property contains a gross land area of 22.35± acres. The subject is owned by the Patricia R. Potter Family Trust. The subject will be more completely described in the following report.

A summary appraisal report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the *Uniform Standards of Professional Appraisal Practice* for a summary appraisal report. As such, it presents only summary discussions of the data, reasoning and analyses that are used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraisers' file. The depth of the discussion contained in the report is specific to the needs of the client and for the intended use as stated herein. This appraisal firm is not responsible for unauthorized use of the report.

This report sets forth pertinent data, statistics, and other information considered necessary to establish the Market Value of the subject property as of the effective date of valuation.

Reno ■ Lake Tahoe

**JOHNSON~PERKINS & ASSOCIATES, INC.**  
REAL ESTATE APPRAISERS & CONSULTANTS

The purpose of the appraisal is to establish an estimate of the fee simple Market Value of the subject property. The intended use of the appraisal report is to assist the client in establishing a value as the basis for a possible exchange of the subject property. The intended users of the appraisal report include Carson City and the Patricia R. Potter Family Trust, and their representatives.

This appraisal has been prepared subject to the following extraordinary assumptions:

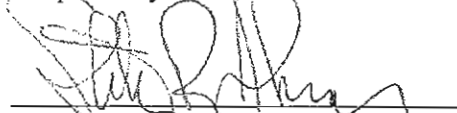
- The Subject Property is identified as Assessor's Parcel Numbers 009-014-05 and 003-151-25 and a portion of the adjacent Ormsby Boulevard. In a letter dated July 31, 2006, Northern Nevada Title Company did indicate that they were unable to locate a recorded dedication for that portion of Ormsby Boulevard lying adjacent to the subject parcels (APN 003-151-25 and 009-014-05). We have been instructed by the client to include this portion of Ormsby Boulevard in the land area for the subject ownership. For the purposes of this appraisal it has been assumed that the subject ownership has free and clear title to land area. The Market Value conclusions assume free and clear title to the subject property.
- The 1.52± acres for the Ormsby Boulevard land area is taken from the preliminary *Land Plan Map* for the subject property prepared by G.L. Szabo and Associates, Land Planning & Design, and is assumed to be correct.

After careful consideration of all data available, and upon thorough personal investigation of the subject property and comparable properties analyzed, it is our opinion that the Market Value of the subject property, as of February 5, 2013, is set out as follows:

**FINAL MARKET VALUE CONCLUSION**  
**(Subject Ownership-22.35± Acres)**

**\$225,000**

Respectfully submitted,



Stephen R. Johnson, MAI, SREA  
Nevada Certified General Appraiser  
License Number A.0000003-CG



Cindy Lund Fogel, MAI  
Nevada Certified General Appraiser  
License Number A.0002312-CG

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**SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS**

<b>Property Type</b>	Vacant Land
<b>Assessor's Parcel Numbers</b>	003-151-25, 009-014-05 and a Portion of the South Ormsby Boulevard Right-of-Way
<b>Address</b>	
<b>APN 003-151-25</b>	501 South Ormsby Blvd, Carson City, Nevada
<b>APN 009-014-05</b>	502 South Ormsby Blvd, Carson City, Nevada
<b>Location</b>	260± feet south of the intersection of Kings Canyon Road and South Ormsby Boulevard, Carson City, Nevada.
<b>Legal Description</b>	A portion of the West 1/2 of Section 18, Township 15 North, Range 19 East, M.D.B.&M.
<b>Owner of Record</b>	Patricia R. Potter Family Trust
<b>Land Area</b>	
<b>APN 003-151-25</b>	1.83± Acres
<b>APN 009-014-05</b>	19.00± Acres
<b>S. Ormsby Blvd R/W</b>	<u>1.52± Acres</u>
<b>Total Land Area</b>	22.35± Acres
<b>Topography</b>	Gentle to Steeply Sloping Hillside. The topography of the subject is primarily steeply sloping hillside with areas of more gentle topography at the top of the subject hill area and within the more southeasterly portion of the site in the area of the old Carson Pioneer Cemetery.
<b>Amenities</b>	Very Good City and Good Mountain Views
<b>Zoning</b>	
<b>APN 003-151-25</b>	SF6 (Single Family 6,000 Square Foot Lots)
<b>APN 009-014-05</b>	SF2A (Single Family 2 Acre Lots)
<b>Master Plan</b>	
<b>APN 003-151-25</b>	LDR (Low Density Residential)
<b>APN 009-014-05</b>	MDR (Medium Density Residential)

**Flood Zone**

**FEMA Map Numbers** 3200010091E/3200010091E  
**Effective Date** January 16, 2009  
**Flood Zone** Zone "D"

**Improvements**

Carson Pioneer Cemetery, not in use since 1871

**Highest and Best Use**

It is these appraisers' opinion that the highest and best use of the subject property would be for future development with single-family residential subdivision uses. It is also recognized that due to the subject's excellent views and good location in west Carson City that the site would be a desirable location for an exclusive hilltop homesite with the possibility of ultimately subdividing the site to sell off additional homesites at such time as demand would warrant.

**Proposed Possible Density\***

**Large View Lots** 5 Lots  
**Clustered Housing** 12 Duplex Units  
**Total** 17 Dwelling Units

**Type of Report**

Summary appraisal report

**Completion Date of Report**

February 15, 2013

**Effective Date of Valuation**

February 5, 2013

**FINAL MARKET VALUE CONCLUSION**

**\$225,000**

\*Source: *Land Plan Map* prepared by G.L. Szabo & Associates, Land Planning & Design



**PURPOSE OF APPRAISAL**

This appraisal was prepared for the purpose of estimating the Market Value of the subject property as of a current date of valuation.

**PROPERTY RIGHTS APPRAISED**

The subject property is appraised as held in fee simple ownership. Fee simple estate is defined as “Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”<sup>1</sup>

**INTENDED USE OF APPRAISAL**

The intended use of the appraisal is to assist Carson City in negotiations regarding the possible exchange of the subject property. Any other use of this appraisal report requires the prior written authorization of these appraisers. Johnson-Perkins & Associates, Inc. is not responsible for unauthorized use of the appraisal report.

**INTENDED USERS OF APPRAISAL**

The intended users of this appraisal include Carson City and the Patricia R. Potter Family Trust and their representatives.

<sup>1</sup> Source: The Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute, 2010, page 78.

### **SCOPE OF APPRAISAL**

The preparation of this appraisal included:

- Identification, inspection and analysis of the subject property;
- Met with Mr. Robert Potter, one of the property owners, their representatives and representatives of Carson City;
- Identification and analysis of the subject neighborhood;
- Highest and Best Use Analysis;
- Research, comparison and analysis of comparable land sales;
- Completion of a Sales Comparison Approach Analysis for the subject property;
- Correlation of the value indications to a final Market Value conclusion for the subject property;
- Final Market Value conclusions for the subject property;
- Preparation of the Summary Appraisal Report in accordance with Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice.

### **EFFECTIVE DATE OF VALUATION**

The opinions of value, as set forth in this report, apply as of February 5, 2013.

### **COMPLETION DATE OF REPORT**

This report was completed on February 15, 2013.

### **MARKET VALUE DEFINED**

Market Value means the most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1) Buyer and seller are typically motivated;
- 2) Both parties are well informed or well advised, and acting in what they consider their own best interests;
- 3) A reasonable time is allowed for exposure in the open market;
- 4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.<sup>2</sup>

### **TYPE OF REPORT**

This is a summary appraisal report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a summary appraisal report. As such, it presents only summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraisers' opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in these appraisers' file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as stated herein. These appraisers are not responsible for unauthorized use of this report.

<sup>2</sup> The Dictionary of Real Estate Appraisal, Fifth Edition; Appraisal Institute; 2010.

**EXTRAORDINARY ASSUMPTIONS**

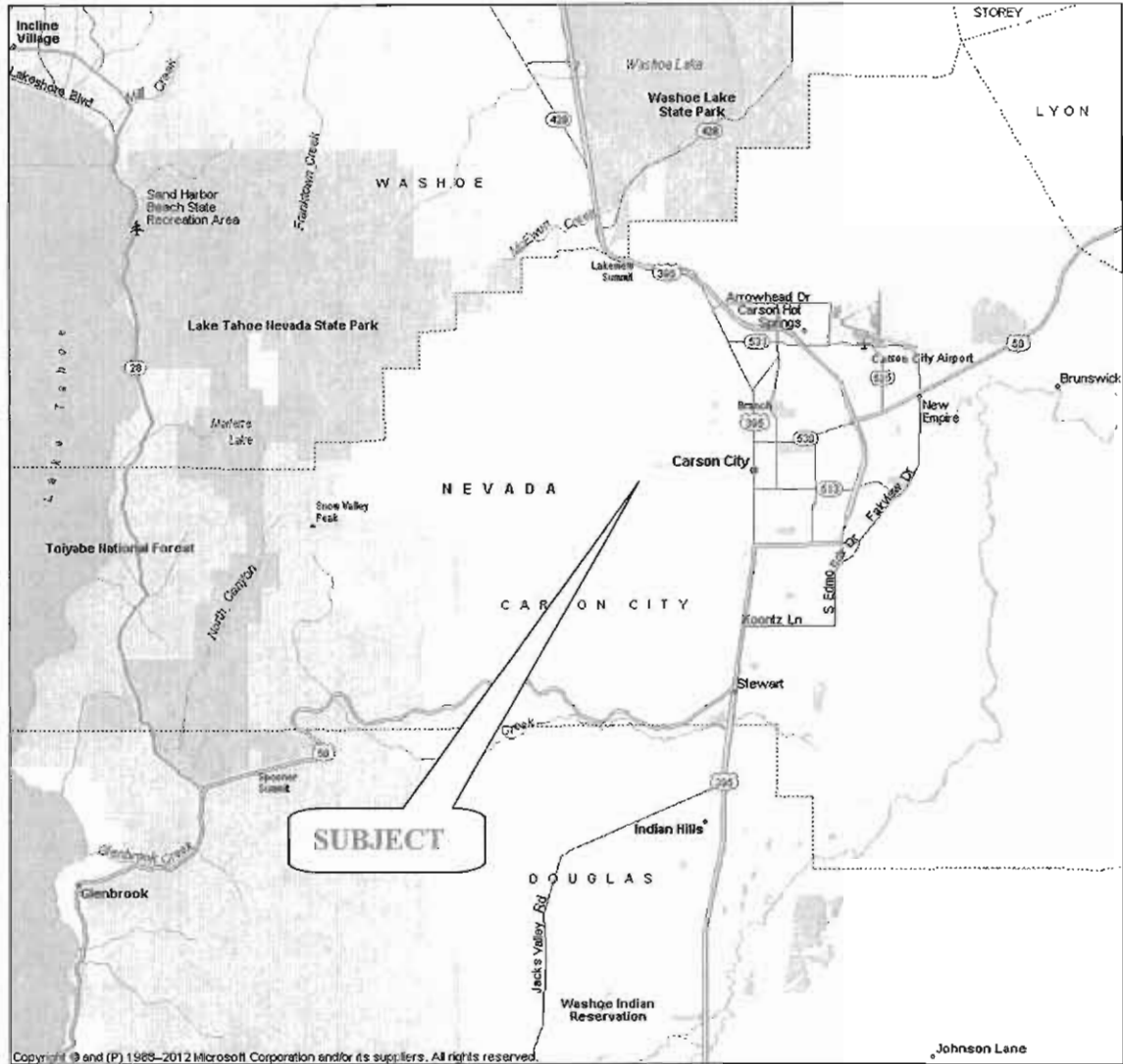
This report, and the value conclusions set forth herein, are subject to extraordinary assumptions. An extraordinary assumption is defined as “An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser’s opinions or conclusions.”<sup>3</sup> This appraisal has been prepared subject to the following extraordinary assumptions:

This appraisal has been prepared subject to the following extraordinary assumptions:

- The Subject Property is identified as Assessor’s Parcel Numbers 009-014-05 and 003-151-25 and a portion of the adjacent Ormsby Boulevard. In a letter dated July 31, 2006, Northern Nevada Title Company did indicate that they were unable to locate a recorded dedication for that portion of Ormsby Boulevard lying adjacent to the subject parcels (APN 003-151-25 and 009-014-05). We have been instructed by the client to include this portion of Ormsby Boulevard in the land area for the subject ownership. For the purposes of this appraisal it has been assumed that the subject ownership has free and clear title to land area. The Market Value conclusions assume free and clear title to the subject property.
- The 1.52± acres for the Ormsby Boulevard land area is taken from the preliminary *Land Plan Map* for the subject property prepared by G.L. Szabo and Associates, Land Planning & Design, and is assumed to be correct.

<sup>3</sup> Source: USPAP 2010-2011 Edition, Definitions; The Appraisal Foundation, Page U-3.

**CARSON AREA MAP**



**NEIGHBORHOOD MAP**



### NEIGHBORHOOD DESCRIPTION

The subject property is located in the northwest area of Carson City. The subject neighborhood boundaries are generally considered to be U.S. 395 Highway to the north, Carson Street to the east, Kings Canyon Road to the south and the Toiyabe National Forest to the west.

U.S. Highway 395, is a major north-south highway that begins in Southern California, extends northeast into Nevada, and eventually into Oregon. U.S. Highway 395 is also the primary artery that links Reno with South Lake Tahoe.

Within Carson City, Carson Street is a major four-lane, two-way, asphalt paved roadway, most of which is improved with concrete curbs, gutters, sidewalks and streetlights. As a result of the commercial businesses, its link between Reno and South Lake Tahoe, and the 25-mile per hour speed limit, South Carson Street can become congested during the rush hours and other peak periods of the day. The new Carson City Bypass freeway is under construction and has been completed to the Fairview Drive interchange.

Carson Street is a major commercial corridor through the city. Commercial development along North Carson Street, at Winnie Lane, includes a McDonald's restaurant, a Rite-Aid, and a number of strip shopping centers. Additional commercial development along Carson Street includes a number of freestanding commercial uses as well as smaller neighborhood shopping centers. These utilizations include a number of fast food restaurants, retail-commercial uses and automobile sales facilities. A Save Mart grocery store is located at College Parkway and North Carson Street. The Eagle Medical Center is a 65,000± square foot medical office building on the west side of North Carson Street and just south of West Nye Lane. This is a good quality building with an attractive appeal, and has met with good market acceptance.

The West Nye Lane Professional Center is located on West Nye Lane. This is a good quality center that involves four newer office buildings. Many of the suites in this center are

occupied by physicians. A number of freestanding commercial uses as well as smaller neighborhood shopping centers are located along this corridor. These utilizations include a number of fast food restaurants and retail commercial uses.

Major roadways within the subject neighborhood include East College Parkway, West Winnie Lane, Washington Street and Kings Canyon Road/King Street. Each of these roadways provides access to the residential areas of west Carson City and to the Carson Street commercial corridor. East College Parkway also provides access to the industrial areas around the airport.

Overall, due to the arterial and collector streets, the subject neighborhood is considered to have good accessibility to most portions of the Carson City area.

The primary development within the northerly portion of the subject neighborhood includes single family residential uses. The largest single family residential development within the subject neighborhood is the Silver Oak planned unit development. The newer single family homes in this community range in size from 2,500 to 3,000 square feet. In addition to single-family homes, Silver Oak includes commercial development such as the Save Mart, office buildings and an assisted living complex and a skilled nursing facility. Approximately 76 acres within Silver Oak is designated for development with commercial uses, parks and roads. Silver Oak includes an 18-hole championship golf course. Overall, the Silver Oak development is one of the premier communities within Carson City.

In 2002, Carson-Tahoe Hospital purchased a large tract of land adjacent to the Silver Oak Community in the northeast area of the subject neighborhood, and a 350,000± square foot regional medical center has been completed on the site. The hospital is becoming the focal point of the neighborhood. A number of new medical offices have been developed in the vicinity of the new hospital. In addition, as it is located at the north end of Carson City, with good visibility to southbound travelers along the new U.S. 395 freeway, it is anticipated that the regional medical center will become a Carson City landmark.



The regional medical center and the new freeway were factors behind the development of two limited service hotels along North Carson Street, near the hospital. A Holiday Inn Express opened in February of 2004 with 85 rooms, and an adjacent 85-room Hampton Inn was opened in 2007.

Additional residential utilizations within the subject neighborhood are primarily lower density uses involving one to 2.5 acre sites. The Lakeview Subdivision is located within the northwesterly portion of the subject neighborhood and has been developed with custom homes. Many of the lots within this subdivision have good view amenities and overlook either Washoe Lake or the city of Carson. The single-family residences in the Lakeview Subdivision were constructed between 1971 to present, and generally range in size from 2,500± square feet to 4,800± square feet. The Timberline Subdivision is located within the west central portion of the subject neighborhood and is also improved with custom homes. This is a more wooded area and many of the lots do enjoy good city views. The single-family residences within the Timberline Subdivision range in size from 2,000± square feet to 4,000± square feet, and range in age from 1988 to relatively new.

Those properties located within the central portion of the subject neighborhood, in the vicinity of West Winnie Lane, include a lower density, with lot sizes ranging from 2± acres to 5.5± acres. Those properties located on the east side of West Winnie Lane are improved with single-family residences ranging in age from 45 years to new. These homes range in size from 2,000± square feet to 5,000± square feet. Those properties on the west side of West Winnie Lane involve primarily custom homes, ranging in size from 2,000± square feet to 6,000± square feet. These homes range in age from approximately 38 years to the early 2000s.

The Carriage Square Subdivision is located on the south side of West Winnie Lane, a short distance east of Ormsby Boulevard. The single-family residences in this subdivision were constructed between 1979 and 1991, and generally range in size from 1,700± square feet

to 2,500± square feet. Lots within this subdivision range in size from 7,000± square feet to 12,800± square feet.

The Wellington Crescent and Kingston Park Subdivisions are also located in the southerly portion of the subject neighborhood, and include average to excellent quality custom homes. These single-family residences range in size from 3,000± square feet to 4,600± square feet, and range in age from 20 years to new. The Wellington Crescent and Kingston Park Subdivisions are two of the most desirable residential developments in the Carson City area.

The Long Ranch Planned Unit Development is situated in the southerly portion of the subject neighborhood and includes 6,000± square feet to 8,000± square foot lots which have been improved with average to good quality homes. These single family residences range in size from 1,500± to 2,000± square feet and were constructed between 1998 and 2001. Long Ranch includes numerous Open Space features such as common areas improved with landscaping and walking trails. The Long Ranch Park is centrally located within this development and is a 7 acre neighborhood park including a covered picnic shelter, picnic tables, playground equipment, horseshoe pits, walking paths, open turf areas and the Kings Canyon Creek.

Single family residential development, along Kings Canyon Road, in the southwesterly portion of the neighborhood includes custom homes on larger lots. These homes were construction between 1975 and 2000 and generally involve one acre homesites.

Overall, the immediate subject neighborhood is residential in nature, with a more rural setting, as the homesites primarily involve larger lots and a lower density. As previously noted, support commercial uses for the subject neighborhood are located along Carson Street.

The residential market has seen a significant slowdown over the past several years, however, there are signs that Northern Nevada's residential market is improving. The

existing home sales continue to dominate the sales market in the region. Most residential land transactions within the market have involved finished lots, or properties with partial approvals for development, and there remains a large inventory of finished and tentative map lots. The bulk lot land sales which have occurred indicate prices between 60% and 90% lower than prices paid during the peak residential market of 2005 and 2006. Finished, approved lots are being purchased at prices well below the cost it took to install infrastructure; this has limited the demand for unfinished lots in the marketplace, and has stalled most development of raw, residential land throughout the region.

All public facilities are immediately available throughout the neighborhood. These utilities include municipal water and sewer service, electrical service, natural gas, telephone and cable television. Police protection is provided by Carson City Sheriff's Department, while fire protection is provided by the Carson City Fire Department.

In summary, the subject neighborhood is located in the northwestern portion of Carson City. The character of the neighborhood includes residential, commercial and professional and medical office uses. The largest project is Silver Oak, a planned unit development. The Carson Street commercial corridor consists of community shopping centers, fast food restaurants and other service-oriented retail facilities. There are no inharmonious uses in the subject neighborhood which would detract from property values.

**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING SOUTHERLY TOWARD THE SUBJECT PROPERTY FROM  
KINGS CANYON ROAD**



**VIEW LOOKING WESTERLY TOWARD THE SUBJECT PROPERTY FROM ITS  
EAST PROPERTY LINE**

**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING NORTHERLY TOWARD THE CENTRAL PORTION OF THE  
SUBJECT FROM THE TRAIL**



**VIEW LOOKING NORTHERLY ALONG THE TRAIL WHICH BISECTS  
THE SUBJECT PARCELS**

**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING NORTHEASTERLY TOWARD THE NORTHEAST CORNER OF  
THE SUBJECT OWNERSHIP FROM THE TRAIL**



**VIEW LOOKING SOUTHEASTERLY TOWARD THE SOUTHEASTERLY  
PORTION OF THE SUBJECT PROPERTY**

**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING WESTERLY ACROSS THE HILLTOP PORTION OF THE  
SUBJECT PROPERTY**



**VIEW LOOKING EASTERLY ACROSS THE SUBJECT HILLTOP**

**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING NORTHEASTERLY TOWARD CARSON CITY FROM THE  
SUBJECT HILLTOP**



**VIEW LOOKING NORTHWESTERLY TOWARD THE ANDERSON RANCH AND  
THE SURROUNDING MOUNTAINS FROM THE SUBJECT HILLTOP**



**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING EASTERLY TOWARD THE SUBJECT OWNERSHIP WITHIN  
THE SOUTH ORMSBY BOULEVARD RIGHT-OF-WAY**



**VIEW LOOKING EAST TOWARD THE CENTRAL PORTION OF THE SUBJECT'S  
EASTERLY PARCEL**

**SUBJECT PHOTOGRAPHS**



**VIEW LOOKING WESTERLY TOWARD THE CENTRAL PORTION OF THE  
SUBJECT OWNERSHIP**



**VIEW LOOKING NORTHERLY TOWARD THE EASTERLY PORTION OF THE  
SUBJECT PROPERTY**

**SUBJECT PHOTOGRAPHS**

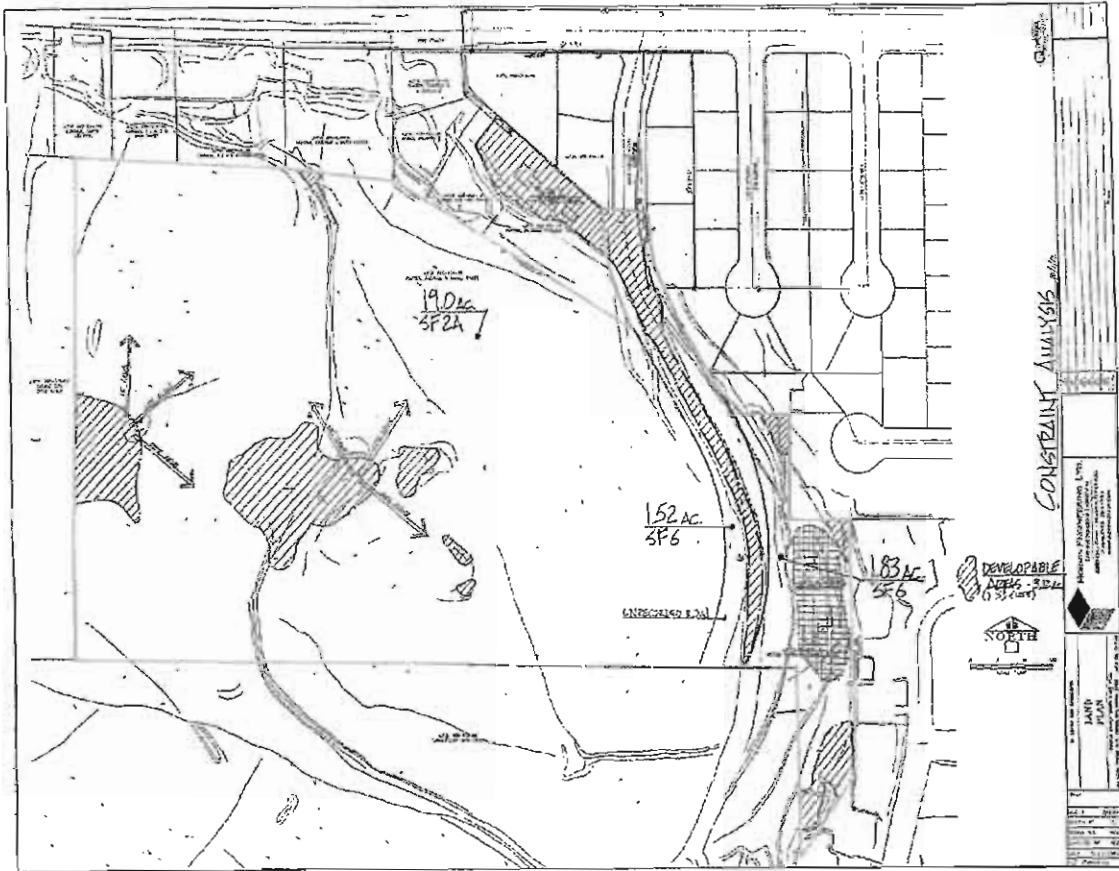


**LOOKING EASTERLY TOWARD THE OLD CARSON PIONEER CEMETERY  
LOCATED IN THE SOUTHEAST CORNER OF THE SUBJECT SITE**



**VIEW OF ONE OF THE GRAVE SITES WITHIN THE SOUTHEASTERLY  
PORTION OF THE SUBJECT PROPERTY**

**SUBJECT LAND USE MAP**



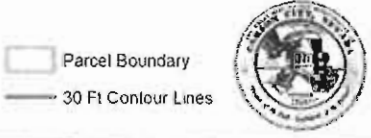
<b>Land Area</b>		
APN 003-151-25		1.83± Acres
APN 009-014-05		19.00± Acres
S. Ormsby Blvd R/W		1.52± Acres
<b>Total Land Area</b>		<b>22.35± Acres</b>

**SUBJECT AERIAL AND TOPOGRAPHIC MAP**

**C Hill at Kings Canyon Road**



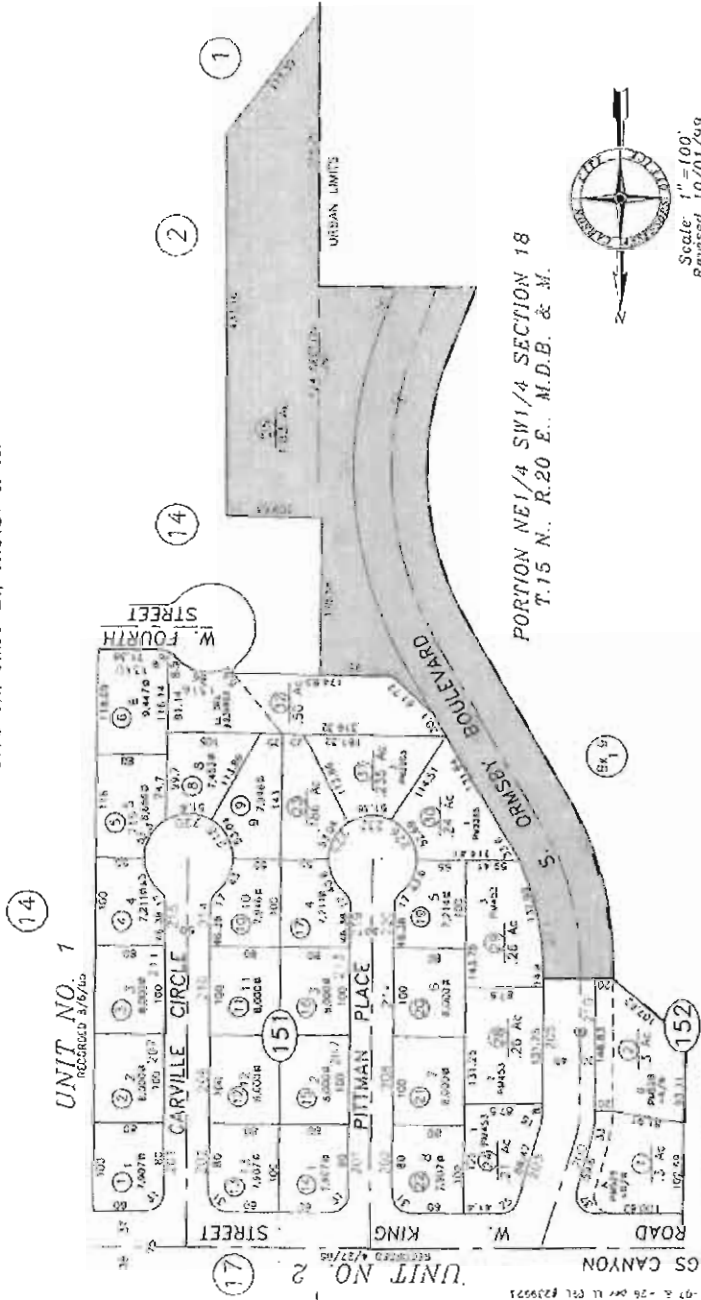
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**SUBJECT PLOT MAP**  
A.P.N. 003-151-25 and Adjacent S. Ormsby Boulevard ROW

3-15

PORTION NW1/4 SE1/4 SECTION 18  
T.15 N., R.20 E., M.D.B. & M.

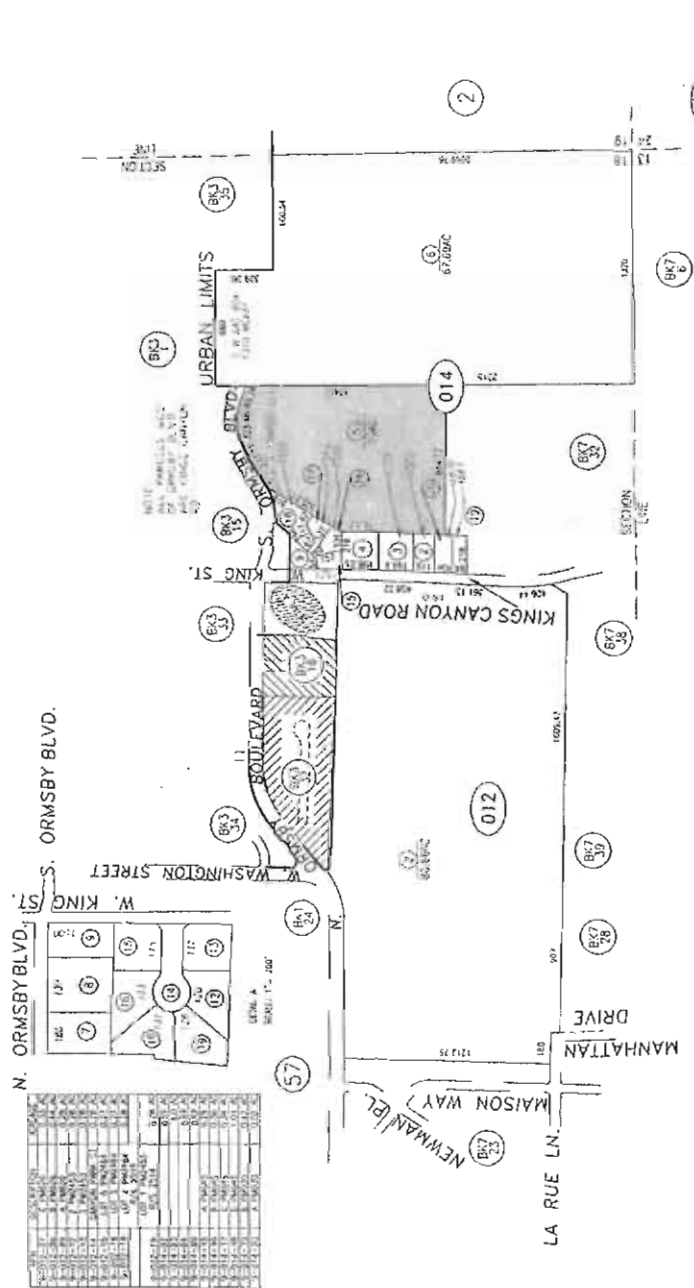


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**SUBJECT PLOT MAP**  
 A.P.N. 009-014-05

9-01

PORTION W1/2 SECTION 18, T.15 N., R.20 E., M.D.B. & M.

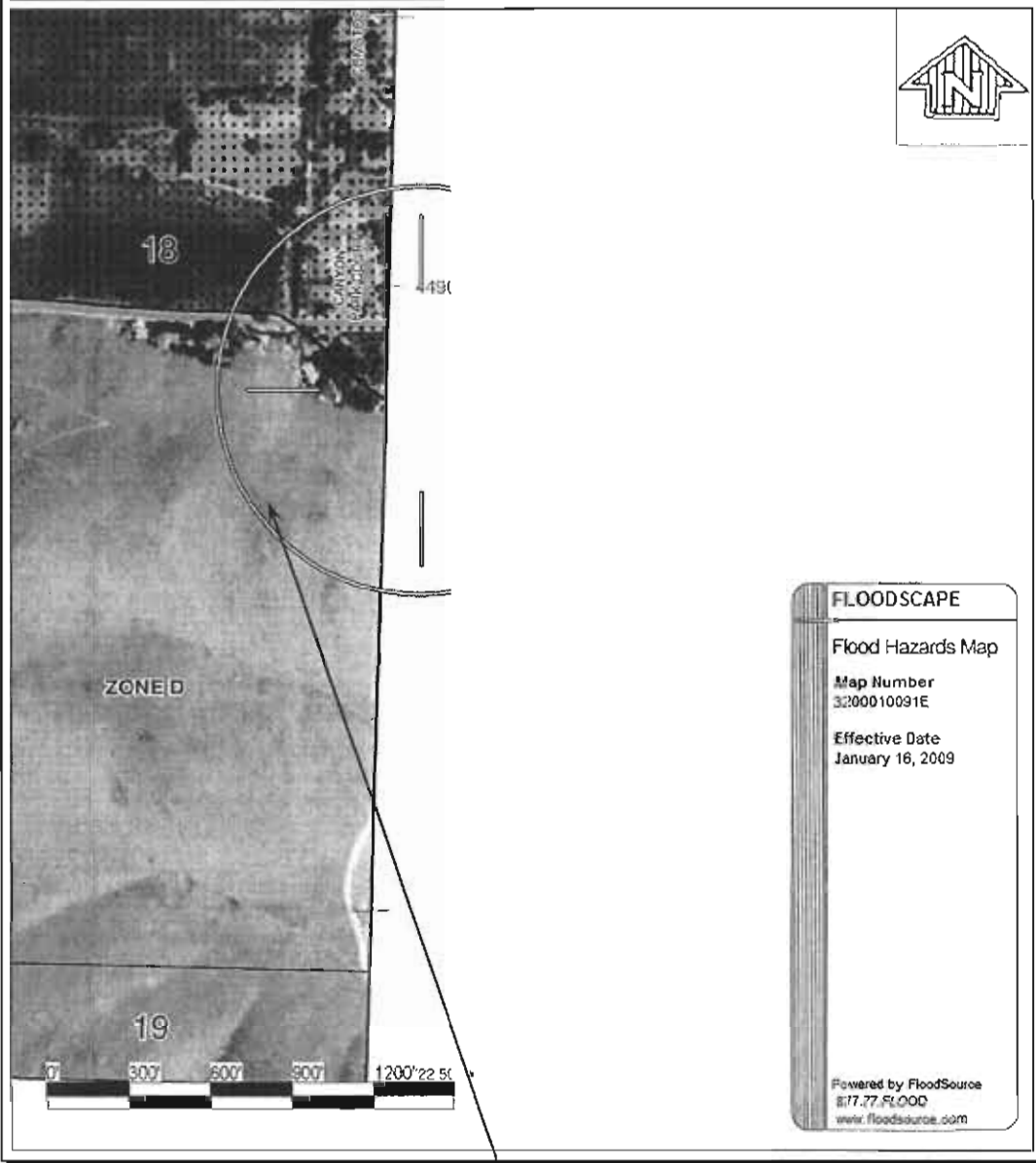


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**SUBJECT FLOOD ZONE MAP**

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**Prepared for:**  
Johnson-Perkins & Associates, Inc.  
501 s. ormsby  
carson city, NV



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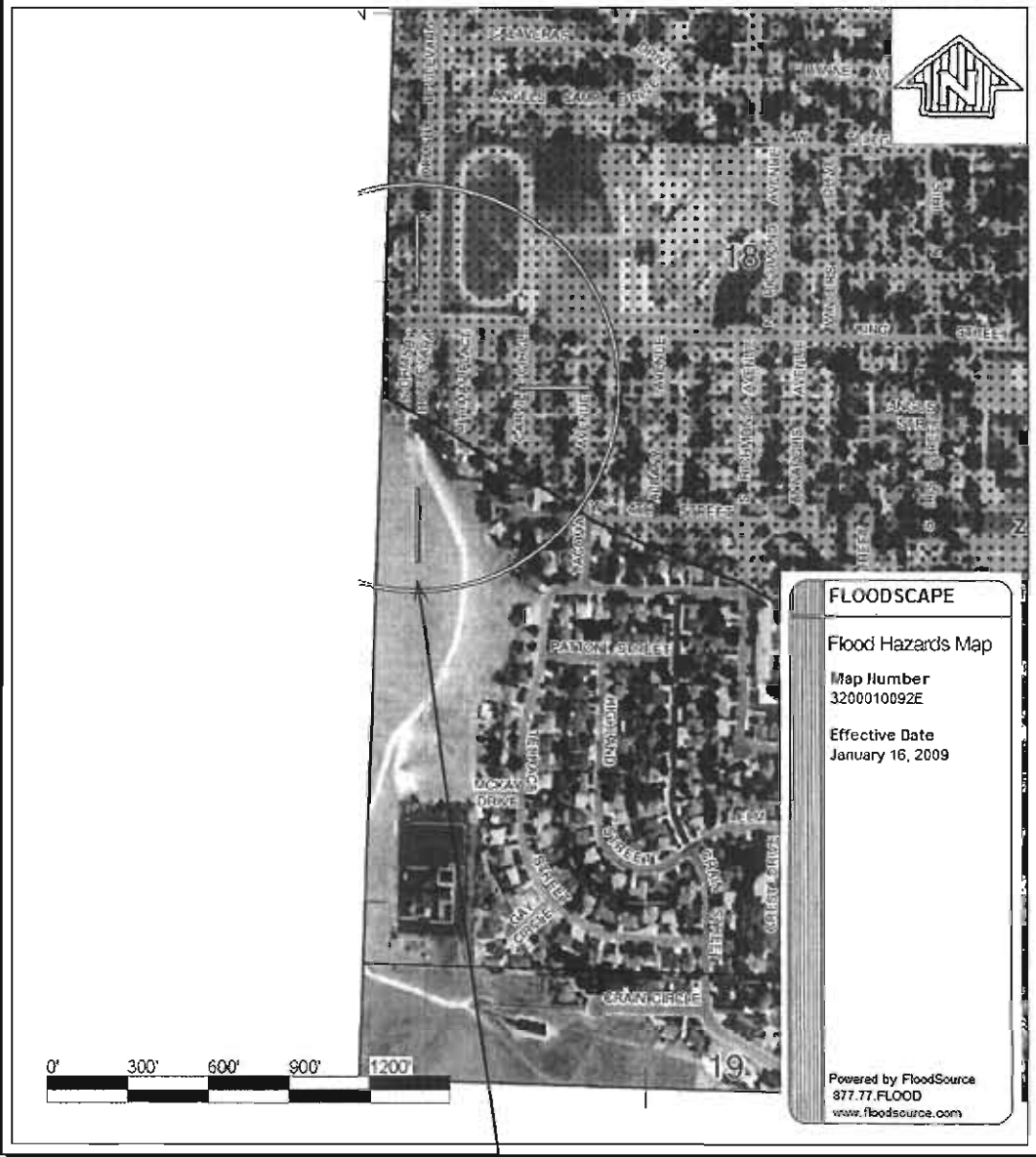
**Subject Property**



**SUBJECT FLOOD ZONE MAP**

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**Prepared for:**  
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 carson city, NV



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**Subject Property**

Reno ■ Lake Tahoe

**SUBJECT PROPERTY IDENTIFICATION AND SITE DESCRIPTION**

<b>Assessor's Parcel Numbers</b>	003-151-25, 009-014-05 and a Portion of the South Ormsby Boulevard Right-of-Way
<b>Address</b>	
APN 003-151-25	501 South Ormsby Blvd, Carson City, Nevada
APN 009-014-05	502 South Ormsby Blvd, Carson City, Nevada
<b>Location</b>	260± feet south of the intersection of Kings Canyon Road and South Ormsby Boulevard, Carson City, Nevada.
<b>Legal Description</b>	Portions of the West 1/2 of Section 18, Township 15 North, Range 19 East, M.D.B.&M.
<b>Owner of Record</b>	Patricia R. Potter Family Trust
<b>Land Area</b>	
APN 003-151-25	1.83± Acres
APN 009-014-05	19.00± Acres
S. Ormsby Blvd R/W	<u>1.52± Acres</u>
<b>Total Land Area</b>	<b>22.35± Acres</b>

The land areas set forth above are based upon a review of the Carson City Assessor's Parcel Maps for the subject and the *Land Plan Map* prepared by Morris Engineering, LTD, Civil and Structural Engineering, and are assumed to be correct.

**Land Shape**

The subject property is irregular in shape.

**Access**

The subject property has access from the south terminus of South Ormsby Boulevard. South Ormsby Boulevard, in the vicinity of the subject, is a two-way, two-lane, asphalt paved roadway, portions of which are improved with concrete curbs and gutters. Overall, the subject has adequate access. It is noted that if or when the property is developed that in all likelihood a secondary access would be required. A rough graded dirt trail is situated within the easterly portion of the subject site.

**Zoning**

*SF6 (Single Family 6,000 Square Foot Lots)*

Based upon a review of the *Land Plan Map* for the subject prepared by Morris Engineering, LTD, Civil and Structural Engineering, 3.35± acres within the easterly most portion of the subject property is zoned SF6, a Carson City single family residential zoning district which allows 6,000 square foot minimum lots. The purpose of the SF6 districts is to provide for the development of single-family detached dwellings in a suburban setting.

**18.04.075 - Single-family 6,000 (SF6):**

1. The primary permitted uses in the SF6 district are:
  - Single-family dwelling;
  - Park.
2. The accessory permitted uses, incidental to the primary permitted uses, within the SF6 district are:
  - Accessory structure;
  - Home occupation;
  - Recreation (swimming pool, tennis court) for individual or subdivision use.
3. The conditional uses in the SF6 district which require approval of a special use permit are:
  - Bed and breakfast inn (only within the historic district and subject to the provisions of Title 18 (Bed and Breakfast Inns));
  - Child care facility (accessory to residential use);
  - Church;
  - Guest building;
  - Municipal well facility;
  - School, k-12;
  - Temporary tract sales office;
  - Two-family duplex unit on corner lot;
  - Utility substation;
  - Youth Recreation Facility, operated by youth-oriented organizations recognized as non-profit by IRS Tax Code Section 501(3)(c) only.

*(Ord. 2006-4 § 10 (part), 2006: Ord. 2002-37 § 2, 2002: Ord. 2001-23 § 2 (part), 2001).*

*SF2A (Single Family 2 Acre Lots)*

The remaining 19± acres of the subject property is zoned SF2A. The primary permitted uses in the SF2A single-family district include single-family dwellings and public parks.

**18.04.050 - Single-family 2 Acre (SF2A):**

1. The primary permitted uses in the SF2A district are this list plus other uses of a similar nature:
  - Single-family dwelling;
  - Park.
2. The accessory permitted uses incidental to primary permitted uses within the SF2A district are this list plus other uses of a similar nature:
  - Accessory farm structure;
  - Accessory structure;
  - Agricultural use;
  - Animals and fowl;
  - Guest building;
  - Home occupation;
  - Recreation (swimming pool, tennis court) for individual or subdivision use.
3. The conditional uses in the SF2A district which require approval of a special use permit are:
  - Agricultural use;
  - Bed and breakfast inn;
  - Child care facility (accessory to residential use);
  - Church;
  - Commercial stable/riding academy (accessory to residential use);
  - Municipal well facility;
  - School, k-12;
  - Utility substation;
  - Veterinary clinic.

*(Ord. 2006-4 § 10 (part), 2006: Ord. 2001-23 § 2 (part), 2001).*

**Site Development Standards**

Zoning Districts	Minimum Parcel Area (Acres or Square Feet)	Maximum Density	Minimum Lot Width (Feet)	Maximum Lot Depth (Feet)	Maximum Height (Feet)	Minimum Setbacks (Feet): Front	Minimum Setbacks (Feet): Side	Minimum Setbacks (Feet): Street Side	Minimum Setbacks (Feet): Rear
SF2A <sup>(1)</sup>	2 AC	1 per 2 AC parcel	200 <sup>(2)</sup>	N/A	32*	50	20	20	30
SF6 <sup>(1)</sup>	6,000 SF 6,500 SF Corner	1 per 6,000 SF parcel/6,500 SF corner parcel	60 <sup>(2)</sup>	180 <sup>(2)</sup> (120 cul-de-sac)	26*	20	5	10	10 <sup>(3)</sup>

**Master Plan**

*MDR (Medium Density Residential)*

The subject's easterly 3.35± acres is master planned Medium Density Residential. The Medium Density Residential Master Plan classification allows single family residential development at a maximum density of 3 to 8 dwelling units per one acre. Secondary complementary uses include duplexes or townhomes on individual lots in a planned neighborhood setting, as well as schools, parks, places of worship and other civic uses. The characteristics of the MDR include a mix of housing types in a neighborhood setting.

*LDR (Low Density Residential)*

The subject's westerly 19± acres is master planned Low Density Residential, 1/3 to 5 acres per dwelling unit. The Low Density Residential Master Plan classification allows single family residential development at a maximum density of 0.2 to 3 dwelling units per one acre. Secondary complementary uses include schools, parks, recreation and open space in a planned neighborhood setting. The characteristics of the LDR is a mix of low density housing types in a neighborhood setting. Clustering of residential units is encouraged as a means of preserving open spaces, while retaining a suburban density character.

**Hillside Development Ordinance**

**Purpose and scope/applicability:**

1. Purpose. The purpose of this chapter is to regulate development on hills and slopes in such a manner as to protect the public health, safety and welfare by minimizing the potential of such development to cause or contribute to landslides, erosion and sedimentation, deforestation, flooding or the aesthetic degradation of the city's natural environment. It is, therefore, the intent of Carson City to regulate development in hillside and skyline areas in order to accomplish the following:

- a. To minimize the water runoff and soil erosion problems incurred in adjustment of the terrain to meet onsite and off-site development needs;
- b. To provide for safe vehicular and pedestrian access and circulation;
- c. To ensure that the open space as shown on any development plan is consistent with the objectives of the city master plan elements;
- d. To minimize grading and cut and fill operations inconsistent with the retention of the natural character of hill areas and to shape essential grading to complement natural forms of the land;
- e. To follow an alternative approach to conventional flatland practices of development in hillside areas;
- f. To preserve significant features of hillside and skyline areas in essentially their natural state as part of a comprehensive open space system by allocating to open space and recreational use areas not suited for development as evidenced by topography, soils, geology and hydrology investigation reports; and
- g. To preserve the skyline views of the city's hill areas.

## **Soils**

*A Class III Cultural Resource Inventory* for the Potter Family Trust Parcels was prepared by Gnomon, Inc. dated September 30, 2008. Excerpts from this report are set out following:

“The project area is situated along the eastern slopes of the Carson Range along the west side of Carson City. It lies at the foot of C-Hill, just south of King Street and west of Terrace Street. A Forest Service road near the base of C-Hill bisects the project area. The larger, western parcel (APN 009-014-05) extends west from the Forest Service road, up the hillside, which ranges between 20 and 30 percent slope. The smaller, eastern parcel (APN 003-151-25) is located on the east side of the Forest Service road and extends east to the residential properties of Terrace Street and West 4<sup>th</sup> Street. It is much flatter than the larger parcel.”

“Geologically, bedrock within the project area is comprised of Juro-Cretaceous metamorphic and Cretaceous igneous rocks. Metamorphic rocks consist of volcanic flows derived from a previously existing volcanic mountain range. Igneous rocks within the project area are granitic in composition, consisting of granite, granodiorite and monzonite belonging to the Sierra Nevada batholiths (Archibold 1969; Trexler 1977). The metamorphic rock is more resistant to weathering than the igneous rock, which weathers to what is colloquially referred to as “decomposed granite”. The decomposed granite is the major source of landslide materials.”

“Soils in the drainages and along floodplains of the Carson Range have formed from alluvium from the granite and metavolcanic soils above. Granitic soils are mostly Corbet and Toiyabe with smaller amounts of Glenbrook and Haybourne soils. Metavolcanic soils are classified as Aldax Variant, Vicee, Koontz, and Sutro Variant with a small amount of Arkson. Soils formed from mixed alluvial deposits are mostly Holbrook, Jubilee, Surprise, and Toll. Outwash from surrounding drainages forms the floodplains where the mixed alluvial soils are located. Within the project area, soil associations include Holbrook very stony fine sandy

loam(4-15% slopes; approximately 98% of project area) and Koontz-Sutro variant association (steep; approximately 2% of project area). The Waterfall Fire (2004) created a strong hydrophobic soil within the Ash, Vicee, Coombs Canyon, and Kings Canyon Drainages of the Carson Range. In addition, those granitic-based soils are very erodible by wind and water. According to the NRCS Carson City Area soils survey report, wind erosion in this area on these soils could cause more soil to be lost by wind than by water. The soil survey estimates between 30 and over 100 tons per acre per year could be moved off site where the soil cover has been lost (Soils Survey Staff 2008).”

“Landslides in the project area, including debris slides and debris flows, frequently occur in response to earthquakes and rainfall. Deposits of these landslide events now blanket fans and aprons under Carson City and along eastern slopes of the Carson Range. Landslide deposits are evident along the steep north slope of C-Hill. Rainfall related flood events in Kings Canyon occurred as recently as 1997 and 2006.”

It has been noted that surrounding development does not appear to have been adversely impacted due to soil conditions. For the purposes of this appraisal, it is assumed that the soil conditions are adequate for a variety of development.

### **Cultural Recourses**

According to the *Class III Cultural Resource Inventory Short Report* prepared by Gnomon, Inc. “the Carson Pioneer Cemetery (OR411) is located within the project area covering the southern half of Assessor’s Parcel Number 003-151-25 along the northwestern foot of C-Hill. Residential properties along Terrace Street define the cemetery’s eastern extent (Figure 5). The site consists of two marble, two sandstone, and two granite grave monuments, and eight aligned depressions likely to represent unmarked interments or burials exhumed (Figure 6). The dates of the deceased ranged from 1860 to 1871. Site OR411 may be considered eligible for the National Register of Historic Places. Site integrity must be evaluated before a final determination can be made.”

**Topography**

The westerly and central portions of the subject, which constitutes the majority of the site, has steeply up sloping hillside topography, with a saddle and plateaus at the top of the hill. As a result, the subject's hilltop area has more gentle topography. The more southeasterly portion of the subject site, in the vicinity of the old Carson Pioneer Cemetery, has more gentle topography. Due to the subject's topography, it does have very good views of the city as well as good views of the Sierra Nevada Mountains. The easterly portion of the subject site has level to down sloping topography to the east.

**Flood Zone**

<b>FEMA Map Numbers</b>	3200010091E/3200010091E
<b>Effective Date</b>	January 16, 2009
<b>Flood Zone</b>	Zone "D"

According to the Federal Emergency Management Agency, a Flood Zone "D" denotes areas with possible but undetermined flood hazards. No flood hazard analysis has been conducted in this area. Flood insurance rates are commensurate with the uncertainty of the flood risk.

**Earthquake Zone**

Risk Zone 3

According to the most recent Uniform Building Code, the subject property is located in a Seismic Risk Zone 3. This zone encompasses areas which have a number of local faults and where there is relatively strong probability of moderate to strong seismic activity. Seismic Risk Zone 3 is characteristic of the entire area.

**Hazardous Substances**

Our standard on-site inspection of the subject property did not reveal any readily apparent evidence which would suggest the presence of contaminants or hazardous wastes on the subject property. For the purposes of this appraisal, it is assumed that the value of the subject property is not negatively impacted by the existence of toxic materials or hazardous waste.



**Utilities**

Water	Carson City
Sewer	Carson City
Natural Gas	Southwestern Gas
Electric	NV Energy
Telephone	AT&T

All utilities are reasonably available to the very southerly and very easterly portions of the subject site. However, with development of the property, utilities would need to be extended to the interior portions of the site.

**Surrounding Development**

The properties to the north and east of the subject are improved with the Kings Hill Park, Ormsby and Carson Highlands single family residential subdivisions. An LDS church facility is located generally southeast of the subject. The properties surrounding the subject to the south and west are large tracts of vacant land which are owned by Carson City and are designated Open Space. The Andersen Ranch is located a short distance north of the subject and the Carson City Middle School is located a short distance northeast of the subject property.

**Easements**

A Preliminary Title Report for subject parcels APN 003-151-25 and 009-014-05 prepared by Northern Nevada Title Company dated November 8, 2005 was provided to these appraisers. A review of the Preliminary Title Report denotes a 10 foot wide easement with the right to construct, operate and maintain a water pipeline, with appurtenances thereto, granted to Carson Water Company, recorded August 29, 1966, Document No. 10181 affecting a portion of said land.

The subject property includes a portion of what is denoted on the assessor's parcel map as the South Ormsby Boulevard Right-of-Way. In a letter dated July 31, 2006, Northern Nevada Title Company did indicate that they were unable to locate a recorded dedication for that portion of Ormsby Boulevard lying adjacent to Assessor's Parcel Numbers 003-151-25

and 009-014-05. For the purposes of this appraisal, it has been assumed that the subject ownership has free and clear title to this land area. The Market Value conclusions assume free and clear title to the property.

We are unaware of any other easements or other encumbrances affecting the subject property's use potential. This appraisal has been conducted based upon the assumption that there are no easements, encumbrances, or restrictions which would prevent development of the subject property to its highest and best use.

**Subject Sales History**

The subject property has not been involved in any arms length transfers within the past five years.

**Current Assessment & Taxable Value Data**

Assessor's Parcel Number 2012/2013 Tax Year	003-151-25	009-014-05	Total
Assessed Values			
Land	\$32,025	\$770	\$32,795
Improvements	\$0	\$0	\$0
Total Assessed Value	\$32,025	\$770	\$32,795
2012/2013 Taxes	\$1,052.40	\$27.42	\$1,079.82
2012/2013 Taxable Value	\$91,500	\$2,200	\$93,700

It is noted that the table above does not include any assessment values or real estate taxes that would be associated with the subject's land area within Ormsby Boulevard.

Under Nevada State Law, the Carson City Assessor's Office estimates the taxable value of the subject site through direct comparison with recent land sales in the area. Then, the Assessor's Office estimates the replacement cost new of the improvements based upon *Marshall Valuation Service* and deducts straight line depreciation at 1.5% per year to arrive at an estimate of the taxable value of the subject improvements. A 35% assessment ratio is then applied to the taxable value to arrive at the assessed value of the property.

In the 2005 Legislative session, a new law regulating increases in real property taxes was signed into law. The Governor signed AB 489 into law on April 6, 2005. This bill provides for a partial abatement of property taxes. The level of abatement is based on the type and use of the property.

For primary residences, the abatement equals the amount of taxes that exceed last year's tax bill plus 3%. If the property contains rental unit and the rent on all units within the property are at or below the fair market rent for the county in which the dwelling is located, as most recently published by the United States Department of Housing and Urban Development (HUD), the abatement equals the amount of taxes which exceed last year's tax bill plus 3%. Most other properties (rental units where the rent exceeds the HUD guidelines, commercial, industrial, vacant land, mixed use, etc.) are subject to abatement at a higher level, which is calculated by comparing the lesser of;

1. The average percentage of change in the assessed valuation of all taxable property in the county as determined by the Department of Taxation, over the fiscal year in which the levy is made and the nine immediately preceding fiscal years; or
2. Eight percent; or
3. Twice the percentage of increase in the Consumer Price Index (All Items) for the immediately preceding calendar year, whichever is greater.

**Special Assessments**

None

### **Summary and Conclusion**

In summary, the subject property is an irregular shaped site containing a total land area of 22.35± acres. The majority of the site is zoned SF2A with the very easterly portion of the site zoned SF6. The property has gentle to steeply sloping hillside topography. Due to the topography of the site, it does enjoy good views of the Carson City area and of the Sierra Nevada Mountains. The property is located in southwest Carson City, 260± feet south of the intersection of Kings Canyon Road and South Ormsby Boulevard. Overall the subject has adequate access. All necessary utilities are reasonably available to the north and east

boundaries of the subject site. The old Carson Pioneer Cemetery is situated in the southeast portion of the subject property. The cemetery has not been in use since 1871. It is our understanding that due to the historical nature of the cemetery site that any development of the property would need to be designed leaving the cemetery area undisturbed.

Reference is made to photographs and plot plan contained elsewhere in this appraisal report, which will enable the reader to more clearly visualize the subject property.

### HIGHEST AND BEST USE ANALYSIS

Highest and best use is defined in the 5<sup>th</sup> Edition of *The Dictionary of Real Estate Appraisal* (Appraisal Institute, Chicago, 2010) as “The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.”

As the subject property is vacant and unimproved land, the Highest and Best Use of the subject site as vacant and available to be developed to its Highest and Best Use will be addressed.

In assessing the areas of physical possibility, consideration must be given to any constraints on development of the subject property as a result of its location or physical features. The subject is located in west Carson City. The immediate subject neighborhood is predominately oriented towards single family residential uses and large tracts of vacant land. Overall, the immediate subject neighborhood includes average to good quality homes in a desirable residential area.

The subject property is an irregular shaped site containing a total land area of 22.35± acres. The topography of the subject is primarily steeply sloping hillside with areas of more gentle topography at the top of the subject’s hill area and within the more southeasterly portion of the site in the area of the old Carson Pioneer Cemetery. Although it is our expectation that the subject’s topography will result in higher development costs for the property, it does afford the site very good views of the Carson City area and good views of the Sierra Nevada Mountains. The property has adequate access from South Ormsby Boulevard which terminates at the subject’s northeast corner. All necessary utilities are reasonably available to the north and east peripheries of the subject site. The old Carson Pioneer Cemetery is situated in the southeast corner of the subject property. As previously noted, the cemetery has not been in use since 1871. It is our understanding that due to the historical

nature of the cemetery site, that any development of the property would need to be designed leaving the cemetery area undisturbed. Any intense development of the subject property would require the extension of infrastructure including utility services and roadways.

The subject property is located within a Flood Zone "D", which designates areas with possible but undetermined flood hazards. No flood hazard analysis has been conducted in the Flood Zone "D" designated areas. The subject has adequate soils to support a wide variety of development and there are no known earthquake hazards or other environmental hazards which would adversely impact the development potential of the subject property.

Based upon an analysis of the available data, it is these appraisers' opinion that the subject's location and physical characteristics are most conducive to residential development.

In order to satisfy the criterion of highest and best use, a proposed use must also be legally permissible. The legally permissible utilizations of a property are governed by zoning ordinances, master plan designations and other restrictions. The westerly 19± acres of the site are zoned SF2A and master planned LDR. The primary permitted uses in the SF2A single-family district include single-family dwellings, at a density of two acres per lot, and public parks. The (LDR) Low Density Residential Master Plan classification allows single family residential development at a maximum density of 0.2 to 3 dwelling units per one acre. Secondary complementary uses include schools, parks, recreation and open space in a planned neighborhood setting.

The very easterly portion of the subject site, containing 3.35± acres, is designated SF6 (6,000 square foot lots) and is master planned MDR. The purpose of the SF6 district is to provide for the development of single-family detached dwellings in a suburban setting. The Medium Density Residential Master Plan classification allows single family residential development at a maximum density of 3 to 8 dwelling units per one acre. Secondary complementary uses include duplexes or townhomes on individual lots in a planned

neighborhood setting, as well as schools, parks, places of worship and other civic uses. The characteristics of the MDR include a mix of housing types in a neighborhood setting.

Overall, from a legally permissible perspective, the subject could be developed with a single-family residential subdivision, consisting of 6,000± square foot to 2 acre homesites. Under the subject's current zoning it is estimated that up to 35 dwelling units would be allowed. However, the constraints of the subject's hillside topography will result in a lower density for the subject site.

In order to ascertain the possible potential density for the subject, G.L. Szabo and Associates has prepared a preliminary *Land Plan Map* for the subject property. The *Land Plan Map* depicts 5 view lots on the subject's hilltop land and 12 clustered units (6 duplexes) on the easterly 3.35± acres of the subject property. It is our understanding that the southeast corner of the site, which is the site of the old cemetery, would remain undisturbed. The *Land Plan Map* design depicts a potential density for the subject's 22.35± acre site of 17 dwelling units.

In order for any utilization to represent the Highest and Best Use of the property, it must also be financially feasible. In other words, there must be sufficient demand to warrant the proposed use. The residential market has seen a significant slowdown over the past several years, however, there are signs that Northern Nevada's residential market is improving. The existing home sales continue to dominate the sales market in the region. Most residential land transactions within the market have involved finished lots, or properties with partial approvals for development, and there remains a large inventory of finished and tentative map lots. Finished, approved lots are being purchased at prices well below the cost it took to install infrastructure; which has limited the demand for unfinished lots in the marketplace, and has stalled most development of raw, residential land throughout the region. As a result, demand for raw, undeveloped land has been limited. Overall, based upon the current residential market and the amount of available land, development of the subject with a higher density project, in the short term, is not feasible at the present time.

The highest and best use of the subject must also be maximally productive. To be maximally productive, the highest and best use must be the most intense utilization for which the subject could be developed. The subject is surrounded to the north and east by the Kings Hill Park, Ormsby and Carson Highlands single family residential subdivisions. The properties surrounding the subject to the south and west are large tracts of vacant land which are owned by Carson City and are designated Open Space. The Andersen Ranch is located a short distance north of the subject. The subject property does offer a desirable single family residential location and very good city and good mountain views.

As has been demonstrated by the adjacent residential subdivisions, there has been demand for single family residential homes in the Carson City area. In interviews with Realtors and other real estate professionals, it appears that the market for single family residences is currently stabilizing after a long period of decline. With strong consideration given to the subject's west Carson City location, immediately surrounding utilizations and current zoning, it is our opinion that single-family residential subdivision uses would meet the criteria of a maximally productive utilization of the subject.

As indicated above, the four criteria of the Highest and Best Use analysis indicates that the highest and best use for the subject would be for future development with single family residential subdivision uses. With consideration given to the very limited demand for vacant development land at the present time, it is these appraisers' opinion that it would be unlikely that the subject would be developed with any kind of higher density project in the foreseeable future. However, it is felt that due to the subject's excellent views and good location in west Carson City that the subject site would be a desirable location for exclusive hilltop homesites. The G.L. Szabo and Associates preliminary *Land Plan Map* indicates that up to 5 view lots could be achieved on the subject's hilltop land area. It is our expectation that the view lots would be improved with upscale custom homes. As a result, it is anticipated that the buyer/s would have the economic resources to bear the cost of the necessary infrastructure including a road and utilities to the homesites. Should a single buyer purchase



the subject site they would have the ability to develop their own homesite with the potential of selling off additional homesites when demand strengthens.

Based upon a careful review of all information available, it is these appraisers' opinion that the highest and best use of the subject property, would be for future development with single-family residential subdivision uses. It is also recognized that due to the subject's excellent views and good location in west Carson City that the site would be a desirable location for an exclusive hilltop homesite with the possibility of ultimately subdividing the site to sell off additional homesites at such time as demand would warrant.

## INTRODUCTION TO VALUATION ANALYSIS

There are three approaches to value which an appraiser must consider in estimating the value of a property. These approaches include the Cost Approach, the Income Approach and the Sales Comparison Approaches to Value.

As the subject property involves a vacant tract of land, the Cost Approach and the Income Approach to Value were not considered applicable and were not utilized in this appraisal assignment.

In this appraisal, the Sales Comparison Approach will be utilized to derive a value for the subject property. The Sales Comparison Approach is based on the principal of substitution which holds that the value of the subject property tends to be set by the price that would be paid to acquire a substitute property of similar utility and desirability.

## SALES COMPARISON APPROACH TO LAND VALUE

In the Sales Comparison Approach Analysis, sales of similar properties are analyzed to arrive at an indication of the market value of the subject property. To establish an indication of the market value of the subject property, the Official Records of Carson City were searched for land sales in and around the local market with similar characteristics as the subject property. As our research revealed a very limited number of comparable land sales within the Carson City area, we did expand our search to nearby Washoe County.

Sales of large acreage undeveloped land have been very limited over the past several years. Therefore, current listings of comparable properties will also be included. All sales and listings found were investigated, analyzed and compared to the subject property. The sales set forth on the following chart were considered to be indicative of an appropriate land value for the subject property.

**COMPARABLE LAND SALES CHART**

Sale Number	Assessor's Parcel Number Project Name Location	Sale Date Sale Price	Zoning Approvals/Lots Water Rights	Topography Flood Zone Utilities	Gross Land Area Potential Density DU/Acre	Price Per Acre
LS-1	07-092-12 1/4± Mile Northeast of the Northeast terminus of Buckskin Road, 1/3± mile East of Lakeview Road, Carson City	04/13/2009 \$1,000,000	SF1A Tentative Map (16 Units, 3-4 Ac Lots) Will Serve Letter	Moderately Sloping D Electric & Telephone will require Water & Septic	60.11± Ac 27	\$16,636
LS-2	038-830-01 & 038-111-02 Canyon Ranch Along N/S U.S. Hwy 40, Verdi Reno	02/19/2010 \$1,050,000	UT40/OS Expired Tentative Map-159 Units 103 Acre Feet	Level to Steep X, A & AE Electric, Telephone, Gas	199.05± Ac 1.25	\$5,275
LS-3	055-301-43 Vacant Rural Land E/S of Ponderosa Drive, South of Franktown Road, Washoe Valley	06/18/2010 \$215,000	GR No Approvals 2.02 Acre Feet	Level to Steep X Electric, Telephone, Gas	40.65± Ac One Homesite	\$5,289
LS-4	009-253-13 4500 Voltaire Street, Carson City	06/15/2011 \$40,000	SF1A No Approvals N/A	Moderate to Steeply Upsloping D Reasonably Available	4.76± Ac One Homesite	\$8,403
LS-5	528-030-16 Vista Sierra Terminus of Planned Stonebrook Parkway, Sparks (Spanish Springs Valley)	07/10/2012 \$345,000	PUD Zoning (4DU/AC) Master Plan 196 Units None	Level, Below Grade (Fill Required) AO Must be Extended	49.026± Ac 4.00	\$7,037
LL-6	007-091-91 & 007-092-07 Both sides of Combs Canyon Road., 300±' N. of the intersection of Combs Canyon Road & Timberline Drive, Carson City	Current Listing \$492,000	SFR-1A (1 DU/AC) Tentative Map 8 Lots Letter of Intent	Undulating Gentle to Steeply Sloping AO, A & C Electric, Telephone, Gas will require Water & Septic	82.12± Ac .10 (10± Ac Lots)	Asking \$5,991
LL-7	009-311-65,67,68, 010-671-06 thru 15 Schulz Ranch Between Center Drive & Schulz Drive at the East Terminus of Topsy Lane, Carson City	Current Listing \$725,000	SR-SPA 403 Projected 8 Final Mapped Lots 395± Tentative Mapped Lots Letter of Intent	Level/Moderate X, Shaded X All Reasonably Available will Require Pump Station	90.887± Ac 4.43	Asking \$7,977
LL-8	534-450-13; 534-461-01 thru 462-06 Shadow Ridge Pyramid Highway & Horizon View Avenue, Spanish Springs Valley, Sparks, NV	Current Listing \$995,000	LDS 12 Finished Lots 180 Lot Expired Tentative Map Reasonably Available None	Level to Gentle Partially Graded X	93.0567± Ac 2.06	Asking \$10,692
Subject	003-151-25, 009-014-05 & Portion S. Ormsby Blvd R/W 260±' South of the Intersection of Kings Canyon Road & S. Ormsby Boulevard, Carson City	Date of Valuation 02/05/2013	SF6/SF12.A No Approvals (Potentially 17 Units) None	Moderate to Steep Hillside D All Reasonably Available, Utilities & Road Will need to Be Extended	22.35± Ac .76	---

**COMPARABLE LAND AERIAL MAP AND DISCUSSION  
 SALE LS-1**



<b>Property Type:</b>	Vacant Land	<b>City:</b>	Carson City
<b>Location:</b>	1/4± mile northeast of the northeast terminus of Buckskin Road, 1/3± mile east of Lakeview Road	<b>County:</b>	Carson City
<b>A.P.N.:</b>	07-092-12	<b>State:</b>	Nevada
<b>Topography:</b>	Moderately Sloping	<b>Flood Zone:</b>	D, Areas of possible, but undetermined flooding potential
<b>Zoning:</b>	SF1A (1 Dwelling Unit/Acre)	<b>Utilities:</b>	Electric, telephone in proximity, municipal water to be extended, needs septic
<b>Parcel Acreage:</b>	60.11± Acres	<b>Water Rights:</b>	Will Serve Letter from Carson City for up to 60 lots
<b>Number of Units:</b>	16	<b>Approvals:</b>	Tentative Map – 16 Lots (3 to 4 Acre Lots)
<b>Recording Date:</b>	April 13, 2009	<b>Price/Acre:</b>	\$16,636
<b>Sale Price:</b>	\$1,000,000	<b>Terms Of Sale:</b>	\$250,000 Down Payment, seller financing, undisclosed terms
<b>Document Number:</b>	388570/403209	<b>Time on Market:</b>	Approximately one year
<b>Transfer Tax:</b>	\$3,900	<b>Proposed Use:</b>	Residential
<b>Grantor:</b>	Daniel & Lori Jenkins, et al	<b>Verification:</b>	MLS, Realty Executives Nevada's Choice, Lori Jenkins, Seller, and Public Records
<b>Grantee:</b>	Limited Partnership Management Services LLC, Marco Suarez, Trustee		
<b>Views:</b>	City, Mountain		

The central portion of this comparable has primarily gentle to moderately sloping topography and slopes more steeply up to the easterly and southerly portions of the parcel. Electric and telephone service are reasonably available to the site but will need to be extended prior to development. There is a canyon that runs from east to west on the south portion of the parcel. The property has good views of Carson City to the south and mountain views to the west. Access is via a dirt road extending from the end of Buckskin Road. The buyer had obtained Tentative Map approval for a 16 unit subdivision. Reportedly, the property includes a will-serve letter from Carson City for water for up to 60 lots. According to Ms. Jenkins, the property was originally available in 2006 for an asking price of \$3,000,000.

**COMPARABLE LAND AERIAL MAP AND DISCUSSION  
 SALE LS-2**



<b>Property Name:</b>	Canyon Ranch	<b>City:</b>	Reno
<b>Location:</b>	East Side of the Truckee River and the North Side of U.S. Highway 40, Verdi	<b>County:</b>	Washoe
<b>A.P.N.'s:</b>	038-830-01 & 038-111-02	<b>State:</b>	Nevada
<b>Topography:</b>	Level to Moderately Sloping	<b>Flood Zone:</b>	Zone "X", "A" and "AE"
<b>Zoning:</b>	UT40/OS (Large Lot Residential/Open Space)	<b>Utilities:</b>	All Reasonably Available
<b>Parcel Acreage:</b>	199.05± Acres (Gross)	<b>Water Rights:</b>	103± Acre Feet
<b>Number of Units:</b>	159	<b>Approvals:</b>	Expired map for 159 lots
<b>Recording Date:</b>	February 19, 2010	<b>Price/Acre:</b>	\$5,275
<b>Sale Price:</b>	\$1,050,000	<b>Terms of Sale:</b>	Cash to Seller, Private Financing
<b>Document No.:</b>	3851141	<b>Transfer Tax:</b>	\$4,305.00
<b>Grantor:</b>	Oreo, Corporation	<b>Time on Market:</b>	Over Two Years
<b>Grantee:</b>	West Meadows Investments, LLC (Robert Fitzgerald)	<b>Verification:</b>	Washoe County Records & Mr. Robert Schiffinacher, MAI
<b>Views:</b>	Truckee River, Mountain		

This is the sale of Canyon Ranch, located on the north side of U.S. Highway 40 and the east side of the Truckee River, in Verdi. The property has frontage along the Truckee River and extensive frontage along U.S. Highway 40. This site contains a total of 199.05± acres, including 15.53± acres of open space. This property has generally level to moderately sloping topography. Overhead power lines traverse the property generally in an east-west direction. This property was foreclosed upon in October 2008 for \$3,482,401. The property had been listed at an asking price of \$2,250,000.

**COMPARABLE LAND AERIAL MAP AND DISCUSSION  
 SALE LS-3**



<b>Property Name:</b>	Vacant Land	<b>City:</b>	Washoe Valley
<b>Location:</b>	East Side of Ponderosa Point Dr., South of Franktown Rd.	<b>County:</b>	Washoe
<b>A.P.N.:</b>	055-301-43	<b>State:</b>	Nevada
<b>Topography:</b>	Level to Steep	<b>Flood Zone:</b>	Zone "X"
<b>Zoning:</b>	GR (General Rural)	<b>Utilities:</b>	All Available
<b>Parcel Acreage:</b>	40.65± Acres	<b>Water Rights:</b>	2.02± Acre Feet
<b>Number of Units:</b>	1	<b>Approvals:</b>	None
<b>Recording Date:</b>	June 18, 2010	<b>Price/Acre:</b>	\$5,289
<b>Sale Price:</b>	\$215,000	<b>Transfer Tax</b>	\$881.50
<b>Document No.:</b>	3889117	<b>Terms Of Sale:</b>	Cash
<b>Grantor:</b>	Ponderosa Land & Livestock Co. Inc.	<b>Time On Market:</b>	14 Months
<b>Grantee:</b>	Donald D. & Sherry E. Kuhl	<b>Verification:</b>	Megan LoPresti w/ Purple Wave Realty
<b>Views:</b>	Washoe Lake, Washoe Valley		

This is the sale of 40.65± acres located on the east side of Ponderosa Point Drive, just south of Franktown Road in Washoe Valley. The property is located just west of U.S. Highway 395. This property has generally level to steep sloping topography. The sale included 2.02± acre feet of water rights and natural gas and underground electricity are available to the site. A well and septic tank would need to be installed upon development of improvements. Access onto the site is available from Ponderosa Point Drive which is a newly paved road. This site does overlook Washoe Valley and Washoe Lake to the east and has mountain views to the west. In a discussion with the selling agent, Megan LoPresti of Purple Wave Realty, it was noted that the buyers have no immediate plans to build and there are no approvals for the site.

**COMPARABLE LAND AERIAL MAP AND DISCUSSION  
 SALE LS-4**



<b>Property Name:</b>	Vacant Land	<b>City:</b>	Carson City
<b>Location:</b>	4500 Voltaire Street	<b>County:</b>	Carson
<b>A.P.N.:</b>	009-253-13	<b>State:</b>	Nevada
<b>Topography:</b>	Moderate to Steeply Upsloping	<b>Flood Zone:</b>	D, Areas of possible, but undetermined flooding potential
<b>Zoning:</b>	SF1A (1 Dwelling Unit/Acre)	<b>Utilities:</b>	Reasonably Available
<b>Parcel Acreage:</b>	4.76± Acres	<b>Water Rights:</b>	N/A
<b>Number of Units:</b>	1	<b>Approvals:</b>	None
<b>Recording Date:</b>	June 15, 2011	<b>Price/Acre:</b>	\$8,403
<b>Sale Price:</b>	\$40,000	<b>Transfer Tax</b>	\$916.50
<b>Document No.:</b>	412886	<b>Terms Of Sale:</b>	Cash to Seller
<b>Grantor:</b>	Deutsche Bank National Trust Company	<b>Time On Market:</b>	N/A
<b>Grantee:</b>	Dean Anderson and Martha Ververka	<b>Verification:</b>	Public Records
<b>Views:</b>	South City, Mountain		

This is the sale of 4.76± acres located on the west side Voltaire Street, just southwest of the west terminus of Overland Street. The property is located in southwest Carson City. This property has generally moderate to steeply up sloping topography. Access onto the site is available from Voltaire Street which is an asphalt paved rural road. This site does overlook south Carson City and has mountain views to the west.

**COMPARABLE LAND SALE AERIAL PHOTO AND DISCUSSION  
 SALE LS-5**

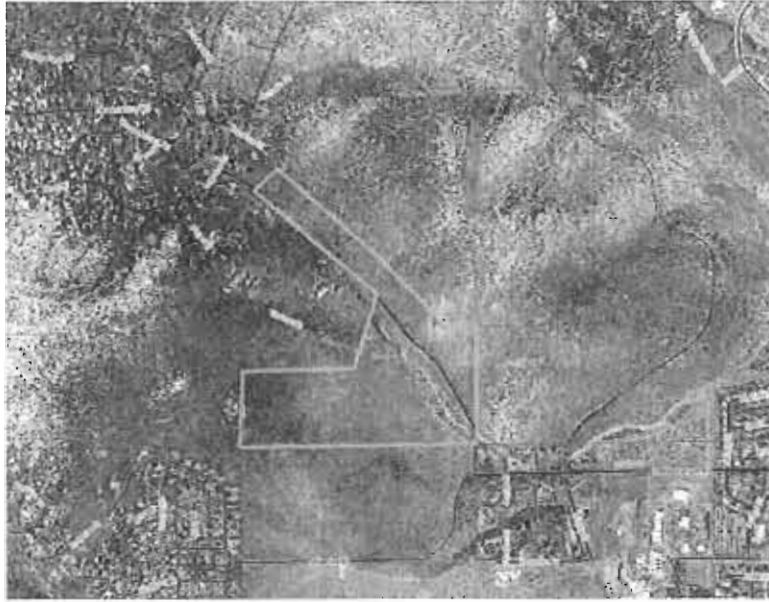


<b>Property Name:</b>	Vista Sierra	<b>City:</b>	Sparks (Spanish Springs)
<b>Location:</b>	2,600± Feet East of Pyramid Highway	<b>County:</b>	Washoe
<b>A.P.N.'s:</b>	528-030-16	<b>State:</b>	Nevada
<b>Topography:</b>	Level/Below Grade	<b>Flood Zone:</b>	Zone "AO"
<b>Zoning:</b>	A7 (County Zoning-Residential)	<b>Utilities:</b>	Must Be Extended
<b>Parcel Acreage:</b>	49.026± Acres	<b>Water Rights:</b>	None
<b>Number of Units:</b>	Master Planned for 196	<b>Approvals:</b>	None
<b>Recording Date:</b>	July 10, 2012	<b>Price/Acre:</b>	\$7,037
<b>Sale Price:</b>	\$345,000	<b>Transfer Tax:</b>	\$1,414.50
<b>Document No.:</b>	4130061	<b>Terms of Sale:</b>	Cash
<b>Grantor:</b>	Vista Sierra, LLC	<b>Time On Market:</b>	Two Months
<b>Grantee:</b>	Naniloa Investment Company, LLC	<b>Verification:</b>	Paul Oliphant-Appraiser w/ Washoe County Assessor
<b>Views:</b>	Spanish Springs Valley		

This July 2012 sale involves a 49.026± acre parcel of land located in Spanish Springs, City of Sparks, Nevada. This property has level topography and is below grade. Extensive fill material will be required before development. This property did not include any approvals or water rights. Access to the site is via access easements. The most recent buyers also purchased the adjacent Stonebrook development which is located directly to the west of this property.



**COMPARABLE LAND MAP AND DISCUSSION  
 LISTING LL-6**



<b>Property Type:</b>	Vacant Land	<b>City:</b>	Carson City
<b>Location:</b>	The southwest side and the northeast side of Combs Canyon Road, 300± feet north of the intersection of Combs Canyon Road & Timberline Drive	<b>County:</b>	Carson City
<b>A.P.N.:</b>	07-091-91 & 07-092-07	<b>State:</b>	Nevada
<b>Topography:</b>	Undulating, gently to steeply sloping	<b>Flood Zone:</b>	AO, A & C
<b>Zoning:</b>	SFR 1A (1 acre minimum lots)	<b>Utilities:</b>	Natural Gas, Electric and Telephone to the Site, Sewer Reasonably Available
<b>Parcel Acreage:</b>	82.12± Acres	<b>Water Rights:</b>	Water to be provided by Carson City as owner had water rights prior to conversion to new system
<b>Number of Units:</b>	8	<b>Approvals:</b>	Tentative Map
<b>Listing Status:</b>	Current Listing	<b>Price Per Acre:</b>	\$5,991
<b>Asking Price:</b>	\$492,000	<b>Terms Of Sale:</b>	N/A
<b>Current Owner:</b>	Combs Canyon LLC	<b>Verification:</b>	Andie Wilson, CCIM, Coldwell Banker Commercial
<b>Views:</b>	East Parcel-Partial City and Mountain		

This comparable consists of two parcels. The site is situated on both sides of Combs Canyon Road approximately 300± feet north of the intersection of Combs Canyon and Timberline Drive. The site's west parcel, located on the west side of Combs Canyon Road, has level to steeply sloping topography. The site's east parcel, located on the east side of Combs Canyon Road, has moderate to steeply sloping topography. The property is zoned for 1 acre single-family lots. It is our understanding that water and sewer will need to be extended to this site. The property owner has tentative map approval for 8 lots.

**COMPARABLE LAND AERIAL MAP AND DISCUSSION  
 LISTING LL-7**



<b>Property Name:</b>	Schulz Ranch	<b>City:</b>	Carson City
<b>Location:</b>	Between Center Drive & Schulz Drive at the East Terminus of Topsy Lane	<b>County:</b>	Carson
<b>A.P.N.:</b>	009-311-65,67,68, 010-671-06 thru 15	<b>State:</b>	Nevada
<b>Topography:</b>	Level to Moderate	<b>Flood Zone:</b>	“X”, Shaded “X”
<b>Zoning:</b>	SR-SPA	<b>Utilities:</b>	Reasonably Available
<b>Parcel Acreage:</b>	90.887± Acres	<b>Water Rights:</b>	Letter of Intent
<b>Number of Units:</b>	8 Final Mapped Lots, 395± Tentative Mapped Lots	<b>Approvals:</b>	403 Projected, 8 Final Mapped Lots, 395± Tentative Mapped Lots
<b>List Status:</b>	Current Listing	<b>Price per Acre:</b>	\$7,977
<b>Asking Price:</b>	\$725,000	<b>Terms of Sale:</b>	N/A
<b>Owner of Record:</b>	F B Holdings, LLC (Bank Owned)	<b>Verification:</b>	Peter Ghishan, Commercial Partners of Nevada
<b>Views:</b>	Partial Mountain		

This listing is the Schulz Ranch site located between Center Drive and Schulz Drive at the east terminus of Topsy Lane in southeast Carson City. The ownership contains 90.887± acres of gross land area. The topography of the site varies from generally level to moderately sloping. The property is essentially raw land at the present time as no lots have been completed and it requires the extension of infrastructure including water and sewer services as well as interior roadways, prior to development. The map approvals have been extended to August 21, 2014. Mr. Ghishan did indicate that the list price was recently reduced from to \$900,000 (\$9,902/acre) to \$725,000 (\$7,977/acre).

**COMPARABLE LAND MAP AND DISCUSSION  
 LISTING LL-8**



<b>Property Name:</b>	Shadow Ridge (Portion)	<b>City:</b>	Sparks (Spanish Springs Market)
<b>Location:</b>	South side of Horizon View Avenue, 700± feet east of Pyramid Highway	<b>County:</b>	Washoe
<b>A.P.N.:</b>	534-450-13; 534-461-01 thru 462-06	<b>State:</b>	Nevada
<b>Topography:</b>	Level to Gently Sloping, Partially Graded	<b>Flood Zone:</b>	Zone "X"
<b>Zoning:</b>	LDS (Low Density Suburban)	<b>Utilities:</b>	Reasonably Available
<b>Parcel Acreage:</b>	93.0567± Acres	<b>Water Rights:</b>	None Included
<b>Number of Units:</b>	12 Finished Homesites, 180 Unit Tentative Map	<b>Approvals:</b>	Final Map, Expired Tentative Map
<b>List Status:</b>	Current Listing	<b>Price Per Acre:</b>	\$10,692
<b>Asking Price:</b>	\$995,000	<b>Terms of Sale:</b>	N/A
<b>Current Owner:</b>	Santa Barbara Bank & Trust	<b>Verification:</b>	Mark Krueger, ArchCrest Commercial Partners

This listing is a portion of Shadow Ridge, generally located to the east of the Pyramid Highway, to the north of Calle de la Plata. The listed property is located in the northerly portion of the Spanish Springs Valley. The 12 finished homesites are improved with concrete curbs, gutters and on-site utilities. The tentative map for the 180 units has expired. However, the listing broker has indicated that the owners are working on a new development plan to reinstate the tentative map approvals. Mr. Krueger has also indicated that there has been interest in the property, however, not at the current asking price. According to the listing broker, there are also 79 acre feet of water rights available at \$6,000 per acre foot.

**LAND SALES DISCUSSION AND CORRELATION**

To arrive at an estimate of the Market Value of the subject property, five land sales and three listings were considered. The comparable sales occurred between April 2009 and July 2012. The listings are current as of the date of valuation. The comparables range in size between 4.76± acres and 199.05± acres, in comparison to the subject's 22.35± acres. The comparables range in sale price from \$5,275 per acre to \$16,636 per acre.

The comparable properties utilized in this analysis will be compared and correlated to the subject property based upon several adjustment criteria. These include property rights conveyed, financing terms, conditions of sale, market conditions, location, zoning/use and physical characteristics. The following analysis will compare and correlate the sales in order to estimate the market value of the subject property's 22.35± acres.

**Adjustments to Sales**

As each of the sales involved fee simple cash or cash equivalent transactions, no adjustments are necessary due to property rights conveyed or terms of sale.

**Sale LS-1** is the April 2009 sale of a 60.11± acre site located 1/4± mile northeast of the northeast terminus of Buckskin, 1/3± mile east of Lakeview Road in northwest Carson City.

In comparison to the subject property, this comparable requires a large downward adjustment due to its older date of sale in a declining market. A downward adjustment is required due to this comparable's superior location. A downward adjustment is necessary as this sale included a will serve letter for water for up to 60 lots. A minor downward adjustment is required due to this comparable's superior moderately sloping topography. A downward adjustment is required due to this comparable's superior views. As this sale included a tentative subdivision map for 16 units a minor downward adjustment is warranted. On the other hand, a large upward adjustment is warranted due to the subject's smaller size. This comparable requires an upward adjustment due to the subject's superior access to

utilities. This comparable is considered similar to the subject as it is also located in a Flood Zone D.

Overall, Sale LS-1, at \$16,636 per acre, is considered to be a very high indication of an appropriate per acre value for the subject site.

**Sale LS-2** is the February 2010 sale of a 199.05± acre site known as Canyon Ranch located in the Verdi area of Reno.

In comparison to the subject property, this comparable requires a large downward adjustment due to its older date of sale in a declining market. Downward adjustments are necessary as this sale has the potential for a higher density than the subject and did include substantial water rights. Downward adjustments are required due to this comparable's proximity to the Truckee River and superior topography. On the other hand, a significant upward adjustment is warranted due to this comparable's much larger land area as compared to the subject. A large upward adjustment is required due to the subject's closer-in location. An upward adjustment is necessary due to the subject's superior city and mountain view amenities. This comparable requires a large upward adjustment due to the subject's superior access to utilities.

Overall, Sale LS-2, at \$5,275 per acre, is considered to be a very low indication of an appropriate per acre value for the subject.

**Sale LS-3** is the June 2010 sale of a 40.65± acre parcel located on the east side of Ponderosa Point, south of Franktown Road, in West Washoe Valley.

In comparison to the subject property, this comparable requires a large downward adjustment due to its older date of sale. On the other hand, an upward adjustment is required due to the subject's closer-in location and superior access to municipal water and sewer services. A large upward adjustment is required due to the subject's higher potential density.

An upward adjustment is necessary due to this comparable's larger size as compared to the subject. This comparable is considered similar to the subject in regards to access, topography and views.

Overall, Sale LS-3, at \$5,289 per acre, is considered to be a very low indication of an appropriate per acre value for the subject.

**Sale LS-4** is the June 2011 sale of a 4.76± acre parcel located at 4500 Voltaire Street, in southwest Carson City.

In comparison to the subject property, this comparable requires a downward adjustment due to its older date of sale. A large downward adjustment is required due to this comparable's much smaller size. On the other hand, upward adjustments are required due to the subject's more desirable location and superior views. A large upward adjustment is required due to the subject's higher potential density. This comparable is considered similar to the subject in regards to access, topography, availability of utilities and flood zone.

Overall, Sale LS-4, at \$8,403 per acre, is considered to be a low indication of an appropriate per acre value for the subject.

**Sale LS-5** is the July 2012 sale of the Vista Sierra property, containing 49.026± acres located in the Spanish Springs area of Sparks, Washoe County.

In comparison to the subject property, this comparable requires a downward adjustment due to its plottage considerations. Downward adjustments are warranted due to this comparable's higher potential density and superior topography. On the other hand, this comparable requires a large upward adjustment as roads and utilities will need to be installed to the site prior to development. An upward adjustment is required due to the subject's much smaller size. Upward adjustments are required due to the subject's superior closer-in location

and superior view amenities. This comparable is similar to the subject as it is also located in a floodplain.

Overall, Sale LS-5, at \$7,037 per acre, is considered to be a very low indication of an appropriate per acre value for the subject.

**Listing LL-6** is located on both sides of Combs Canyon Road in northwest Carson City.

In comparison to the subject property, downward adjustments are required as this comparable includes a letter of intent for water service and due to its listing status. A minor downward adjustment is indicated as the comparable includes a tentative map. The Combs Canyon property has gentle to steep slopes as compared to the subject's gentle to very steeply sloping hillside topography, requiring a downward adjustment. On the other hand, this comparable requires large upward adjustments due to its much larger size and inferior availability of utilities as compared to the subject. An upward adjustment is required as this comparable involves non-contiguous parcels.

Overall, Listing LL-6, at \$5,991 per acre, is considered to be a very low indication of an appropriate per acre value for the subject.

**Listing LL-7** is the 90.887± acre Schulz Ranch property, located in far southeast Carson City.

In comparison to the subject property, downward adjustments are required as this comparable includes a letter of intent for water service and due to the property's listing status. This comparable did include 8 final mapped lots and 395± tentative subdivision map approvals, requiring a downward adjustment. A downward adjustment is required due to this comparable's higher potential density. Downward adjustments are required due to the comparable's superior topography and as it is located outside the floodplain. On the other

hand, this comparable requires a large upward adjustment due to the subject's superior location. A large upward adjustment is required due to this comparable's much larger size at 90.887± acres as compared to the subject at 22.35± acres. A large upward adjustment is required due to the subject's much superior view amenities.

Overall, Listing LL-7, at \$7,977 per acre is considered to be a very low indication of an appropriate per acre value for the subject.

**Listing LL-8** is a portion of Shadow Ridge, generally located on the east side of the Pyramid Highway, to the north of Calle de la Plata. The listed property is located in the northerly portion of the Spanish Springs Valley area of Sparks.

In comparison to the subject property, downward adjustments are required as this comparable includes 12 final mapped and finished lots. A downward adjustment is necessary due to the property's listing status. Large downward adjustment is required due to this comparable's superior topography and as the comparable is partially graded. On the other hand, this comparable requires a large upward adjustment due to its remote location. A large upward adjustment is required due to this comparable's much larger size as compared to the subject. A large upward adjustment is required due to the subject's superior view amenities.

Overall, Listing LL-8 at \$10,692 per acre, is considered to be a slightly high indication of an appropriate per acre value for the subject.



**FINAL RECONCILIATION AND VALUE CONCLUSION**

To summarize, Sale LS-1, at \$16,636 per acre, was considered to be a very high indication of an appropriate per acre value for the subject. Sales LS-2, LS-3, LS-5 and listings LL-6 and LL-7 at \$5,275 to \$7,977 per acre, were considered to be very low indications of an appropriate per acre value for the subject. Sale LS-4, at \$8,403 per acre, was considered to be a low indicator, while Listing LL-8, at \$10,692 per acre, was considered to be a slightly high indicator of an appropriate per acre land value for the subject.

In estimating an appropriated per acre land value for the subject, consideration has been given to its good location in west Carson City, a desirable residential neighborhood. The property has gentle to steeply sloping hillside topography which has also been considered in this analysis. Although it is our expectation that the subject's topography will result in higher development costs for the property, it does afford the site very good views of the Carson City area and good views of the Sierra Nevada Mountains. As a result, the subject property is felt to be a desirable location for an exclusive hilltop homesite with the ability to ultimately subdivide the site to sell off additional homesites at such time as demand would warrant. Consideration is given to the subject's size at 22.35± acres, availability of utilities, development potential, and other physical characteristics. Consideration is also given to demand for development land. As previously discussed, other than finished lots, there is little demand for residential land at the current time.

Overall, based upon a review of the available data, it is our opinion that a per acre land value applicable to the subject, as of February 5, 2013, is \$10,000 per acre. Applying the selected value to the subject's 22.35± acres results in an indicated fee simple value of the subject property of \$223,500, which is rounded to \$225,000.

**FINAL MARKET VALUE CONCLUSION**  
**(Subject Property – 22.35± Acres)**

**\$225,000**

**EXPOSURE AND MARKETING TIME**

Exposure time is defined as the length of time that would have been necessary to expose the property on the open market, in order to have consummated the sale at the effective date of valuation. This analysis assumes the property was marketed at the value conclusion contained in this report. Marketing time, on the other hand, is the time necessary to consummate a sale of the subject property assuming that a marketing effort is begun as of the effective date of valuation and that the property is marketed at the final property value conclusion contained in this report.

In arriving at an estimate of an appropriate exposure and marketing time for the subject property, consideration is given the subject property's physical characteristics. Consideration is also given to the exposure and marketing times of similar properties in the Carson City area, and interviews with brokers familiar with similar properties. In addition, consideration is given to the estimated value conclusion. It is recognized that in the Highest and Best Use Analysis, it was indicated that the highest and best use of the subject property would be for future development with single-family residential subdivision uses. It is also recognized that due to the subject's excellent views and good location in west Carson City that the site would be a desirable location for an exclusive hilltop homesite with the possibility of ultimately subdividing the site to sell off additional homesites at such time as demand would warrant.

Based upon a review of the available data, it is our opinion that an appropriate exposure and marketing time for the entire subject property, assuming the property is marketed at the final property value conclusion, would be as follows:

**EXPOSURE & MARKETING TIME CONCLUSION**

**TWO YEARS**

**APPRAISER'S CERTIFICATION**

Each of the undersigned does hereby certify that, unless otherwise noted in this appraisal report:

- Stephen R. Johnson and Cindy Lund Fogel made a personal inspection of the property that is the subject of this report.
- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have preformed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- No one provided significant real property appraisal assistance to the person signing this certificate.
- The appraisal was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.

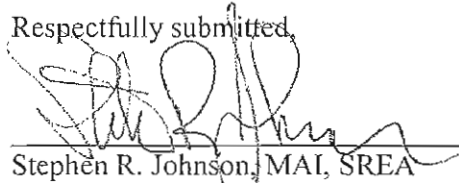
- The appraiser's state registration/certification has not been revoked, suspended, canceled or restricted.
- The Appraisal Institute conducts a mandatory program of continuing education for its designated members. As of the date of this report, Stephen R. Johnson and Cindy Lund Fogel have completed the requirements under the continuing education program of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

The purpose of the appraisal is to establish an estimate of the fee simple Market Value of the subject property, as of a current date of valuation. The subject property, which is the subject of this appraisal, was valued as of February 5, 2013, subject to the extraordinary assumptions set forth herein, as follows:

**FINAL MARKET VALUE CONCLUSION**  
**(Subject Ownership-22.35± Acres)**

**\$225,000**

Respectfully submitted,



Stephen R. Johnson, MAI, SREA  
Nevada Certified General Appraiser  
License Number A.0000003-CG



Cindy Lund Fogel, MAI  
Nevada Certified General Appraiser  
License Number A.0002312-CG

## STANDARD ASSUMPTIONS AND LIMITING CONDITIONS

The acceptance of this appraisal assignment and the completion of the appraisal report submitted herewith are contingent upon the following assumptions and limiting conditions.

### LIMITS OF LIABILITY

This report was prepared by Johnson-Perkins & Associates, Inc. All opinions, recommendations, and conclusions expressed during the course of this assignment are rendered by the staff of Johnson-Perkins & Associates, as employees, not as individuals. The liability of Johnson-Perkins & Associates, Inc. and its employees and associates is limited to the client only and to the fee actually received by the appraisal firm. There is no accountability, obligation, or liability to any third party. If the appraisal report is disseminated to anyone other than the client, the client shall make such party or parties aware of all limiting conditions and assumptions affecting the appraisal assignment. Neither the appraisers nor the appraisal firm is in any way to be responsible for any costs incurred to discover or correct any physical, financial and/or legal deficiencies of any type present in the subject property. In the case of limited partnerships or syndication offerings or stock offerings in real estate, the client agrees that in the event of a lawsuit brought by a lender, a partner or part owner in any form of ownership, a tenant or any other party, the client will hold the appraiser(s) and the appraisal firm completely harmless in such action with respect to any and all awards or settlements of any type in such lawsuits.

### COPIES, PUBLICATION, DISTRIBUTION AND USE OF REPORT

Possession of this report or any copy thereof does not carry with it the right of publication, nor may it be used for any purpose or any function other than its intended use, as stated in the body of the report. The appraisal fee represents compensation only for the analytical services provided by the appraiser(s). The appraisal report remains the property of the appraisal firm, though it may be used by the client in accord with these assumptions and limiting conditions.

This appraisal is to be used only in its entirety, and no part is to be used without the whole report. All conclusions and opinions concerning the analysis as set forth in the report were prepared by the appraiser(s) whose signature(s) appears on the appraisal report, unless it is indicated that one or more of the appraisers was acting as "Review Appraiser." No change of any item in the report shall be made by anyone other than the appraiser(s). The appraiser(s) and the appraisal firm shall bear no responsibility for any such unauthorized changes.

### CONFIDENTIALITY

Except as provided for subsequently, neither the appraiser(s) nor the appraisal firm may divulge the analyses, opinions or conclusions developed in the appraisal report, nor may they give a copy of the report to anyone other than the client or his designee as specified in writing. However, this condition does not apply to any requests made by the Appraisal Institute for purposes of confidential ethics enforcement. Also, this condition does not apply to any order or request issued by a court of law or any other body with the power of subpoena.

**INFORMATION SUPPLIED BY OTHERS**

Information (including projections of income and expenses) provided by informed local sources, such as government agencies, financial institutions, Realtors, buyers, sellers, property owners, bookkeepers, accountants, attorneys, and others is assumed to be true, correct and reliable. No responsibility for the accuracy of such information is assumed by the appraiser(s). Neither the appraiser(s) nor the appraisal firm is liable for any information or the work product provided by subcontractors. The client and others utilizing the appraisal report are advised that some of the individuals associated with Johnson-Perkins & Associates, Inc. are independent contractors and may sign the appraisal report in that capacity. The comparable data relied upon in this report has been confirmed with one or more parties familiar with the transaction or from affidavit or other sources thought reasonable. To the best of our judgment and knowledge, all such information is considered appropriate for inclusion. In some instances, an impractical and uneconomic expenditure of time would be required in attempting to furnish absolutely unimpeachable verification. The value conclusions set forth in the appraisal report are subject to the accuracy of said data. It is suggested that the client consider independent verification as a prerequisite to any transaction involving a sale, a lease or any other commitment of funds with respect to the subject property.

**TESTIMONY, CONSULTATION, COMPLETION OF CONTRACT FOR APPRAISAL SERVICE**

The contract for each appraisal, consultation or analytical service is fulfilled and the total fee is payable upon completion of the report. The appraisers(s) or those assisting in the preparation of the report will not be asked or required to give testimony in court or in any other hearing as a result of having prepared the appraisal, either in full or in part, except under separate and special arrangements at an additional fee. If testimony or a deposition is required, the client shall be responsible for any additional time, fees and charges, regardless of the issuing party. Neither the appraiser(s) nor those assisting in the preparation of the report is required to engage in post-appraisal consultation with the client or other third parties, except under a separate and special arrangement and at an additional fee.

**EXHIBITS AND PHYSICAL DESCRIPTIONS**

It is assumed that the improvements and the utilization of the land are within the boundaries of the property lines of the property described in the report and that there is no encroachment or trespass unless noted otherwise within the report. No survey of the property has been made by the appraiser(s) and no responsibility is assumed in connection with such matters. Any maps, plats, or drawings reproduced and included in the report are there to assist the reader in visualizing the property and are not necessarily drawn to scale. They should not be considered as surveys or relied upon for any other purpose, nor should they be removed from, reproduced or used apart from the report.

**TITLE, LEGAL DESCRIPTIONS, AND OTHER LEGAL MATTERS**

No responsibility is assumed by the appraiser(s) or the appraisal firm for matters legal in character or nature. No opinion is rendered as to the status of title to any property. The title is presumed to be good and merchantable. The property is appraised as if free and clear, unless otherwise stated in the appraisal report. The legal description, as furnished by the client, his designee or as derived by the appraiser(s), is assumed to be correct as reported. The appraisal is not to be construed as giving advice concerning liens, title status, or legal marketability of the subject property.

#### **ENGINEERING, STRUCTURAL, MECHANICAL, ARCHITECTURAL CONDITIONS**

This appraisal should not be construed as a report on the physical items that are a part of any property described in the appraisal report. Although the appraisal may contain information about these physical items (including their adequacy and/or condition), it should be clearly understood that this information is only to be used as a general guide for property valuation and not as a complete or detailed report on these physical items. The appraiser(s) is not a construction, engineering, or architectural expert, and any opinion given on these matters in this report should be considered tentative in nature and is subject to modification upon receipt of additional information from appropriate experts. The client is advised to seek appropriate expert opinion before committing any funds to the property described in the appraisal report.

Any statement in the appraisal regarding the observed condition of the foundation, roof, exterior walls, interior walls, floors, heating system, plumbing, insulation, electrical service, all mechanicals, and all matters relating to construction is based on a casual inspection only. Unless otherwise noted in the appraisal report, no detailed inspection was made. For instance, the appraiser is not an expert on heating systems, and no attempt was made to inspect the interior of the furnace. The structures were not investigated for building code violations, and it is assumed that all buildings meet the applicable building code requirements unless stated otherwise in the report.

Such items as conditions behind walls, above ceilings, behind locked doors, under the floor, or under the ground are not exposed to casual view and, therefore, were not inspected, unless specifically so stated in the appraisal. The existence of insulation, if any is mentioned, was discovered through conversations with others and/or circumstantial evidence. Since it is not exposed to view, the accuracy of any statements regarding insulation cannot be guaranteed.

Because no detailed inspection was made, and because such knowledge goes beyond the scope of this appraisal, any comments on observed conditions given in this appraisal report should not be taken as a guarantee that a problem does not exist. Specifically, no guarantee is given as to the adequacy or condition of the foundation, roof, exterior walls, interior walls, floors, heating systems, air conditioning systems, plumbing, electrical service, insulation, or any other detailed construction matters. If any interested party is concerned about the existence, condition, or adequacy of any particular item, we would strongly suggest that a mechanical and/or structural inspection be made by a qualified and licensed contractor, a civil or structural engineer, an architect or other experts. This appraisal report is based on the assumption that there are no hidden, unapparent or apparent conditions on the property or improvements which would materially alter the value as reported. No responsibility is assumed for any such conditions or for any expertise or engineering to discover them. All mechanical components are assumed to be in operable condition and standard for the properties of the subject type. Conditions of heating, cooling, ventilating, electrical and plumbing equipment are considered to be commensurate with the condition of the balance of the improvements unless otherwise stated. No judgment is made in the appraisal as to the adequacy of insulation, the type of insulation, or the energy efficiency of the improvements or equipment which is assumed to be standard for the subject's age, type and condition.

#### **TOXIC MATERIALS AND HAZARDS**

Unless otherwise stated in the appraisal report, no attempt has been made to identify or report the presence of any potentially toxic materials and/or condition such as asbestos, urea formaldehyde foam insulation, PCBs, any form of toxic waste, polychlorinated biphenyl, pesticides, lead-based paints or soils or ground water contamination on any land or improvements described in the appraisal report. Before committing funds to any property, it is strongly advised that appropriate experts be employed to inspect both land and improvements for the existence of such potentially toxic materials and/or conditions. If any potentially toxic materials and/or conditions are present on the property, the value of the property may be adversely affected and a re-appraisal at an additional cost may be necessary to estimate the effects of such circumstances.

#### **SOILS, SUB-SOILS, AND POTENTIAL HAZARDS**

It is assumed that there are no hidden or unapparent conditions of the soils or sub-soil which would render the subject property more or less valuable than reported in the appraisal. No engineering or percolation tests were made and no liability is assumed for soil conditions. Unless otherwise noted, the land and the soil in the area being appraised appeared to be firm, but no investigation has been made to determine whether or not any detrimental sub-soil conditions exist. Neither the appraiser(s) nor the appraisal firm is liable for any problems arising from soil conditions. These appraisers strongly advise that, before any funds are committed to a property, the advice of appropriate experts be sought.

If the appraiser(s) has not been supplied with a termite inspection report, survey or occupancy permit, no responsibility is assumed and no representation is made for any costs associated with obtaining same or for any deficiencies discovered before or after they are obtained.

Neither the appraiser(s) nor the appraisal firm assumes responsibility for any costs or for any consequences arising from the need or lack of need for flood hazard insurance. An Agent for the Federal Flood Insurance Program should be contacted to determine the actual need for flood hazard insurance.

#### **ARCHEOLOGICAL SIGNIFICANCE**

No investigation has been made by the appraiser and no information has been provided to the appraiser regarding potential archeological significance of the subject property or any portion thereof. This report assumes no portion of the subject property has archeological significance.

#### **LEGALITY OF USE**

This appraisal report assumes that there is full compliance with all applicable federal, state and local environmental regulations and laws, unless non-compliance is stated, defined and considered in the appraisal report. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report. It is assumed that all required licenses, consents, or other legislative or administrative authority from any local, state or national government, private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

#### **COMPONENT VALUES**

Any distribution of the total value between the land and improvements, between partial ownership interests or any other partition of total value applies only under the stated use. Moreover, separate allocations between components are not valid if this report is used in conjunction with any other analysis.

#### **COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT**

The Americans with Disabilities Act ("ADA") became effective January 26, 1992. It is assumed that the property is in direct compliance with the various detailed requirements of the ADA.



#### **AUXILIARY AND RELATED STUDIES**

No environmental or impact studies, special market studies or analyses, special highest and best use studies or feasibility studies have been requested or made by the appraiser(s) unless otherwise specified in an agreement for services and so stated in the appraisal report.

#### **DOLLAR VALUES AND PURCHASING POWER**

The estimated market value set forth in the appraisal report and any cost figures utilized are applicable only as of the date of valuation of the appraisal report. All dollar amounts are based on the purchasing power and price of the dollar as of the date of value estimates.

#### **ROUNDING**

Some figures presented in this report were generated using computer models that make calculations based on numbers carried out to three or more decimal places. In the interest of simplicity, most numbers have been rounded. Thus, these figures may be subject to small rounding errors.

#### **QUANTITATIVE ANALYSIS**

Although this analysis employs various mathematical calculations to provide value indications, the final estimate is subjective and may be influenced by our experience and other factors not specifically set forth in this report.

#### **VALUE CHANGE, DYNAMIC MARKET, ALTERATION OF ESTIMATE BY APPRAISER**

All values shown in the appraisal report are projections based on our analysis as of the date of valuation of the appraisal. These values may not be valid in other time periods or as conditions change. Projected mathematical models set forth in the appraisal are based on estimates and assumptions which are inherently subject to uncertainty and variations related to exposure, time, promotional effort, terms, motivation, and other conditions. The appraiser(s) does not represent these models as indicative of results that will actually be achieved. The value estimates consider the productivity and relative attractiveness of a property only as of the date of valuation set forth in the report.

In cases of appraisals involving the capitalization of income benefits, the estimate of market value, investment value or value in use is a reflection of such benefits and of the appraiser's interpretation of income, yields and other factors derived from general and specific client and market information. Such estimates are as of the date of valuation of the report, and are subject to change as market conditions change.

This appraisal is an estimate of value based on analysis of information known to us at the time the appraisal was made. The appraiser(s) does not assume any responsibility for incorrect analysis because of incorrect or incomplete information. If new information of significance comes to light, the value given in this report is subject to change without notice. The appraisal report itself and the value estimates set forth therein are subject to change if either the physical or legal entity or the terms of financing are different from what is set forth in the report.

#### **ECONOMIC AND SOCIAL TRENDS**

The appraiser assumes no responsibility for economic, physical or demographic factors which may affect or alter the opinions in this report if said economic, physical or demographic factors were not present as of the date of value of this appraisal. The appraiser is not obligated to predict future political, economic or social trends.

#### **EXCLUSIONS**

Furnishings, equipment, other personal property and value associated with a specific business operation are excluded from the value estimate set forth in the report unless otherwise indicated. Only the real estate is included in the value estimates set forth in the report unless otherwise stated.

#### **SUBSURFACE RIGHTS**

No opinion is expressed as to the value of subsurface oil, gas or mineral rights or whether the property is subject to surface entry for the exploration or removal of such materials, except as is expressly stated.

#### **PROPOSED IMPROVEMENTS, CONDITIONED VALUE**

It is assumed in the appraisal report that all proposed improvements and/or repairs, either on-site or off-site, are completed in an excellent workmanlike manner in accord with plans, specifications or other information supplied to these appraisers and set forth in the appraisal report, unless otherwise explicitly stated in the appraisal. In the case of proposed construction, the appraisal is subject to change upon inspection of the property after construction is completed. The estimate of market value is as of the date specified in the report. Unless otherwise stated, the assumption is made that all improvements and/or repairs have been completed according to the plans and that the property is operating at levels projected in the report.

#### **MANAGEMENT OF PROPERTY**

It is assumed that the property which is the subject of the appraisal report will be under typically prudent and competent management which is neither inefficient nor superefficient.

#### **FEE**

The fee for any appraisal report, consultation, feasibility or other study is for services rendered and, unless otherwise stated in the service agreement, is not solely based upon the time spent on any assignment.

#### **LEGAL EXPENSES**

Any legal expenses incurred in defending or representing ourselves concerning this assignment will be the responsibility of the client.

**CHANGES AND MODIFICATIONS**

The appraiser(s) reserves the right, at the cost of the client, to alter statements, analyses, conclusions, or any value estimates in the appraisal if any new facts pertinent to the appraisal process are discovered which were unknown on the date of valuation of this report.

**DISSEMINATION OF MATERIAL**

Neither all nor any part of the contents of this report shall be disseminated to the general public through advertising or sales media, public relations media, new media or other public means of communication without the prior written consent and approval of the appraiser(s).

The acceptance and/or use of the Appraisal Report by the client or any third party constitutes acceptance of the Assumptions and Limiting Conditions set forth in the preceding paragraphs. The appraiser's liability extends only to the specified client, not to subsequent parties or users. The appraiser's liability is limited to the amount of the fee received for the services rendered.

**QUALIFICATIONS OF APPRAISER  
STEPHEN R. JOHNSON**

**Professional Designations**

MAI - Member Appraisal Institute 1976  
(Certified through 2012)

SREA - Senior Real Estate Analyst; Society of Real Estate Appraisers 1984

**State Licensing and Certification**

Certified General Appraiser-State of Nevada 1991  
License #A.0000003-CG  
(Certified through 04/30/2013)

Certified General Appraiser-State of California 1992  
License #AG007038  
(Certified through 06/18/2013)

**Association Memberships and Affiliations**

Member Reno Board of Realtors  
Member Nevada Association of Realtors  
International Right-of-Way Association  
Member Nevada State Board of Equalization - 1984-1991  
(Appointed by Governor Richard Bryan, January 1984 & 1988)

(Appointed by Governor Kenny C. Guinn, March 2000 & 2004) 2000-2008

Member Nevada Commission of Appraisers of Real Estate - 1989-1994  
(Appointed by Governor Bob Miller, August 7, 1989)

Commissioner, Nevada Commission of Appraisers of Real Estate 2009-Present  
(Appointed by Governor Jim Gibbons)

President, Nevada Commission of Appraisers of Real Estate 2012-2013

**Offices Held**

Chairman, National Ethics Administration Division 1995

Vice Chairman, National Ethics Commission 1993/94

Regional Member, Ethics Administration  
Appraisal Institute, Region I 1989-1992

President, Sierra-Nevada Chapter #60, AIREA - 1989

Vice President, Sierra-Nevada Chapter #60, AIREA - 1988

Secretary, Sierra-Nevada Chapter #60, AIREA - 1987

Vice Governor District 3 (Northern California & Nevada)  
Society of Real Estate Appraisers (SREA) - 1980-1981

Past President & Membership Chairman -

Reno/Carson/Tahoe Chapter #189

Member 1976 Young Men's Council, SREA, Atlanta, Georgia

Discussion Leader 1977 Young Men's Council, SREA,

Las Vegas, Nevada

**QUALIFICATIONS OF APPRAISER  
STEPHEN R. JOHNSON**

**Offices Held (continued)**

Elected 1 of 2 National Representatives to the Inter-National Board of Governors of the SREA, representing the Young Men's Council -	1977
International Professional Practice Committee, SREA -	1978-1981
International Conference Committee, SREA -	1978 & 1979
National Candidates Guidance Committee of the American Institute of Real Estate Appraisers (AIREA) -	1978-1981
Chairman National Division of Member and Chapter Services, AIREA -	1981
Board of Directors Northern California Chapter #11, AIREA -1	1980
Admissions Committee, Sierra-Nevada Chapter #60, AIREA	
Board of Directors, Sierra-Nevada Chapter #60, AIREA	1984-1986
Board of Directors, Reno-Carson-Tahoe Chapter	

**Appraisal Experience**

Independent Fee Appraiser	1976 to present
President, Stephen R. Johnson & Associates	1976-1992
President, Johnson - Wright & Associates	
President, Johnson - Perkins & Associates (Staff of 11 Appraisers)	1994 to present
Alves Appraisal Associates	1972-1976
Alves-Kent Appraisal Associates	1970-1972

**Qualified as an Expert Witness**

Nevada District Courts:  
Washoe County, Carson City, Douglas County,  
and Elko County

U.S. Bankruptcy Courts:  
Reno, Las Vegas, Sacramento, and Los Angeles

U.S. District Court, San Francisco, California

United States Tax Court

Arizona Superior Court, Maricopa County, Phoenix

Douglas County Board of Equalization

Washoe County Board of Equalization

Nevada State Board of Equalization

King County Superior Court, Seattle, Washington

**QUALIFICATIONS OF APPRAISER  
STEPHEN R. JOHNSON**

**Formal Education**

Reno High School Graduate - 1966  
Bachelor of Science Degree in Business Administration  
Majoring in Real Estate, from the University of  
Nevada, Reno - 1972

**Appraisal Education**

University of Nevada:  
B.A. 430 Real Estate Evaluation 1970  
B.A. 432 Real Estate Appraisal Problems 1971  
American Institute of Real Estate Appraisers:  
Course 1A Basic Appraisal Principles, Methods  
& Techniques, San Francisco, CA 1972  
Course 1B Capitalization Theory & Techniques,  
San Francisco, California 1973  
Course 2 Urban Properties,  
San Francisco, California  
Course 6 Investment Analysis,  
Memphis, Tennessee 1976  
Society of Real Estate Appraisers:  
Course 301 Special Applications of Appraisal  
Analysis, Pomona, California 1974

Numerous Continuing Education Seminars and Courses

**Appraisal Instructor**

Nevada Association of Realtors  
Department of Commerce, Real Estate Division, State of Nevada  
Appraisal "A" Residential Appraising  
Appraisal "B" Apartment and Commercial Property Appraising  
Western Nevada Community College  
R.E. 206 Real Estate Appraising  
Northern Nevada Real Estate School  
Real Estate Appraisal

**JOHNSON~PERKINS & ASSOCIATES, INC.**  
REAL ESTATE APPRAISERS & CONSULTANTS

**QUALIFICATIONS OF APPRAISER  
STEPHEN R. JOHNSON  
REPRESENTATIVE APPRAISAL CLIENTS AND PROPERTIES**

BARTON MEMORIAL HOSPITAL  
CITY OF RENO  
CITY OF SPARKS  
COLONIAL BANK  
R.J.B. DEVELOPMENT COMPANY CARSON CITY  
DOUGLAS COUNTY  
LINCOLN COUNTY  
LYON COUNTY  
WASHOE COUNTY  
MINERAL COUNTY  
EMERALD BAY POST OFFICE  
NEVADA STATE PARK SYSTEM  
NEVADA STATE DEPT. OF TRANSPORTATION  
NEVADA STATE DIVISION OF LANDS  
NEVADA ATTORNEY GENERAL'S OFFICE  
U.S. DEPARTMENT OF NAVY  
U.S. FOREST SERVICE  
FNMA - REGIONAL OFFICE  
INTERNAL REVENUE SERVICE  
FEDERAL TRADE COMMISSION  
WASHOE COUNTY REGIONAL TRANS.  
RENO TAHOE AIRPORT AUTHORITY  
TAHOE REGIONAL PLANNING AGENCY  
CALIFORNIA ATTY GENERAL'S OFFICE  
CALIFORNIA TAHOE CONSERVANCY  
CITY OF SOUTH LAKE TAHOE  
PLACER COUNTY REDEVELOPMENT AGENCY  
NEW HAMPSHIRE DEPARTMENT OF JUSTICE  
MISSOURI HWY AND TRANS. DEPT COMMISSION  
IDAHO TRANSPORTATION DEPARTMENT  
COLONIAL BANK  
PLUMAS BANK  
SECURITY BANK OF NEVADA  
LIBERTY BANK  
FIRST INDEPENDENT BANK OF NV  
NORTHERN NEVADA BUSINESS BANK  
NEVADA STATE BANK  
UNION BANK  
VALLEY BANK OF NEVADA  
BANK OF AMERICA  
THE BANK OF CALIFORNIA  
CROCKER NATIONAL BANK  
WELLS FARGO BANK  
B OF A TRUST DEPARTMENT  
FIRST FEDERAL SAVINGS & LOAN  
FIRST WESTERN SAVINGS & LOAN  
AMERICAN SAVINGS AND LOAN  
NEVADA SAVINGS & LOAN  
DILORETO CONST. & DEVELOPMENT  
DERMODY PROPERTIES  
TRAMMELL CROW CO.  
MCKENZIE PROPERTIES  
HOMWOOD HIGH & DRY MARINA  
TAHOE KEYS MARINA  
TAHOE CITY MARINA

WASHOE MEDICAL CENTER  
PLAZA RESORT CLUB  
ROYAL BANK OF SCOTLAND  
CARSON-TAHOE HOSPITAL  
JOHNNY RIBEIRO BUILDER  
KEEVER CONSTRUCTION COMPANY  
SIERRA PACIFIC POWER COMPANY  
SOUTH LAKE TAHOE PUBLIC UTILITY DIST.  
TAHOE DOUGLAS SEWER DISTRICT  
GLENBROOK WATER COMPANY  
TAHOE PARK WATER COMPANY  
NORTH FOOTHILL APARTMENTS  
MEADOWOOD APARTMENTS  
WOODSIDE VILLAGE APARTMENTS  
SIERRA WOODS APARTMENTS  
AMESBURY PLACE APARTMENTS  
SUNDANCE APARTMENTS  
KEYSTONE SQUARE SHOPPING CTR.  
POZZI MOTORS  
CARSON CITY DATSUN-AMC-JEEP  
LEMMON VALLEY LAND COMPANY  
CONSOLIDATED FREIGHTWAYS  
RINGSBY UNITED  
SYSTEMS 99  
EASTMAN KODAK  
HALLMARK CARDS  
OSCAR MEYER AND COMPANY  
GENERAL ELECTRIC  
CHEMETRO  
CITY SERVICES MINERAL CO.  
SUPERIOR OIL COMPANY  
TRAVELERS INSURANCE  
FARMERS INSURANCE COMPANY  
FIRST AMERICAN TITLE CO. OF NV.  
FIDELITY TITLE INSURANCE CO  
MERRILL LYNCH RELOCATION  
YOUNG ELECTRIC SIGN COMPANY  
THE TRUST FOR PUBLIC LANDS  
THE TRUCKEE DONNER LAND TRUST  
THE CONSERVATION FUND  
THE NATURE CONSERVANCY  
SUGAR BOWL SKI RESORT  
THE FEATHER RIVER LAND TRUST  
SKI INCLINE RESORT  
KIRKWOOD ASSOCIATES  
NORTHSTAR  
SQUAW VALLEY U.S.A.  
LEWIS HOMES OF NEVADA  
SYNCON HOMES  
MGM GRAND HOTEL CASINO & THEME PARK  
EL DORADO HOTEL - CASINO  
COMSTOCK HOTEL - CASINO  
LAKESIDE INN HOTEL - CASINO  
RAMADA EXPRESS HOTEL - CASINO

**QUALIFICATIONS OF APPRAISER  
 CINDY LUND FOGEL**

**Professional Designations**

MAI – Member of the Appraisal Institute 2000

**State Licensing and Certification**

Nevada Certified General Appraiser  
 License #A.0002312-CG (Certified through 5/31/14) 1996

**Offices Held**

Board of Director, Reno/Carson/Tahoe Chapter Appraisal Institute 2011/2012  
 President, Reno/Carson/Tahoe Chapter Appraisal Institute 2009/2010  
 Vice President, Reno/Carson/Tahoe Chapter Appraisal Institute 2008  
 Education Chair, Reno/Carson/Tahoe Chapter Appraisal Institute 2006  
 Education Chair, Reno/Carson/Tahoe Chapter Appraisal Institute 2003  
 Education Chair, Reno/Carson/Tahoe Chapter Appraisal Institute 2002  
 President, Reno/Carson/Tahoe Chapter Appraisal Institute 2001  
 Vice President, Reno/Carson/Tahoe Chapter Appraisal Institute 2000  
 Treasurer, Reno/Carson/Tahoe Chapter Appraisal Institute 1999  
 Secretary, Reno/Carson/Tahoe Chapter Appraisal Institute 1998

**Occupational History**

Johnson - Perkins & Associates 1994 - Present  
 Real Estate Appraiser

Johnson - Wright & Associates 1992 - 1994  
 Real Estate Appraiser

Stephen R. Johnson & Associates 1990 - 1992  
 Real Estate Appraiser

**Admitted as Expert Witness**

Washoe County Board of Equalization  
 Nevada State Board of Equalization

**Appraisal Education & Technical Training**

Real Estate 103 and 202 1986  
 Real Estate Financing 1986  
 American Institute of Real Estate Appraisers 1991  
     Course 1A-1 "Real Estate Appraisal Principles"  
     Course 1A-2 "Basic Valuation Procedures"  
     Course 1BA "Cap Theory & Tech, Part A" 1992  
     Course 1BB "Cap Theory & Tech, Part B"  
     Nevada Law (NRS 645C) 1993



**QUALIFICATIONS OF APPRAISER  
 CINDY LUND FOGEL**

**Appraisal Education & Technical Training (Continued)**

Standards of Professional Practice Parts A & B	1993
Advanced Applications	1993
Report Writing and Valuation Analysis	1995
Case Studies in Law and Ethics	1998
Standards of Professional Practice, Part C	1998
Advanced Income Capitalization	1999
Standards of Professional Practice, Part C	2000 & 2002
7-Hour National USPAP Update Course	2004
7-Hour National USPAP Update Course	2006
Cost Approach to Commercial Appraising	2006
Uniform Appraisal Standards/Federal Land Acquisitions	2007
7-Hour National USPAP Update Course	2007
7-Hour National USPAP Update Course	2008
Business Practices and Ethics	2008
Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)	2009
7-Hour National USPAP Update Course	2010
Business Practices and Ethics	2010

**Appraisal Seminars**

Corridor Valuation & Yellow Book Issues and Divided Partial Interests	2010
The Lending World in Crisis – What Clients Need There Appraisers to Know	2011
Qualitative Analysis: How and Why It Is Important	2011
Diminution of Value and Severance Damages	2011
Forecasting Revenue/Appraising Distressed Commercial Real Estate	2009
Valuation of Easements and Other Partial Interests	2009
Construction Defects and Cost Trends & Feasibility Analysis	2008
Valuation of Detrimental Conditions	2008
Spotlight on Common Errors & Confidentiality USPAP Issues	2008
The Essentials, Current Issues & Misconceptions in Appraising	2007
Attacking & Defending an Appraisal in Litigation	2007
Market Analysis and Site to do Business	2006
Analyzing Distressed Properties	2005
Appraising From Blueprints and Specifications	2005
Appraisal Valuation Modeling	2004
Subdivision Valuation	2004
The Road Less Traveled: Special Purpose Properties	2004
Scope of Work Seminar	2003
Appraisal Consulting: A Solutions Approach for Professionals	2002

**Formal Education**

University of Nevada-Reno: Bachelor of Arts, College of Arts and Science	1989
Truckee Meadows Community College, Associate in Arts	1984
Sparks High School, Sparks, Nevada	1975

**RECEIVED**

JUN 08 2009

CARSON CITY PARKS DEPT

**CULTURAL RESOURCES INVENTORY SHORT REPORT**

**A Class III Cultural Resource Inventory for the Twenty-Two Acre Potter Family Trust Parcel  
(APN 009-01-405, APN 003-15-125)  
Located at the Base of C-Hill, Carson City, Nevada**

**Gnomon Project Number: 2008-14**

submitted to:

Carson City Parks and Recreation Department  
Open Space  
3303 Butti Way #9  
Carson City, NV 89701

prepared by:

Jeremy Hall  
Michael Drews  
Gnomon, Inc.  
1601 Fairview Dr. Suite F  
Carson City, Nevada 89701

April 14, 2009



## CULTURAL RESOURCES INVENTORY SHORT REPORT

**Gnomon Project Number:** 2008-14

**Date of Field Operations:** September 30, 2008

**Organization/Field Personnel:** Gnomon, Inc. Michael Drews (Project Archaeologist) and Jeremy Hall (Field Technician)

### **Project Name and Description**

*A Class III Cultural Resource Inventory for the Twenty-Two Acre Potter Family Trust Parcel (APN 009-01-405, APN 003-15-125) Located at the Base of C-Hill, Carson City, Nevada.* On September 30, 2008, Michael Drews and Jeremy Hall from Gnomon, Inc. conducted a Class III reconnaissance of a 22.1 acre parcel, located on the west side of Carson City, situated at the foot of C-Hill. The Potter Family Trust owns the parcels, and the Carson City Parks and Recreation Department has proposed to purchase the property as open space. A Forest Service road near the base of C Hill bisects the project area.

**County:** Carson City

### **Legal Description:**

NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , SW $\frac{1}{4}$ ; S $\frac{1}{2}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$ ; NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 18, T.15N. R.18E.

**Ownership:** Private (Potter Family Trust) APN 009-01-405; APN 003-15-125

**Project Area:** 22.1 acres / 8.9 hectares

**Map Reference:** Carson City, NV, USGS 7.5 Minute Series 1968 (Photorevised 1982)

**Inventory Date(s):** September 30, 2008

**Inventory Type:** Class III

### **Purpose**

The purpose of this survey was to identify and record any significant cultural resources that may exist within the project area and to make recommendations for their management in compliance with applicable federal laws, regulations, and agency guidelines.

### **Environmental Context**

The project area is situated along the eastern slopes of the Carson Range along the west side of Carson City (Figure 1). It lies at the foot of C-Hill, just south of King Street and west of Terrace Street (Figure 2). The Forest Service fire road that bisects the two parcels is the unpaved, southern extent of Ormsby Boulevard. The nearest source of water is Kings Canyon Creek, located approximately 100 m north of

the project area. The larger, western parcel (APN 009-01-405) extends west from the Forest Service road, up the hillside, which ranges between 20 and 30 percent slope. The smaller, eastern parcel (APN 003-15-125) is located on the east side of the Forest Service road and extends east to the residential properties of Terrace St. and West 4<sup>th</sup> St. It is much flatter than the larger parcel.

C-Hill has burned several times in recent history, the Waterfall Fire of 2004 being the most recent. As such, the vegetative community has undergone moderate changes during the last several decades as a result of reseeding efforts. According to the Waterfall BAER Report (2004), previous reseeding efforts of C-Hill focused primarily on native species; however, invasive and noxious weeds were able to out-compete and take over the area. After the Waterfall Fire, reseeding efforts focused on a mix of native and non-native, fire-resistant species that appear to have taken a successful foothold. Today the vegetation includes rabbit brush, low sage, big sage, crested wheat, wild rye, and desert peach along the toe slope of C-Hill and similar but sparser vegetation in the upper elevations. Accordingly, ground visibility in the lower elevations ranged from 50-100%, whereas in the upper elevations it was very near 100%.

The Carson Range is a seismically active spur of the Sierra Nevada Mountain Range. Several faults that are at most 300 years old lie parallel to the older faults, which trend north by northeast. The older and younger faults define the boundary between the uplifted and downthrown blocks found in the basin and range province in western Nevada. Carson City lies on a downthrown block (Koler 2004).

Geologically, bedrock within the project area is comprised of Juro-Cretaceous metamorphic and Cretaceous igneous rocks. Metamorphic rocks consist of volcanic flows derived from a previously existing volcanic mountain range. Igneous rocks within the project area are granitic in composition, consisting of granite, granodiorite and monzonite belonging to the Sierra Nevada batholith (Archibold 1969; Trexler 1977). The metamorphic rock is more resistant to weathering than the igneous rock, which weathers to what is colloquially referred to as "decomposed granite". The decomposed granite is the major source of landslide materials.

Soils in the drainages and along floodplains of the Carson Range have formed from alluvium from the granite and metavolcanic soils above. Granitic soils are mostly Corbet and Toiyabe with smaller amounts of Glenbrook and Haybourne soils. Metavolcanic soils are classified as Aldax Variant, Vicee, Koontz, and Sutro Variant with a small amount of Arkson. Soils formed from mixed alluvial deposits are mostly Holbrook, Jubilee, Surprise, and Toll. Outwash from surrounding drainages forms the floodplains

where the mixed alluvial soils are located. Within the project area, soil associations include Holbrook very stony fine sandy loam (4-15% slopes; approximately 98% of project area) and Koontz-Sutro variant association (steep; approximately 2% of project area). The Waterfall Fire created a strong hydrophobic soil within the Ash, Vicee, Coombs Canyon, and Kings Canyon Drainages of the Carson Range. In addition, those granitic-based soils are very erodible by wind and water. According to the NRCS Carson City Area soils survey report, wind erosion in this area on these soils could cause more soil to be lost by wind than by water. The soil survey estimates between 30 and over 100 tons per acre per year could be moved off site where the soil cover has been lost (Soils Survey Staff 2008).

Landslides in the project area, including debris slides and debris flows, frequently occur in response to earthquakes and rainfall. Deposits of these landslide events now blanket fans and aprons under Carson City and along eastern slopes of the Carson Range. Landslide deposits are evident along the steep north slope of C Hill. Rainfall related flood events in Kings Canyon occurred as recently as 1997 and 2006.

#### **Prehistoric Context**

Zeier et al. (2002) provides a general prehistoric context for this portion of the Great Basin. It is briefly summarized here. Archaeological sites are generally categorized by their particular function based on artifact type and diversity. Classification of habitation sites includes, but is not limited to, seasonal settlements, multi-seasonal settlements, and permanent settlements. These sites should occur within close range to essential resources required to survive including food, water, and wood for fuel and shelter material. Artifact assemblages discovered at these sites should reflect the relative diversity of activities that can be expected to occur at residential locations. Non-habitation sites can be classified into functional categories that include field camps, procurement activities, processing activities, religious or ceremonial activities, and aboriginal transportation routes. Correspondingly, artifact assemblages should reflect more specialized/localized activities and an overall decrease in diversity.

Changes in Great Basin prehistory were initiated through shifting adaptive strategies to compensate for increasing population pressure, environmental change, and/or migration to other areas in the region. The most distinctive differences in adaptive strategies separate the Pre-Archaic from the Archaic in the Great Basin. Briefly, Pre-Archaic sites display less functional differentiation, a focus upon lacustrine resources, and a lack of midden deposits, permanent structures, or storage facilities. As the warming trend of the early Holocene continued into the mid-Holocene, the Great Basin continued to dry and as a result the transition to the Archaic exemplifies the need to respond to these increasingly arid conditions. Therefore, the Archaic involves the diversification of resource and settlement strategies involving, but

not limited to, seed procurement and processing, hunting with game drives and functional variation in site types (including more substantial shelters and storage facilities; Elston 1986).

### **Ethnographic Context**

Ethnographic evidence for the Washoe Indians (Bravo 1991, d'Azevedo 1986) and the Northern Paiute (Fowler 1989, Hattori and King 1985, Wheat 1967) indicate that Native American groups resided in Carson Valley on the valley floors from late fall through the early spring in households comprised of extended and nuclear families. The Washoe Indians traditionally occupied the surrounding area, including the Carson Valley. The Northern Paiute tribes occupied the areas further east part of the year, but migrated west as far as the Sierras in the summer. Paiutes relied heavily on the fall pine nut harvest, and the Pine Nut Mountains were an important resource during the seasonal rounds.

Washoe traditional lifeways, history and cultural geography are well described in d'Azevedo (1986) and Hattori and King (1985). Similar descriptions have been compiled for the Paiute (Fowler 1989, Wheat 1967). The Washoe language is a Hokan dialect that is very far removed from California forms, suggesting a large time span of separation between the Washoe and California speakers (Hattori and King 1985:27). Available historic accounts, archaeological continuities and strong linguistic evidence (Jacobsen 1986; Miller 1966) indicate that the Washoe are descended from late prehistoric Martis populations. The Northern Paiute language is a Uto-Aztecan language, and is closely related to the Mono language spoken south of Mono Lake, and the Shoshoni language spoken in the Death Valley, California area, and the areas east and south.

Environmental conditions that favored the exploitation of higher elevation resources along the Carson front (such as meadows) did not emerge until after 2800 B.P. (Ataman et al. 2001). Multiple ethnographies describe annual seasonal movement of the Washoe around the Lake Tahoe area (Bravo 1991, d'Azevedo 1986). Kelly (2001), Larsen and Kelly (1995) and Livingston (1986) documented extensive cultural deposits throughout the Stillwater Marshes, such as house floors, human remains, and subsurface assemblages. Similar sites are documented in Carson Valley, where Stearns and Turner (1985) tested a mile long prehistoric site along US-395 and found house pit features, along with cultural deposits up to 1 m deep. The Virginia Range would have provided seasonal opportunities, such as game hunting, and some foraging opportunities. However, the lack of perennial water sources would have limited longer occupations, and would more than likely have been used when relocating or hunting from base camps at lower altitudes.

Contact between Native Americans and Euro-Americans increased following the discovery of gold and silver on the Comstock. Conflicts rose between these groups and continued into the mid 1860s when military campaigns increased. The Paiute were heavily dependent on the pinion nut harvest, yet local pinion and juniper forests located in the Pine Nut Mountains were the earliest to be extensively logged for the Comstock (Hattori and King 1985:34). Limited water resources around the Comstock exacerbated tensions between Native Americans and white settlers that continued into the twentieth century.

### **Historic Context**

The historic landuse of the project vicinity is fairly well known. John C. Fremont, during his 1843-1844 expedition through the area, named the Carson River after his famous scout, Christopher “Kit” Carson. Almost a decade later, Eagle Station ranch, located along the Carson River was settled in 1851. The ranch served as a trading post and stopover for travelers along the Carson Route of the Emigrant Trail. In 1858, Abraham Curry purchased Eagle Station and renamed the settlement Carson City. Three years later, Nevada Territory was established and Carson City became the territorial capital and the county seat of Ormsby County. President Abraham Lincoln signed Nevada into statehood on October 31, 1864 when the value of the territory’s gold and silver was realized toward the advancement of the Union during the Civil War (Carson City, Nevada Government 2006).

In the 1860s, settlers flocked to western Nevada to stake a claim in the Comstock Lode. Until the Comstock’s decline in the 1880s, the mines provided Carson City with most of its economic stability. During the Comstock boom, Carson City served as pivotal staging center for freight and timber. The mining operations and associated towns required an exorbitant amount of lumber and cordwood and as such, the demand was met by harvesting the timber in the Lake Tahoe basin of the Sierra Nevada. Forested areas of the Lake Tahoe basin of the Sierras were harvested wholesale and transported in flume systems to lower elevations to be processed into building lumber. One such flume extended from Spooner Summit to Carson City. In order to process such large quantities of timber, sawmills sprang up all over the Carson Range. These mills were located in strategic places to take advantage of water resources needed to power the equipment. Several mills located within just a few miles of the project area were located in the Clear Creek drainage, Kings Canyon, Ash Canyon, and Vicee Canyon (Wilson 1992).

### **Consultations**

Prior to the survey, a record search was conducted in order to ascertain the density and types of cultural resources near the project area. Queried data sources included the Nevada Cultural Resources Inventory

System (NVCRIS), site files at the Bureau of Land Management (Sierra Front Field Office), Humboldt Toiyabe National Forest (Carson Ranger District), GLO maps, and other older maps available electronically through the Keck Earth Sciences and Mining Research Information Center at the University of Nevada, Reno.

Archival research reveals eight previous inventories and 16 sites within one mile of the project area (Tables 1 and 2). Two inventories, 13-30 and TY-02-1 bisect the project area. Recorded sites range from small lithic scatters to ranch buildings/structures to linear segments of the Emigrant Trail and V&T Railroad. Most lie east of the project area near the fringe of the Carson City western limits on the pediment of the Carson Range. Two sites, OR55 and OR411 are adjacent to or located within the project area. Site OR55, the Walsh Ranch site, contains a building, a dugout and a rock and concrete foundation. The building was originally used as a carriage house or barn and is currently (at least in 1978) utilized as a residence. The site is located adjacent to but outside the northwestern margin of the project area. Site OR411, the Carson Pioneer Cemetery, is located within the project area (see *Findings* section).

Table 1. Sites within 1 mi. of the project area.

NSM Site #	Agency Site #	NSM Rpt #	Agency Rpt #	Other Rpt #	Age	Description	NRHP
DO704	TY-1568	-	-	TY-98-1262	Historic	Emigrant Trail segment	Eligible
OR14	03-3296	13-20	3-879	-	Prehistoric	Two flakes and a bead	No info
OR142	03-1369	18-146	3-854	-	Historic	Brick kiln / brick yard	No info
OR16	32-1185	13-28	3-299	-	Prehistoric	Lithic scatter	No info
OR17	32-1207	13-28	3-299	-	Historic	Peter Wolf house	No info
OR180	32-1408	18-146	3-854	-	Historic	V&T engine house	No info
OR199	-	-	-	-	Historic	Chinese habitation area	No info
OR234	TY-3273	-	-	TY-93-780	Historic	Historic ranch site	Not evaluated
OR235	-	-	-	-	-	-	No info
OR287	-	-	-	CC95-006-01	Historic	V&T Railroad segment	Not eligible
OR314	-	-	-	-	-	-	No info
OR411	-	-	-	TY-02-1419	Historic	Carson Pioneer Cemetery	Eligible
OR417	-	-	-	FEMA 1540-DR-NV	Historic	Trash scatter	Not eligible
OR54	-	13-20	-	-	Prehistoric	Lithic scatter	No info
OR55	-	13-20	-	-	Historic	Walsh Ranch	No info
OR56	-	13-20	-	-	Historic	Anderson Ranch	No info
-	03-1409	-	3-854	-	Historic	Carson City Creamery	No info



Table 2. Inventories within 1 mi. of the project area.

NSM Rpt #	Agency Rpt #	Other Rpt #	Survey Organization	Date	Author(s)	Title
13-110	-	-	NV Dept. of Transportation	-	Matheisen, D.	Class III Archeo Survey of West Carson V&T Bike Path
13-112	-	-	Archaeological Research Services	-	Mackey, B.	Monitoring of Trenches at the Carson City Post Office
13-20	-	-	NV Dept. of Transportation	1978	Steinberg, L., and Sutton, P.	Inventory and Assessment of Historical Landmarks and Structures Encountered by the Proposed U.S. 395 Carson City Bypass Corridors (from NADB)
13-28	3-299	-	NV Dept. of Transportation	1979	Steinberg, L.	Cultural Resources Report - Historical & Archaeological: Fifth and Stewart Streets, E.A. 70919 (from NADB)
13-4	-	-	NV State Museum	1976	Dansie, A.	Cultural Resources Short Report: V & T Storage Area (from NADB)
13-81	TY-93-780	-	USFS Toiyabe National Forest	1993	Oothoudt, J. W.	USDA/USFS Cultural Resources Investigations: Carson District Office Timber Trailer Pedestal Installation Project and a Survey of the District Ranger Station Property
-	3-879	NDOT-114-80C	NV Dept. of Transportation	1983	-	Cultural Resources Report - Carson City Bypass Corridors
-	TY-02-1	-	USFS Toiyabe National Forest	-	-	-
-	TY-02-1419	-	USFS Toiyabe National Forest	2002	Birk, T.	Carson City Interface Fuels Project
-	-	FEMA-1540-DR-NV	URS Corp.	2005	Dexter, S.	Emergency Protective Measures Associated with the Waterfall Fire, Carson City Development Services, FEMA-1540-DR-NV, PWs 12, 17, 21, 23, 39, 40, 41, 43, and 46.

Historic maps, including Bancroft's 1862 Map of the Washoe Silver Region and 1862 GLO plat of T15N, R19E, depict the Carson Pioneer Cemetery (Figures 3 and 4). These maps also depict a northeast-southwest road that extends west up Kings Canyon. In Bancroft's map, this alignment is called "Old Johnsons Trail" whereas in the GLO plat, it is called "Lake Tahoe Road". Today this alignment is Kings Canyon Road.

### **Expectations**

A number of cultural resource sites have been recorded in the Carson Range but much of the area that burned as a result of the Waterfall Fire has not been surveyed for cultural resources. The historic context and archival review suggest a continuum of human activity in the vicinity of the project area. Prehistoric processing sites are located near the mouth of Ash Canyon to the north of the project area and historic uses include harvesting and processing of timber, mineral extraction/prospecting, ranching, and homesteading. Resources and site types relating to those activities may be encountered in the project area.

### **Field Methods**

The project area was inventoried by pedestrian survey along the natural contours with 30 m transect spacing. Rock outcrops located along the western extend of the project area were inspected carefully for rock art. Any cultural resources identified were mapped using a Trimble GeoXT GPS receiver. The rover files were differentially corrected then converted to GIS shapefiles. All files were projected to NAD83, UTM Zone 11. In addition, all cultural resources were photographed, and topographic locations were noted and sketched where appropriate.

### **Findings**

The Carson Pioneer Cemetery (OR411) is located within the project area covering the southern half of parcel APN 003-15-125 along the northwestern foot of C-Hill. Residential properties along Terrace Street define the cemeteries eastern extent (Figure 5). The cemetery was noted in a 1983 NDOT cultural resources inventory report for the Carson City Bypass (NDOT-114-80C; CR 3-879), but for reasons unknown, the site was not formally recorded. In 2002, the USFS Toiyabe National Forest recorded the site (TY-02-1419) as part of the Carson City Interface Fuels Project. It was again noted in 2004 by URS Corp. as part of the FEMA emergency protective measures stemming from the Waterfall Fire; however the site form was not updated.

The site consists of 2 marble, 2 sandstone, and 1 granite grave monument, and eight aligned depressions likely to represent unmarked interments or burials exhumed (Figure 6). The dates of the deceased ranged from 1860 to 1871. Three of the graves are delineated with quarried stone curbs with evidence of wrought iron enclosures. Judging from the alignments of the depressions and the grave markers, it appears that the cemetery had at least three rows of burials. It is likely that a portion of the site was destroyed during the construction of the residential properties on Terrace Street. Since this area is easily accessible and is close to off road trails, the site has endured a fair amount of disturbance. Landscaping debris, car parts and other modern trash are scattered throughout the site.

### **Plot Descriptions**

#### **Pioneer Cemetery Monument**

Description: Dressed granite gross. 6 feet by 3 feet by 1 foot with brass plaque

Inscription: (Bronze Plaque)

*In May 1860, Major William Ormsby was killed in an ambush by Paiutes at Pyramid Lake. In June 1960, William Allen, a scout, was the last of some 40 white men killed in the ensuing war. Both were interred here, but Ormsby was later reburied in N.Y.*

*Nevada Centennial Marker No.27*

*Sponsor: E Clampus Vitus*

Major William Ormsby was originally buried in the Carson Pioneer Cemetery but later reburied in New York. Now in the place of the grave marker stands a granite monument marking the one-time interment with a placard commemorating the Pioneer Cemetery as a Nevada Centennial Marker 1864-1964 (Figure 7). Major Ormsby presumably earned his title as member of a state militia (the specific state is unknown). Born into a wealthy family in Mercer County, Pennsylvania, his early years are not well documented. At the age of 35, in 1949 he joined the stampede to the California Gold Rush.

Engaging in various business ventures including staging, his efforts proved unsuccessful and therefore found his way to Genoa in 1857. In 1859, one year after Abraham Curry bought Eagle Station and renamed the settlement Carson City, Ormsby moved there and at the corner of Carson and Second Street, he started to build the Ormsby House hotel. The hotel opened for business in 1860. Also during this time, Ormsby was aspiring to establish Nevada as its own territory (Carsonpedia.com 2009; Territorial Enterprise, May 19, 1860).



Figure 7. Granite monument of the Carson City Pioneer Cemetery.



Figure 8. Major William Ormsby.

Ormsby made friends with the Indian tribes of the area, especially the Paiutes that lived near Pyramid Lake. In 1858, one of his Indian friends, Captain Truckee, the father of Chief Winnemucca brought his granddaughter Sarah Winnemucca to live with the Ormsby's to be educated in the ways of white people. Sarah became fluent in English and later wrote a book about her life in Nevada.

The Battle of Pyramid Lake was provoked in early May 1860, when two white residents of a way station located at Lake Lahontan kidnapped two young Indian women and brought them back to the station. Subsequently, a band of warriors stormed the way station, rescued the woman and killed the men. A third white man, a brother of one of those killed by the Indians came onto the scene and immediately sped off to Carson City to report news of an unprovoked massacre. Since the kidnapping catalyst of the situation was unknown to the enraged community members of the Carson City area, an armed force of 105 settlers and miners organized under the leadership of Major Ormsby. The militia first went to the massacre site and then headed north to Pyramid Lake where the Paiutes lived. Near present day Wadsworth, along the Truckee River, a party of Paiute warriors ambushed the militia. Of the 101 militiamen, 72 were killed including Major Ormsby (California State Military Museum;2009).

#### **William S. Allen**

Description: Marble Headstone surrounded by granite corner blocks and curb. Lead plugs in corner blocks likely held wrought iron fence. (Figure 9).

Inscription: *"Allen, William S. of Callaway, Co. Mo. Born Oct. 25 1828, and shot by Indians near Pyramid Lake while at the head of scouting party called out by Col. Haynes June 5, 1860."*

After the Battle of Pyramid Lake, inhabitants of gold county in California and Nevada's western mining towns quickly organized to quell the uprising (Thompson and West 1881; 145-165). The Washoe Regiment consisted of eight companies of Infantry and six Cavalry under the command of Colonel John C Hays (Haynes). After several skirmishes in early June 1860, Colonel Hays sent a contingent of scouts including William S. Allen up a canyon in the Lake Range east of Pyramid Lake. The scouts were under the command of Captain Robert Lyon of Company N known as the Highland Rangers or Vaqueros (Thompson and West 1881:159, 163). As they reached the summit, Lyon and Allen were fired upon and Allen was fatally wounded. Captain Lyon eloquently describes the skirmish and his attempt to rescue William Allen. The description recounts what would become the last hostile act of the war in 1860. Lyon recounts the recovery of Allen's body and relates:

“ while my company now reduced to 20, with sad hearts carried our dead comrades back to Carson City, where he [Allen] was buried with military honors. A Carson company brought in the remains of Major Ormsby, and to-day their tombs can be seen near together in the Carson cemetery.” (Thompson and West 1881:164).

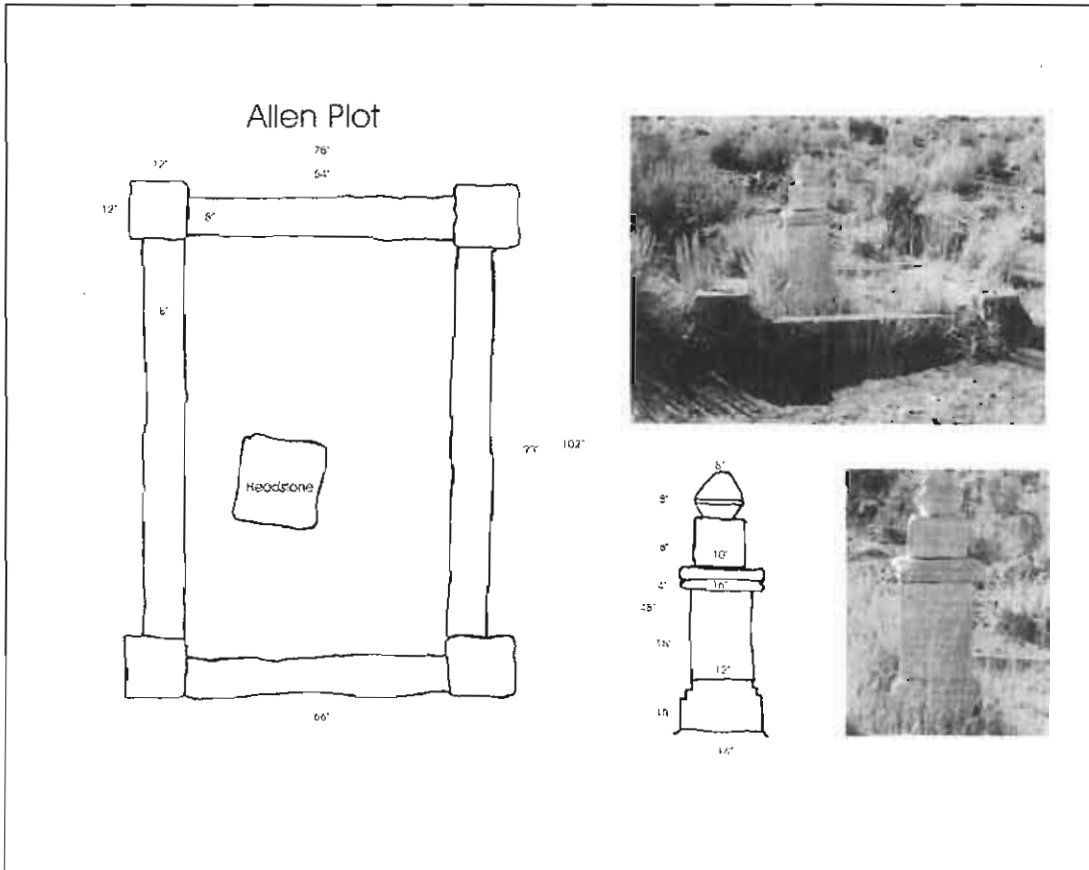


Figure 9. Grave marker of William S. Allen.

### Mary Lou Gardner

Description: White granite block with 4 tiers. No fence evident. (Figure 10).

Inscription: *“Sacred to the memory of Mary Lou daughter of M.C. & H.M.GARDNER, born monterey, cal, march the 18 1860. died november the 14 1861. Carson City ”*

Mary Lou Gardner was the daughter of Major Mathew Culbertson Gardner (commonly referred to as “M.C.”) and Helen Gardner. Originally from Arkansas, the Gardner family came to Eagle Valley in

## Gardner Headstone

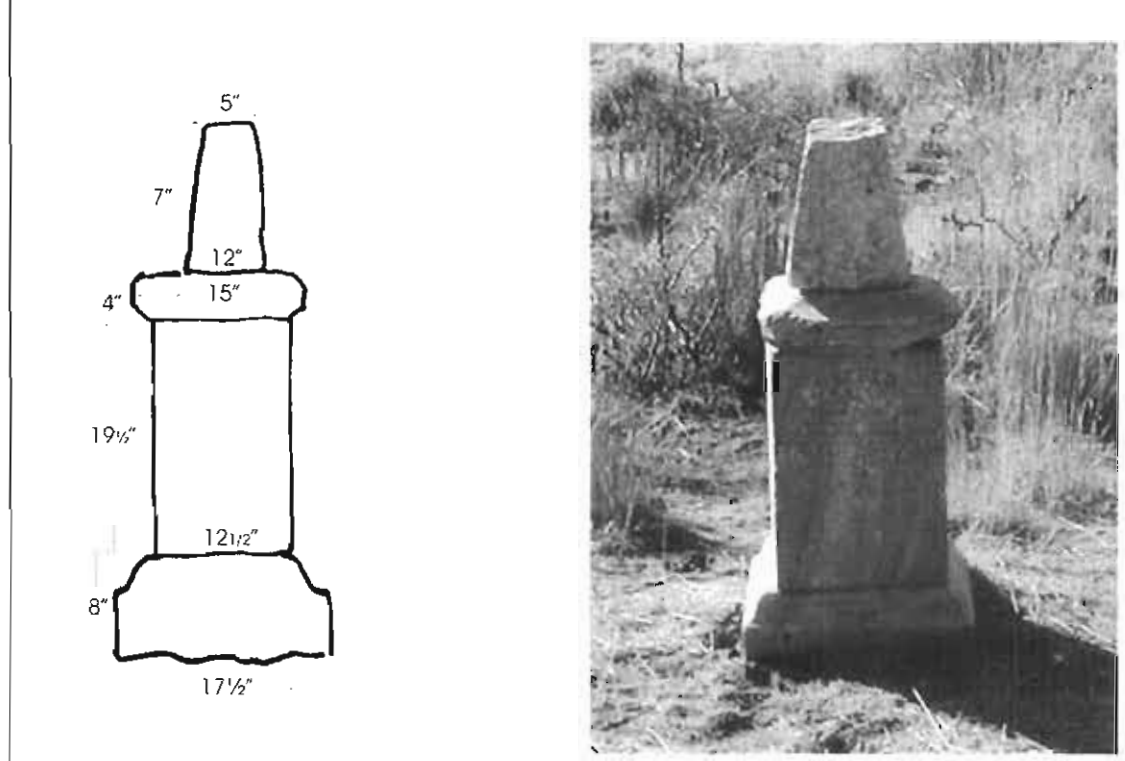


Figure 10. Grave marker of Mary Lou Gardner.

1860, via California to begin their new life as ranchers (Nevada Historic Preservation Office 2008). The 1860 Monterey County Census records describe M.C., who was 24 at the time, as a farmer. His wife Helen was 22. Mary Lou was born in California and it appears that she passed away soon after the family arrived in Carson City. At the time of her death she only had one older sister, Maria H., born in California in 1858. The Gardner's had several children during their lives in Nevada including James H. (b. 1862), Clara B. (b. 1865), Hubert (b. 1869), Mathew C. Jr. (b. 1871), George M. (b. 1874), and Percy (b. 1878).

According to the Ormsby County Census (1870) a member of the Gardner household appears to be named "Hill", a 32 year old woman who occupation was "house keeper". Helen would have been 32 in 1870 and like the earlier California census, she is two years younger than M.C. Presumably, the census taker mistakenly recorded Helen's name as "Hill" or possibly, "Hill was Helen's nickname.

M.C. Gardner (b. 1836, d. 1908) was a prominent figure in the logging industry during the heyday of the Comstock. He ran the 300-acre Gardner Ranch, the largest in Eagle Valley, from 1861 to the time of his death in 1908 (Carson City News, June 3, 1908). The Pioneer Cemetery is located on the historic Gardner Ranch.

Gardnerville, a small town located to the south of Carson City, is often thought to have been named after M.C. Gardner. In fact, Gardnerville is named after John and Mary Gardner, immigrants from England who lived in Carson Valley from 1864 to 1887 (John's death) and 1899 (Mary's death).

The only other member of the Gardner family for which information could be located was George M. Garner. Born in 1874, he was the second youngest sibling of the large family. Around 1900, he moved to Elko where he practiced medicine. In 1920, he moved back to Reno with his wife Louie (then 44), and daughter Leann (then 17). His brother, James (then 57) also lived with him in Reno, but it is unclear whether he moved with him from Elko (Ormsby County Census 1880; Elko County Census 1900; Washoe County Census 1920).

### **Edward B. Buckley**

Description: White marble headstone with sheep and willow bas-relief. Four sandstone corner blocks with ½' drilled holes presumably to anchor wrought iron fence (Figure 11.)

Inscription: "SACRED To the memory of EDWARD B. BUCKLEY. Died Nov. 17. 1868

Aged 25 Years. A native of Kanturk, Co. Cork Ireland. Erected by his Brother John B. Buckley.

Little is known about Edward Buckley. Three individuals with the surname of Buckley appear in the 1860 census, none with the first name of Edward or John. All were natives of the US. The 1870 census lists 26 BUCKLEYS, one a J. Buckley and another Jonathan Buckley. J. Buckley is the 5 year old son of 46 year old Edward and 37 year old B. Buckley in Gold Hill. Jonathan Buckley is a 25 year old laborer who was born in Georgia and lived in Pioche. Neither is likely Edward B. Buckley's brother.



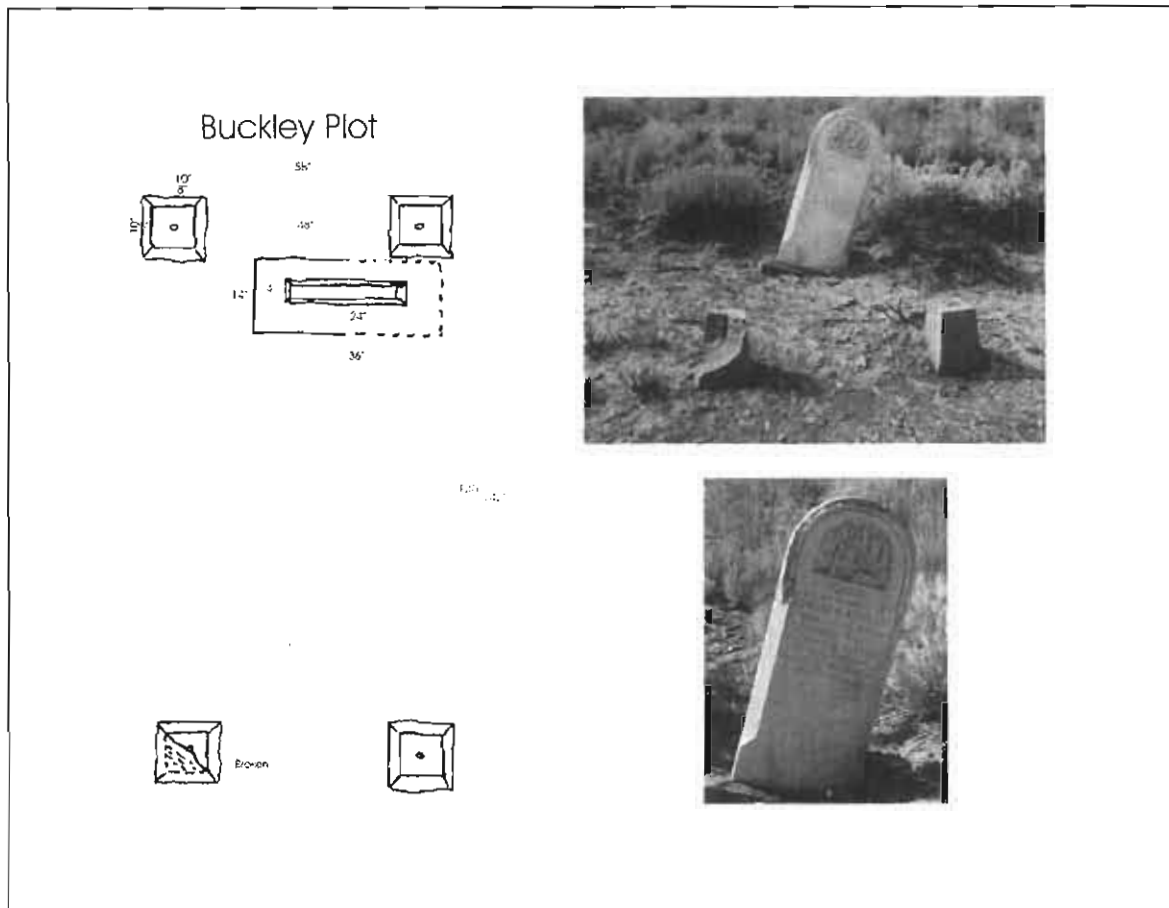


Figure 11. Grave marker of Edward B. Buckley.

**John Cronin (Ronin)**

Description: Sandstone headstone and footstone surrounded by 10" sandstone blocks with 1" drilled holes for fence stanchions. The headstone is broken and lying flat. ...HN and .RONIN are visible on fragment of the headstone. A faint C (RONIN) was noted on a chipped surface. (Figure 12).

Inscription: "...HN .RONIN BORN Aug. 8, 1869 DIED Oct. 18, 1871"

1983 photos of the Pioneer Cemetery included in the NDOT report, John Cronin's grave marker is the only headstone, which has fallen into somewhat significant disrepair. In 1983, the grave marker was still standing (Figure 13a) and sometime in the last two and a half decades, it has fallen over (Figure 13b). As a result, pieces from the top of the tombstone have broken off (although in the 1983 photo, cracked pieces atop the headstone appear as if they may crumble off at any time).

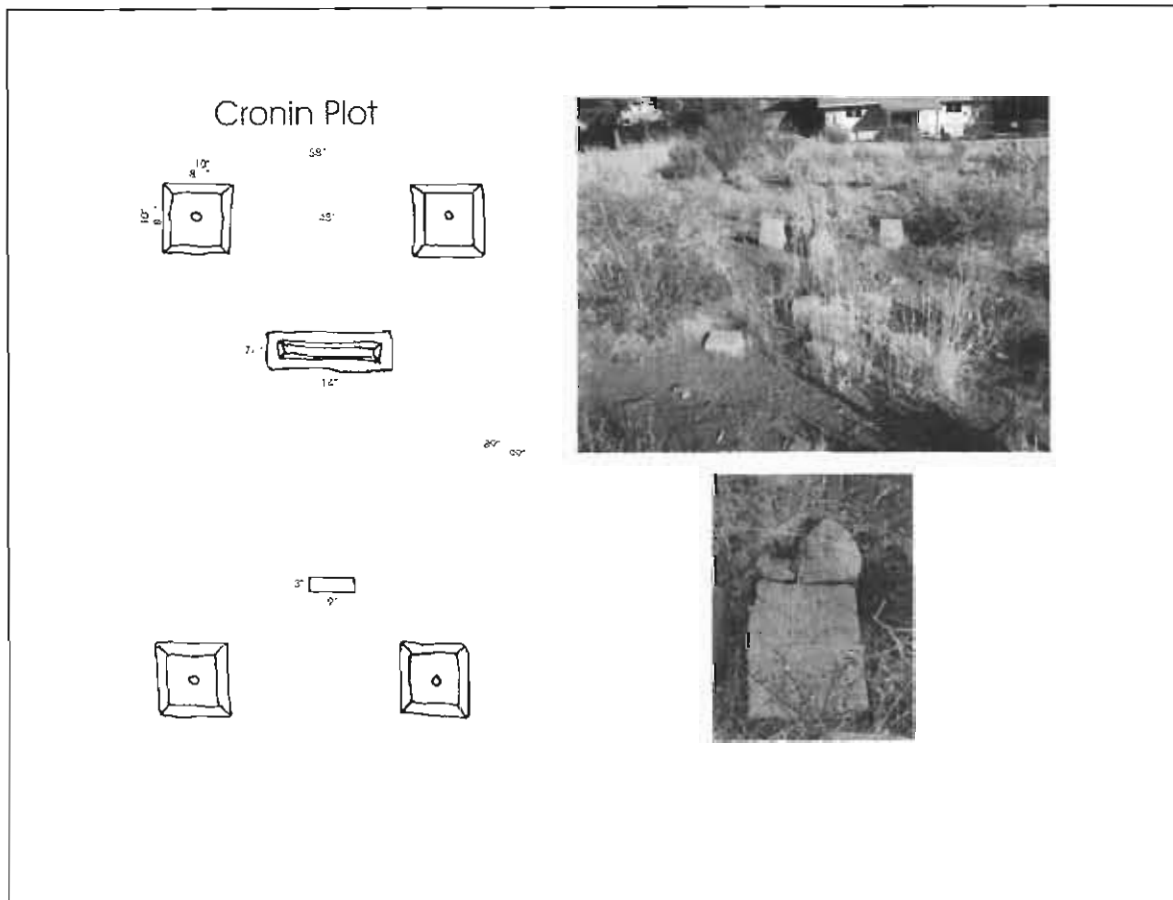


Figure 12. John Cronin Gravesite.

According to the Ormsby County Census (1870), John Cronin was the son of John Cronin (then 29) and Margaret Cronin (then 23). John Cronin Sr. was a shoemaker in Carson City and Margaret, as expected during those times, was the housekeeper. John Sr. and Margaret had another son, Daniel (then 5), who was born in California. Presumably then, the Cronin's, like so many others, immigrated to the U.S. and found themselves in California during the Gold Rush later to relocate in Nevada. John Sr.'s brother, Barney Cronin (then 24) also lived with them and made a living in the Carson City area as a teamster. Lastly, John Sr.'s father Barney Cronin, then 70, also lived with the family in Carson City.



Figure 13. (a) Grave marker of John Cronin recorded in 1983 by NDOT. (b) Grave marker today.

### **National Register Evaluations**

Criteria for determining eligibility for inclusion on the National Register of Historic Places are set by Federal Regulations under 36CFR60.4. In order to be eligible for the National Register a cemetery must be:

1. At least 50 years old.
2. Retain integrity of location, design, setting, materials, workmanship, feeling and associations.
3. Meet at least one of the following significance criteria:
  - A. Association with the events that have made a significant contribution to broad patterns of our history;
  - B. Association with the lives of significant historic persons;
  - C. Embodies the distinctive characteristics of a type, person or method of construction, or represents the work of a master, or possesses high artistic values or individual distinction;
  - D. Has yielded, or may be likely to yield, information important to prehistory or history.

OR411 represents the first formal cemetery in Carson City and easily meets the 50 year age criteria necessary for National Register consideration. The site retains integrity of location, setting, materials, and workmanship. Integrity of feeling and association is diminished by residential development and integrity of design is questionable. Three marked graves are present at the site, and a commemorative marker is its most prominent feature. Eight small platforms or depressions were evident at the site and may represent additional graves. Numerous wildfires, residential construction, and recreational activities may have significantly altered the site's extent. It is unknown whether additional burials may be present. Additional evaluations utilizing ground penetrating radar may clarify questions relating to integrity of design.

If site integrity were clarified, OR411 would likely be considered eligible for the National Register of Historic Places under criterion A, C and possibly D. The site represents the first formal cemetery associated with the early settlement of Carson City and is (or was) the resting place of at least two combatants of the Pyramid Lake Indian War. Association with the founding of Carson City and early conflicts with the areas native inhabitants suggests that the site meets significance criterion A. While

few in number, the extant headstones represent a range of distinctive styles and characteristics typical of the period of use. Thus the cemetery may be considered under significance criterion C.

Major William Ormsby appears to be the most prominent historic figure interred at OR411. His body was exhumed, however, and transported to its final resting place in New York. Lacking other individuals significant to local or regional history, the site does not appear to meet significance criterion B.

A significance assessment under criterion D is somewhat problematic. Archaeological investigations may help to define site integrity and could reveal additional burial plots. If a significant number of additional graves are found, research questions oriented towards defining mid 19<sup>th</sup> century frontier burial practices and social status may be addressed.

Unless a cemetery meets significance criterion D, it must also meet special *Criteria Considerations* that relate to cemeteries. Criteria consideration C deals specifically with individual graves, and criteria consideration D with the cemetery itself.

Criteria Consideration C: A birthplace or grave of a historical figure is eligible if the person is of outstanding importance and if there is no other site or building directly associated with his or her productive life.

Criteria Consideration D: A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

The Pioneer Cemetery (OR411) is the first formal cemetery in Carson City and contains the remains of at least one soldier killed during the Pyramid Lake Indian War. Cemeteries that possess important historic association with early period of settlement or are associated with an important military event generally meet the Criteria Consideration D requirements (National Park Service 1992:17).

After considering age, National Register significance, and criteria considerations, it appears that OR411 (the Pioneer Cemetery) would be eligible to the National Register of Historic Places. An evaluation of site integrity, however, is required to fully assess site eligibility.

## **Summary**

On September 30, 2008, Michael Drews and Jeremy Hall from Gnomon, Inc. conducted a Class III reconnaissance of a 22.1 acre parcel, located on the west side of Carson City, situated at the foot of C-Hill. The parcel (project area) is owned by the Potter Family Trust and the Carson City Parks and Recreation Department has proposed to purchase the property as open space. A Forest Service road 1 bisects the project area.

The Carson Pioneer Cemetery (OR411) is located within the project area covering the southern half of parcel APN 003-15-125 along the northwestern foot of C-Hill. Residential properties along Terrace Street define the cemeteries eastern extent (Figure 5). The site consists of 2 marble, 2 sandstone, and 1 granite grave monument, and eight aligned depressions likely to represent unmarked interments or burials exhumed (Figure 6). The dates of the deceased ranged from 1860 to 1871. The burials include Major William Ormsby (b. 9/3/1814, d. 5/12/1860; originally buried in the Pioneer Cemetery but later reentered in New York), William S. Allen (b. 10/25/1828, d. 6/5/1860), Mary Lou Gardner (b. 3/18/1860, d. 11/14/1861), Edward B. Buckley (b. 1843, d. 11/17/1868), and John Cronin (b. 8/8/1868, d. 10/18/1871).

Site OR411 may be considered eligible for the National Register of Historic Places under criteria A, C, and possibly D. Site integrity must be evaluated before a final determination can be made. If additional unmarked graves are present, and the site retains sufficient integrity it would meet National Register Criteria Consideration D since it possesses important historic association with early period of settlement and is associated with an important military event.

## **Recommendations**

Wildland fire, development, and recreational activities in the vicinity of the Pioneer Cemetery (OR411) have contributed to ongoing deterioration of the property. The grave marker of John Cronin has already undergone significant deterioration since 1983; the headstone has fallen over (or was knocked over) and pieces from the top of the stone have broken off. Iron railings are missing from many of the plots and headstones are in disrepair.

Additional unmarked gravesites appear to be present at the site. In order that a statement of National Register eligibility can be completed, ground penetrating radar or other non-destructive subsurface investigations are needed to evaluate site integrity. Future efforts to preserve the site should focus on

arresting further decay. The site could be fenced to deter vandalism while still allowing public access. Interpretative displays or brochures could be created to increase public awareness and a neighborhood watch instituted to report suspicious activity.

The techniques and methods used during this investigation were such that most existing cultural material in the project area that was visible to surface examination has been identified. If however, additional prehistoric or historic resources are subsequently discovered, the Carson City Parks and Recreation Department should be notified and activities in the area should cease until those resources can be evaluated.

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**SITE RECORD**



## Part A - Administrative Data

State No. OR411 Update  
Agency No.  
Temp. No.

Three of the graves are delineated with quarried stone curbs with evidence of wrought iron enclosures. Judging from the alignments of the depressions and the grave markers, it appears that the cemetery had at least three rows of burials. It is likely that a portion of the site was destroyed during the construction of the residential properties on Terrace Street. Since this area is easily accessible and is close to off road trails, the site has endured a fair amount of disturbance. Landscaping debris, car parts and other modern trash are scattered throughout the site.

The following paragraphs detail information pertaining to each individual in the cemetery with an extant grave marker.

### *Major William Ormsby (b. 9/3/1814, d. 5/12/1860)*

Major William Ormsby was originally buried in the Carson Pioneer Cemetery but later reburied in New York. Now in the place of the grave marker stands a granite monument marking the one-time interment with a placard commemorating the Pioneer Cemetery as a Nevada Centennial Marker 1864-1964. Major Ormsby presumably earned his title as member of a state militia (the specific state is unknown). Born into a wealthy family in Mercer County, Pennsylvania, his early years are not well documented. At the age of 35, in 1849 he joined the stampede to the California Gold Rush.

Engaging in various business ventures including staging, his efforts proved unsuccessful and therefore found his way to Genoa in 1857. In 1859, one year after Abraham Curry bought Eagle Station and renamed the settlement Carson City, Ormsby moved there and at the corner of Carson and Second Street, he started to build the Ormsby House hotel. The hotel opened for business in 1860. Also during this time, Ormsby was aspiring to establish Nevada as its own territory (Carsonpedia.com 2009; Territorial Enterprise, May 19, 1860).

According to Carsonpedia.com (2009) and the California State Military Museum (2009), in early May 1860, two white residents of a way station located at Lake Lahontan kidnapped two young Indian woman and brought them back to the station. Subsequently, a band of warriors stormed the way station, rescued the woman and killed the men. A third white man, a brother of one of those killed by the Indians came onto the scene and immediately sped off to Carson City to report news of an unprovoked massacre. Since the kidnapping catalyst of the situation was unknown to the enraged community members of the Carson City area, an armed force of 105 settlers and miners organized under the leadership of Major Ormsby. The militia first went to the massacre site and then headed north to Pyramid Lake where the Paiutes lived. Near present day Wadsworth, along the Truckee River, the militia was ambushed by a party of Paiute warriors. Of the 101 militiamen, 72 were killed including Major Ormsby. This encounter came to be known as the Battle of Pyramid Lake.

### *William S. Allen (b. 10/25/1828, d. 6/5/1860)*

The inscription of the grave marker reads "Allen, William S. of Callaway, Co. Mo. Born Oct. 25 1828, and shot by Indians near Pyramid Lake while at the head of scouting party called out by Col. Haynes June 5, 1860." A scout for Major Ormsby's militia, William S. Allen was one of the first to be killed during the aforementioned Battle of Pyramid Lake.

### *Mary Lou Gardner (b. 3/18/1860, d. 11/14/1861)*

Mary Lou Gardner was the daughter of Major Mathew Culbertson Gardner (commonly referred to as "M.C.") and Helen Gardner. Originally from Arkansas, the Gardner family came to live in Eagle Valley in 1860, via California to begin their new life as ranchers (Nevada Historic Preservation Office 2008). In California, M.C. who was 24 at the time (Helen was 22) described his occupation as a farmer according to the Monterey County Census (1860). Mary Lou was born in California and therefore, it would appear that she passed away soon after their arrival to the Carson City area. At the time of her death she only had one older sister, Maria H., born in California in 1858. The Gardner's had several children during their lives in Nevada including James H. (b. 1862), Clara B. (b. 1865), Hubert (b. 1869), Mathew C. Jr. (b. 1871), George M. (b. 1874), and Percy (b. 1878).

M.C. Gardner (b. 1836, d. 1908) was a prominent figure in the logging industry during the heyday of the Comstock. He ran the 300-acre Gardner Ranch, the largest in Eagle Valley, from 1861 to the time of his death in 1908 (Carson City News, June 3, 1908).

### *Edward B. Buckley (b. 1843, d. 11/17/1868)*

Edward B. Buckley was born in Kanturk County, in Cork Ireland. The grave marker was erected by his brother John B. Buckley. No other information could be located pertaining to the life of this individual.

### *John Cronin (b. 8/8/1868, d. 10/18/1871)*

1983 photos of the Pioneer Cemetery were included in the NDOT report. John Cronin's grave marker is the only headstone which has fallen into somewhat significant disrepair. In 1983, the grave marker was still standing and sometime in the last two and a half decades, it has fallen over or been kicked over. As a result, pieces from the top of the tombstone have broken off (although in 1983 the cracked pieces atop the headstone appeared as if they may crumble off at any time).

List of Attachments:                     Part B                     Topo Map                     Photos                     Continuation  
Sheets  
    Part C                     Site Sketch                     Artifact/Feature Sketch                     Other:  
    Part E

\*Encoded Data Items

## Part A - Administrative Data

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According to the Ormsby County Census (1870), John Cronin was the son of John Cronin (then 29) and Margaret Cronin (then 23). John Cronin Sr. was a shoemaker in Carson City and Margaret, as expected during those times, was the housekeeper. John Sr. and Margaret had another son, Daniel (then 5), who was born in California. Presumably then, the Cronin's like many others, immigrated to the U.S. and found themselves in California during the Gold Rush later to relocate in Nevada. John Sr.'s brother, Barney Cronin (then 24) also lived with them and made a living in the Carson City area as a teamster. Lastly, John Sr.'s father Barney Cronin (then 70) also lived with the family in Carson City.

\*21. **Site Condition:**  Excellent (A)  Good (B)  Fair (C)  Poor (D)

\*22. **Impact Agent(s):** Mechanical excavation, erosion, vandalism, trash dumping, pedestrian and off road vehicle traffic.

\*23. **National Register Status:**  Significant (C)  Non-Significant (D)  Unevaluated (Z)

A. **Justify:** OR411 represents the first formal cemetery in Carson City and easily meets the 50 year age criteria necessary for National Register consideration. The site retains integrity of location, setting, materials, and workmanship. Integrity of feeling and association is diminished by residential development and integrity of design is questionable. Three marked graves are present at the site, and a commemorative marker is its most prominent feature. Eight small platforms or depressions were evident at the site and may represent additional graves. Numerous wildfires, residential construction, and recreational activities may have significantly altered the site's extent. It is unknown whether additional burials may be present. Additional evaluations utilizing ground penetrating radar may clarify questions relating to integrity of design.

If site integrity were clarified, OR411 would likely be considered eligible for the National Register of Historic Places under criterion A, C and possibly D. The site represents the first formal cemetery associated with the early settlement of Carson City and is (or was) the resting place of at least two combatants of the Pyramid Lake Indian War. Association with the founding of Carson City and early conflicts with the areas native inhabitants suggests that the site meets significance criterion A. While few in number, the extant headstones represent a range of distinctive styles and characteristics typical of the period of use. Thus the cemetery may be considered under significance criterion C.

Major William Ormsby appears to be the most prominent historic figure interred at OR411. His body was exhumed, however, and transported to its final resting place in New York. Lacking other individuals significant to local or regional history, the site does not appear to meet significance criterion B.

A significance assessment under criterion D is somewhat problematic. Archaeological investigations may help to define site integrity and could reveal additional burial plots. If a significant number of additional graves are found, research questions oriented towards defining mid 19<sup>th</sup> century frontier burial practices and social status may be addressed.

Unless a cemetery meets significance criterion D, it must also meet special *Criteria Considerations* that relate to cemeteries. Criteria consideration C deals specifically with individual graves, and criteria consideration D with the cemetery itself.

Criteria Consideration C: A birthplace or grave of a historical figure is eligible if the person is of outstanding importance and if there is no other site or building directly associated with his or her productive life.

Criteria Consideration D: A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

The Pioneer Cemetery (OR411) is the first formal cemetery in Carson City and contains the remains of at least one soldier killed during the Pyramid Lake Indian War. Cemeteries that possess important historic association with early period of settlement or are associated with an important military event generally meet the Criteria Consideration D requirements (National Park Service 1992:17).

After considering age, National Register significance, and criteria considerations, it appears that OR411 (the Pioneer Cemetery) would be eligible to the National Register of Historic Places. An evaluation of site integrity, however, is required to fully assess site eligibility.

24. **Photos:** Yes. Digital. Attached.

25. **Recorded by:** Michael Drews and Jeremy Hall

List of Attachments:  Part B  Topo Map  Photos  Continuation  
Sheets  Part C  Site Sketch  Artifact/Feature Sketch  Other:  
 Part E

\*Encoded Data Items

## Part A - Administrative Data

State No. OR411 Update  
 Agency No.  
 Temp. No.

\*26. Survey Organization: Gnomon, Inc.

27. Assisting Crew Members: NA

\*28. Survey Date: September 30, 2008

\*29. Slope: 5 deg. Aspect: 90 deg.

\*30. Distance to Permanent Water: 4 x 100 Meters

\*Type of Water Source  Spring/Seep (A)  Stream/River (B)  Lake (C)  Other (D)  
 Name of Water Source: Kings Canyon Creek

\*31. Geographic Unit: Eagle Valley (104) of the Carson River Basin

\*32. Topographic Location - See Guide for additional information

PRIMARY LANDFORM	SECONDARY LANDFORM			
<input type="checkbox"/> Mountain spine (A)	<input type="checkbox"/> Alluvial fan (A)	<input type="checkbox"/> Dune (I)	<input checked="" type="checkbox"/> Slope (Q)	<input type="checkbox"/> Riser (Y)
<input type="checkbox"/> Hill (B)	<input type="checkbox"/> Alcove/Rock Shelter (B)	<input type="checkbox"/> Floodplain (J)	<input type="checkbox"/> Terrace/Bench (R)	<input type="checkbox"/> Multiple S.Landforms (1)
<input type="checkbox"/> Tableland/Mesa (C)	<input type="checkbox"/> Arroyo (C)	<input type="checkbox"/> Ledge (K)	<input type="checkbox"/> Talus Slope (S)	<input type="checkbox"/> Bar (2)
<input type="checkbox"/> Ridge (D)	<input type="checkbox"/> Basin (D)	<input type="checkbox"/> Mesa/Butte (L)	<input type="checkbox"/> Island (T)	<input type="checkbox"/> Lagoon (3)
<input checked="" type="checkbox"/> Valley (E)	<input type="checkbox"/> Cave (E)	<input type="checkbox"/> Playa (M)	<input type="checkbox"/> Outcrop (U)	<input type="checkbox"/> Ephemeral Wash (4)
<input type="checkbox"/> Plain (F)	<input type="checkbox"/> Cliff (F)	<input type="checkbox"/> Port.Geo.Feature (N)	<input type="checkbox"/> Spring Mound/Bog (V)	<input type="checkbox"/> Kipuka (5)
<input type="checkbox"/> Canyon (G)	<input type="checkbox"/> Delta (G)	<input type="checkbox"/> Plain (O)	<input type="checkbox"/> Valley (W)	<input type="checkbox"/> Saddle/Pass (6)
<input type="checkbox"/> Island (H)	<input type="checkbox"/> Detached Monolith (H)	<input type="checkbox"/> Ridge/Knoll (P)	<input type="checkbox"/> Cutbank (X)	<input type="checkbox"/> Graben (7)

**Describe:** The site is situated along the western edge of Eagle Valley, along the toe slopes of the Carson Range, at the base of C-hill.

\*33. On-site Depositional Context

<input type="checkbox"/> Fan (A)	<input type="checkbox"/> Outcrop (Q)	<input type="checkbox"/> Moraine (J)	<input type="checkbox"/> Desert Pavement (P)
<input type="checkbox"/> Talus (B)	<input type="checkbox"/> Extinct Lake (F)	<input type="checkbox"/> Flood Plain (K)	<input type="checkbox"/> Stream Bed (R)
<input type="checkbox"/> Dune (C)	<input type="checkbox"/> Extant Lake (G)	<input type="checkbox"/> Marsh (L)	<input type="checkbox"/> Aeolian (S)
<input type="checkbox"/> Stream Terrace (D)	<input type="checkbox"/> Alluvial Plain (H)	<input type="checkbox"/> Landslide/Slump (M)	<input type="checkbox"/> None (T)
<input type="checkbox"/> Playa (E)	<input checked="" type="checkbox"/> Colluvium (I)	<input type="checkbox"/> Delta (N)	<input type="checkbox"/> Residual (U)

**Describe:** Poorly developed sandy silts.

\*34. Vegetation

\*a. Life Zone  Arctic-Alpine (A)  Hudsonian (B)  Canadian (C)  Transitional (D)  Upper Sonoran (E)  Lower Sonoran (F)

\*b. Community: Primary On-Site (Q) Secondary On-Site (Q) Surrounding Site (Q)

Aspen (A)	Other/Mixed Conifer (G)	Grassland/Steppe (M)	Marsh/Swamp (S)
Spruce-Fir (B)	Pinyon-Juniper Woodland (H)	Desert Lake Shore (N)	Lake/Reservoir (T)
Douglas Fir (C)	Wet Meadow (I)	Shadscale Community (O)	Agriculture (U)
Alpine Tundra (D)	Dry Meadow (J)	Tall Sagebrush (P)	Blackbrush (V)
Ponderosa Pine (E)	Oak-Maple Shrub (K)	Low Sagebrush (Q)	Lodgepole Pine (F)
Riparian (L)	Barren (R)		

**Describe:** Predominant vegetation is sagebrush and bitterbrush with a heavy understory of introduced grasses, especially cheatgrass.

\*35. Miscellaneous Text:

36. Comments/Continuations:

Wildland fire, development, and recreational activities in the vicinity of the Pioneer Cemetery (OR411) have contributed to ongoing deterioration of the property. The grave marker of John Cronin has already undergone significant deterioration since 1983; the headstone has fallen over (or was knocked over) and pieces from the top of the stone have broken off. Iron railings are missing from many of the plots and headstones are in disrepair.

List of Attachments:  Part B  Topo Map  Photos  Continuation  
 Sheets  Part C  Site Sketch  Artifact/Feature Sketch  Other.  
 Part E

\*Encoded Data Items





## Part C Historic Sites

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Temp No.

**13. Tin Cans:**

#	TYPE	OPENING	SIZE	MODIFIED	LABEL/MARK	FUNCTION
---	------	---------	------	----------	------------	----------

Describe:

**\*14. Landscape and Constructed Features (locate on site map) - (See Guide for additional categories)**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Trail/Road (TR)     | <input type="checkbox"/> Dump (DU)                  | <input type="checkbox"/> Dam, Earthen (DA) | <input type="checkbox"/> Hearth/Campfire (HE) |
| <input type="checkbox"/> Tailings (MT, ML)   | <input checked="" type="checkbox"/> Depression (DE) | <input type="checkbox"/> Ditch (DI)        | <input type="checkbox"/> Quarry (QU)          |
| <input type="checkbox"/> Rock Alignment (RA) | <input type="checkbox"/> Cemetery/Burial (CB)       | <input type="checkbox"/> Inscriptions (IN) | <input type="checkbox"/> Other (OT)           |
| <input type="checkbox"/> Cairn (AI)          | <input type="checkbox"/> Prospect Hole (PH)         |  |   |

**Describe:** There are eight depressions in the site that range from 8 to 20 feet in diameter. Most of them are aligned in a north-south orientation with the existing grave markers indicating that they are likely exhumed or vandalized grave sites. The original site form recorded as part of the Carson City Interface Fuels Project in 2002 states that some of the depressions may be the remains of domestic structures. Dimension lumber was identified in the northern portion of the site but it is unlikely that a structure existed in alignment with the graves within such close proximity.

**Pioneer Cemetery Monument**

Description: Dressed granite gross. 6 feet by 3 feet by 1 foot with brass plaque

Inscription: (Bronze Plaque)

*In May 1860, Major William Ormsby was killed in an ambush by Paiutes at Pyramid Lake. In June 1960, William Allen, a scout, was the last of some 40 white men killed in the ensuing war. Both were interred here, but Ormsby was later reburied in N.Y.*

*Nevada Centennial Marker No.27*

*Sponsor: E Clampus Vitus*

Major William Ormsby was originally buried in the Carson Pioneer Cemetery but later reburied in New York. Now in the place of the grave marker stands a granite monument marking the one-time interment with a placard commemorating the Pioneer Cemetery as a Nevada Centennial Marker 1864-1964. Major Ormsby presumably earned his title as member of a state militia (the specific state is unknown). Born into a wealthy family in Mercer County, Pennsylvania, his early years are not well documented. At the age of 35, in 1949 he joined the stampede to the California Gold Rush.

Engaging in various business ventures including staging, his efforts proved unsuccessful and therefore found his way to Genoa in 1857. In 1859, one year after Abraham Curry bought Eagle Station and renamed the settlement Carson City, Ormsby moved there and at the corner of Carson and Second Street, he started to build the Ormsby House hotel. The hotel opened for business in 1860. Also during this time, Ormsby was aspiring to establish Nevada as its own territory (Carsonpedia.com 2009; Territorial Enterprise, May 19, 1860).

Ormsby made friends with the Indian tribes of the area, especially the Paiutes that lived near Pyramid Lake. In 1858, one of his Indian friends, Captain Truckee, the father of Chief Winnemucca brought his granddaughter Sarah Winnemucca to live with the Ormsby's to be educated in the ways of white people. Sarah became fluent in English and later wrote a book about her life in Nevada.

The Battle of Pyramid Lake was provoked in early May 1860, when two white residents of a way station located at Lake Lahontan kidnapped two young Indian women and brought them back to the station. Subsequently, a band of warriors stormed the way station, rescued the woman and killed the men. A third white man, a brother of one of those killed by the Indians came onto the scene and immediately sped off to Carson City to report news of an unprovoked massacre. Since the kidnapping catalyst of the situation was unknown to the enraged community members of the Carson City area, an armed force of 105 settlers and miners organized under the leadership of Major Ormsby. The militia first went to the massacre site and then headed north to Pyramid Lake where the Paiutes lived. Near present day Wadsworth, along the Truckee River, the militia was ambushed by a party of Paiute warriors. Of the 101 militiamen, 72 were killed including Major Ormsby (California State Military Museum;2009).

**William S. Allen**

Description: Marble Headstone surrounded by granite corner blocks and curb. Lead plugs in corner blocks likely held wrought iron fence.

Inscription: *"Allen, William S. of Callaway, Co. Mo. Born Oct. 25 1828, and shot by Indians near Pyramid Lake while at the head of scouting party called out by Col. Haynes June 5, 1860."*

After the Battle of Pyramid Lake, inhabitants of gold county in California and Nevada's western mining towns quickly organized to quell the uprising (Thompson and West 1881; 145-165). The Washoe Regiment consisted of eight companies of Infantry and six Cavalry under the command of Colonel John C Hays (Haynes). After several skirmishes in early June 1860, Colonel Hays sent a contingent of

List of Attachments:	<input type="checkbox"/> Part B	<input checked="" type="checkbox"/> Topo Map	<input checked="" type="checkbox"/> Photos	<input checked="" type="checkbox"/> Continuation
Sheets	<input checked="" type="checkbox"/> Part C	<input type="checkbox"/> Site Sketch	<input checked="" type="checkbox"/> Artifact/Feature Sketch	<input type="checkbox"/> Other:
	<input type="checkbox"/> Part E			

\*Encoded Data Items

## Part C Historic Sites

State No. OR411 Update  
Agency No.  
Temp No.

scouts including William S. Allen up a canyon in the Lake Range east of Pyramid Lake. The scouts were under the command of Captain Robert Lyon of Company N known as the Highland Rangers or Vaqueros (Thompson and West 1881:159, 163). As they reached the summit, Lyon and Allen were fired upon and Allen was fatally wounded. Captain Lyon eloquently describes the skirmish and his attempt to rescue William Allen. The description recounts what would become the last hostile act of the war in 1860. Lyon recounts the recovery of Allen's body and relates:

" while my company now reduced to 20, with sad hearts carried our dead comrades back to Carson City, where he [Allen] was buried with military honors. A Carson company brought in the remains of Major Ormsby, and to-day their tombs can be seen near together in the Carson cemetery." (Thompson and West 1881:164).

### Mary Lou Gardner

Description: White granite block with 4 tiers. No fence evident.

Inscription: *"Sacred to the memory of Mary Lou daughter of M.C. & H.M.GARDNER, born monterey, cal, march the 18 1860. died november the 14 1861. Carson City "*

Mary Lou Gardner was the daughter of Major Mathew Culbertson Gardner (commonly referred to as "M.C.") and Helen Gardner. Originally from Arkansas, the Gardner family came to Eagle Valley in 1860, via California to begin their new life as ranchers (Nevada Historic Preservation Office 2008). The 1860 Monterey County Census records describe M.C., who was 24 at the time, as a farmer. His wife Helen was 22. Mary Lou was born in California and it appears that she passed away soon after the family's arrival to Carson City. At the time of her death she only had one older sister, Maria H., born in California in 1858. The Gardner's had several children during their lives in Nevada including James H. (b. 1862), Clara B. (b. 1865), Hubert (b. 1869), Mathew C. Jr. (b. 1871), George M. (b. 1874), and Percy (b. 1878).

According to the Ormsby County Census (1870) a member of the Gardner household appears to be named "Hill", a 32 year old woman who occupation was "house keeper". Helen would have been 32 in 1870 and like the earlier California census, she is two years younger than M.C. Presumably, the census taker mistakenly recorded Helen's name as "Hill" or possibly, "Hill was Helen's nickname.

M.C. Gardner (b. 1836, d. 1908) was a prominent figure in the logging industry during the heyday of the Comstock. He ran the 300-acre Gardner Ranch, the largest in Eagle Valley, from 1861 to the time of his death in 1908 (Carson City News, June 3, 1908). The Pioneer Cemetery is located on the historic Gardner Ranch.

Gardnerville, a small town located to the south of Carson City, is often thought to have been named after M.C. Gardner. In fact, Gardnerville is named after John and Mary Gardner, immigrants from England who lived in Carson Valley from 1864 to 1887 (Jonnn's death) and 1899 (Mary's death).

The only other member of the Gardner family for which information could be located was George M. Garner. Born in 1874, he was the second youngest sibling of the large family. Around 1900, he moved to Elko were he practiced medicine. In 1920, he moved back to Reno with his wife Louie (then 44), and daughter Leann (then 17). His brother, James (then 57) also lived with him in Reno, but it is unclear whether he moved with him from Elko (Ormsby County Census 1880; Elko County Census 1900; Washoe County Census 1920).

### Edward B. Buckley

Description: White marble headstone with sheep and willow bas relief. Four sandstone corner blocks with ½ drilled holes presumably to anchor wrought iron fence.

Inscription: "SACRED To the memory of EDWARD B. BUCKLEY. Died Nov. 17. 1868

Aged 25 Years. A native of kanturk, Co. Cork Ireland. Erected by his Brother John B. Buckley.

Little is known about Edward Buckley. Three individuals with the surname of Buckley appear in the 1860 census, none with the first name of Edward or John. All were natives of the US. The 1870 census lists 26 BUCKLEYS, one a J. Buckley and another Jonathan Buckley. J. Buckley is the 5 year old son of 46 year old Edward and 37 year old B. Buckley in Gold Hill. Jonathan Buckley is a 25 year old laborer who was born in Georgia and lived in Pioche. Neither are likely Edward B. Buckley's brother.

List of Attachments:                     Part B                     Topo Map                     Photos                     Continuation  
Sheets  
 Part C                     Site Sketch                     Artifact/Feature Sketch                     Other:  
 Part E

\*Encoded Data Items

## Part C Historic Sites

State No. OR411 Update  
Agency No.  
Temp No.

### John Cronin (*Ronin*)

Description: Sandstone headstone and footstone surrounded by 10" sandstone blocks with 1" drilled holes for fence stanchions. The headstone is broken and lying flat. ...HN and .RONIN are visible on fragment of the headstone. A faint C (RONIN) was noted on a chipped surface.

Inscription: "...HN .RONIN BORN Aug. 8, 1869 DIED Oct. 18, 1871"

1983 photos of the Pioneer Cemetery included in the NDOT report, John Cronin's grave marker is the only headstone which has fallen into somewhat significant disrepair. In 1983, the grave marker was still standing and sometime in the last two and a half decades, it has fallen over. As a result, pieces from the top of the tombstone have broken off (although in the 1983 photo, cracked pieces atop the headstone appear as if they may crumble off at any time).

According to the Ormsby County Census (1870), John Cronin was the son of John Cronin (then 29) and Margaret Cronin (then 23). John Cronin Sr. was a shoemaker in Carson City and Margaret, as expected during those times, was the housekeeper. John Sr. and Margaret had another son, Daniel (then 5), who was born in California. Presumably then, the Cronin's like so many others, immigrated to the U.S. and found themselves in California during the Gold Rush later to relocate in Nevada. John Sr.'s brother, Barney Cronin (then 24) also lived with them and made a living in the Carson City area as a teamster. Lastly, John Sr.'s father Barney Cronin, then 70, also lived with the family in Carson City.

### \*15. Buildings and Structures (locate on site map):

#	MATERIAL	TYPE
---	----------	------

Describe:

### 16. Comments/Continuations - (Please make note of any Historic Record searches performed (for example - County Records, General Land Office, Historical Society, Land Management Agency Records, Oral Histories/Interviews)

List of Attachments:  
Sheets

Part B       Topo Map       Photos       Continuation

Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items

## Part C Historic Sites

State No. OR411 Update  
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Granite Monument of the Pioneer Cemetery. Inscription reads: "Pioneer Cemetery. In May, 1860 Major William Ormsby was killed in an ambush by Paiutes at Pyramid Lake. In June, 1860 William Allen, a scout was the last of some 40 white men killed in the ensuing war. Both were interred here, but Ormsby was later reburied in N.Y. Nevada Centennial Marker No. 27 (1864-1964). Sponsor: E. Ciampus Vitus."

List of Attachments:  
Sheets

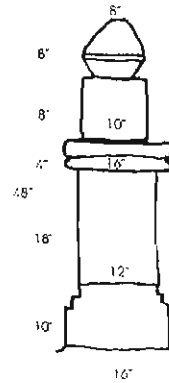
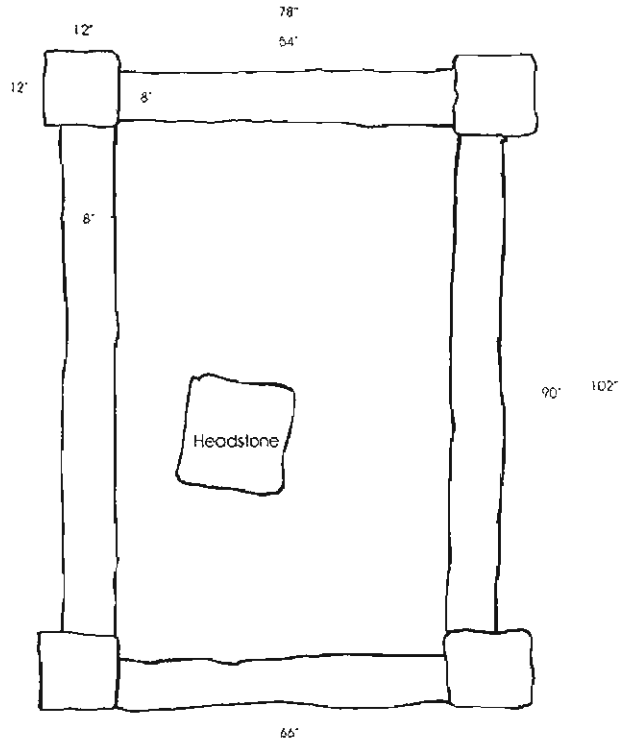
Part B       Topo Map       Photos       Continuation  
 Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items

# Part C Historic Sites

State No. OR411 Update  
 Agency No.  
 Temp No.

Allen Plot



William S. Allen (b. 10/25/1828, d. 6/5/1860). Inscription reads: "William S. Allen, of Callaway County, Mo. Born October 25, 1828 and shot by Indians near Pyramid Lake while at the head of a scouting party called out by Col. Haynes June 5, 1860."

List of Attachments:  
 Sheets

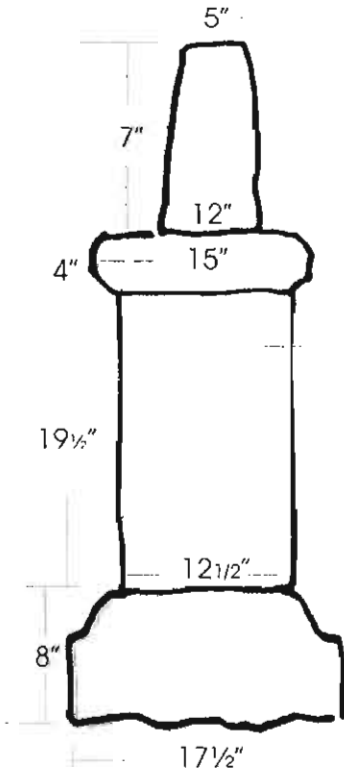
- Part B
- Topo Map
- Photos
- Continuation
- Part C
- Site Sketch
- Artifact/Feature Sketch
- Other:
- Part E

\*Encoded Data Items

Part C Historic Sites

State No. OR411 Update  
Agency No.  
Temp No.

# Gardner Headstone



Mary Lou Gardner (b. 3/18/1860, d. 11/14/1861). Inscription reads: "Sacred to the memory of Mary Lou, daughter of M.C. and H.M. Gardner, born Monteray Cal. March the 18, 1860. Died November the 14, 1861, Carson City."

List of Attachments:  
Sheets

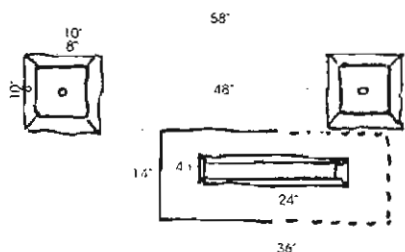
- Part B       Topo Map       Photos       Continuation  
 Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items

## Part C Historic Sites

State No. OR411 Update  
 Agency No.  
 Temp No.

Buckley Plot



130' 142'



Broken



Edward B. Buckley (b. 1843, d. 11/17/1868). Inscription reads: "Sacred to the memory of Edward B. Buckley, Died Nov. 17, 1868. Aged 25 years, a native of Kanturk, Co. Cork Ireland. Erected by his brother John B. Buckley."

List of Attachments:  
 Sheets

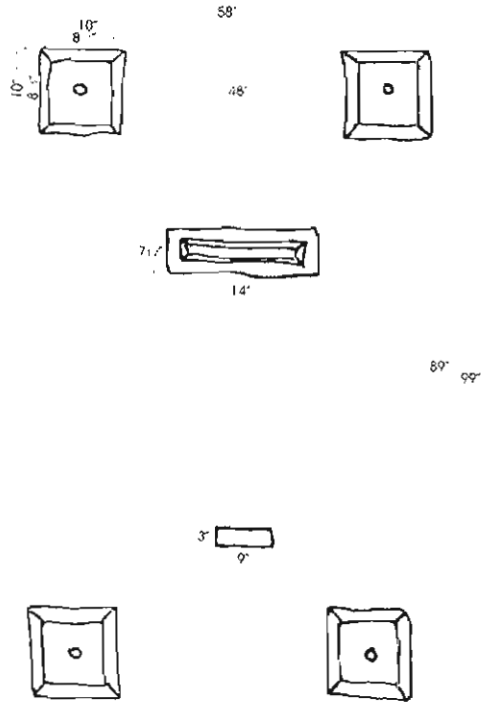
- Part B       Topo Map       Photos       Continuation  
 Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items

Part C Historic Sites

State No. OR411 Update  
 Agency No.  
 Temp No.

Cronin Plot



John Cronin (b. 8/8/1868, d. 10/18/1871). Inscription reads: "John Cronin, Born Aug. 8 1868 Died Oct. 18, 1871."

List of Attachments:  
 Sheets

- Part B       Topo Map       Photos       Continuation  
 Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items



Part C Historic Sites

State No. OR411 Update  
Agency No.  
Temp No.



Cronin Headstone (a) Grave marker of John Cronin recorded in 1983 by NDOT. (b) Grave marker today.

List of Attachments:  
Sheets

Part B

Topo Map

Photos

Continuation

Part C  
 Part E

Site Sketch

Artifact/Feature Sketch

Other:

\*Encoded Data Items

## Continuation

State No. OR411 Update  
Agency No.  
Temp No.

### 36. Comments/Continuations: Con't.

Additional unmarked gravesites appear to be present at the site. In order that a statement of National Register eligibility can be completed, ground penetrating radar or other non-destructive subsurface investigations are needed to evaluate site integrity. Future efforts to preserve the site should focus on arresting further decay. The site could be fenced to deter vandalism while still allowing public access. Interpretative displays or brochures could be created to increase public awareness and a neighborhood watch instituted to report suspicious activity.

Ataman, Kathryn and William W. Bloomer, C.Lynn Furnis, Charles Hodges, Robert McQueen, Jeffrey Northrup, Enrich Obermayer, Margaret Rucks and Charles Zeier

2001 *Summer in the Sierras: 6,000 years of Occupation in Bagley Valley*. Prepared by Summit Envirosolutions. Prepared for the Humboldt-Toiyabe National Forest, TY-53-9360-0-01.

California State Military Museum

2009 The Battle of Pyramid Lake. In *California State Military Department: The California State Military Museum Website*. Electronic document, <http://www.militarymuseum.org/PyramidLake.html>, accessed April 27, 2009

Carson City, Nevada Government

2006 History of Carson City. In *About Carson City: History Website*. Electronic document, <http://www.carson-city.nv.us/>, accessed April 27, 2009.

Carson City News

1908 Obituary of Mathew C. Gardner, *Carson City News*, June 3, 1908.

Carsonpedia.com

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List of Attachments:  
Sheets

Part B       Topo Map       Photos       Continuation  
 Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items

## Continuation

State No. OR411 Update  
Agency No.  
Temp No.

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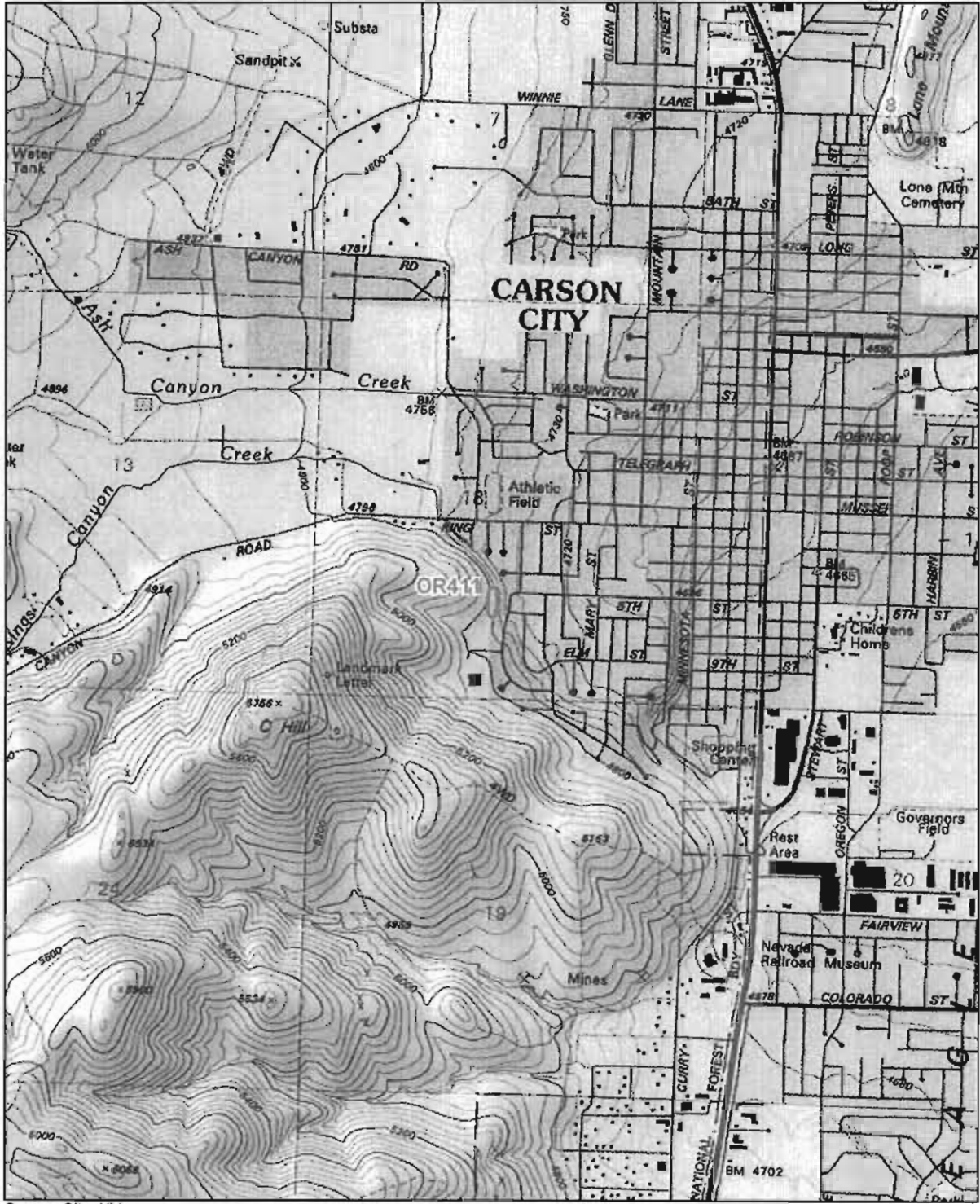
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Sheets

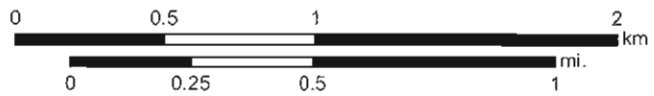
Part B       Topo Map       Photos       Continuation  
 Part C       Site Sketch       Artifact/Feature Sketch       Other:  
 Part E

\*Encoded Data Items



Carson City, NV  
 USGS 7.5 Minute Series  
 Sec. 18, T.15N. R.18E.

1:24,000



Gnomon, Inc.  
 Carson City, Nevada  
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Figure 5. Site location.

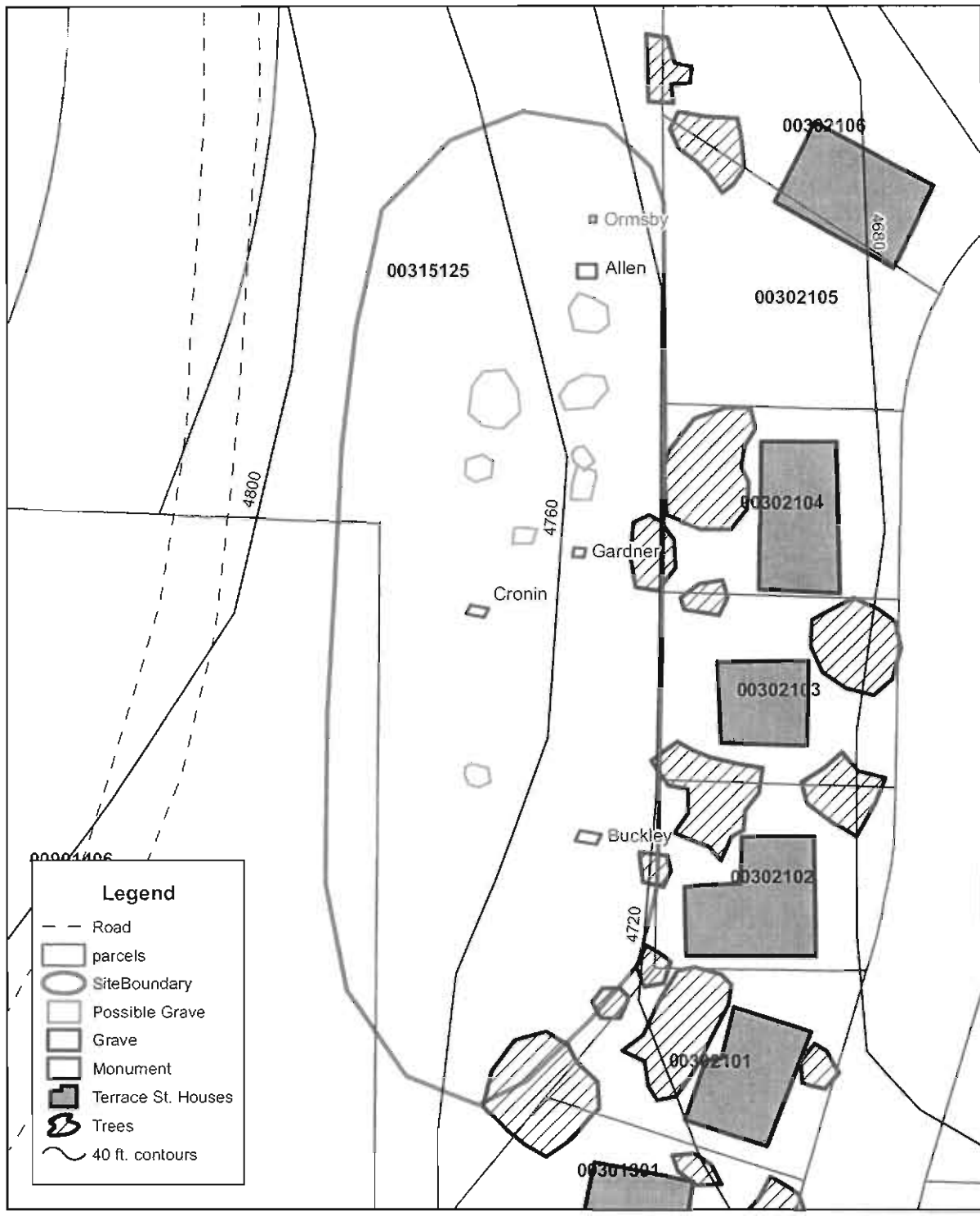


Figure 6. OR411 sketch map.

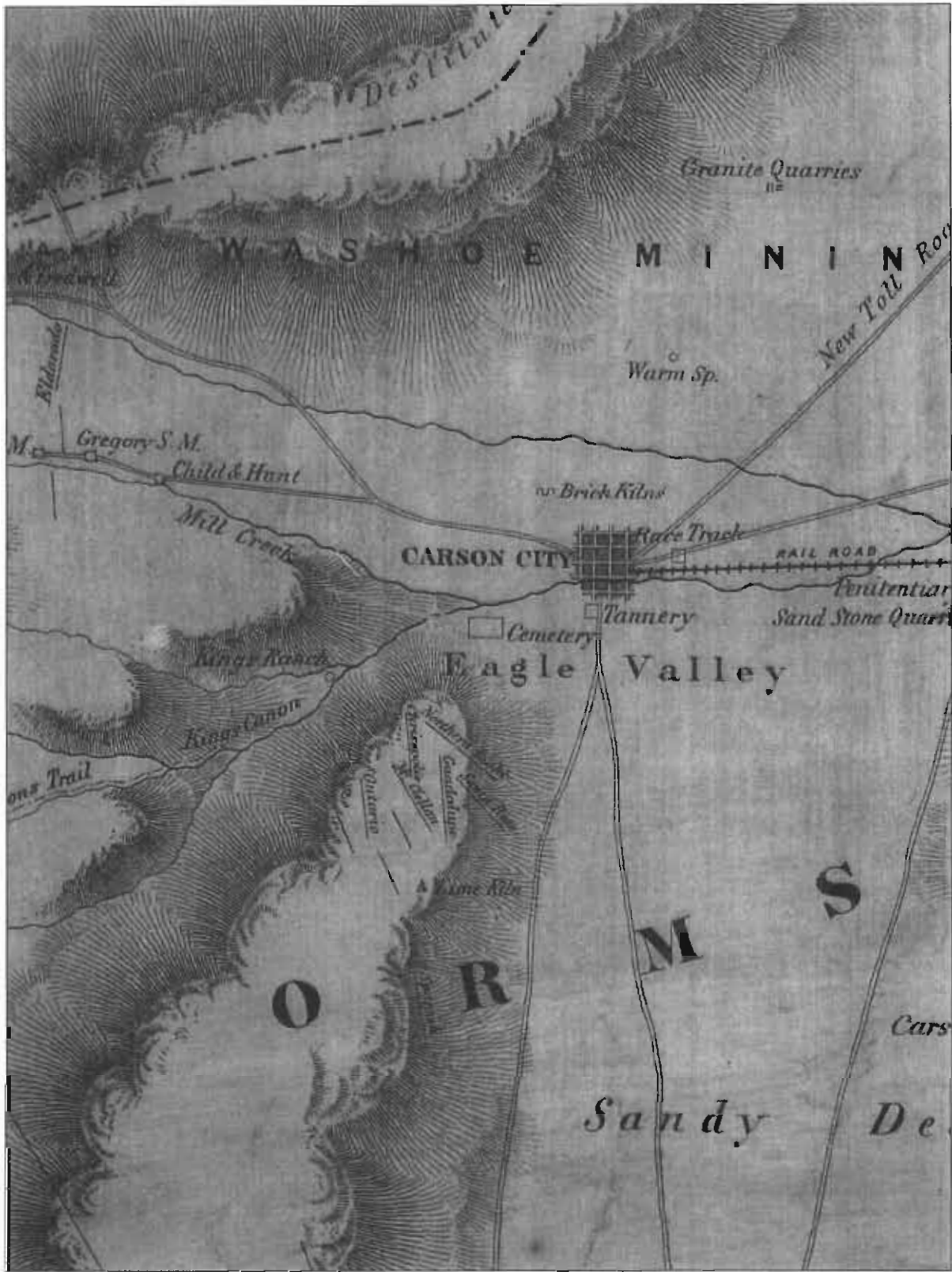


Figure 3. Carson Pioneer Cemetery depicted in Bancroft's 1862 Map of the Washoe Silver Region.



Figure 4. 1862 GLO Plat of the project area.

Wednesday, February 27, 2013

## Open Space Advisory Committee chooses leadership, eyes 22 acres

Nevada Appeal Staff Report

Leadership of Carson City's Open Space Advisory Committee was chosen at its latest meeting, with Bruce Scott retained as chairman for another year.

Howard Reidl was selected as vice chairman, replacing Patricia Lincoln.

The panel, which makes recommendations to the Board of Supervisors on open-space issues and recently inherited similar duties of the defunct Carson River Advisory Committee, also heard about the status of prospects for a Potter property transaction involving 22 acres.

The property, near the

southwest corner of Ormsby Boulevard and Kings Canyon Road on Carson City's west side, is undergoing review for a possible land-exchange transaction, according to reports.

The committee's most recent session was Monday evening. Meetings this year are slated for April 15, June 17-18, Aug. 19, Oct. 21 and Dec. 16.

Potter