



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** August 17, 2017

**Staff Contact:** Hope Sullivan, Planning Manager (hsullivan@carson.org)

**Agenda Title:** For Possible Action: To approve an Abandonment of Public Right-of-Way application from Carson City Public Works (property owner: City of Carson City) to abandon approximately 30,297 square feet of public right-of-way, an area 60 foot wide and up to 508.94 feet long known as Hemlock Street, between Silver Sage Drive and Center Drive, on property adjacent to 501 Arthur Street, 601 Arthur Street, 5320 Center Drive, 420 Clear Creek Avenue and 480 Clear Creek Avenue, APN's 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04. (Reference AB-16-186) (Hope Sullivan, hsullivan@carson.org)

**Staff Summary:** Pursuant to NRS 278.480 and CCMC Title 17, the applicant is proposing the abandonment of an unimproved area known as Hemlock Street between Silver Sage Drive and Center Drive. The Planning Commission makes a recommendation on all Abandonment requests and the Board of Supervisors will make the final decision regarding the request.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 20 minutes

---

## **Proposed Motion**

I move to approve an Abandonment of Public Right-of-Way application from Carson City Public Works (property owner: City of Carson City) to abandon approximately 30,297 square feet of public right-of-way, an area 60 feet wide and up to 508.94 feet long, known as Hemlock Street, between Silver Sage Drive and Center Drive, on property adjacent to APN's 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04 based on the findings and subject to the conditions of approval contained in the staff report, and authorize the mayor to sign the Order of Abandonment.

## **Board's Strategic Goal**

Sustainable Infrastructure

## **Previous Action**

The Board of Supervisors considered this request at its meeting of February 16, 2017. The Board continued the item with direction to staff to reach out to the adjacent property owners to ensure they understood that the abandonment of the right of way would result in the land being absorbed into their lots, and they would have the attendant responsibility of maintaining the property and paying taxes on the property.

The Planning Commission recommended approval of AB-16-186 at their meeting of January 25, 2017 based on the ability to make the required findings, and subject to conditions of approval.

## **Background/Issues & Analysis**

Pursuant to NRS 278.480 and CCMC Title 17, the Board of Supervisors takes final action on right-of-way abandonments. Please see the attached staff report to the Planning Commission for further explanation.

In response to Board direction, on February 21, 2017, the City's Real Property Manager sent a letter to each property owner advising that with the abandonment of right-of-way, the property would revert to their property, and would be subject to property taxes.

Attachments:

- 1) Abandonment Order, including the Grant of Non-Exclusive Public Utility Easement
- 2) Staff report to the Planning Commission
- 3) Application from Carson City Public Works

**Applicable Statute, Code, Policy, Rule or Regulation**

NRS 278.480 and CCMC Title 17.15

**Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number:

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact:

**Alternatives**

- 1) Deny the application
- 2) Refer back to staff and Planning Commission for further review.

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

APN(s): 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04

AN ORDER ABANDONING A 60 FOOT WIDE, UP TO 508.94 FOOT LONG PORTION OF HEMLOCK STREET, LOCATED BETWEEN SILVER SAGE DRIVE AND CENTER DRIVE WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.B.&M, BEING A 30,297 SQUARE-FOOT AREA, MORE OR LESS, ON PROPERTIES LOCATED ADJACENT TO 501 ARTHUR STREET, 601 ARTHUR STREET, 5320 CENTER DRIVE, 420 CLEAR CREEK AVENUE AND 480 CLEAR CREEK AVENUE, ASSESSOR'S PARCEL NUMBERS 009-236-02, 009-236-03, 009-236-04 009-239-03 AND 009-239-04, IN CARSON CITY, NEVADA.

WHEREAS, on November 17, 2016, Carson City Public Works duly filed a written application seeking vacation and abandonment of a portion of public right-of-way, being within a portion of the southwest 1/4 of the southeast 1/4 of the northeast 1/4 of the southwest 1/4 of section 32, Township 15 North, Range 20 East, M.D.B & M. approximately 30,297 square feet, adjacent to APN(s) 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04, in Carson City, Nevada; and

WHEREAS, the application was thereafter referred to the Carson City Planning Commission and a public hearing was thereafter duly noticed and held before the Planning Commission on January 25, 2017. At the public hearing testimony was taken and the Commission, after discussion and deliberation, recommended approval of abandonment of the subject right-of-way to the Carson City Board of Supervisors, finding that the public would not be materially injured by the vacation; and

WHEREAS, the Carson City Board of Supervisors, at their regular and duly noticed meeting of \_\_\_\_\_ 2017, found that the public

would not be materially injured by the proposed vacation, and accordingly ordered the abandonment of the public right-of-way in question pursuant to the provisions of NRS 278.480, which among its provisions, requires a written order to be prepared and recorded in the office of the Carson City Recorder; and

WHEREAS, the vacation and abandonment of the right-of-way is more particularly described on the attached Exhibit(s) "A" of written descriptions of the right-of-way abandonment, and maps are shown as the Exhibit(s) "A-1", and the attached utility statements are shown as Exhibit(s) "B".

NOW, THEREFORE, the Board of Supervisors hereby orders:

1. That the above-described right-of-way is hereby abandoned according to the provisions of NRS 278.480.
2. That if a utility company has a utility or an easement over or under the property hereby vacated and abandoned by this order, said easement or easements shall be continued and shall not be affected by the abandonment.
3. That utility facilities, which may presently exist within the areas affected by abandonment's, will be protected by easements. The abandonment may be subject to reserving easements for utility companies and/or Carson City, if requested.

ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2017, by the Carson City Board of Supervisors.

---

ROBERT L. CROWELL, Mayor

ATTEST:

---

SUSAN MERRIWETHER, Clerk-Recorder

APNS: 009-236-02  
009-239-03  
009-236-04  
009-239-04

AFTER RECORDING RETURN TO:  
STEPHANIE HICKS, REAL PROPERTY MANAGER  
CARSON CITY PUBLIC WORKS  
3505 BUTTI WAY  
CARSON CITY, NEVADA 89701

### GRANT OF NON-EXCLUSIVE PUBLIC UTILITY EASEMENT

THIS GRANT OF NON-EXCLUSIVE PUBLIC UTILITY EASEMENT is made this \_\_\_\_ day of \_\_\_\_\_, 2017, by CARSON CITY, NEVADA, a CONSOLIDATED MUNICIPALITY, hereinafter called GRANTOR, to NEVADA BELL TELEPHONE COMPANY d/b/a AT&T NEVADA, a NEVADA CORPORATION, hereinafter called GRANTEE, its successors and assigns.

#### WITNESSETH:

THAT the GRANTOR, for good and valuable consideration which is hereby acknowledged, does hereby grant and convey to the GRANTEE a seven and one-half foot non-exclusive public utility easement and necessary incidents on, over, across and through the real property situated in Carson City, State of Nevada, and more particularly described in Exhibit A-1 and A-4 attached hereto and made a part hereof; and

THAT this non-exclusive public utility easement is for the installation, operation, inspection and maintenance of certain communication facilities and any necessary fixtures and appurtenances which are owned by or within the control of the GRANTEE, including the removal, clearance, cutting and trimming of trees and other vegetation from the surface or subsurface of the real property on which the easement is located to the extent necessary or advisable for the safe and proper use and maintenance of the public utility and for the protection of the public; and

THAT the GRANTEE shall be responsible for any damage caused intentionally or by any negligent act or omission of the GRANTEE, its agents or employees while exercising the rights granted herein; and

THAT the GRANTEE shall indemnify and hold the GRANTOR and all of its officials, officers, agents and employees harmless from and against liability for any injury and damage to any person or property arising from any conduct exercised by the GRANTEE and any of its agents or employees relating to the scope of this non-exclusive public utility easement, except


where the injury or damage is caused by the intentional or willfully negligent misconduct of the GRANTEE or any of its officials, officers, agents and employees; and

THAT the provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto; and


IN WITNESS WHEREOF the duly authorized representative of the undersigned has executed this GRANT OF NON-EXCLUSIVE PUBLIC UTILITY EASEMENT on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

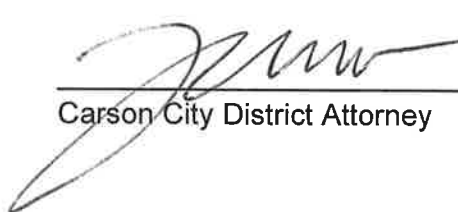
\_\_\_\_\_  
Robert Crowell, Mayor Date

CITY:  
REVIEWED AND RECOMMENDED BY:

 2/28/17  
\_\_\_\_\_  
Daniel Rotter, P.E., Engineering Manager Date

GRANTEE:  
REVIEWED AND ACCEPTED BY:

 3/15/17  
\_\_\_\_\_  
Name, Title and Signature Date  
Kent Bartholomew, AM OSP Planning Nevada  
APPROVED FOR LEGALITY AND FORM:

 2/23/17  
\_\_\_\_\_  
Carson City District Attorney Date

ATTEST:

\_\_\_\_\_  
Susan Merriwether, Clerk-Recorder Date

**EXHIBIT "A"**  
**Road Abandonment of a Portion of**  
**Hemlock Street Affecting A.P.N. 009-236-02**

All that certain real property situate within the N1/2 SE1/4 NE1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224924, dated January 15, 1962, and being more particularly described as follows:

The northerly 30.00 feet of Hemlock Street lying southerly of and contiguous to the southerly line of that certain Parcel 1 as said parcel is shown and delineated on Parcel Map No. 519, filed as Document No. 64592 of the Official Records of Carson City, and being further described as follows:

**BEGINNING** at the southwest corner of said Parcel 1 being the Point of Intersection of the northerly line of Hemlock Street with the easterly line of Silver Sage Drive, as said point is shown and delineated on the aforementioned Parcel Map No. 519;

**THENCE** from said **POINT OF BEGINNING**, along said northerly line of Hemlock Street, South  $89^{\circ}53'08''$  East a distance of 160.82 feet to the southeast corner of said Parcel 1, as shown on said Parcel Map;

**THENCE** leaving said northerly line of Hemlock Street and proceeding along the southerly prolongation of the easterly line of aforementioned Parcel 1, South  $00^{\circ}01'41''$  East, a distance of 30.00 feet to the centerline of Hemlock Street, also being the southerly line of said government patent;

**THENCE** leaving said easterly prolongation and proceeding along said centerline and the southerly line of said patent, North  $89^{\circ}53'08''$  West, a distance of 160.82 feet to an intersection with the aforementioned easterly line of Silver Sage Drive,

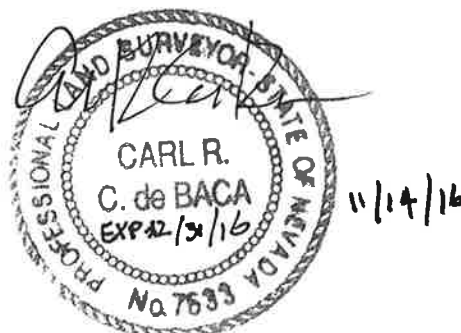
**THENCE** leaving said centerline and southerly patent line and proceeding along the aforementioned easterly line of Silver Sage Drive, North  $00^{\circ}01'41''$  West a distance of 30.00 feet to the point of **BEGINNING** and end of this description and containing 4,825 square feet, more or less.

Reserving the westerly 7.50 feet of the above-described land for a Public Utility Easement.

**SEE EXHIBIT "A-1"**, plat to accompany description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Hemlock Street as said line appears on the aforementioned Parcel Map No. 519. Said centerline bears North  $89^{\circ}53'08''$  West.

Prepared by:  
**Lumos & Associates**  
 Carl R. C.de Baca, P.L.S. 7633  
 800 E. College Parkway  
 Carson City, NV 89706



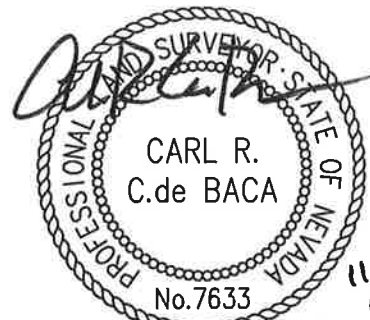


NOTE:  
 THIS PLAT IS INTENDED FOR ILLUSTRATIVE  
 PURPOSES ONLY. REFER TO EXHIBIT A,  
 DESCRIPTION FOR CORRECT BEARINGS,  
 DISTANCES AND SURFACE AREA.



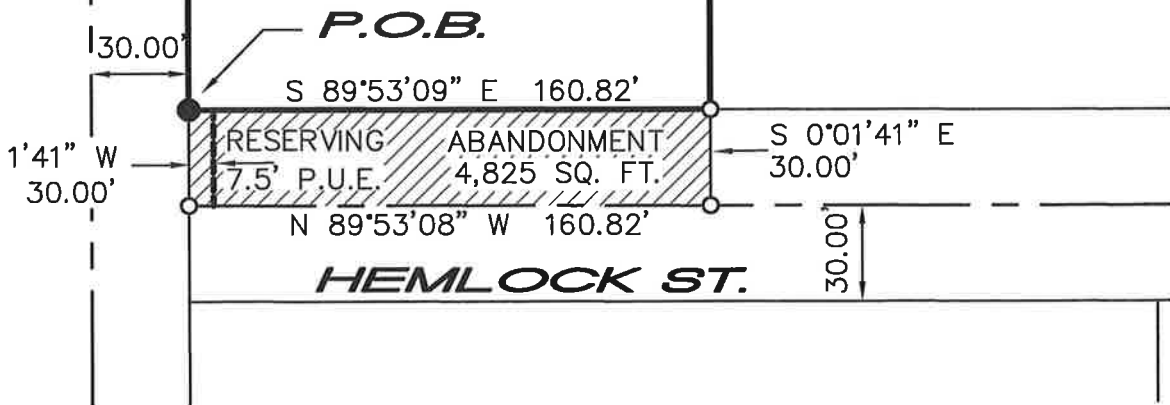
**SILVER SAGE DR.**

*A.P.N. 009-236-02*  
 PTN OF PATENT NO. 1224924  
 GUNTER, J & J  
 PCL 1 PM 519



*11/14/16*

EXPIRES 12/31/16



**LUMOS**  
 & ASSOCIATES  
 800 E. COLLEGE PARKWAY  
 CARSON CITY, NEVADA 89706  
 PH. (775) 883-7077 FAX (775) 883-7114

**EXHIBIT "A-1"**  
 ABANDONMENT OF A PTN OF HEMLOCK STREET  
 AFFECTING APN 009-236-02  
 PORTION OF SEC. 32, T15N, R20E, MDM  
 CARSON CITY NEVADA

Date: NOV. 2016  
 Scale: 1" = 60'  
 Job No: 9041.000

**EXHIBIT "A"**  
**Road Abandonment of a Portion of**  
**Hemlock Street Affecting A.P.N. 009-236-03**

All that certain real property situate within the N1/2 SE1/4 NE1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224924, dated January 15, 1962, and being more particularly described as follows:

The northerly 30.00 feet of Hemlock Street lying southerly of and contiguous to the southerly line of that certain Parcel 2 as said parcel is shown and delineated on Parcel Map No. 519, filed as Document No. 64592 of the Official Records of Carson City, and being more particularly described as follows:

**BEGINNING** at the southwest corner of said Parcel 2 being a point on the northerly line of Hemlock street, from which the Point of Intersection of the northerly line of Hemlock Street with the easterly line of Silver Sage Drive, as said point is shown and delineated on the aforementioned Parcel Map No. 519 bears North 89°53'08" West a distance of 160.82 feet;

**THENCE** from said **POINT OF BEGINNING**, along said northerly line of Hemlock Street, South 89°53'08" East a distance of 160.82 feet to the southeast corner of said Parcel 2, as shown on said Parcel Map;

**THENCE** leaving said northerly line of Hemlock Street and proceeding along the southerly prolongation of the easterly line of aforementioned Parcel 2, South 00°01'41" East, a distance of 30.00 feet to the centerline of Hemlock Street, also being the southerly line of said government patent;

**THENCE** leaving said southerly prolongation and proceeding along said centerline and the southerly line of said patent, North 89°53'08" West, a distance of 160.82 feet to an intersection with the southerly prolongation of the westerly line of said Parcel 2,

**THENCE** leaving said centerline and southerly patent line and proceeding along the aforementioned prolongation of the westerly line of said Parcel 2, North 00°01'41" West a distance of 30.00 feet to the point of **BEGINNING** and end of this description.

Containing 4,825 square feet, more or less.

**SEE EXHIBIT "A-1"**, plat to accompany description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Hemlock Street as said line appears on the aforementioned Parcel Map No. 519. Said centerline bears North 89°53'08" West.

Prepared by:

**Lumos & Associates**

Carl R. C.de Baca, P.L.S. 7637

800 E. College Parkway

Carson City, NV 89706





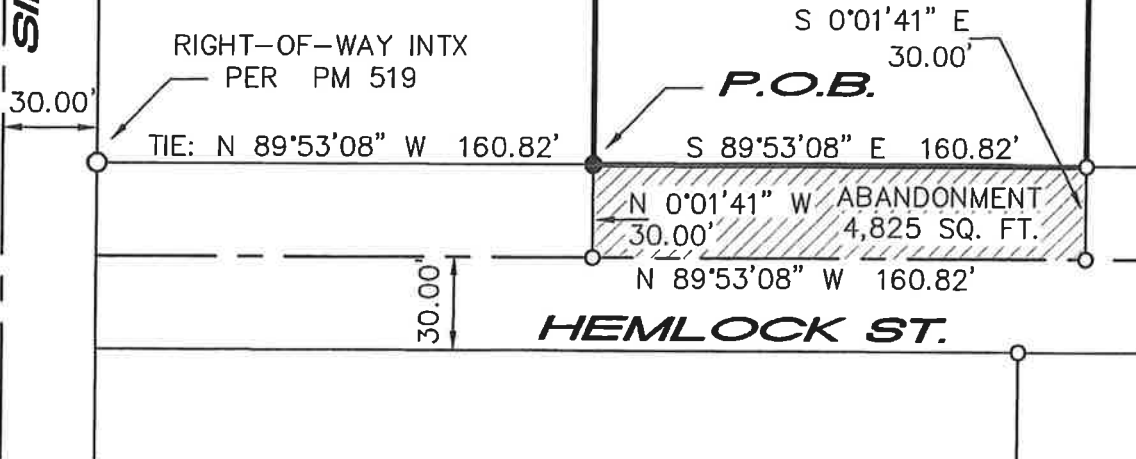
NOTE:  
THIS PLAT IS INTENDED FOR ILLUSTRATIVE  
PURPOSES ONLY. REFER TO EXHIBIT A,  
DESCRIPTION FOR CORRECT BEARINGS,  
DISTANCES AND SURFACE AREA.



8/11/16

SILVER SAGE DR.

A.P.N. 009-236-03  
PTN OF PATENT NO. 1224924  
GEISER, R & K  
PCL 2 PM 519



**LUMOS**  
& ASSOCIATES  
800 E. COLLEGE PARKWAY  
CARSON CITY, NEVADA 89706  
PH. (775) 883-7077 FAX (775) 883-7114

**EXHIBIT "A-1"**  
ABANDONMENT OF A PTN OF HEMLOCK STREET  
AFFECTING APN 009-236-03  
PORTION OF SEC. 32, T15N, R20E, MDM  
CARSON CITY NEVADA

Date: AUGUST 2016  
Scale: 1" = 60'  
Job No: 9041.000

**EXHIBIT "A"**  
**Road Abandonment of a Portion of**  
**Hemlock Street Affecting A.P.N. 009-236-04**

All that certain real property situate within the N1/2 SE1/4 NE1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224924, dated January 15, 1962, and being more particularly described as follows:

The northerly 30.00 feet of Hemlock Street lying southerly of and contiguous to the southerly line of that certain Parcel 3 as said parcel is shown and delineated on Parcel Map No. 519, filed as Document No. 64592 of the Official Records of Carson City, and being more particularly described as follows:

**BEGINNING** at the southeast corner of said Parcel 3 being the Point of Intersection of the northerly line of Hemlock Street with the westerly line of Center Drive, as said point is shown and delineated on the aforementioned Parcel Map No. 519;

**THENCE** from said **POINT OF BEGINNING**, along said northerly line of Hemlock Street, North 89°53'08" West a distance of 179.30 feet to the southwest corner of said Parcel 3, as shown on said Parcel Map;

**THENCE** leaving said northerly line of Hemlock Street and proceeding along the southerly prolongation of the westerly line of aforementioned Parcel 3, South 00°01'41" East, a distance of 30.00 feet to the centerline of Hemlock Street, also being the southerly line of said government patent;

**THENCE** leaving said southerly prolongation and proceeding along said centerline and the southerly line of said patent, South 89°53'08" East, a distance of 183.44 feet to an intersection with the aforementioned westerly line of Center Drive,

**THENCE** leaving said centerline and southerly patent line, along the aforementioned westerly line of Center Drive, North 07°51'53" West a distance of 30.30 feet to the point of **BEGINNING** and end of this description and containing 5,441 square feet, more or less.

Reserving the easterly 7.50 feet of the above-described land for a Public Utility Easement.

**SEE EXHIBIT "A-1"**, plat to accompany description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Hemlock Street as said line appears on the aforementioned Parcel Map No. 519. Said centerline bears North 89°53'08" West.

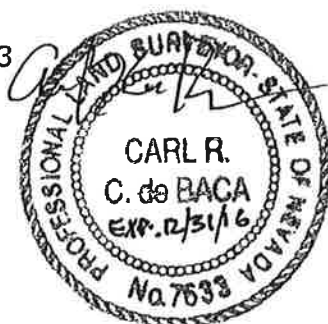
Prepared by:

**Lumos & Associates**

Carl R. C.de Baca, P.L.S. 7633

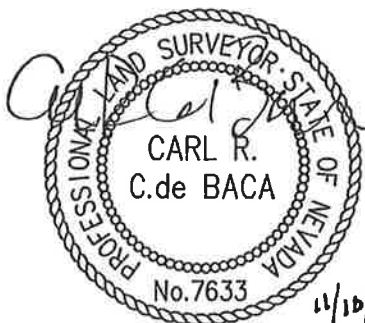
800 E. College Parkway

Carson City, NV 89706





NOTE:  
THIS PLAT IS INTENDED FOR ILLUSTRATIVE  
PURPOSES ONLY. REFER TO EXHIBIT A,  
DESCRIPTION FOR CORRECT BEARINGS,  
DISTANCES AND SURFACE AREA.



EXPIRES 12/31/16

A.P.N. 009-236-04  
PTN OF PATENT NO. 1224924  
FLAIM FAM. TR. 8/18/94  
PCL 3 PM 519

CENTER DR.

P.O.B.

N 89°53'08" W 179.30

S 0°01'41" E  
30.00'

ABANDONMENT RESERVING  
5,441 SQ. FT. 7.5' P.U.E.

N 7°51'  
30.30'

S 89°53'09" E 183.44'

HEMLOCK ST.



800 E. COLLEGE PARKWAY  
CARSON CITY, NEVADA 89706  
PH. (775) 883-7077 FAX (775) 883-7114

### EXHIBIT "A-1"

ABANDONMENT OF A PTN OF HEMLOCK STREET  
AFFECTING APN 009-236-04  
PORTION OF SEC. 32, T15N, R20E, MDM

CARSON CITY

NEVADA

Date: NOV. 2016

Scale: 1" = 60'

Job No: 9041.000

**EXHIBIT "A"**  
**Road Abandonment of a Portion of**  
**Hemlock Street Affecting A.P.N. 009-239-03**

All that certain real property situate within the SW1/4 SE1/4 NE1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being the northerly 30.00 feet of that certain real property described in that Government Patent No. 1224119, dated November 20, 1961, and being more particularly described as follows:

The southerly 30.00 feet of Hemlock Street lying northerly of and contiguous to the northerly line of that certain Parcel B of the Amended Record of Survey No. 1840, filed as Document No. 107910 of the Official Records of Carson City, and being further described as follows:

**BEGINNING** at the Point of Intersection of the southerly line of Hemlock Street with the easterly line of Silver Sage Drive, as said point is shown and delineated in the aforementioned Record of Survey No. 1840;

**THENCE** from said **POINT OF BEGINNING**, along said southerly line of Hemlock Street, South 89°53'08" East a distance of 300.00 feet to a point situate on the easterly line of said government patent and being the northeast corner of aforementioned Parcel B;

**THENCE** leaving said southerly line of Hemlock Street and proceeding along the aforementioned easterly line of said government patent also being the northerly prolongation of the easterly line of aforementioned Parcel B, North 00°01'41" West, a distance of 30.00 feet to the centerline of Hemlock Street, also being the northeast corner of said government patent;

**THENCE** leaving said easterly line and proceeding along said centerline and the northerly line of said patent, North 89°53'08" West, a distance of 300.00 feet to an intersection with the aforementioned easterly line of Silver Sage Drive,

**THENCE** leaving said centerline and northerly patent line and proceeding along the aforementioned easterly line of Silver Sage Drive, South 00°01'41" East a distance of 30.00 feet to the point of **BEGINNING** and end of this description and containing 9,000 square feet, more or less.

Reserving the westerly 7.50 feet of the above-described land for a Public Utility Easement.

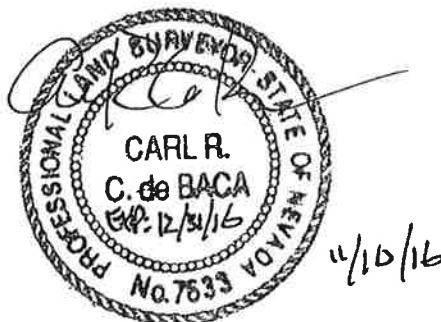
**SEE EXHIBIT "A-1"**, plat to accompany description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Hemlock Street as said line appears on the aforementioned Record of Survey No. 1840. Said centerline bears North 89°53'08" West.

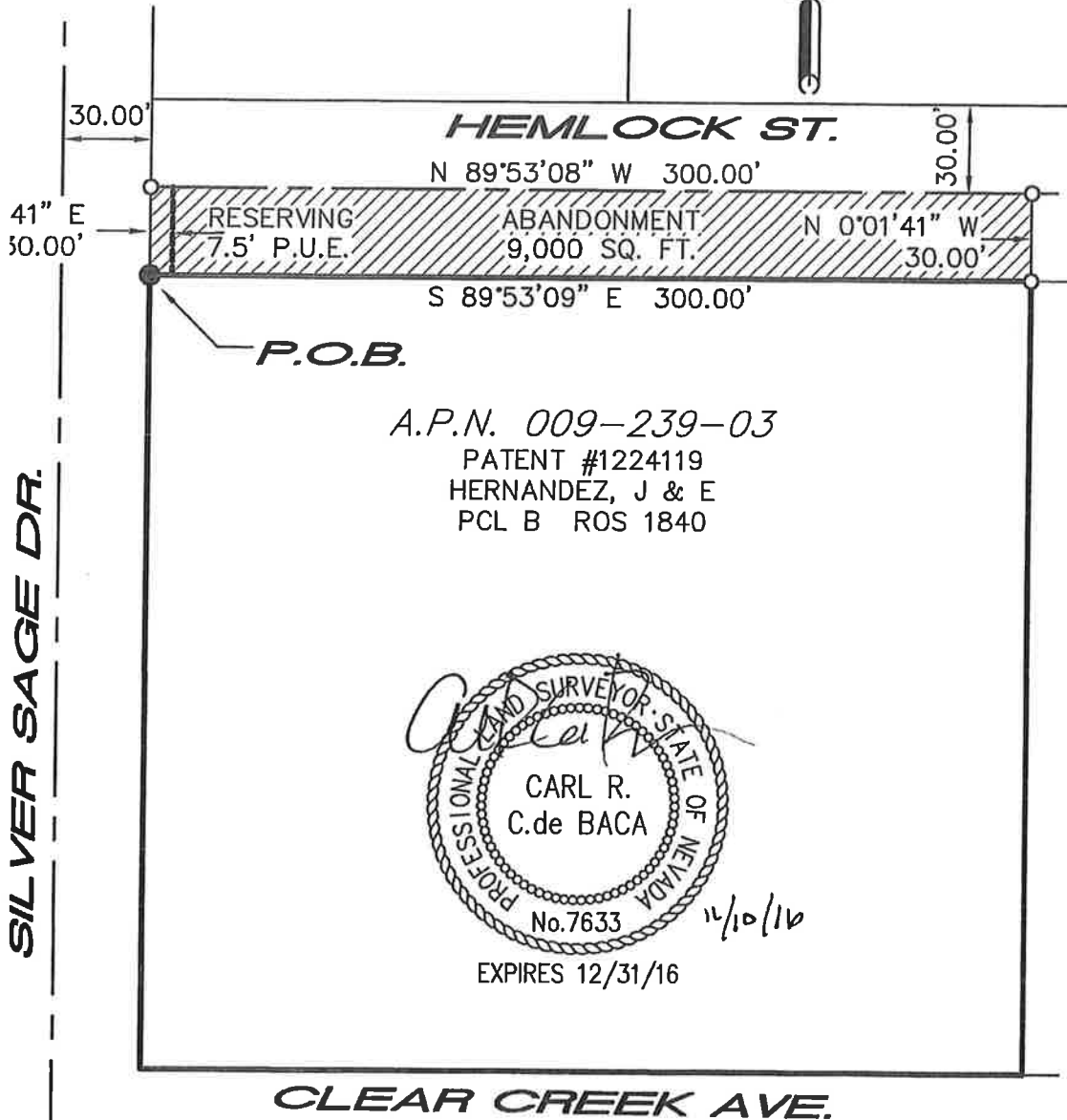
Prepared by:

**Lumos & Associates**

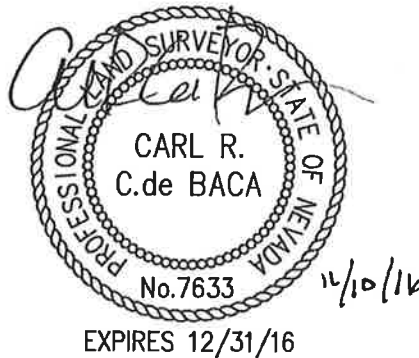
Carl R. C.de Baca, P.L.S. 7633  
800 E. College Parkway  
Carson City, NV 89706



NOTE:  
THIS PLAT IS INTENDED FOR ILLUSTRATIVE  
PURPOSES ONLY. REFER TO EXHIBIT A,  
DESCRIPTION FOR CORRECT BEARINGS,  
DISTANCES AND SURFACE AREA.



A.P.N. 009-239-03  
PATENT #1224119  
HERNANDEZ, J & E  
PCL B ROS 1840



EXPIRES 12/31/16

SILVER SAGE DR.

CLEAR CREEK AVE.

**LUMOS**  
& ASSOCIATES  
800 E. COLLEGE PARKWAY  
CARSON CITY, NEVADA 89706  
PH. (775) 883-7077 FAX (775) 883-7114

EXHIBIT "A-1"  
ABANDONMENT OF A PTN OF HEMLOCK STREET  
AFFECTING APN 009-239-03  
PORTION OF SEC. 32, T15N, R20E, MDM  
CARSON CITY NEVADA

Date: NOV. 2016  
Scale: 1" = 60'  
Job No: 9041.000

**EXHIBIT "A"**  
**Road Abandonment of a Portion of**  
**Hemlock Street Affecting A.P.N. 009-239-04**

All that certain real property situate within the SE1/4 SE1/4 NE1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being the northerly 30.00 feet of that certain real property described in that Government Patent No. 1224710, dated January 2, 1962, and being more particularly described as follows:

The southerly 30.00 feet of Hemlock Street lying northerly of and contiguous to the northerly line of that certain Parcel A of the Amended Record of Survey No. 1840, filed as Document No. 107910 of the Official Records of Carson City, and being further described as follows:

**BEGINNING** at the Point of Intersection of the southerly line of Hemlock Street with the westerly line of Center Drive, as said point is shown and delineated in the aforementioned Record of Survey No. 1840;

**THENCE** from said **POINT OF BEGINNING**, along said southerly line of Hemlock Street, North 89°53'08" West a distance of 208.94 feet to a point situate on the westerly line of said government patent and being the northwest corner of aforementioned Parcel A;

**THENCE** leaving said southerly line of Hemlock Street and proceeding along the aforementioned westerly line of said government patent also being the northerly prolongation of the westerly line of aforementioned Parcel A, North 00°01'41" West, a distance of 30.00 feet to the centerline of Hemlock Street, also being the northwest corner of said government patent;

**THENCE** leaving said westerly line and proceeding along said centerline and the northerly line of said patent, South 89°53'08" East, a distance of 183.17 feet to an intersection with the aforementioned westerly line of Center Drive,

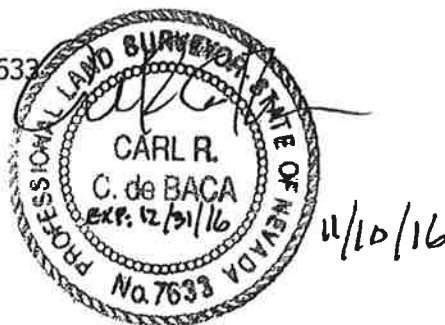
**THENCE** leaving said centerline and northerly patent line and proceeding along the aforementioned westerly line of Center Drive, South 07°51'53" East a distance of 30.29 feet to the point of **BEGINNING** and end of this description and containing 6,206 square feet, more or less.

Reserving the easterly 7.50 feet of the above-described land for a Public Utility Easement.

**SEE EXHIBIT "A-1"**, plat to accompany description, attached hereto and made a part hereof.

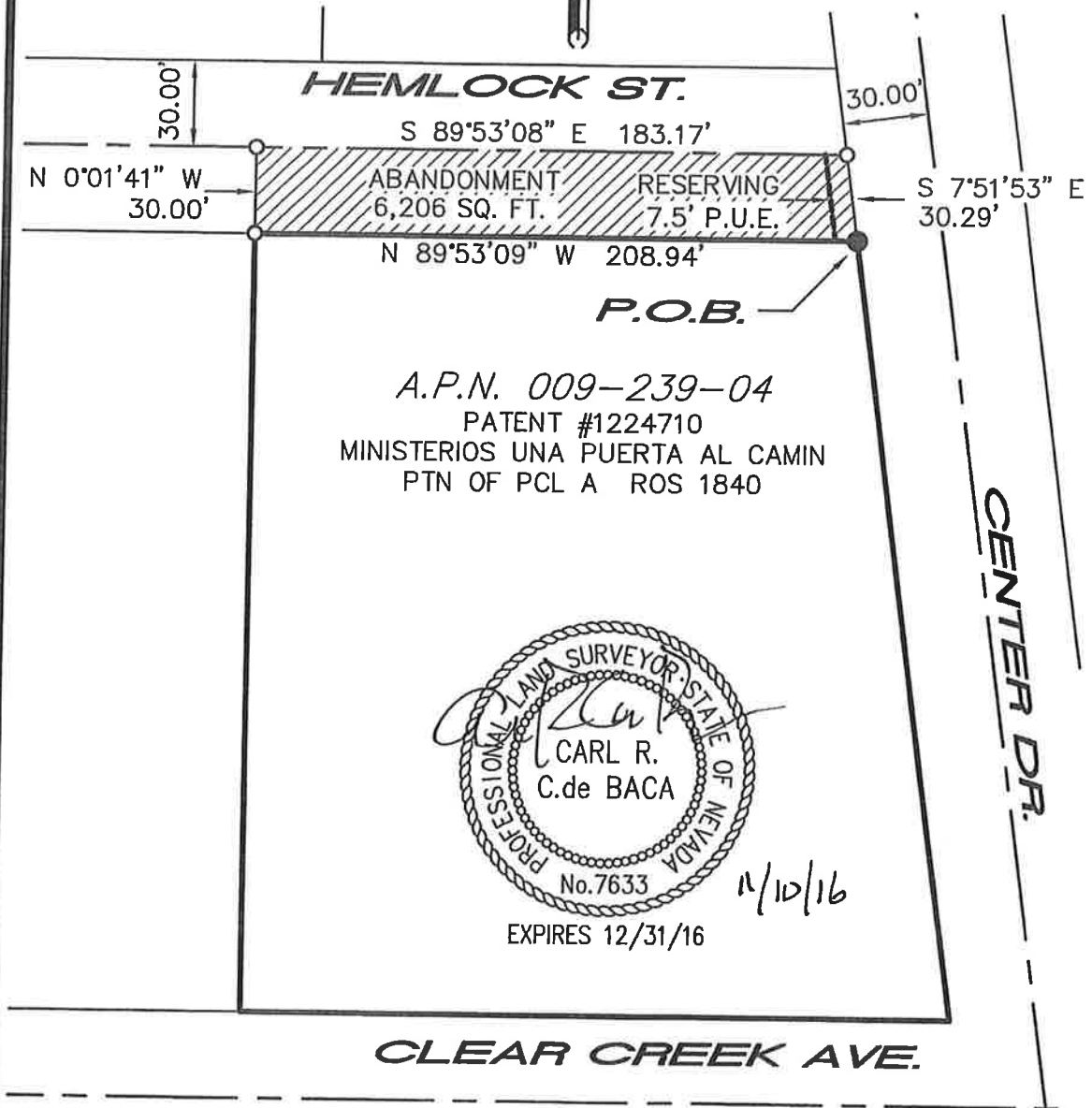
The **BASIS OF BEARING** for this description is the centerline of Hemlock Street as said line appears on the aforementioned Record of Survey No. 1840. Said centerline bears North 89°53'08" West.

Prepared by:  
**Lumos & Associates**  
Carl R. C.de Baca, P.L.S. 7633  
800 E. College Parkway  
Carson City, NV 89706





NOTE:  
THIS PLAT IS INTENDED FOR ILLUSTRATIVE  
PURPOSES ONLY. REFER TO EXHIBIT A,  
DESCRIPTION FOR CORRECT BEARINGS,  
DISTANCES AND SURFACE AREA.



**LUMOS**  
& ASSOCIATES  
800 E. COLLEGE PARKWAY  
CARSON CITY, NEVADA 89708  
PH. (775) 893-7077 FAX (775) 883-7114

**EXHIBIT "A-1"**  
ABANDONMENT OF A PTN OF HEMLOCK STREET  
AFFECTING APN 009-239-04  
PORTION OF SEC. 32, T15N, R20E, MDM  
CARSON CITY NEVADA

Date: NOV. 2016  
Scale: 1" = 60'  
Job No: 9041.000

**UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY**

LOCATED AT: Hemlock Street located within the N1/2 SE1/4 NE 1/4 SW1/4 of Section 32,  
Township 15 North, Range 20 East, M.D.M.

(THE LOCATION, APN NUMBER AND ADDRESS MUST BE LISTED ABOVE PRIOR TO OBTAINING SIGNATURES)

1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

Signature <u><i>James Neff</i></u>	Print Name <u>James Neff</u>	Company <u>Charter Communications</u>	Date <u>10-14-16</u>
------------------------------------	------------------------------	---------------------------------------	----------------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

2. We DO have a utility in the right-of-way being abandoned and desire creation of a public utility easement (PUE) along the alignment of the existing utility.

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

**THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS**

NV Energy	Southwest Gas Corporation
Charter Communications	AT&T Nevada
Carson City Engineering (will sign during review)	Carson City Utilities

**UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY**

**LOCATED AT:** Hemlock Street located within the N1/2 SE1/4 NE 1/4 SW1/4 of Section 32,  
Township 15 North, Range 20 East, M.D.M.

(THE LOCATION, APN NUMBER AND ADDRESS MUST BE LISTED ABOVE PRIOR TO OBTAINING SIGNATURES)

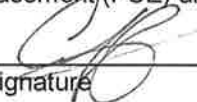
1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

2. We DO have a utility in the right-of-way being abandoned and desire creation of a public utility easement (PUE) along the alignment of the existing utility.

 Signature _____	CLIFF COOPER Print Name _____	NEVADA BELL TELEPHONE CO aka AT&T NEVADA Company _____	12/23/16 Date _____
-------------------------------------------------------------------------------------------------------	----------------------------------	--------------------------------------------------------------	------------------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

\_\_\_\_\_

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

**THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS**

- |                                                                                          |                                                                   |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| NV Energy<br>Charter Communications<br>Carson City Engineering (will sign during review) | Southwest Gas Corporation<br>AT&T Nevada<br>Carson City Utilities |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------|

**UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY**

LOCATED AT: Hemlock Street located within the N1/2 SE1/4 NE 1/4 SW1/4 of Section 32,  
Township 15 North, Range 20 East, M.D.M.

(THE LOCATION, APN NUMBER AND ADDRESS MUST BE LISTED ABOVE PRIOR TO OBTAINING SIGNATURES)

1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

Signature 	Print Name <u>STEVEN YOUNG</u>	Company <u>SOUTHWEST GAS</u>	Date <u>12-28-16</u>
---------------------------------------------------------------------------------------------	--------------------------------	------------------------------	----------------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

2. We DO have a utility in the right-of-way being abandoned and desire creation of a public utility easement (PUE) along the alignment of the existing utility.

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

\_\_\_\_\_

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

Signature _____	Print Name _____	Company _____	Date _____
-----------------	------------------	---------------	------------

**THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS**


- |                                                                                          |                                                                   |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| NV Energy<br>Charter Communications<br>Carson City Engineering (will sign during review) | Southwest Gas Corporation<br>AT&T Nevada<br>Carson City Utilities |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------|

**UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY**

LOCATED AT: Hemlock Street located within the N1/2 SE1/4 NE 1/4 SW1/4 of Section 32,  
Township 15 North, Range 20 East, M.D.M.

(THE LOCATION, APN NUMBER AND ADDRESS MUST BE LISTED ABOVE PRIOR TO OBTAINING SIGNATURES)

1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

	MATT GINGRICH	NV ENERGY	8-24-16
Signature	Print Name	Company	Date

Signature	Print Name	Company	Date
-----------	------------	---------	------

Signature	Print Name	Company	Date
-----------	------------	---------	------

2. We DO have a utility in the right-of-way being abandoned and desire creation of a public utility easement (PUE) along the alignment of the existing utility.

Signature	Print Name	Company	Date
-----------	------------	---------	------

Signature	Print Name	Company	Date
-----------	------------	---------	------

Signature	Print Name	Company	Date
-----------	------------	---------	------

3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

Signature	Print Name	Company	Date
-----------	------------	---------	------

Signature	Print Name	Company	Date
-----------	------------	---------	------

Signature	Print Name	Company	Date
-----------	------------	---------	------

**THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS**

NV Energy  
Charter Communications  
Carson City Engineering (will sign during review)

Southwest Gas Corporation  
AT&T Nevada  
Carson City Utilities

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JANUARY 25, 2017

FILE NUMBER: AB-16-186

AGENDA ITEM: F-1

STAFF AUTHOR: Kathe Green, Assistant Planner

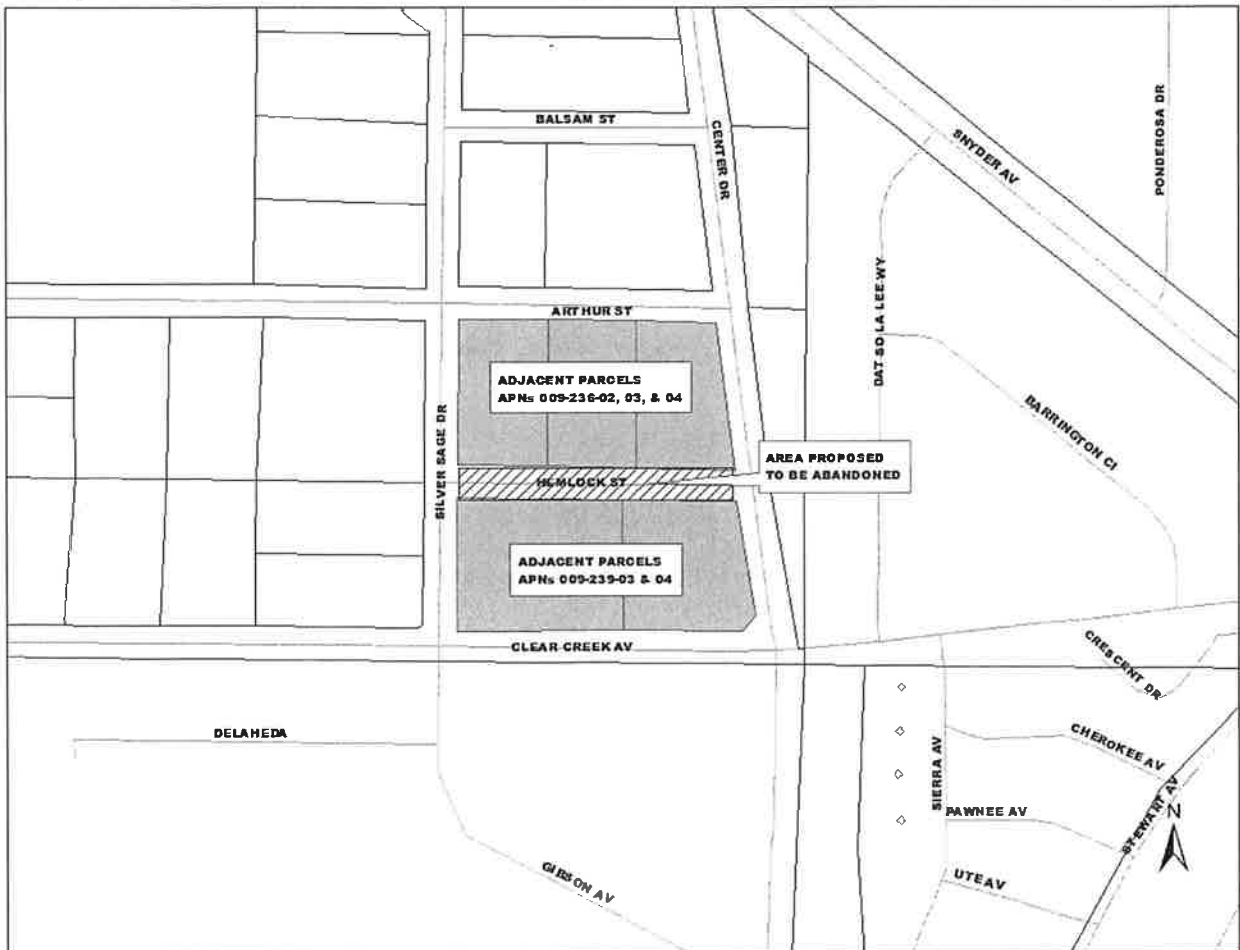
OWNER: City of Carson City

APPLICANT: Carson City Public Works

AGENT: Stephanie Hicks, Real Property Manager, Carson City

**REQUEST:** Abandonment of Hemlock Street public right-of-way between Silver Sage Drive and Center Drive, an area 60 foot wide and up to 508.94 foot long totaling 30,297 square feet, more or less, adjacent to properties located at 501 Arthur Street, 601 Arthur Street, 5320 Center Drive, 420 Clear Creek Avenue and 480 Clear Creek Avenue, Assessor's Parcel Numbers 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04.

**RECOMMENDED MOTION:** "I move to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-16-186, for an abandonment of Hemlock Street, an area 60 foot wide by up to 508.94 foot long, totaling 30,297 square feet, more or less, located between Silver Sage Drive and Center Drive, adjacent to properties located at 501 Arthur Street, 601 Arthur Street, 5320 Center Drive, 420 Clear Creek Avenue and 480 Clear Creek Avenue, APNs 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04, based on seven findings and subject to the conditions of approval contained in the staff report."



## RECOMMENDED CONDITIONS OF APPROVAL:

1. Prior to the recordation of said abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search materials as required by the Planning Division in order to fully complete the abandonment process.
2. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).
3. A minimum 7.5 foot wide utility easement must be supplied for AT&T Telephone Company on the eastern portion of the proposed abandonment, running north and south. The documents creating this easement shall be supplied by the applicant.
4. The applicant must provide legal descriptions of the resulting parcels upon approval of the abandonment of the right-of-way.
5. This abandonment pertains to:
  - APN: 009-236-02: The area of the proposed abandonment adjacent to this parcel is 4,825 square feet more or less, being the northerly 30.0 feet of Hemlock Street east of Silver Sage Drive, lying southerly of and contiguous to the southerly line of that certain Parcel 1 as said parcel is shown and delineated on Parcel Map No. 519, filed as Document No. 64592 of the Official Records of Carson City.
  - APN: 009-236-03: The area of the proposed abandonment adjacent to this parcel is 4,825 square feet more or less, being the northerly 30.0 feet of Hemlock Street southerly of and contiguous to the southerly line of that certain Parcel 2 as said parcel is shown and delineated on Parcel Map No. 519, filed as Document No. 64592 of the Official Records of Carson City.
  - APN: 009-236-04: The area of the proposed abandonment adjacent to this parcel is 5,441 square feet more or less, being the northerly 30.0 feet of Hemlock Street west of Center Drive lying southerly of and contiguous to the southerly line of that certain Parcel 3 as said parcel is shown and delineated on Parcel Map No. 519, filed as Document No. 64592 of the Official Records of Carson City.
  - APN: 009-239-03: The area of the proposed abandonment adjacent to this parcel is 9,000 square feet more or less, being the southerly 30 feet of Hemlock Street east of Silver Sage Drive, lying northerly of and contiguous to the northerly line of that certain Parcel B of the Amended Record of Survey No. 1840, filed as Document No. 107910 of the Official Records of Carson City.
  - APN: 009-239-04: The area of the proposed abandonment adjacent to this parcel is 6,206 square feet more or less, being the southerly 30.0 feet of Hemlock Street west of Center Drive lying northerly of and contiguous to the northerly line of that certain Parcel A of the Amended Record of Survey No. 1840, filed as Document No. 107910 of the Official Records of Carson City.
6. Conditional approval for the requested abandonment shall expire four years after Board of Supervisor approval of the original application, unless an extension of time has been granted by the Board of Supervisors.

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

**Adjacent MASTER PLAN DESIGNATION:** Medium Density Residential (MDR)

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

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

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Single Family 1 Acre (SF1A)/Residential

SOUTH: Single Family 1 Acre (SF1A)/Vacant and church

WEST: Single Family 1 Acre (SF1A)/Residential

EAST: Single Family 1 Acre (SF1A)/ Residential

**PREVIOUS REVIEWS:**

None

**DISCUSSION:**

This request is to allow the abandonment of the entire right-of-way area of Hemlock Street between Silver Sage Drive and Center Drive, totaling a 30,297 square foot area, more or less, adjacent to properties located at 501 Arthur Street, 601 Arthur Street, 5320 Center Drive, 420 Clear Creek Avenue and 480 Clear Creek Avenue, APNs 009-236-02, 009-236-03, 009-236-04, 009-239-03 and 009-239-04.

The entire length of Hemlock Street is located between Silver Sage Drive and Center Drive and is an undeveloped right-of-way area. The Planning Division staff conducted a site visit and found the subject area to be relatively flat with no development or improvement in the area where right-of-way is proposed to be abandoned. Nothing is located in this area other than vegetative growth. As stated in the submitted application, the intention of the right-of-way abandonment is to revert the property to the adjacent property owners as the right-of-way is not utilized as a roadway and contains landscape improvements from abutting property owners.

NV Energy, Charter Communications and Southwest Gas have indicated they do not have utilities in the public roadway easement proposed for abandonment and do not want an easement reservation to be continued. AT&T Telephone Company does have an easement at the eastern portion of the area proposed to be abandoned and has requested that an easement be created or continued at this location. A document for the creation of the easement is to be created by the applicant and recorded and will need to be reviewed by the Carson City Engineering Division with the submitted application paperwork. Completion of this documentation and recording of appropriate paperwork will be a required condition of approval.

Pursuant to NRS 278.480 Vacation or Abandonment of a Street or Easement: If upon public hearing by the Board of Supervisors, the Board is satisfied that the public will not be materially injured by the proposed vacation it shall order the street or easement vacated.

With the recommended conditions of approval and if it is determined that based on the findings of fact that the public will not be materially injured by the proposed vacation, it is recommended that the Planning Commission make a recommendation to the Board of Supervisors for approval of AB-16-186, subject to the recommended conditions of approval.



The Engineering Division has provided detail regarding the Chain of Title as follows: This right-of-way, Hemlock Street, was created when the Bureau of Land management (BLM) issued patents in the early 1960's. The original patent easement for right-of way and utilities was 33-feet on each side of centerline (Patent numbers 1224119, 1124710 and 1224924). Later, a parcel map shows the right-of-way easement as being 30 feet on either side of the centerline with a 7.5 foot public utility easement along the northern right-of-way line of Hemlock (Parcel Map No. 519). There is no indication the City ever paid for the right-of-way.

**PUBLIC COMMENTS:** A public notice was sent by certified mail to the five adjacent property owners per NRS on January 6, 2017. At the writing of this report, there have been no comments in opposition or support of the proposed abandonment.

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

**Engineering Division:**

The Engineering Division recommends APPROVAL of the proposed abandonment.

**Building Division:** No comments

**Fire Department:** No comments

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

**1. Will the public be materially injured or not?**

Per the information provided by the applicant, the adjacent property owners will not be damaged by this abandonment application, nor will the public be materially injured by the abandonment.

Per the information provided by Stephen Pottey of the Engineering Division as well as the Planning Division, the public will not be materially injured by the proposed abandonment of the right of way.

There will be no landlocked parcels created as a result of the proposed abandonment.

**2. Whether the street was dedicated or not?**

There are no records indicating that the City ever paid for the right-of-way. Since Carson City did not pay for the right-of-way, it is staff's conclusion that no charge for the right-of-way be required.

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

It has been determined by the Engineering Division that there are no indications that the City of Carson City ever paid for the right-of-way in question. It is recommended that there be no charge.

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

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

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

There is no parking currently in the area of the proposed abandonment. No impact to parking is anticipated as a result of an approval of the request to abandon this right-of-way area. This item is not applicable to the proposed abandonment and will not result in elimination of desirable on-street parking.

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

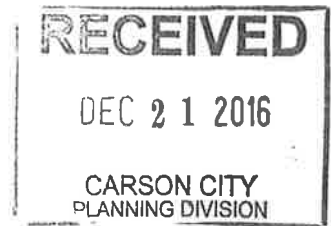
The following utility companies, NV Energy, Charter Communication and Southwest Gas have indicated they do not have utilities in the public roadway proposed for abandonment and do not want an easement reservation. AT&T Telephone Company does have an interest in the creation of a utility easement at the eastern end of Hemlock Street and is requiring an easement to be created and filed. The Carson City Engineering Division will review the documents when they are created by the applicant and will verify the required information is completed. The document will then need to be recorded.

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

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

Attachments:

Building Division comments  
Fire Department comments  
Engineering Division comments  
Draft Order of Abandonment  
Application (AB-16-186)



December 21, 2016

AB-16-186

Bldg

Building has no comments

Shawn Keating CBO

"There's no use talking about the problem unless you talk about the solution"

Building Official

Carson City Community Development Department

Web page <http://www.carson.org/index.aspx?page=172>

[skeating@carson.org](mailto:skeating@carson.org)

Office 775-887-2310 X 7052

Fax 775-887-2202

Cell 775-230-6623

CONFIDENTIALITY NOTICE: This e-mail is intended only for the use of the individual or entity named herein. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in the reliance on the contents of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the Department immediately.

December 19, 2016

AB-16-196

Fire

No comments

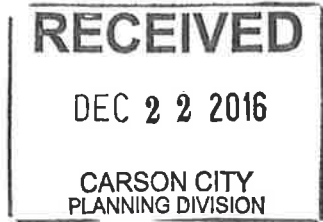
Dave Ruben  
Fire Marshal  
Carson City Fire Department  
777 S. Stewart Street  
Carson City, NV 89701

Direct 775-283-7153  
Main 775-887-2210  
FAX 775-887-2209

**RECEIVED**

DEC 19 2016

CARSON CITY  
PLANNING DIVISION



## MEMORANDUM

**DATE:** December 21, 2016  
**TO:** Hope Sullivan – Planning Division  
**FROM:** Stephen Pottéy P.E. – Development Engineering Division  
**RE:** AB-16-186 Abandonment of Hemlock Street between Silver Sage and Center, apns 009-236-02,03,04 & 009-239-03,04  
Engineering Division 1<sup>st</sup> Submittal Review Comments

---

The Development Engineering Division has completed a review of the above referenced project. Based on our review, the following recommendation and conditions of approval are offered:

### RECOMMENDATION:

The Engineering Division recommends APPROVAL of the proposed abandonment.

### CONDITIONS OF APPROVAL:

The Development Engineering Division offers no conditions of approval for this project.

**DISCUSSION:** The Engineering Division has reviewed the request within our areas of purview relative to adopted standards and practices. The following discussion is offered.

1. Will the abandonment result in material injury to the public?  
Development Engineering is in agreement with the following comment from Public Works and has no additional comments:  
Adjacent property owners will be benefited by the proposed abandonment as they will become the owners of portions of the right of way abutting their property. If approved, the right of way area would be split at the center of the right of way area running east and west, and assigned to the property owners adjacent to the right of way on the north and south. The public will not be damaged by this abandonment as the areas being abandoned are not currently used for public purposes. Additionally, there will be no land locked parcels recreated as a result of this abandonment.
2. What is the history regarding the street being dedicated or not?  
Development Engineering is in agreement with the following comment from Public Works and has no additional comments:  
Hemlock Street was created when the Bureau of Land Management (BLM) issued patents in the early 1960's . The original patent easement for right-of-way and utilities was 33-feet on each side of the centerline (Patent # ' s 1224119 , 1224710, and 1224924) . Later , a parcel map shows the right - of-way easement being 30 - feet on either side of the centerline with a 7.5- foot

public utility easement along the northern right-of-way line of Hemlock (Parcel Map #519)

3. What should the reasonable consideration be if the street was not dedicated?  
Development Engineering is in agreement with the following comment from Public Works and has no additional comments:  
Since there are no records indicating that the City ever paid for the right of way, it is recommended that there be no cost to the adjacent property owners for gaining the abandoned right of way.
4. If an abandonment has a public benefit, how much of the public benefit should be offset against the determination of reasonable consideration?  
Development Engineering is in agreement with the following comment from Public Works and has no additional comments:  
No charge for the abandonment is recommended . Therefore , this item does not apply to this abandonment.
5. What is the applicability of the parking value analysis applied to this request?  
Development Engineering is in agreement with the following comment from Public Works and has no additional comments:  
The abandonment will not result in the elimination of on - street parking. The subject area is not currently used as a roadway or for parking area .
6. Should utilities easements be reserved, continued or vacated?  
Development Engineering is in agreement with the following comment from Public Works and has the following additional comment:  
The utility companies NV Energy, Charter Communication and Southwest Gas have indicated they do not have utilities in the public roadway proposed for abandonment and do not want an easement reservation . Nevada Bell Telephone Company dba AT&T has indicated that they do have a utility in the right-of-way being abandoned and desire the creation of a public utility easement (PUE) along the alignment of the existing utility. The Carson City Engineering Division will review the documents and will verify the required information is recorded .  
  
Development Engineering has reviewed the submitted map. There is a 7.5' PUE retained along the utility alignment in question. This easement and this documentation are sufficient for to accommodate this need.
7. Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?  
Development Engineering offers no conditions of approval.

**Carson City Planning Division**  
 108 E. Proctor Street, Carson City, NV 89701  
 Phone: (775) 887-2180 Email: [planning@carson.org](mailto:planning@carson.org)

**FILE # AB - 16 - 184**

APPLICANT: Carson City Public Works PHONE #: 775-283-7904

MAILING ADDRESS, CITY, STATE, ZIP: 3505 Butti Way, Carson City, Nevada 89701

EMAIL ADDRESS: shicks@carson.org

PROPERTY OWNER: Carson City PHONE #:

MAILING ADDRESS, CITY, STATE, ZIP: 201 N. Carson Street, Carson City, NV 89701

EMAIL ADDRESS:

APPLICANT AGENT/REPRESENTATIVE: Stephanie Hicks, Real Property Mgr PHONE #: 775-283-7904

MAILING ADDRESS, CITY, STATE, ZIP: 3505 Butti Way, Carson City, Nevada 89701

EMAIL ADDRESS: shicks@carson.org

FOR OFFICE USE ONLY:

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

FEE: \$2,450.00 + noticing fee

SUBMITTAL PACKET

RECEIVED

NOV 17 2016

CARSON CITY  
PLANNING DIVISION

- Application Form
- 6 Completed Application Packets (1 Original + 5 Copies)
- Legal Description
- Written Project Description
- Site Map
- Utility Statements (original)
- Documentation of taxes paid to date
- Chain of Title or Title Report for subject parcel showing how right of way was originally dedicated
- Complied with notes below.\*

Application Reviewed and Received By: *Susan Parsky*

Submission Deadline: See attached PC application submittal schedule.

Project's Assessor Parcel Number(s):	Street Address	Zip Code
N/A	<del>Aspen Street</del> Hemlock Street	89701

Briefly describe location, width and length of the proposed abandonment:  
 The City is requesting the abandonment of Hemlock Street located between Silver Sage Drive and Center Drive. The right of way is 60 feet wide and approximately 505 feet in length.

JUSTIFICATION: Explain why the request is being made, if the subject right-of-way was ever dedicated to Carson City, when and by whom, and why the abandonment will not damage any adjacent properties: Hemlock Street was created when the BLM issued patents in the early 1960's. This right-of-way was set out to be a maximum of 33 feet on each side of the centerline. Later parcel maps show the right-of-way being 30 feet each side.

If you are abandoning an access, explain how the parcel will be accessed:  
 All parcels are currently accessed off of either Clear Creek Avenue or Arthur Street.

**PROPERTY OWNER'S AFFIDAVIT**

I, Stephanie A. Hicks, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Signature: Stephanie A. Hicks Address: 3505 Butti Way CC NV 89701 Date: 11/9/16

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

STATE OF NEVADA  
 COUNTY Carson City )  
 On November 9th, 2016, Stephanie Hicks, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

*Charlene Riordan*  
 Notary Public

**CHARLENE RIORDAN**  
 NOTARY PUBLIC  
 STATE OF NEVADA  
 My Appt. Exp. July 15, 2020

\*NOTES: In order to facilitate the processing of your application, prior to submitting your application to the Planning Division please contact Engineering at 887-2300 to ensure that department has no concerns with your application, and take your packet to the Utilities Department for signature. A signed utility statement, a typed legal description, and an 8 1/2 by 11 inch map prepared by a licensed surveyor describing the land to be abandoned are required to be submitted with this application. Please submit detailed and explicit plans, as they will be submitted for review by the Planning Commission and Board of Supervisors, and subsequently recorded.

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



# CARSON CITY NEVADA

## Consolidated Municipality and State Capital

### PUBLIC WORKS

November 9, 2016

Hope Sullivan, AICP  
Carson City Planning Division  
108 E. Proctor Street  
Carson City, Nevada 89701

#### **Subject: Justification for Abandonment of Hemlock Street**

---

Dear Ms. Sullivan:

Please accept this letter as the project description and statement of justification for a request for abandonment of Hemlock Street in Carson City, Nevada. This request is to abandon the entire 60-foot right-of-way between Silver Sage Drive and Center Drive, adjacent to properties located at 501 Arthur Street, 601 Arthur Street, 5320 Center Drive, 420 Clear Creek Avenue, and 480 Clear Creek Avenue. The area to be abandoned totals approximately 30,297 square feet and is more particularly described as in the attached exhibits.

Hemlock Street was created when the Bureau of Land Management (BLM) issued patents in the early 1960's. The original patent easement for right-of-way and utilities was a maximum of 33-feet on each side of the centerline. Later, parcel maps show the right-of-way easement being 30-feet on either side of the centerline with a 7.5-foot public utility easement along the northern right-of-way line of Hemlock. The City of Carson City is currently the owner of this right-of-way.

The intention of the proposed right-of-way abandonment is to revert the property to adjacent property owners as the right-of-way is not utilized as a roadway and contains landscape improvements from abutting property owners.

Pursuant to Carson City Municipal Code 17.15.010, we have addressed the required findings below.

1. *Will the abandonment result in material injury to the public?*

*Comment:* Adjacent property owners will be benefited by the proposed abandonment as they will become the owners of portions of the right of way abutting their property. If approved, the right of way area would be split at the center of the right of way area running east and west, and assigned to the property owners adjacent to the right of way on the north and south. The public will not be damaged by this abandonment as the areas being abandoned are not currently used for public purposes. Additionally, there will be no land locked parcels recreated as a result of this abandonment.



2. *What is the history regarding the street being dedicated or not?*

*Comment:* Hemlock Street was created when the Bureau of Land Management (BLM) issued patents in the early 1960's. The original patent easement for right-of-way and utilities was 33-feet on each side of the centerline (Patent #'s 1224119, 1224710, and 1224924). Later, a parcel map shows the right-of-way easement being 30-feet on either side of the centerline with a 7.5-foot public utility easement along the northern right-of-way line of Hemlock (Parcel Map #519).

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

*Comment:* Since there are no records indicating that the City ever paid for the right of way, it is recommended that there be no cost to the adjacent property owners for gaining the abandoned right of way.

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

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

5. *What is the applicability of the parking value analysis applied to this request?*

*Comment:* The abandonment will not result in the elimination of on-street parking. The subject area is not currently used as a roadway or for parking area.

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

*Comment:* The utility companies NV Energy, Charter Communication and Southwest Gas have indicated they do not have utilities in the public roadway proposed for abandonment and do not want an easement reservation. Nevada Bell Telephone Company dba AT&T has indicated that they do have a utility in the right-of-way being abandoned and desire the creation of a public utility easement (PUE) along the alignment of the existing utility. The Carson City Engineering Division will review the documents and will verify the required information is recorded.

7. *Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?*

*Comment:* There are no additional conditions from the Engineering Division.

If you have any questions, please contact me directly at (775) 283-7904.

Thank you for your assistance with this matter.

Sincerely,



Stephanie A. Hicks, AICP, CFM  
Real Property Manager  
Carson City Public Works Department

## Stephanie Hicks

---

**From:** Daniel Rotter  
**Sent:** Sunday, November 06, 2016 8:06 PM  
**To:** Stephanie Hicks  
**Subject:** Re: Abandonment of Hemlock Street

I support the abandonment of Hemlock St.

Danny Rotter, P.E.  
City Engineer  
Carson City Public Works

On Nov 1, 2016, at 2:09 PM, Stephanie Hicks <[SHicks@carson.org](mailto:SHicks@carson.org)> wrote:

Hi Danny,

As the Engineering Manager, can you please confirm whether you support the abandonment of Hemlock Street?

Thanks!

Stephanie Hicks, AICP, CFM  
Real Property Manager  
Carson City Public Works  
3505 Butti Way  
Carson City, NV 89701  
(775) 283-7904

<image001.jpg>