



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: September 7, 2017

Staff Contact: Susan Pansky, Special Projects Planner (spansky@carson.org)

Agenda Title: For Possible Action: To approve an Abandonment of Public Right-of-Way application from Liberty Homes LLC to abandon approximately 4,920 square feet of public right-of-way on Hells Bells Road, west of the Hells Bells Road and Parkhill Drive intersection and adjacent to the properties located at 4080 Hells Bells Road and 4021 Lepire Drive, APNs 010-361-06 and 010-032-31. (Reference AB-17-087) (Susan Pansky, spansky@carson.org)

Staff Summary: Pursuant to NRS 278.480 and CCMC Title 17, the applicant is proposing the abandonment of a portion of right-of-way known as Hells Bells Road. 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: 15 minutes

Proposed Motion

I move to approve an Abandonment of Public Right-of-Way application from Liberty Homes LLC to abandon approximately 4,920 square feet of public right-of-way on Hells Bells Road, west of the Hells Bells Road and Parkhill Drive intersection and adjacent to the properties located at 4080 Hells Bells Road and 4021 Lepire Drive, APNs 010-361-06 and 010-032-31 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

At its meeting of July 26, 2017, the Planning Commission voted 6-0 to recommend approval of the proposed abandonment AB-17-087 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.

Attachments:

- 1) Abandonment Order
- 2) Staff report to the Planning Commission
- 3) Application from Liberty Homes LLC

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)

APNs: 010-361-06
010-032-31

AN ORDER ABANDONING A 4,920 SQUARE FOOT PORTION, MORE OR LESS, OF HELLS BELLS ROAD LOCATED WEST OF THE HELLS BELLS ROAD AND PARKHILL DRIVE INTERSECTION WITHIN A PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.B.&M., ON PROPERTY LOCATED ADJACENT TO 4080 HELLS BELLS ROAD AND 4021 LEPIRE DRIVE, ASSESSOR'S PARCEL NUMBERS 010-361-06 AND 010-032-31 IN CARSON CITY, NEVADA.

WHEREAS, on June 15, 2017, Liberty Homes LLC duly filed a written application seeking vacation and abandonment of a portion of public right-of-way, being within a portion of the northwest 1/4 of the northwest 1/4 of the southeast 1/4 of Section 15, Township 15 North, Range 20 East, M.D.B.&M., approximately 4,920 square feet, adjacent to APNs 010-361-06 and 010-032-31, 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 July 26, 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 September 7, 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 written description as Exhibit "A" and shown on the attached map as Exhibit "A-1", with the resultant parcels being more particularly described on the attached written descriptions as Exhibit "B" and Exhibit "C" and shown on the attached maps as Exhibit "B-1" and Exhibit "C-1". The utility statements are attached as Exhibit "D".

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

EXHIBIT "A"

**DESCRIPTION OF
ABANDONMENT OF PUBLIC ROADWAY**

**HELLS BELLS ROAD
CARSON CITY, NEVADA**

The following describes an area of abandonment of a public roadway (Hells Bells Road situate within a portion of the Northwest One-Quarter (NW 1/4) of the Southeast One-Quarter (SE 1/4) of Section Fifteen (15), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Meridian, Carson City, Nevada; being a portion of Hells Bells Road as shown on Tract Map No. 742, recorded May 10, 1979 as File No. 87816 in the Carson City, Nevada recorder's office, more particularly described as follows:

COMMENCING at the Center of said Section 15, also being the Northwest Corner (NW Cor) of Lot 1-A as shown on Record of Survey in support of a Boundary Line Adjustment (ROS/BLA) Map No. 2248 recorded December 9, 1997 as File No. 211075 in the Carson City, Nevada recorder's office, marked by a brass cap;

THENCE along the north line of said Lot 1-A, South 89°53'54" East, 436.03 feet (436.02 feet per ROS/BLA Map No. 2248) to the Northeast Corner (NE Cor) of Parcel 1-A, being a point on the northerly right-of-way of said Hells Bells Road and the **POINT OF BEGINNING**;

THENCE continuing South 88°53'54" East along said northerly right-of-way, 115.86 feet to a point of cusp of a non-tangent curve to the left, a tangent line to said point bears South 74°50'42" West;

THENCE departing said northerly right-of-way, 273.19 feet along the arc of said curve having a 350.00 foot radius, through a central angle of 44°43'20" to a point on the northwesterly right-of-way of said Hells Bells Road and the easterly line of said Parcel 1-A;

THENCE along said easterly line and said northwesterly right-of-way, North 30°07'21" East, 190.08 feet to the **POINT OF BEGINNING**.

Containing 4,920 square feet of land, more or less.

See attached Exhibit "A-1", map to accompany legal description,

BASIS OF BEARINGS: Nevada State Plane Coordinate System, West Zone 2701 based on the North American Datum of 1983/1994 (NAD 83/94). Rotate described bearings 0°43'11" counter-clockwise to match the bearings shown on Tract Map No. 742.

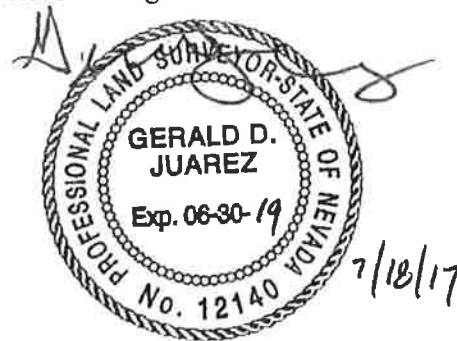
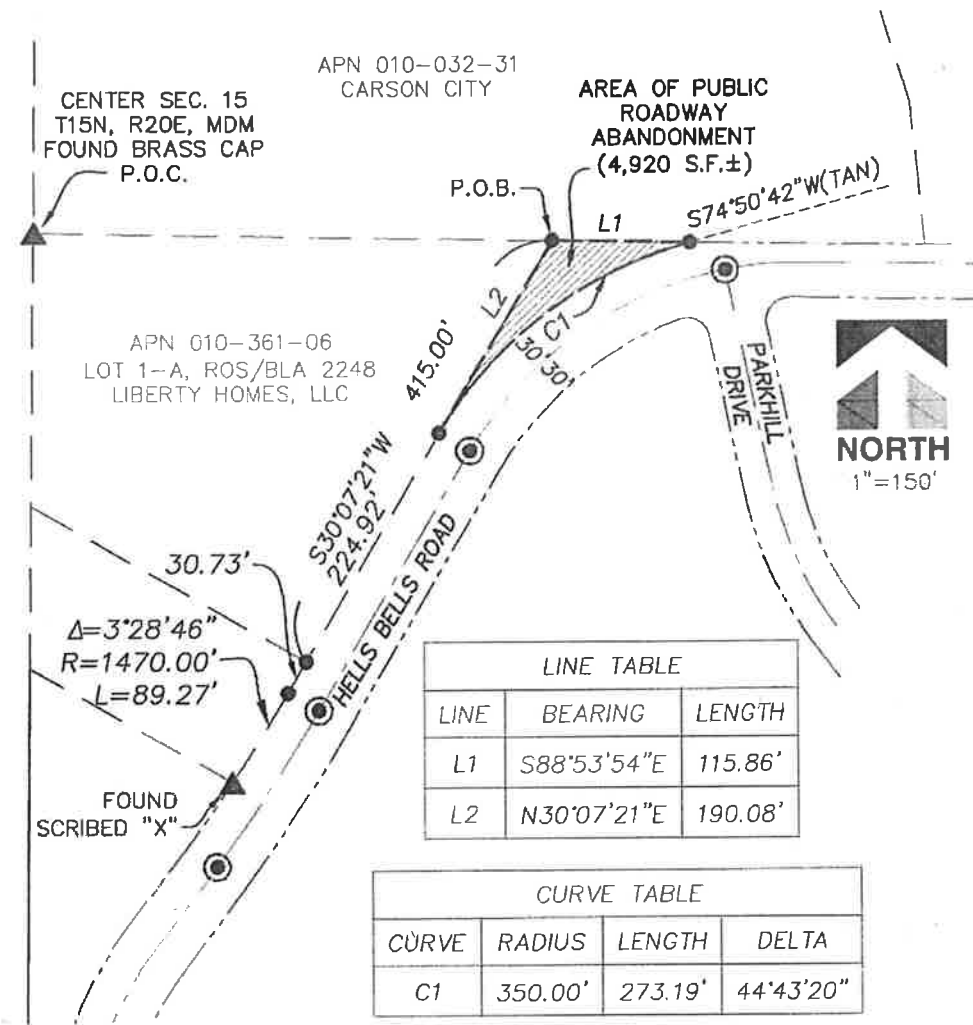


EXHIBIT "A-1"



LINE TABLE		
LINE	BEARING	LENGTH
L1	S88°53'54"E	115.86'
L2	N30°07'21"E	190.08'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	350.00'	273.19'	44°43'20"

BASIS OF BEARINGS

NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE 2701 BASED ON THE NORTH AMERICAN DATUM OF 1983\1994 (NAD 83\94). ROTATE BEARINGS 0°43'11" COUNTER-CLOCKWISE TO MATCH TRACT MAP NO. 742

LEGEND

- DIMENSION POINT
- ⊙ FOUND CENTERLINE MONUMENT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- APN ASSESSOR'S PARCEL NUMER

HELLS BELLS	CARSON CITY	PUBLIC ROADWAY ABANDONMENT
PROJ. MGR.: <u>GDJ</u> DRAWN BY: <u>GDJ</u> DATE: <u>6/15/17</u> SCALE: <u>1"=150'</u>	Manhard CONSULTING LTD 9850 Double R Blvd, Suite 101, Reno, NV 89521 tel: (775) 748-3500 fax: (775) 748-3520	© 2008 ALL RIGHTS RESERVED SHEET 1 OF 1 LIBCCNV1 .01

EXHIBIT "B"

**DESCRIPTION OF
RESULTANT PARCEL
APN 010-032-31**

**HELLS BELLS ROAD ABANDONMENT
CARSON CITY, NEVADA**

The following describes a resultant parcels after the abandonment of a portion of Hells Bells Road as shown on Abandonment Deed Doc. _____ (Abandon Deed) recorded on _____, 2017 in the official records of Carson City, Nevada and situate within a portion of the Southwest One-Quarter (SW 1/4) of the Northeast One-Quarter (NE 1/4) of Section Fifteen (Sec. 15), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Meridian, Carson City, Nevada and being more particularly described as follows:

PARCEL A

BEGINNING at the Center of said Sec. 15, marked by a brass cap, coincident with the Southwest Corner (SW Cor) of that certain parcel of land described in Deed Doc. 255025 recorded November 17, 2000 in the official records of Carson City, Nevada;

THENCE departing said Center of Sec. 15 and along the east line of said Deed Doc. 255025 North $0^{\circ}34'30''$ West, 1000.00 feet to the Northwest Corner (NW Cor) of said Deed Doc. 255025 coincident with the Southwest Corner (SW Cor) of Lot 1 of Edmonds Industrial Park recorded December 7, 1978 in Book 3 of Maps, Page 701 as Document No. 84140 (Doc. 84140);

THENCE, departing said NW Cor and SW Cor and along the north line of said Deed Doc. 255025, South $88^{\circ}54'04''$ East, 1,063.35 feet to the Northeast Corner (NE Cor) of said Deed Doc. 255025 coincident with the Southeast Corner (SE Cor) of Parcel 2 as shown on Deed Doc. 430872 recorded on February 4, 2013 in the official records of Carson City, Nevada;

THENCE, departing said NE Cor and SE Cor and along the east line of said Deed Doc. 255025 the following seven (7) courses;

1. South $35^{\circ}45'37''$ West, 105.60 feet;
2. South $47^{\circ}58'19''$ West, 259.97 feet;
3. South $29^{\circ}27'21''$ West, 120.55 feet;
4. South $44^{\circ}51'54''$ West, 140.50 feet;
5. South $6^{\circ}17'56''$ East, 219.68 feet;
6. South $16^{\circ}50'53''$ East, 196.19 feet;
7. South $6^{\circ}00'42''$ East, 124.33 feet to the Southeast Corner (SE Cor) of said Deed Doc. 255025 coincident with the north right-of-way of said Hells Bells Road;

THENCE, departing said SE Cor and along said south line and said north right-of-way;

North 88°53'54" West, 202.21 feet to the most East Corner (E Cor) of said Abandon Deed and the beginning of a non-tangent curve to the left, a tangent line to said beginning bears South 74°50'42" West;

THENCE, departing said E Cor, said north right-of-way and said south line and along the southerly line of said Abandon Deed, 20.15 feet along the arc of a 350.00 foot radius curve through a central angle of 3°17'56";

THENCE, departing said southerly line, South 18°27'14" East, 6.57 feet to the south line of said Deed Doc. 255025 coincident with the north line of said Abandon Deed;

THENCE, along said south line and said north line, North 88°53'54" West, 94.49 feet to the Northwest Corner (NW Cor) of said Abandon Deed;

THENCE, departing said NW Cor and continuing along said course, 436.03 feet to the **POINT OF BEGINNING**.

Containing 17.80 acres of land, more or less.

See attached Exhibit "B-1", map to accompany legal description,

BASIS OF BEARINGS: Nevada State Plane Coordinate System, West Zone 2701 based on the North American Datum of 1983/1994 (NAD 83/94).

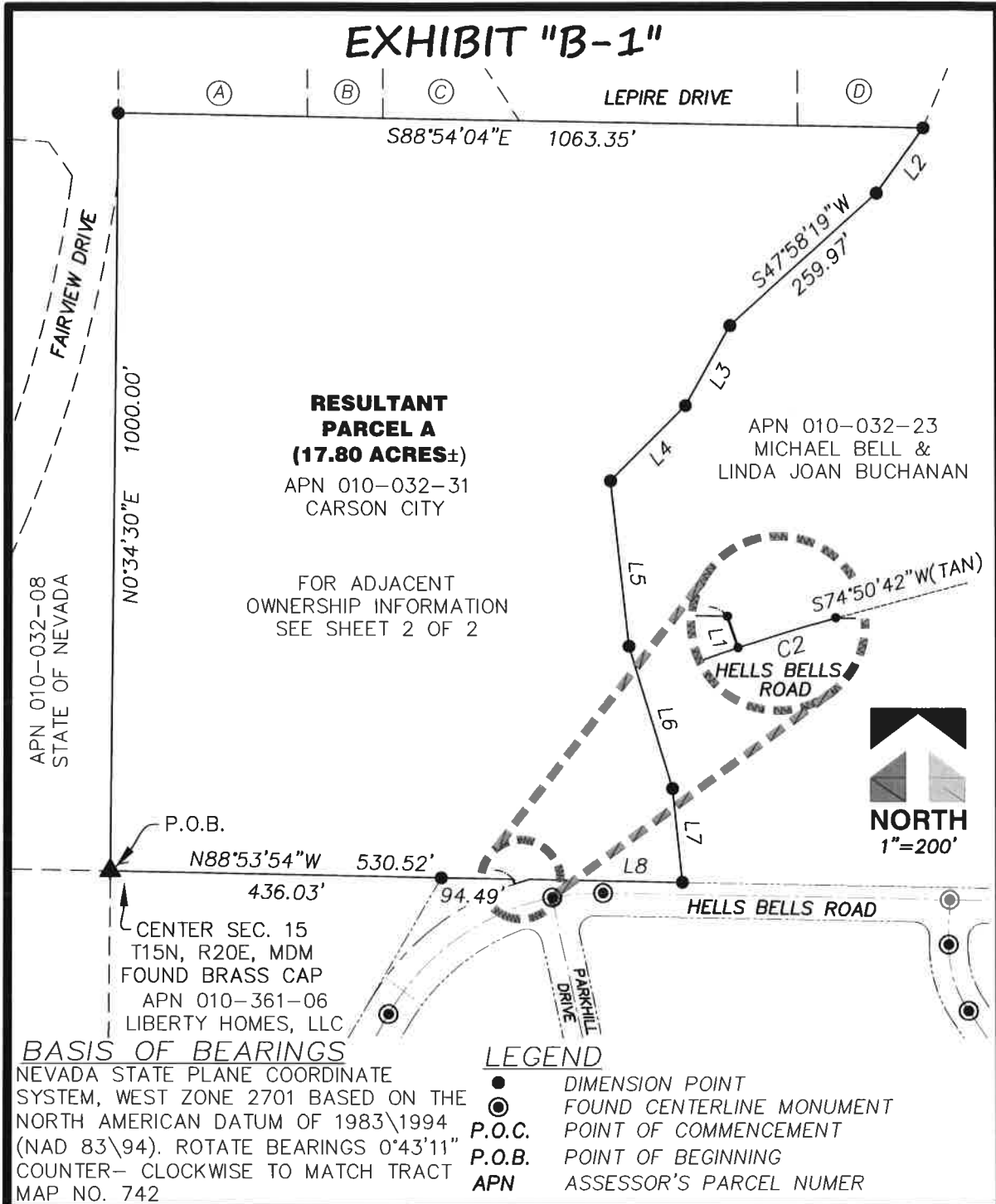
Gerald D. Juarez
Nevada PLS 12140
For and on behalf of



9850 DOUBLE R BLVD, SUITE 101
RENO, NEVADA 89521
(775) 746-3500



EXHIBIT "B-1"



APN 010-032-31	CARSON CITY	RESULTANT PARCEL
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PROJ. MGR.: GDJ
 DRAWN BY: GDJ
 DATE: 8/3/17
 SCALE: 1"=200'

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EXHIBIT "B-1"

LINE TABLE			
LINE	BEARING	LENGTH	
L1	S18°27'14"E	6.57'	
L2	S35°45'37"W	105.60'	
L3	S29°27'21"W	120.55'	
L4	S44°51'54"W	140.50'	
L5	S06°17'56"E	219.68'	
L6	S16°50'53"E	196.19'	
L7	S06°00'42"E	124.33'	
L8	N88°53'54"W	202.21'	

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	350.00'	253.04'	41°25'25"
C2	350.00'	20.15'	3°17'56"

	APN	OWNER
(A)	010-351-16	STANDARD STREET INC.
(B)	010-351-15	CC TREAS
(C)	010-351-14	STANDARD STREET INC.
(D)	010-352-26	MIRANDA FAMILY TRUST

APN 010-032-31

CARSON CITY

RESULTANT PARCEL

PROJ. MGR.: GDJ
 DRAWN BY: GDJ
 DATE: 8/3/17
 SCALE: N/A



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EXHIBIT "C"

**DESCRIPTION OF
RESULTANT PARCEL
APN 010-361-06**

**HELLS BELLS ROAD ABANDONMENT
CARSON CITY, NEVADA**

The following describes a resultant parcels after the abandonment of a portion of Hells Bells Road as shown on Abandonment Deed Doc. _____ (Abandon Deed) recorded on _____, 2017 in the official records of Carson City, Nevada and situate within a portion of the Northwest One-Quarter (NW 1/4) of the Southeast One-Quarter (SE 1/4) of Section Fifteen (Sec. 15), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Meridian, Carson City, Nevada and being more particularly described as follows:

LOT 1-A-1

BEGINNING at the Center of said Sec. 15, marked by a brass cap, coincident with the Northwest Corner (NW Cor) of Lot 1-A as shown on Record of Survey in support of a Boundary Line Adjustment (ROS/BLA) Map No. 2248 recorded November 22, 1997 as File No. 209960 in the Carson City, Nevada recorder's office, marked by a brass cap;

THENCE departing said Center of Sec. 15 and along the north line of said Lot 1-A, South 88°53'54" East, 436.03 feet to the Northwest Corner (NW Cor) of said Abandon Deed;

THENCE, departing said NW Cor and continuing along the north line of said Abandon Deed and continuing along said course 94.49 feet;

THENCE, departing said north line, South 18°27'14" East, 6.57 feet to southerly line of said Abandon Deed and being the beginning of a non-tangent curve to the left, a tangent line to said beginning bears South 74°50'42" West;

THENCE, along said southerly line, 253.04 feet along the arc of a 350.00 foot radius curve through a central angle of 41°25'25" to the Southwest Corner (SW Cor) of said Abandon Deed coincident with a point on the Northwesterly right-of-way of said Hells Bells Road and the Southeasterly line of said Lot 1-A;

THENCE, departing said SW Cor and along said Northwesterly right-of-way and said Southeasterly line; South 30°07'21" West, 224.93 feet to the Southeast Corner (SE Cor) of said Lot 1-A;

THENCE, departing said SE Cor and said Northwesterly right-of-way and along the Southwesterly line of said Lot 1-A, North 59°52'39" West, 265.91 feet to the Southwest Corner (SW Cor) of said Lot 1-A;

THENCE, departing said SW Cor and along the West line of said Lot1-A. North 0°34'06" East, 233.91 feet to the **POINT OF BEGINNING**.

Containing 2.55 acres of land, more or less.

See attached Exhibit "C-1", map to accompany legal description,

BASIS OF BEARINGS: Nevada State Plane Coordinate System, West Zone 2701 based on the North American Datum of 1983/1994 (NAD 83/94).

Gerald D. Juarez
Nevada PLS 12140
For and on behalf of



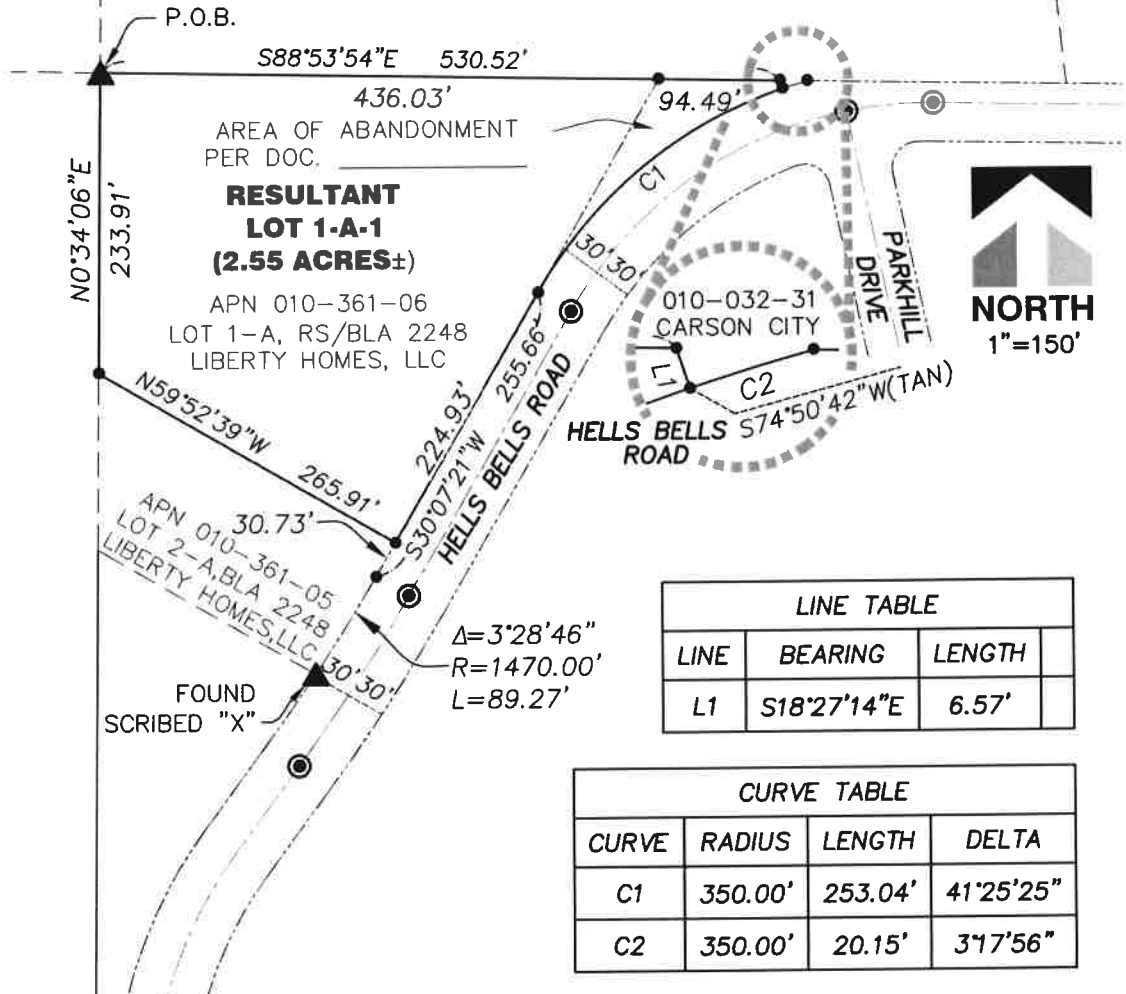
9850 DOUBLE R BLVD, SUITE 101
RENO, NEVADA 89521
(775) 746-3500



Exhibit "C-1"

CENTER SEC. 15
T15N, R20E, MDM
FOUND BRASS CAP

APN 010-032-31
CARSON CITY



**RESULTANT
LOT 1-A-1
(2.55 ACRES±)**
APN 010-361-06
LOT 1-A, RS/BLA 2248
LIBERTY HOMES, LLC

LINE TABLE		
LINE	BEARING	LENGTH
L1	$S18^{\circ}27'14''E$	6.57'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	350.00'	253.04'	$41^{\circ}25'25''$
C2	350.00'	20.15'	$3^{\circ}17'56''$

BASIS OF BEARINGS
NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE 2701 BASED ON THE NORTH AMERICAN DATUM OF 1983\1994 (NAD 83\94). ROTATE BEARINGS $0^{\circ}43'11''$ COUNTER-CLOCKWISE TO MATCH TRACT MAP NO. 742

LEGEND

- DIMENSION POINT
- ⊙ FOUND CENTERLINE MONUMENT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- APN ASSESSOR'S PARCEL NUMBER
- SURVEY TIE

APN 010-361-06 CARSON CITY RESULTANT PARCEL

PROJ. MGR.: GDJ
DRAWN BY: GDJ
DATE: 7/25/2017
SCALE: 1"=150'

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STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JULY 26, 2017

FILE NUMBER: AB-17-087

AGENDA ITEM: F-3

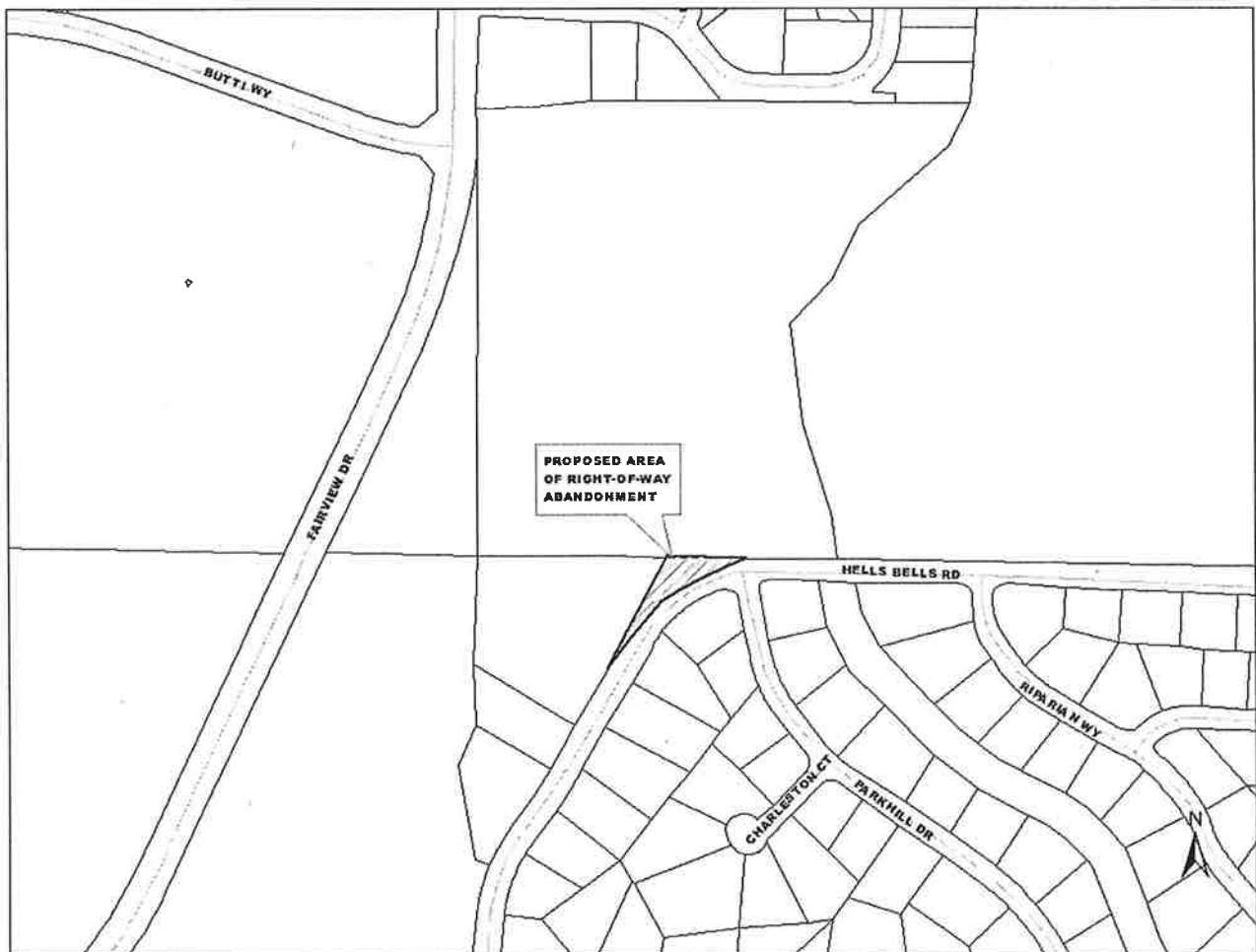
STAFF AUTHOR: Susan Pansky, AICP
Special Projects Planner

APPLICANT: Liberty Homes LLC

OWNER: Liberty Homes LLC

REQUEST: Abandonment of a 4,920 square foot portion, more or less, of public right-of-way on Hells Bells Road, west of the Hells Bells Road and Parkhill Drive intersection and adjacent to the property located at 4080 Hells Bells Road, APN 010-361-06.

RECOMMENDED MOTION: "I move to recommend that the Board of Supervisors approve the abandonment of a 4,920 square foot portion, more or less, of public right-of-way on Hells Bells Road, west of the Hells Bells Road and Parkhill Drive intersection and adjacent to the property located at 4080 Hells Bells Road, APN 010-361-06, based on the 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. Public utility easements must be created along the new property lines.
4. A public utility easement must be created along the alignments of Charter Communications' and NV Energy's existing utilities.
5. The applicant shall provide an exhibit showing the location of the existing path, the sidewalk cross-drain and the drainage ditch opposite of Parkhill Drive with respect to the portion of right-of-way being abandoned. Any portion of the path or the drainage ditch, and any area within five feet of the edges of these features, which is within the area to be abandoned, must become part of APN 010-032-31. To modify the abandonment order for approval by the Board of Supervisors to reflect any changes in the abandonment area, this exhibit must be provided to the Engineering Division no later than 20 calendar days prior to the desired Board of Supervisors meeting.
6. The applicant must provide legal descriptions of the resulting parcels upon approval of the abandonment of the right-of-way.
7. 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: Low Density Residential (LDR)

Adjacent PRESENT ZONING: Single Family-21,000 – Planned Unit Development (SF21-P)

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

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Public Community (PC)/Open Space – Carson City

SOUTH: Single Family 21,000 – Planned Unit Development (SF21-P)/Single Family Detached Residential Uses

WEST: Public (P)/Vacant Land – State of Nevada

EAST: Single Family 21,000 – Planned Unit Development (SF21-P)/Single Family Detached Residential Uses

PREVIOUS REVIEWS:

- CPUD-17-036 – Conceptual Planned Unit Development Review for Riverview Terrace Planned Unit Development Amendment
- TPUD-17-053 – Riverview Terrace Planned Unit Development Amendment

DISCUSSION:

On June 15, 2017, the Board of Supervisors approved an amendment to the Riverview Terrace Planned Unit Development (PUD) that allows for the creation of three additional residential lots within the PUD along Hells Bells Road. During review of the PUD amendment, it came to staff's attention that the public right-of-way adjacent to 4080 Hells Bells Road (APN 010-361-06) was much larger than necessary for the existing roadway improvements. The right-of-way is also oddly shaped in this location, making it unlikely that it will ever be used by the City for future improvements. As a result, staff placed a condition of approval on the PUD amendment requiring that the subject section of public right-of-way be abandoned (Condition of Approval No. 15).

This request is intended to meet Condition of Approval No. 15 from the Riverview Terrace PUD Amendment and proposes to abandon 4,920 square feet, more or less, of public right-of-way on Hells Bells Road, west of the intersection of Hells Bells Road and Parkhill Drive, adjacent to 4080 Hells Bells Road.

During review of this application, the Engineering Division and Parks, Recreation and Open Space Department determined that the northeast corner of the proposed abandonment area may contain public improvements including a pathway, sidewalk cross-drain and drainage ditch. As a result, Engineering has recommended a condition of approval requiring the applicant to submit an exhibit showing the location of these improvements. This condition requires that the improvements and five feet of property along either side of them become part of the open space parcel (APN 010-032-31) immediately adjacent to the abandonment, provided they are in the abandonment area.

The modification requested by Engineering above, if necessary, will require that the abandonment order be amended to allocate the appropriate area to the open space parcel. To ensure adequate time to review the required exhibit and amend the abandonment order prior to the Board of Supervisors meeting, the applicant must provide the exhibit no later than 20 calendar days prior to the desired Board of Supervisors meeting. In this case, staff plans to present this item to the Board of Supervisors on August 17, 2017. To meet deadlines associated with this meeting, the applicant will need to provide the exhibit to staff no later than July 28, 2017.

NV Energy and Charter Communications have indicated they do have utilities in the public right-of-way in this location and both require a public utility easement be created for the benefit of their utilities. A document creating the easement will be required to be reviewed by the Engineering Division and recorded. Staff has recommended a condition of approval to address this requirement. Southwest Gas, AT&T and Carson City Utilities have indicated they do not have utilities in this location.

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, staff believes the public will not be materially injured by the proposed abandonment, and recommends approval of AB-17-087 to the Planning Commission.

The Engineering Division has provided detail regarding the Chain of Title as follows: The Hells Bells Road right of way was dedicated with Subdivision Map 742 and was accepted by the Board of Supervisors in May 1979. 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 two adjacent property owners per NRS on July 7, 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.

1. Public utility easements must be created along the new property lines.
2. A public utility easement must be created along the alignments of Charter Communications' and NV Energy's existing utilities.
3. Provide an exhibit showing the location of the path, the sidewalk cross-drain, and the drainage ditch opposite of Parkhill Drive with respect to the portion of right-of-way being abandoned. Any portion of the path or the drainage ditch, and any area within 5 feet of the edges of these features which is within the area to be abandoned, must become part of apn 010-032-31.

Building Division: No comments received.

Fire Department: No comments.

Health Division: 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, and verified by the Engineering and Planning Divisions, the adjacent property owners will not be damaged by this abandonment application, nor will the public be materially injured by the abandonment. 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?

A public utility easement will be required to satisfy requirements from both NV Energy and Charter Communications. The creation of a public utility easement has been recommended as a condition of approval.

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

Staff has included recommended conditions of approval relate to the responsibilities of the applicant in the event this application is approved.

Attachments:

Engineering Division Comments
Fire Department Comments
Health Department Comments
Draft Order of Abandonment
Application (AB-17-087)



MEMORANDUM

DATE: July 14, 2017
TO: Susan Dorr Pansky – Planning Division
FROM: Stephen Pottéy P.E. – Development Engineering Division
RE: AB-17-087 Hells Bells Road adjacent to 4080 Hells Bells Road and 4021 Lepire Dr, apns 01-0361-06 and 01-0032-31
Engineering Division 1st 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:

- Public utility easements must be created along the new property lines.
- A public utility easement must be created along the alignments of Charter Communications' and NV Energy's existing utilities.
- Provide an exhibit showing the location of the path, the sidewalk cross-drain, and the drainage ditch opposite of Parkhill Drive with respect to the portion of right-of-way being abandoned. Any portion of the path or the drainage ditch, and any area within 5 feet of the edges of these features which is within the area to be abandoned, must become part of apn 010-032-31.

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?
No. The section of right-of-way in question is outside of the logical right-of-way alignment and is unimproved. Abandonment of this portion of right-of-way will not affect vehicular or pedestrian travel.
2. What is the history regarding the street being dedicated or not?
Hells Bells Road was dedicated with Map 742 and accepted by the Board of Supervisors in May 1979. There is no indication that the City ever paid for the right-of-way.
3. What should the reasonable consideration be if the street was not dedicated?

Development Engineering has no comment on this finding.

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 has no comment on this finding.

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

The abandonment is an unimproved portion of the right-of-way which does not accommodate parking.

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

Public Utility Easements (PUE's) must be created along the new property lines.

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

Please see above.

June 27, 2017

AB-17-087

Fire

No comment

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

July 7, 2017

Health

AB-17-087

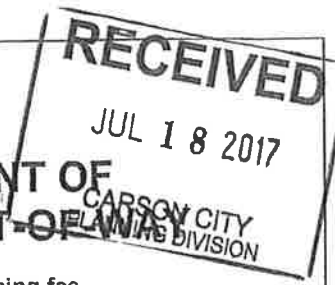
Health and Human Services

No concerns

Carson City Planning Division 108 E. Proctor Street, Carson City, NV 89701 Phone: (775) 887-2180 Email: planning@carson.org	
FILE # AB - 17 - 087	
APPLICANT	PHONE #
Liberty Homes LLC/Christian Funk	775-690-4206
MAILING ADDRESS, CITY, STATE, ZIP	
PO Box 2388 Gardnerville, NV 89401	
EMAIL ADDRESS	
libertyhomesnv@gmail.com	
PROPERTY OWNER	PHONE #
same	
MAILING ADDRESS, CITY, STATE, ZIP	
EMAIL ADDRESS	
APPLICANT AGENT/REPRESENTATIVE	PHONE #
Manhard Consulting/Karen Downs	775-321-6538
MAILING ADDRESS, CITY, STATE, ZIP	
3476 Executive Pointe Way, Carson City, NV 89706	
EMAIL ADDRESS	
kdowns@manhard.com	
Project's Assessor Parcel Number(s):	Street Address
010-361-06	4080 Hells Bells Road

FOR OFFICE USE ONLY:

CCMC 17.15



ABANDONMENT OF PUBLIC RIGHT-OF-WAY

FEE*: \$2,450.00 + noticing fee
 *Due after application is deemed complete by staff

SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies) including:

- Application Form
- Written Project Description
- Justification Statement
- Site Map/Exhibit
- Legal Descriptions
- Development Engineering Memo of Support
- Utility Statements
- Title Report
- Documentation of Taxes Paid to Date

CD or USB DRIVE with complete application in PDF

Application Reviewed and Received By:

Submission Deadline: See attached Planning Commission application submittal schedule.

Note: Submittals must be of sufficient clarity and detail to adequately review the request. Additional information may be required.

Briefly describe the proposed right-of-way abandonment. If you are abandoning an access, explain how the parcel will be accessed:
 The existing right-of-way along the curve of Hells Bells Road (adjacent to Moffat Open Space) has an illogical configuration. As a requirement of TPUD-17-053, the applicant must ensure that the road is "adjusted to follow the logical right-of-way alignment." The existing roadway will remain and will continue to provide access to the parcel.

PROPERTY OWNER'S AFFIDAVIT

Liberty Homes LLC Christian Funk 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]
 Signature

PO. Box 2388 Gardnerville NV 89401
 Address

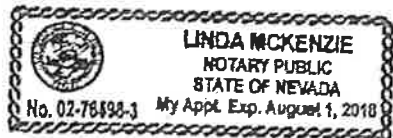
8/12/17
 Date

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

STATE OF NEVADA)
 COUNTY CARSON CITY)

On July 12, 2017, Christian Funk, 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.

Linda McKenzie
 Notary Public





Civil Engineering
Surveying
Water Resources Management
Water & Wastewater Engineering
Supply Chain Logistics
Construction Management
Environmental Sciences
Landscape Architecture
Land Planning

June 15, 2017

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

RE: JUSTIFICATION FOR ABANDONMENT OF A PORTION OF HELLS BELLS ROAD RIGHT-OF-WAY

Dear Ms. Sullivan:

On behalf of Liberty Homes, LLC, Manhard Consulting is submitting the attached Abandonment of a Public Right-of-Way application for a portion of Hells Bells Road right-of-way. This application is being submitted to comply with Condition No. 15 of Tentative Planned Unit Development Map (TPUD-17-053) approved by the Carson City Board of Supervisors on June 15, 2017: "The east property line, along Hells Bells Road, must be adjusted to follow the logical right-of-way alignment."

Please accept this letter as the project description and statement of justification for a request for an abandonment of a portion of Hells Bells Road right-of-way. This request is to abandon a portion of Hells Bells Road, adjacent to 4080 Hells Bells Road (APN 010-361-06), to make a more logical configuration. The area to be abandoned totals approximately 4,920 square feet. Please see attached Exhibit A-1.

The intention of the proposed right-of-way abandonment is to revert the property to the adjacent property owner (the applicant, Liberty Homes, LLC) as the right-of-way is not utilized as a roadway and results in an illogical right-of-way configuration that does not follow the existing roadway.

Pursuant to Carson City Municipal Code Section 17.15.035 the required findings are addressed below:

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

The public right-of-way is not used as a roadway and does not have any other public use. It will not result in material injury to the public. No land locked parcels will be created as a result of this abandonment.

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

Hells Bells Road was dedicated as part of the Riverview Terrace Planned Unit Development Map recorded 5/10/1979.

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

N/A

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

The abandonment does not have a public benefit so there should not be an offset against the determination of reasonable consideration.

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

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. The existing roadway (and any on-street parking) will remain as it currently exists.

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

Utility statements have been requested from NV Energy, Charter Communication, Southwest Gas, and AT&T and are included in the application package. The applicant will reserve utility easements requested.

7. Are any conditions of approval by the Board of Supervisors or recommendations by the planning commission or staff included?

There are no known conditions at this time.

The following information is attached to this Abandonment of Public Right-of-Way Application:

- Application
- Title Report
- Documentation of Taxes Paid to Date
- Memo of Support from Development Engineering
- Legal Descriptions (proposed abandonment and resulting parcel)
- Site Map exhibits
- Utility Statements

Thank you for your consideration of this Abandonment of Public Right-of-Way application. Please contact me at 775-321-6538 or kdowns@manhard.com if you have any questions.

Sincerely,



Karen Downs
Land Planner



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet. In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site. There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive. FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

ESCROW ACTION ITEMS

LENDER: If you are obtaining a new loan, please let us know who your Lender will be as soon as possible. We will also need the Loan Officer's name and telephone number. If questions arise during the loan process, please call your Loan Officer directly for the fastest answer to your questions.

CLOSING APPOINTMENT: You will be contacted prior to your close of escrow date and your closing appointment will be scheduled. Your appointment should take approximately 40 minutes.

IDENTIFICATION: As we will be notarizing documents on your behalf, please bring **one current form of identification issued by a federal or state government with your picture, signature and physical description; ie: driver's license, military ID or passport.** If you do not bring picture ID to the closing, we will be unable to proceed with the closing papers.

CLOSING FIGURES: We will contact you prior to your appointment to give you the amount needed for closing. **Note: Our ability to provide you with this figure is totally dependent upon our receipt of your loan package from your Lender, if any.**

CLOSING FUNDS: If funds are required from you to close escrow, your escrow officer will provide you with an amount needed for closing as soon as possible. **The preferred form of funds is a wire transfer payable to First American Title Company and the sender must be a U.S. Bank.** Cashier's checks are legally acceptable, but may cause a delay due to our need to validate the authenticity of the check. If you have not yet received our wiring instructions, please contact your Escrow Officer. Please note that an ACH Transfer requires additional time for clearance and is not considered "good funds" for closing purposes.

RECORDING: After the Buyers have signed all closing documents and deposited funds to close, recordation and disbursement may occur anytime within 1 to 2 days, depending on the type of transaction.

POSSESSION AND KEYS: These are items that are not handled by the Escrow Agent or Title Insurer. These items are facilitated by your Real Estate Professional. If you are not working with a Realtor, these items will be handled between Buyer and Seller.

To: First American Title Insurance Company

File No.: 143-2514072 (SC)

Property: 4080 Hells Bells Road, Carson City, NV 89701

(Please initial the correct vesting as you would like it to appear at close of escrow)

VESTING INSTRUCTIONS		Initials:	Initials:
Husband and Wife			
as Joint Tenants, with Right of Survivorship			
as Community Property			
as Community Property, with Right of Survivorship			
as Tenants in Common, as to undivided _____ % interest			
Domestic Partners			
as Joint Tenants, with Right of Survivorship			
as Community Property			
as Community Property, with Right of Survivorship			
as Tenants in Common, as to undivided _____ % interest			
A Single Woman			
An Unmarried Woman			
A Widow			
A Single Man			
An Unmarried Man			
A Widower			
An Unmarried Man and an Unmarried Woman as Joint Tenants			
An Unmarried Man and an Unmarried Woman as Tenants in Common			
A Married Man as his Sole and Separate Property (If this vesting is desired, a Quitclaim Deed from your wife is needed)			
A Married Woman as her Sole and Separate Property (If this vesting is desired, a Quitclaim Deed from your husband is needed)			
A Domestic Partner as his/her Sole and Separate Property (If this vesting is desired, a Quitclaim Deed from your domestic partner is needed)			
Other (please print exactly as vested interest is to appear on Deed):			

If husband and wife or domestic partners are taking title with others, but all as Joint Tenants, the undersigned Grantee(s) joins in the execution of this document for the purpose of consenting to the creation of the joint tenancy.

If taking title under an entity name, additional documentation may be required. (i.e. Corporate Resolution, Partnership Agreement, LLC Operating Agreement, Partnership Agreements and Limited Partnerships must be filed with the Secretary of State.) If taking title into a Trust Agreement, a copy of the Trust Agreement will be required. If you have any questions regarding selection of vesting you are hereby advised to seek independent legal counsel.

Signature

Signature

Mailing Address After Close of Escrow: ___ Same as property; or Other: _____

Email Address: _____ Phone: _____



First American Title Insurance Company
1663 US Highway 395, Suite 101 Minden, NV 89423

PR: 32004

Ofc: 143 (1377)

DATE: 12/06/2016

RECEIPT NO.: 1377102523

FILE NO.: 143-2514072

RECEIPT FOR DEPOSIT

FUNDS IN THE AMOUNT OF: \$1,500.00

WERE RECEIVED FROM: Liberty Homes, LLC

CREDITED TO THE ACCOUNT OF: Buyer

TYPE OF DEPOSIT: Personal Check

REPRESENTING: Earnest Money Deposit

Comments:

Property Location: 4080 Hells Bells Road, Carson City, NV 89701

BY: Natalie Frey, 12/06/2016

ESCROW OFFICER: Suzanne Cheechov

**“The validity of this receipt, for the deposit referenced,
is subject to clearance by the depository financial institution and credit to our account.”**

777 Lincoln St.
Suite 201
Reno, N.V. 89501

FILED FOR RECORD
AT THE REQUEST OF

RIVERVIEW ASSOC.

1980 AUG -5 PM 4:25

FILE NO. **97833**

PETE SUPERA
CARSON CITY RECORDER

L. Michael DEPUTY

10 #980

DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS

RIVERVIEW TERRACE

Carson City, Nevada

THIS DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made this 30 day of JULY, 1980, by RIVERVIEW ASSOCIATES, a Nevada Limited Partnership ("Declarant").

WHEREAS, Declarant is the owner in fee simple of all of that certain real property (the "Property") situate in Carson City, Nevada, and described on that certain subdivision plan entitled Riverview Terrace according to the map thereof, filed in the office of the County Recorder of Carson City, State of Nevada, on the 10 day of MAY, 1979, as File Number 87816.

WHEREAS, Declarant is about to subdivide the Property into lots and sell all or a portion of such lots, and desires to subject all of the Property to the respective covenants, conditions, and restrictions hereinafter set forth for the benefit of all of the lots and real property in Riverview Terrace, and for the benefit of the present and subsequent owners thereof;

NOW, THEREFORE, Declarant does hereby declare that the Property shall be held and conveyed subject to the covenants, conditions, and restrictions hereinafter set forth:

1. PURPOSE OF COVENANT. The Property affected hereby is subjected to the protective covenants, conditions, and restrictions herein contained to provide a well-planned and controlled residential area, to provide high-quality improvements on the Property which is to be used for single-family residential purposes only, and to preserve the value of the Property for the benefit of each and every property owner.

2. ARCHITECTURAL COMMITTEE.

a. Membership. For the purpose of insuring the orderly development of Riverview Terrace and of establishing a unique and prestigious architectural format, there is hereby created an Architectural Committee (the "Committee"). The Committee shall consist of at least three and not more than five members. The original members of the Committee shall be JOHN ED EASLEY, PAUL LUMDS, and MARIA LOWDGE. The original members shall serve for a period of one year. Thereafter, Declarant reserves the right to appoint a majority of the members of the Committee until 90% of all the subdivision interests of Declarant or its successors have been sold or until the fifth

anniversary of this Declaration, whichever first occurs. Members of the Committee appointed by Declarant need not be owners of subdivision property. After one year from the date of this Declaration, the owners of the lots in the subdivision (exclusive of Declarant) shall have the power to appoint the remaining members of the Committee; such members of the Committee shall be selected from the owners of property within the subdivision and shall be selected by election, with one vote allocated to the owner of each lot in the subdivision. The Committee shall have the power to establish its own internal rules, regulations, and procedural details.

b. Conformity of Design. The Committee shall exercise its best judgment to see that all improvements, construction, landscaping, and alterations on the lands within Riverview Terrace conform with the natural surroundings and with existing structures as to external design, materials, color, siting, height, topography, grade, finished ground elevation, and the influence or effect any structure may have upon the view or outlook of adjacent or neighboring homes.

c. Architectural Control. No dwelling unit, garage, outbuildings, fence, wall, retaining wall, or any type of construction shall be constructed, placed, or altered on any lot until a complete set of plans and specifications and a plot plan thereof, including front, side, and rear elevations establishing the exact location of any structure, shall have first been submitted to and approved by the Committee as to quality of workmanship and materials, harmony of external design with existing structures, and location with respect to topograph and finish grade elevations. Approved plans must be adhered to strictly. If any redecorating or alteration of the exterior of any existing structure be proposed without remodeling or adding to or effecting structural changes in any existing structure, then it shall be necessary only to file with the Committee an exterior color scheme of changes and to receive written approval of the Committee prior to commencing said work.

d. Procedure. The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within 45 days after plans and specifications have been submitted to it, approval will not be required; and the related covenants shall be deemed to have been fully complied with.

e. Compensation. None of the members of the Committee shall be entitled to any compensation for services rendered under this Declaration.

f. Litigation. The Committee shall not be liable in damages to any person or association submitting any architectural plans for approval, or to any owner or owners of lands within Riverview Terrace by reason of any action, failure to act, approval, disapproval, or failure to approve or disapprove, with regard to such architectural plans. Any person or association acquiring the title to any property in Riverview Terrace, or any person or association submitting plans to the Committee for approval, by so doing,

does agree and covenant that he or it will not bring any action or suit to recover damages against the Committee, its members, as individuals, or its advisors, employees, or agents.

3. GENERAL RESTRICTIONS.

a. Dwelling units constructed within Riverview Terrace shall provide a minimum living area, exclusive of garages, porches, patios, and terraces, of not less than 1,000 square feet. Other than new structural components approved by the Committee, no existing, used, or partially constructed structure of any type shall be moved from another place and located upon the Property for any purpose whatsoever. No unanodized aluminum window sash shall be permitted within Riverview Terrace. All aluminum sash shall be painted or anodized in a color other than natural.

b. Outbuildings. No unattached garage, carport, servants' quarters, or other outbuildings shall be constructed without the prior approval of the Committee.

c. Building Location. No building shall be located on any lot nearer to the front, rear, or side lot lines than the following minimum building set-back lines as shown on the recorded plan: front, 20 feet; rear, 20 feet; and side, 8 feet. No dwelling unit shall be erected on less than one lot as shown on the recorded plot of Riverview Terrace.

d. Temporary Structures. No structure of a temporary character including, but not limited to, trailers, basements, tents, shacks, garages, barns, or other outbuildings shall be used on any lot at any time as a residence, either temporarily or permanently.

e. Fences. No wall, fence, or hedge shall be erected or permitted to remain between the street and the front set-back line to exceed the height of three feet, or to exceed the height of six feet on the side or rear lot lines. Any such wall, fence, or hedge placed or erected elsewhere on the lots shall not exceed four feet in height. Furthermore, no wall, fence, hedge, or shrub which obstructs sight lines at elevations between two and eight feet above the curb level shall be placed or permitted to remain within twenty-five feet of the intersection of any two property lines of any corner lot. All fences shall be in harmony with the motif and high quality of Riverview Terrace.

f. Height. No dwelling unit, building, outbuilding, or other structure of any kind except fireplace chimneys and flues shall project above twenty feet in height. In the event that the height restrictions as set forth herein result in undue hardship in home design or construction, the Committee, at its sole discretion, may allow minor variations in the height restrictions.

g. Underground Utilities. All utility connections and service lines to each individual lot, dwelling unit, or outbuilding shall be installed underground, including electric service, water service, gas service, cable television service, and telephone service, in accordance with accepted construction and utility standards.

h. Towers and Antennae. No towers, radio, or television antennae higher than ten feet above the highest roof line of the dwelling house shall be erected on any residential lot; and all such towers and antennae must be attached to the dwelling house.

i. Construction Completion. Whenever construction of a dwelling or structure is commenced in the tract, the owner thereof shall proceed with all reasonable diligence to complete construction thereof within one year from the date of commencement. A Certificate of Occupancy must be issued by the Carson City Building Inspection Department prior to occupancy of any dwelling unit.

j. Construction Alterations. The covenants and restrictions herein shall apply to any alterations, remodeling, or addition or subtraction of any approved plans or structures.

k. Nuisances, Commercial Use, Animals. No lands within Riverview Terrace shall ever be occupied or used for any commercial or business purpose nor for any noxious activity; and nothing shall be done or permitted to be done on any of such lands which is a nuisance or might become a nuisance to the owner or owners of any of such lands. No use of any lot or structure within Riverview Terrace shall adversely affect the use, value, occupation, and enjoyment of adjoining property. No store, office, or other place of commercial or professional business of any kind, nor any hospital, sanitorium or other place for the care or treatment of the sick or disabled, physically or mentally, nor any public theatre, bar, restaurant, or other public place of entertainment, nor any church, nor any residential building housing more than one family shall ever be constructed, altered, or permitted to remain within Riverview Terrace. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose, and provided that no more than four such household pets shall be kept on the premises at any one time and that such pets shall not interfere with the reasonable comfort, privacy, or safety of neighbors. Notwithstanding the foregoing, Declarant may use one of the residences constructed on a lot in Riverview Terrace as a sales office and model until such time as all lots and residences have been sold.

l. Lot Appearance. No refuse, abandoned vehicles, debris, noxious material, discarded personal effects, construction materials not for immediate use, compost materials, or similar unsightly matter shall be permitted on any lot. Lots and yards shall be maintained in a neat, attractive, orderly, and well-groomed manner. No clothes line shall be constructed or erected which is visible from any front or side street.

m. Vehicles. No trucks, campers, trailers, boats, or unlicensed motor vehicles of any kind shall be kept or parked for other than loading or unloading purposes in or upon any portion of such property between the street and the front set-back line, except in a completely covered carport or garage. Such vehicles and boats shall not be stored on any street in Riverview Terrace.

n. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted upon or in any lot; nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any lot.

o. Subsurface Rights. There shall be no deed, conveyance, agreement, or other document executed which would effect or cause a separation into different ownerships of the surface and subsurface rights of any lot, parcel, or portion thereof.

p. Signs. No signs of any kind shall be displayed to the public view on any lot except one sign advertising such lot for sale or rent, or signs used by a builder to advertise the Property during the construction and sales period. Any such signs shall be of reasonable and customary dimensions.

q. Easements. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plot. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow or drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

4. BREACH AND ENFORCEMENT.

a. Parties Bound by Covenants. The covenants and restrictions herein shall be covenants and restrictions running with the land, and shall bind all parties and all persons claiming under them, and shall remain in full force and effect for thirty years from the date of the first recording of this instrument, after which time said covenants and restrictions shall be automatically extended for successive periods of ten years unless amended or terminated as herein provided.

b. Breach of Covenants. A breach of any of the foregoing covenants, conditions, and restrictions, or the re-entry by reason of any such breach, shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value as to said premises, or any part thereof; but such covenants, conditions, and restrictions shall be binding upon the owners whose title thereto is acquired under foreclosure, trustee's sale, or otherwise.

c. Enforcement. Each owner shall comply strictly with the provisions of this Declaration and the decisions of the Committee; and failure to comply shall be grounds for an action to recover sums due for damages or injunctive relief, or both, maintainable by the Committee, or in a proper case, by an aggrieved owner.

d. Litigation for Breach of Covenants. It shall be lawful, for Declarant, its heirs, successors, and assigns, and the owner or owners of any lot or lots in the tract, who have derived or who shall hereafter derive title from or through Declarant, to institute and prosecute legal proceedings against the person or persons violating or threatening to violate these covenants and restrictions, provided, thirty days' written notice must first be sent by registered mail to the address of the last recorded owner, which notice shall specify in what respects these covenants, conditions, and restrictions have been breached. In the event such owner corrects and cures such default or breach within thirty days from the mailing of such notice, then such breach or default shall be treated as though it had not happened. Failure, however, on the part of Declarant, its heirs, successors, and assigns, or other lot owners to claim it or their rights hereunder, shall not be deemed an amendment or alteration to these protective covenants, a ratification of past breaches and misconduct, or condonation of any future like breaches or violations of these covenants, conditions, and restrictions.

e. Invalidation. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

5. AMENDMENTS. No modification, repeal, or amendment of this Declaration shall be effective or binding upon any party or upon any real property subject hereto or benefited hereby unless an instrument in writing shall be duly recorded and unless it be executed by not less than seventy-five percent of the owners of lots in Riverview Terrace.

6. SUBORDINATION OF DEEDS OF TRUST.

a. WELLS FARGO BANK, N.A. (beneficiary of deed of trust), hereby joins in the execution of this Declaration for the purpose of subordinating the lien of its deed of trust encumbering the property subject to this Declaration, recorded on NOVEMBER 19, 1979, as Document No. 92401, Official Records of Carson City, Nevada, to the lien or charge of the covenants, conditions, and restrictions contained in this Declaration.

b. GENSTAR PACIFIC CORPORATION (beneficiary of deed of trust), hereby joins in the execution of this Declaration for the purpose of subordinating the lien of its deed of trust encumbering the property subject to this Declaration, recorded on OCTOBER 11, 1978, as Document No. 82912, Official Records of Carson City, Nevada, to the lien or charge of the covenants, conditions, and restrictions contained in this Declaration.

IN WITNESS WHEREOF, the parties hereto have caused their names to be hereunto subscribed on the day and year first above written.

RIVERVIEW ASSOCIATES,
a Nevada Limited Partnership

By CEDAR CREEK HOUSING, INC.,
a Nevada corporation

Maria Louder
General Partner

By GENSTAR PACIFIC INVESTMENTS,
a California corporation

Michael G. Fleishman ASST. VICE PRESIDENT
Limited Partner

James Stuard

"Declarant"

WELLS FARGO BANK, N.A.
NATIONAL BANKING ASSOCIATION
(Beneficiary of Deed of Trust)

GENSTAR PACIFIC CORPORATION
a CALIFORNIA CORPORATION
Michael G. Fleishman ASST. VICE PRESIDENT
(Beneficiary of Deed of Trust)

STATE OF CALIFORNIA)
San) ss.
County of Francisco)

On July 31, 1980, personally appeared before me, a Notary Public, Michael G. Fleishman, who acknowledged that he executed the above instrument.

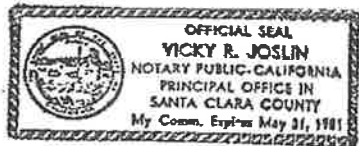


Vicky R. Joslin
Notary Public

STATE OF CALIFORNIA)
San) ss.
County of Francisco)

On July 31, 1980, personally appeared before

me, a Notary Public, James S. Madden
who acknowledged that he executed the above instrument.



Vicky R Joslin
Notary Public

CALIFORNIA)
STATE OF NEVADA)
 Nevada) ss.
County of Washoe)

On Aug 4, 1980, personally appeared before
me, a Notary Public, Peter J Crosby III
who acknowledged that he executed the above instrument.



Bright S Barnes
Notary Public

STATE OF NEVADA)
) ss.
County of Washoe)

On August 5, 1980, personally appeared before
me, a Notary Public, Maria Lowder
who acknowledged that he executed the above instrument.



Kristy L Zive
Notary Public

STATE OF NEVADA)
) ss.
County of Washoe)

On _____, 19__, personally appeared before
me, a Notary Public,
who acknowledged that he executed the above instrument.

Notary Public

STATE OF NEVADA)
) ss.
County of Washoe)

On _____, 19__, personally appeared before
me, a Notary Public,

Please return to: J. Connolly
Post Office Box 4008
Carson City NV 89702 ✓

On March 16, 1985 the property owners of Riverview Terrace in Carson City, Nevada voted in favor of amending the Covenants, Conditions & Restrictions, specifically #3 General Restrictions, Paragraph a:

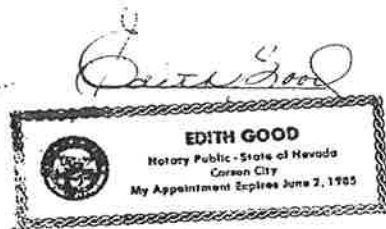
a. Dwelling units constructed within Riverview Terrace shall provide a minimum living area, exclusive of garages, porches, patios, and terraces, of not less than 1,500 square feet. Other than new structural components approved by the Committee, no existing, used, or partially constructed structure of any type shall be moved from any other place and located upon the Property for any purpose whatsoever. No unanodized aluminum window sash shall be permitted within Riverview Terrace. All aluminum sash shall be painted or anodized in a color other than natural.

All other Covenants, Conditions, and Restrictions to remain the same.


Victor Kolacki, President
Architectural Committee


John Connolly, Member & Acting Secretary
Architectural Committee

Signatures Witnessed 4-11-85



Mail to address above

FILED FOR RECORD
AT THE REQUEST OF
John Connolly
1985 APR 11 11:23
FILE NO. 34944
PETE SUPERA
CLERK & RECORDER
L. Clark DEPUTY
\$5.00 Pd



CARSON CITY

Capital of Nevada

Treasurer Home Assessor Data Inquiry Back to Last Page

Secured Tax Inquiry Detail for Parcel # 010-361-06					
Property Location: 4080 HELLS BELLS RD			Tax Year: 2016-17		
Billed to: LEE VERNON C FAM TRUST 4996			Roll #: 009305		
1/2 VERNON C LEE TRUSTEE			District: 2 1		
1380 WEST ST			Tax Service:		
CONCORD CA 94521-0000			Land Use Code: 120		Code Table
Outstanding Taxes:					
Prior Year	Tax	Penalty/Interest	Total	Amount Paid	Total Due
Current Year					
					No Taxes Owning
08-15-15	145.98		145.98	145.98	00
10-03-15	145.00		145.00	145.00	00
01-02-17	145.00		145.00	145.00	00
03-08-17	145.00		145.00	145.00	00
Totals:	580.98	00	580.98	580.98	
				Payment Cart	History

Additional Information:					
	2016-17	2015-16	2014-15	2013-14	2012-13
Tax Rate	3.5200	3.5200	3.5400	3.5600	3.5600
Tax Cap Percent	.2	3.2	3.0	4.2	6.4
Abatement Amount	147.17	84.46	45.57		



STAFF REPORT

SEE COA #15

Report To: Board of Supervisors

Meeting Date: June 15, 2017

Staff Contact: Susan Pansky, Special Projects Planner

Agenda Title: For Possible Action: To approve a Tentative Planned Unit Development request from Liberty Homes, LLC (property owner: Vernon C. Lee Family Trust) to amend the existing Riverview Terrace Planned Unit Development to divide two parcels into five, on property zoned Single Family 21,000 - Planned Unit Development (SF21-P), located at 4404 and 4080 Hells Bells Road, APNs 010-361-05 and -06. (TPUD-17-053) (Susan Pansky, spansky@carson.org)

Staff Summary: The applicant proposes to amend the existing Riverview Terrace Planned Unit Development that was originally approved on October 5, 1978. The amendment will add three single-family residential lots to the total unit count of Riverview Terrace by merging and resubdividing two existing lots on the west side of Hells Bells Road, west of the intersection with Parkhill Drive. The overall boundary of the Riverview Terrace Planned Unit Development is not proposed to change, nor will the ratio of developed property to open space. The lot sizes for the five new proposed lots will be consistent with the underlying zoning of Single-Family 21,000 (SF21).

Agenda Action: Formal Action/Motion

Time Requested: 30 minutes

Proposed Motion

I move to approve TPUD-17-053, a Tentative Planned Unit Development request from Liberty Homes, LLC (property owner: Vernon C. Lee Family Trust) to amend the existing Riverview Terrace Planned Unit Development to divide two parcels into five, on property zoned Single Family 21,000 - Planned Unit Development, located at 4404 and 4080 Hells Bells Road, APNs 010-361-05 and -06 based on the findings and subject to the conditions of approval in the staff report.

Board's Strategic Goal

Economic Development

Previous Action

The Planning Commission recommended approval of the proposed Tentative Planned Unit Development at their meeting on May 31, 2017 by a vote of 5 ayes and 0 nays with 1 absent.

Background/Issues & Analysis

The Planning Commission found that the proposed Tentative Planned Unit Development meets the required findings pursuant to the Carson City Municipal Code. Please see the attached staff report to the Planning Commission for further explanation.

Attachments:

- 1) Planning Commission Staff Report
- 2) Tentative Planned Unit Development Application (TPUD-17-053)

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapter 278A (Planned Development), CCMC Section 17.07 (Findings), CCMC Section 17.09 (Planned Unit Development)

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) Modify the recommended conditions of approval for the request.
- 2) Refer the request back to the Planning Commission for further review.
- 3) Deny the request.

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF MAY 31, 2017

FILE NO: TPUD-17-053

AGENDA ITEM: H-2

STAFF AUTHOR: Susan Pansky, AICP
Special Projects Planner

REQUEST: To make a recommendation to the Board of Supervisors regarding a Tentative Planned Unit Development request from Liberty Homes LLC (property owner: Vernon C. Lee Family Trust) to approve an amendment to the existing Riverview Terrace Planned Unit Development to divide two parcels into five, on property zoned Single Family 21,000 – Planned Unit Development (SF21-P), located at 4044 & 4080 Hells Bells Road, APNs 010-361-05 & 010-361-06.

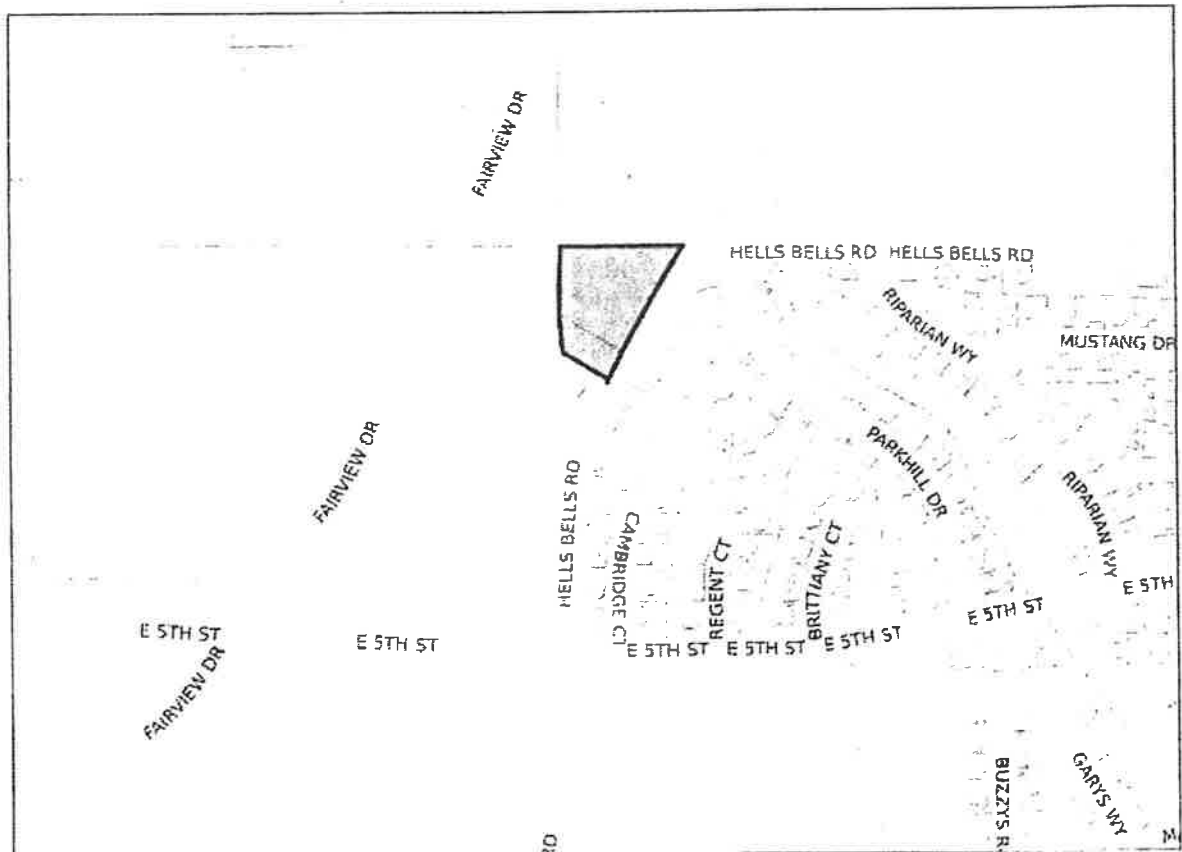
APPLICANT: Liberty Homes LLC

OWNER: Vernon C. Lee Family Trust

LOCATION: 4044 and 4080 Hells Bells Road

APN(s): 010-361-05 and -06

RECOMMENDED MOTION: "I move to recommend approval of TPUD-17-053, an amendment to the Riverview Terrace Planned Unit Development, to divide two parcels into five, on property zoned Single Family 21,000 – Planned Unit Development, on property located at 4044 and 4080 Hells Bells Road, APNs 010-361-05 and -06, based on the findings and subject to the recommended conditions of approval in the staff report.



RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant shall sign and return the Notice of Decision including conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. All lot areas and lot widths shall meet the zoning requirements approved as part of this Planned Unit Development with the submittal of any parcel map or final map.
3. The applicant shall construct all retaining walls of earth tone materials approved by the Planning Division. The retaining wall on Lot 5 shall be subject to approval by the Parks Department and Planning Division to mitigate visual impacts from the Moffat Open Space property and to blend with the surrounding natural environment.
4. The applicant and or future homeowner(s) of Lot 5, will be responsible for the removal of any graffiti on the seven foot high retaining wall. It is recommended that the applicant's contractor apply an anti-graffiti coating to the wall to facilitate future removal of any tagging.
5. The applicant shall record a deed restriction on Lot 5 indicating the property owner's responsibility to maintain the retaining wall on both the private property and the Carson City open space side. This maintenance responsibility includes removal of graffiti from the Carson City open space side of the wall.
6. It will be the applicant's and/or future homeowner(s) responsibility to maintain all open space/natural areas and provide defensible space associated with each parcel in the development.
7. The Unified Pathway Master Plan identifies the concrete path along Hells Bells Road as part of the City's path system connecting the Moffat Open Space Property to the north end of the Prison Hill Recreation Area. This facility needs to remain open and in place during any construction on the parcels. Any damage due to construction related activities must be repaired to the City's satisfaction.
8. The parcels abut Carson City Open Space property. All construction activities shall remain on the subject parcels and must not impact and/or damage any area or natural vegetation on the Open Space property.
9. The applicant will be required to provide a staging plan that reflects all construction related parking. All vehicles shall remain on the subject parcels or along Hells Bells Road. Vehicles will not be allowed to utilize the Moffat Open Space property's gravel parking lot or the adjacent open space areas.
10. The applicant will be required to incorporate "best management practices" into their construction documents and specifications to reduce the spread of noxious weeds. The Parks Department is willing to assist the applicant with this aspect of their project.
11. Hours of construction will be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday, and 7:00 a.m. to 5:00 p.m. on Saturday and Sunday. If the hours of construction are not adhered to, the Carson City Building Division will issue a warning for the first violation, and upon a second violation, will have the ability to cause work at the site to cease immediately.

12. Lots not planned for immediate development shall be left undisturbed and mass grading and clearing of natural vegetation shall not be allowed. Any and all grading shall comply with City standards. A grading permit from the Nevada Division of Environmental Protection shall be obtained prior to any grading. Noncompliance with this provision shall cause a cease and desist order to halt all grading work.
13. A drainage easement must be provided along the slope cut-off ditch west of the building pads.
14. The slope cut-off ditch west of the building pads must drain to the Hells Bells Road right-of-way drainage system. Any portion of this ditch that cannot drain to this right-of-way must be properly designed to promote sheet flow at the outfall and prevent erosion. Drainage onto adjacent property may not exceed pre-development runoff quantities. Any outfalls must be riprapped or otherwise protected from erosion.
15. The east property line, along Hells Bells Road, must be adjusted to follow the logical right-of-way alignment.
16. Per the Preliminary Geotechnical Report, a final geotechnical report must be prepared that addresses the proposed structures and related site development. The report must include allowable bearing capacity, estimated settlement under design loads, foundation grading criteria, slope design, erosion control criteria, and other site specific or specialized geotechnical information as needed.
17. All construction and improvements must meet the requirements of Carson City Standard Details, including CCDS Division 7, Hillside Development.
18. The applicant shall provide construction plans to the Engineering Division for approval of all required on-site and off-site improvements, prior to any submittals for approval of a final map. The plan must adhere to the recommendations contained in the project soils and geotechnical report.
19. The applicant shall obtain a dust control and stormwater pollution prevention permit from the Nevada Division of Environmental Protection (NDEP). The site grading must incorporate proper dust control and erosion control measures.
20. The project must comply with the 2012 IFC and northern Nevada fire code amendments.
21. The project must comply with the 2012 IWUIC and northern Nevada fire code amendments due to being under the hillside development ordinance.
22. A "will serve" letter from the water and wastewater utilities shall be provided to the Nevada Health Division prior to approval of a final map.
23. A Final Map, prepared in substantial conformance with the Tentative Map, must be approved and recorded within four years after the approval of a Tentative Map unless a longer time is provided for in an approved development agreement with the City.

24. The following notes shall be added to the Final Map:
 - A. These parcels are subject to Carson City's Growth Management Ordinance and all property owners shall comply with provisions of said ordinance.
 - B. All development shall be in accordance with the Riverview Terrace Planned Unit Development Amendment (TPUD-17-053).
 - C. The parcels created with this Final Map are subject to the Residential Construction Tax payable at the issuance of Building Permits for residential units.
25. A copy of the signed Notice of Decision shall be provided with the submission of any Final Map.
26. The applicant shall provide evidence to the Planning Division indicating the all agencies' concerns or requirements have been satisfied and that all conditions of approval have been met.
27. Prior to the recordation of the Final Map for any phase of the project, the improvements associated with said phase must either be constructed and approved by the City, or the specific performance of said work secured by providing the City with a proper surety in the amount of 150% of the engineer's estimate. In either case, upon acceptance of the improvements by the City, the developer shall provide the City with a proper surety in the amount of 10% of the engineer's estimate to secure the Developer's obligation to repair defects in workmanship and materials which may appear in the work within one year of acceptance by the City.

LEGAL REQUIREMENTS: NRS Chapter 278A (Planned Development), CCMC Section 17.07 (Findings), CCMC Section 17.09 (Planned Unit Development), CCMC Section 18.02.085 (Variances), CCMC Section 18.04.060 (Single Family 21,000)

MASTER PLAN DESIGNATION: Low Density Residential (LDR)

ZONING DISTRICT: Single Family-21,000 – Planned Unit Development (SF21-P)

KEY ISSUES: Does the proposed amendment meet the Planned Unit Development requirements and other applicable requirements? Are the proposed lot sizes appropriate for the zoning district and existing Riverview Terrace Planned Unit Development? Does the addition of three lots to the overall lot count have a negative impact on the surrounding area and/or the existing Riverview Terrace Planned Unit Development?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Public Community (PC)/Open Space – Carson City

SOUTH: Single Family 21,000 – Planned Unit Development (SF21-P)/Single Family Detached Residential Uses

WEST: Public (P)/Vacant Land – State of Nevada

EAST: Single Family 21,000 – Planned Unit Development (SF21-P)/Single Family Detached Residential Uses

EXHIBIT "A"

**DESCRIPTION OF
ABANDONMENT OF PUBLIC ROADWAY**

**HELLS BELLS ROAD
CARSON CITY, NEVADA**

The following describes an area of abandonment of a public roadway (Hells Bells Road situate within a portion of the Northwest One-Quarter (NW 1/4) of the Southeast One-Quarter (SE 1/4) of Section Fifteen (15), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Meridian, Carson City, Nevada; being a portion of Hells Bells Road as shown on Tract Map No. 742, recorded May 10, 1979 as File No. 87816 in the Carson City, Nevada recorder's office, more particularly described as follows:

COMMENCING at the Center of said Section 15, also being the Northwest Corner (NW Cor) of Lot 1-A as shown on Record of Survey in support of a Boundary Line Adjustment (ROS/BLA) Map No. 2248 recorded December 9, 1997 as File No. 211075 in the Carson City, Nevada recorder's office, marked by a brass cap;

THENCE along the north line of said Lot 1-A, South 89°53'54" East, 436.03 feet (436.02 feet per ROS/BLA Map No. 2248) to the Northeast Corner (NE Cor) of Parcel 1-A, being a point on the northerly right-of-way of said Hells Bells Road and the **POINT OF BEGINNING**;

THENCE continuing South 88°53'54" East along said northerly right-of-way, 115.86 feet to a point of cusp of a non-tangent curve to the left, a tangent line to said point bears South 74°50'42" West;

THENCE departing said northerly right-of-way, 273.19 feet along the arc of said curve having a 350.00 foot radius, through a central angle of 44°43'20" to a point on the northwesterly right-of-way of said Hells Bells Road and the easterly line of said Parcel 1-A;

THENCE along said easterly line and said northwesterly right-of-way, North 30°07'21" East, 190.08 feet to the **POINT OF BEGINNING**.

Containing 4,920 square feet of land, more or less.

See attached Exhibit "A-1", map to accompany legal description,

BASIS OF BEARINGS: Nevada State Plane Coordinate System, West Zone 2701 based on the North American Datum of 1983/1994 (NAD 83/94). Rotate described bearings 0°43'11" counter-clockwise to match the bearings shown on Tract Map No. 742.

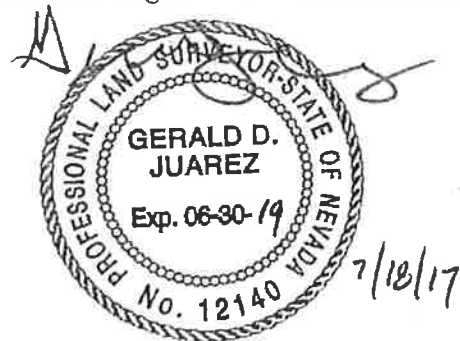
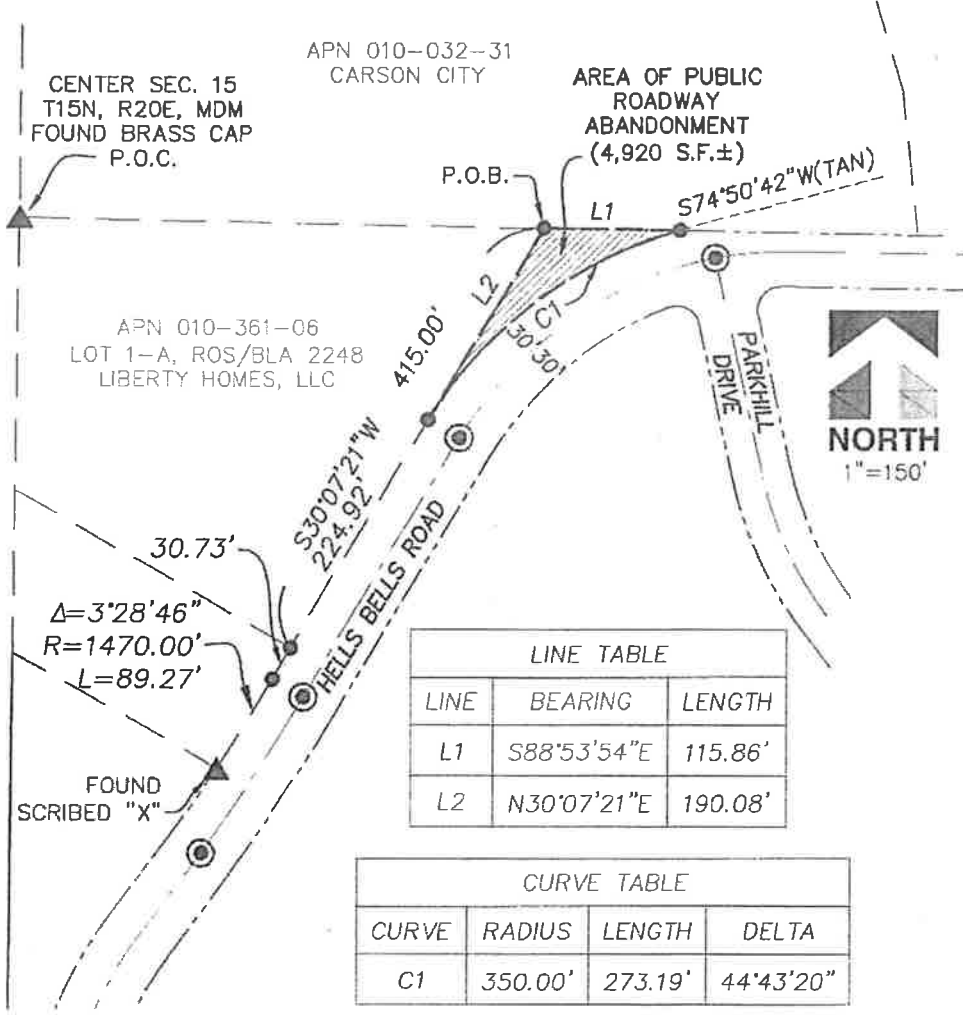


EXHIBIT "A-1"



LINE TABLE		
LINE	BEARING	LENGTH
L1	S88°53'54"E	115.86'
L2	N30°07'21"E	190.08'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	350.00'	273.19'	44°43'20"

BASIS OF BEARINGS

NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE 2701 BASED ON THE NORTH AMERICAN DATUM OF 1983\1994 (NAD 83\94). ROTATE BEARINGS 0°43'11" COUNTER-CLOCKWISE TO MATCH TRACT MAP NO. 742

LEGEND

- DIMENSION POINT
- ⊙ FOUND CENTERLINE MONUMENT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- APN ASSESSOR'S PARCEL NUMBER

HELLS BELLS

CARSON CITY

PUBLIC ROADWAY ABANDONMENT

PROJ. MGR.: GDJ
DRAWN BY: GDJ
DATE: 8/15/17
SCALE: 1"=150'



Manhard
CONSULTING LTD www.manhard.com
9850 Double R Blvd, Suite 101, Reno, NV 89521
tel: (775) 746-3500 fax: (775) 746-3520

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SHEET
1 OF **1**
LIBCCNV1 .01

EXHIBIT "B"

**DESCRIPTION OF
RESULTANT PARCEL**

The following describes a resultant parcel after a public roadway abandonment situate within a portion of the Northwest One-Quarter (NW 1/4) of the Southeast One-Quarter (SE 1/4) of Section Fifteen (15), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Meridian, Carson City, Nevada; more particularly described as follows:

BEGINNING at the Center of said Section 15, also being the Northwest Corner (NW Cor) of Lot 1-A as shown on Record of Survey in support of a Boundary Line Adjustment (ROS/BLA) Map No. 2248 recorded December 9, 1997 as File No. 211075 in the Carson City, Nevada recorder's office, marked by a brass cap;

THENCE along the north line of said Lot 1-A and the projection thereof, South 89°53'54" East, 551.89 feet to a point on the northerly right-of-way of said Hells Bells Road, being a point of cusp of a non-tangent curve to the left, a tangent line to said point bears South 74°50'42" West;

THENCE departing said northerly right-of-way, 273.19 feet along the arc of said curve having a 350.00 foot radius, through a central angle of 44°43'20" to a point on the northwesterly right-of-way of said Hells Bells Road and the easterly line of said Parcel 1-A;

THENCE continuing along said easterly line and said northwesterly right-of-way, South 30°07'21" West, 224.93 feet to the Southeast Corner (SE Cor) of said Parcel 1-A;

THENCE departing said easterly line and northwesterly right-of-way and along the southerly line of said Parcel 1-A, North 59°52'39" West, 265.90 feet to the Southwest Corner (SW Cor) of said Parcel 1-A;

THENCE departing said southerly line, along the west line of said Parcel 1-A, North 00°34'06" East, 233.91 feet to the **POINT OF BEGINNING**.

Containing 2.55 acres of land, more or less.

See attached Exhibit "B-1", map to accompany legal description,

BASIS OF BEARINGS: Nevada State Plane Coordinate System, West Zone 2701 based on the North American Datum of 1983/1994 (NAD 83/94). Rotate described bearings 0°43'11" counter-clockwise to match the bearings shown on Tract Map No. 742.

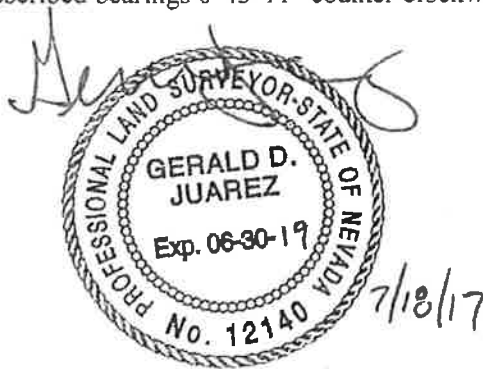
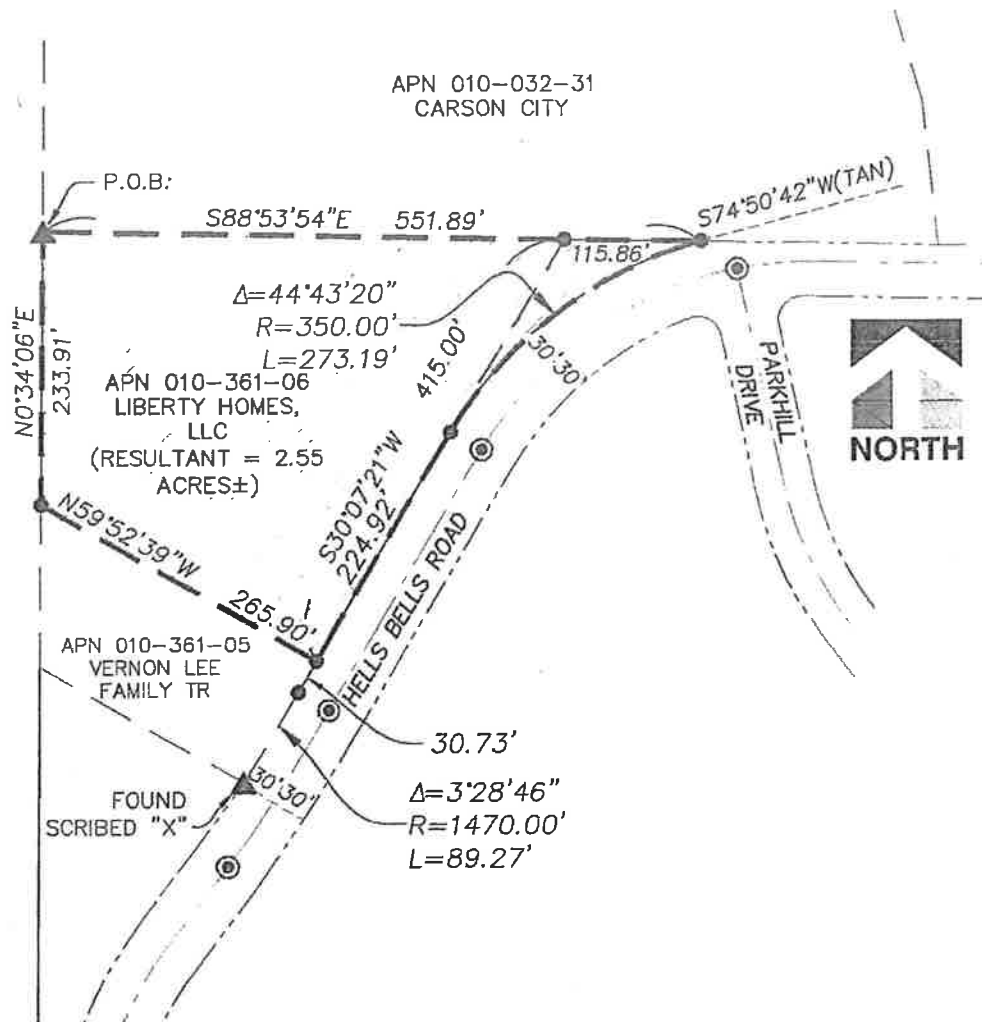


EXHIBIT "B-1"



BASIS OF BEARINGS

NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE 2701 BASED ON THE NORTH AMERICAN DATUM OF 1983\1994 (NAD 83\94). ROTATE BEARINGS 0°43'11" COUNTER-

LEGEND

- DIMENSION POINT
- ⊙ FOUND CENTERLINE MONUMENT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

CLOCKWISE TO MATCH TRACT MAP NO. 742 HELL'S BELLS CARSON CITY APN ASSESSOR'S PARCEL NUMBER RESULTANT PARCEL

PROJ. MGR.: GDJ
DRAWN BY: GDJ
DATE: 6/15/17
SCALE: 1"=150'



Manhard

CONSULTING LTD www.manhard.com
9850 Double R Blvd, Suite 101, Reno, NV 89521
tel: (775) 746-3500 fax: (775) 746-3520

SHEET

1 OF 1

LIBCCNV1

.01

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY


LOCATED AT: APN: 210-301-20

(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	Diane Albrecht Print Name	Charter Communications Company	6/22/17 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 Utilities (will sign during review)	

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: APN 010-361-06

(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] MATT GAUGHAN NOT KNOWN 6-15-77
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 Utilities (will sign during review)

Southwest Gas Corporation
AT&T Nevada

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

Public Roadway Abandonment on
 LOCATED AT: Hells Bells Road adjacent to NE corner of APN 010-361-06,

(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

<u>Amanda Marcucci</u>	<u>Amanda Marcucci</u>	<u>Southwest Gas</u>	<u>6/15/17</u>
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 Utilities (will sign during review)


Southwest Gas Corporation
 AT&T Nevada

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: 4080 Hells Bells Road; APN 010-361-06

(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.

	<u>CLIFF COOPER</u>	<u>NEVADA BELL TELEPHONE CO d/b/a AT&T NEVADA</u>	<u>6/14/17</u>
Signature	Print Name	Company	Date

_____ Signature	_____ Print Name	_____ Company	_____ Date
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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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
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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3. OTHER: (Please type in a statement which applies to your situation): _____

_____ Signature	_____ Print Name	_____ Company	_____ Date
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

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

Southwest Gas Corporation
AT&T Nevada