



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: March 15, 2018

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

Agenda Title: For Possible Action: To consider adoption of an Order of Abandonment of the Aspen Street Right-of-Way, approximately 34,121 square feet, more or less, located between Arthur Street and Clear Creek Avenue, adjacent to properties located at 151 Arthur Street, 153 Arthur Street, 159 Arthur Street, 160 Clear Creek Avenue, 230 Clear Creek Avenue, and 5431 Aspen Street, adjacent to Assessor's Parcel Numbers 009-224-03, -04, and -11, 009-226-05, -09, and -10. (Reference AB-18-009) (Hope Sullivan, hsullivan@carson.org)

Staff Summary: The subject right-of-way, known as Aspen Street, was created when the Bureau of Land Management issued patents in the early 1960s. Carson City is the owner of this right-of-way. The right-of-way is not currently maintained or used as a roadway. If the right-of-way is abandoned, the land will become owned by the adjacent private property owners.

Agenda Action: Formal Action/Motion

Time Requested: 20 minutes

Proposed Motion

I move to approve an Order of Abandonment of the Aspen Street Right-of-Way, approximately 34,121 square feet, more or less, located between Arthur Street and Clear Creek Avenue, adjacent to properties located at 151 Arthur Street, 153 Arthur Street, 159 Arthur Street, 160 Clear Creek Avenue, 230 Clear Creek Avenue, and 5431 Aspen Street, adjacent to Assessor's Parcel Numbers 009-224-03, -04, and -11, 009-226-05, -09, and -10 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 February 28, 2018, the Planning Commission recommended approval of AB-18-009 by a vote of 7-0.

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.

On January 17, 2018, the City's Real Property Manager sent a letter to each property owner advising that with the abandonment of right-of-way, the property would revert to their property, and would be subject to property taxes.

Attachments:

- 1) Order of Abandonment, including the Grant of Non-Exclusive Public Utility Easement
- 2) Staff report to the Planning Commission

3) Application from Carson City Public Works

Applicable Statute, Code, Policy, Rule or Regulation

NRS 278.480 and CCMC Title 17.15

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

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

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 28, 2018

FILE NUMBER: AB-18-009

AGENDA ITEM: E.2

STAFF AUTHOR: Kathe Green, Assistant Planner

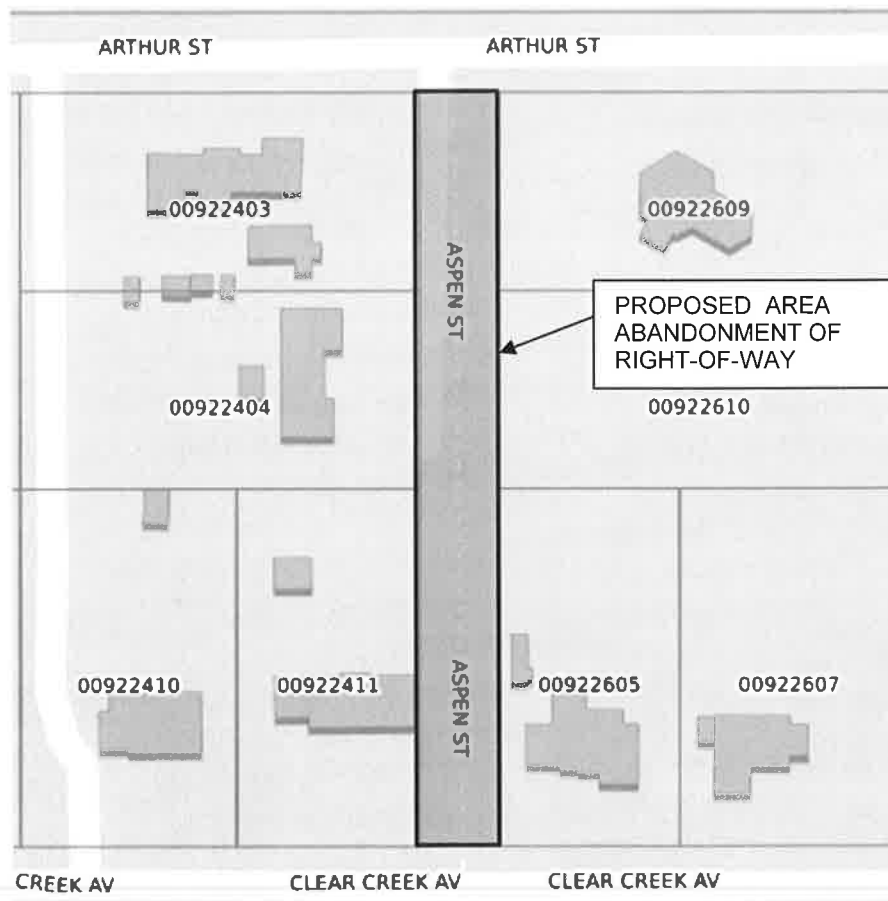
OWNER: City of Carson City

APPLICANT: Carson City Public Works

AGENT: Stephanie Hicks, Real Property Manager, Carson City

REQUEST: Abandonment of Aspen Street public right-of-way between Arthur Street and Clear Creek Avenue, an area 60 feet wide and up to 570 feet long totaling 34,121 square feet, more or less, adjacent to properties located at 151 Arthur Street, 153 Arthur Street, 159 Arthur Street, 160 Clear Creek Avenue, 230 Clear Creek Avenue and 5431 Aspen Street, adjacent to Assessor's Parcel Numbers 009-224-03, 009-224-04, 009-224-11, 009-226-05, 009-226-09 and 009-226-10.

RECOMMENDED MOTION: "I move to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-18-009, for an abandonment of Aspen Street, an area 60 feet wide by up to 570 feet long, totaling 34,121 square feet, more or less, located between Arthur Street and Clear Creek Avenue, adjacent to properties located at 151 Arthur Street, 153 Arthur Street, 159 Arthur Street, 160 Clear Creek Avenue, 230 Clear Creek Avenue and 5431 Aspen Street, adjacent to Assessor's Parcel Numbers 009-224-03, 009-224-04, 009-224-11, 009-226-05, 009-226-09 and 009-226-10 based on seven findings and subject to the conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

1. Prior to the recordation of said abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search materials as required by the Planning Division in order to fully complete the abandonment process.
2. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).
3. A blanket public utility easement for all portions of Aspen Street being abandoned will be provided.
4. A private access easement 30 feet wide will be provided to provide access to the interior parcels currently shown as Assessor's Parcel number 009-224-04 addressed as 153 Arthur Street, and Assessor's Parcel number 009-226-10 addressed as 5431 Aspen Street.
5. This abandonment pertains to:
 - APN: 009-224-03: The area of the proposed abandonment adjacent to this parcel is 4,500 square feet more or less, being the westerly 30.00 feet of Aspen Street, lying easterly and contiguous to the easterly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City.
 - APN: 009-224-04: The area of the proposed abandonment adjacent to this parcel is 4,480 square feet more or less, being the westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City.
 - APN: 009-224-11: The area of the proposed abandonment adjacent to this parcel is 8,080 square feet more or less, being the westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain parcel of land described in the deed filed as Document No. 457306 of the Official Records of Carson City.
 - APN: 009-226-05: The area of the proposed abandonment adjacent to this parcel is 8,075 square feet more or less, being the easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel 1 as said parcel is shown and delineated on Parcel Map No. 1819, filed as Document No. 104144 of the Official Records of Carson City.
 - APN: 009-226-10: The area of the proposed abandonment adjacent to this parcel is 4,493 square feet more or less, being the easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City.
 - APN: 009-226-09: The area of the proposed abandonment adjacent to this parcel is 4,493 square feet more or less, being the easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City.
6. Conditional approval for the requested abandonment shall expire four years after Board of Supervisor approval of the original application, unless an extension of time has been granted by

the Board of Supervisors.

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

Adjacent MASTER PLAN DESIGNATION: Medium Density Residential (MDR), Public/Quasi-Public (QP) and Washoe Tribe

Adjacent PRESENT ZONING: Single Family 1 Acre (SF1A) and Public Regional (PR)

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

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Public Regional (PR)/Vacant
SOUTH: Public Regional (PR)/Vacant
WEST: Single Family 1 Acre (SF1A)/Residential
EAST: Single Family 1 Acre (SF1A)/ Residential

PREVIOUS REVIEWS:

None

DISCUSSION:

This request is to allow the abandonment of the entire right-of-way area of Aspen Street between Arthur Street and Clear Creek Drive, totaling a 34,121 square feet area, more or less, adjacent to properties located at 151 Arthur Street, 153 Arthur Street, 159 Arthur Street, 160 Clear Creek Drive, 230 Clear Creek Avenue and 5431 Aspen Street, APNs 009-224-03, 009-224-04, 009-224-11, 009-226-05, 009-226-09 and 009-226-10.

The entire length of Aspen Street is located between Arthur Street and Clear Creek Avenue and is an underutilized right-of-way area. The Planning Division staff conducted a site visit and found the subject area to be a higher elevation on the northern end, with concrete barriers placed perpendicularly across the right-of-way at the mid-point between the north and south ends. There are only minor improvements in the area where right-of-way is proposed to be abandoned. The majority of the right-of-way is a dirt road, with the exception of the area adjacent to the northwestern parcel, where the right-of-way has been improved with asphalt. This area appears to be an active driveway for this parcel. As stated in the submitted application, if the right-of-way abandonment is approved, the intention is to deed the resultant abandoned right-of-way property to the adjacent properties on the east and west. The adjacent property owners will benefit from an increase in owned land area but will also have a potential increase of property taxes in the future.

The right-of-way is currently underutilized as a roadway, as the area is not a through way to either Arthur Street or Clear Creek Avenue. An access easement 30 feet wide and 150 feet long will be created at Arthur Street, to provide an access to two interior parcels to the south in the former Aspen Street right-of-way area. It is noted the application and justification page describe the width of the easement in error as 20 feet wide, while all other exhibits and supporting information describe it as 30 feet wide. The applicant has clarified that the correct width should be 30 feet, to allow the residents ample room to negotiate the area. This easement is proposed to be located down the center of the former Aspen Street right-of-way from Arthur Street south to provide access to Assessor's Parcel numbers 009-224-04 and 009-226-10. The documents to create this easement are included in the right-of-way abandonment documents submitted by the applicant.

NV Energy and AT&T/Nevada Bell Telephone have indicated they do have utilities in the public roadway easement proposed for abandonment and do want an easement reservation to be continued. They have requested that an easement be created or continued at this location. Documents for the creation of the easement have been provided by the applicant and will be recorded. These documents have been reviewed by the Carson City Engineering Division as they were included with the submitted application paperwork. Completion of any additional documentation and recording of appropriate paperwork will be a required condition of approval. Charter Communication and Southwest Gas have indicated they do not currently have easements in this area.

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

With the recommended conditions of approval and if it is determined that based on the findings of fact that the public will not be materially injured by the proposed vacation, it is recommended that the Planning Commission make a recommendation to the Board of Supervisors for approval of AB-18-009, subject to the recommended conditions of approval.

The Engineering Division has provided detail regarding the Chain of Title as follows: This right-of-way, Aspen Street, was created when the Bureau of Land management (BLM) issued patents in the early 1960's. The original patent easement for right-of-way and utilities was 33-feet on each side of centerline (Patent Numbers 1224118, 1224318, 1244328 and 1224369). Later, parcel maps and a Record of Survey show the right-of-way easement as being 30 feet on either side of the centerline (Parcel Maps numbers 1557, 1819, 2094 and 2864). There are no records indicating that the City ever paid for the right-of-way.

PUBLIC COMMENTS: A public notice was sent by certified mail to the six adjacent property owners per Nevada Revised States on February 12, 2018. At the writing of this report, there have been no comments received 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.

Fire Department: No concerns

Environmental Health: No concerns

RIGHT-OF-WAY ABANDONMENT FINDINGS: In accordance with Title 17.15.010, the staff recommendation is based upon the following findings, which are substantiated in the public record.

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

In general, the street is not used by the public at large. Rather, the road is utilized only to access homes located adjacent to the proposed abandonment area. Property owners will not be damaged by this abandonment application, nor will the public be materially injured by the abandonment.

Per the information provided by Stephen Pottey of the Engineering Division as well as the Planning Division, the public will not be materially injured by the proposed abandonment of the right of way. There will be no landlocked parcels created as a result of the proposed abandonment, as a private access

easement 30 feet wide and 150 feet long will be created to provide access from Arthur Street to two internally located properties.

In addition, public utility easements will be maintained over the entire area being abandoned.

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

The right-of-way was created when the Bureau of Land Management (BLM) issued patents in the early 1960's under Patent Number 1224118, 1224318, 1244328 and 1224369. 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. Aspen Street was created in the early 1960's by United States Patent. 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. What is the applicability of the parking value analysis applied to this request?

In general, Aspen Street is not utilized for parking. Homeowners park on their private property. The private property will expand in size upon approval of the abandonment, which will accommodate additional on-site parking. Once the area of right-of-way has been abandoned, the property owners and guests may continue to park in the area of the former right-of-way, or the property owners will be able to fence or modify the resultant increased property area as landscaping or other uses, although access cannot be denied to utility companies as the area will retain utility easements. The proposed area of the new access easement will be 30 feet wide, and may not be an adequate width to allow parking. This area is described as an access easement, not a parking easement. No impact to parking is anticipated as a result of an approval of the request to abandon this right-of-way area. Approval of the abandonment will not result in the elimination of desirable on-street parking.

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

A blanket public utility easement is being reserved for all portions of Aspen Street being abandoned. Charter Communication and Southwest Gas have indicated they do not have utilities in the public roadway proposed for abandonment and do not want an easement reservation. NV Energy and AT&T/Bell Telephone Company do have an interest in the retention of a utility easement in the entire Aspen Street right-of-way area and are requiring an easement to be retained and filed. The Carson City Engineering Division has reviewed the submitted documents. The documents will need to be recorded when approved.

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

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

Attachments:

Site Photos

Engineering Division comments

Fire Department comments

Health Department comments

Environmental Control Authority comments

Parks and Recreation comments

Draft Order of Abandonment

Application (AB-18-009)

APN(s): 009-224-03, 009-224-04, 009-224-11, 009-226-05, 009-226-09 and 009-22610

AN ORDER ABANDONING ALL OF ASPEN STREET RIGHT-OF-WAY, BEING APPROXIMATELY 60 FEET WIDE BY 570 FEET LONG, APPROXIMATELY 34, 121 SQUARE FEET, MORE OR LESS, LOCATED BETWEEN THE SOUTHERLY RIGHT-OF-WAY OF ARTHUR STREET AND THE NORTHERLY RIGHT-OF-WAY OF CLEAR CREEK AVENUE, WITHIN A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.M, CARSON CITY, STATE OF NEVADA, ON PROPERTIES LOCATED ADJACENT TO 151 ARTHUR STREET, 153 ARTHUR STREET, 159 ARTHUR STREET, 160 CLEAR CREEK AVENUE, 230 CLEAR CREEK AVENUE AND 5431 ASPEN STREET, ASSESSOR'S PARCEL NUMBERS 009-224-03, 009-224-04, 009-224-11, 009-226-05, 009-226-09 AND 009-226-10, IN CARSON CITY, NEVADA.

WHEREAS, on January 18, 2018, Carson City Public Works duly filed a written application seeking vacation and abandonment of all of a public right-of-way, Aspen Street, being approximately 60 feet wide by 570 feet long, approximately 34,121 square feet, more or less, located between the southerly right-of-way of Arthur Street and the northerly right-of-way of Clear Creek Avenue, within a portion of the southeast 1/4 of the northwest 1/4 of the southwest 1/4 of section 32, Township 15 North, Range 20 East, M.D.M. Carson City, State of Nevada, adjacent to APN(s) 009-224-03, 009-224-04, 009-224-11, 009-226-05, 00-226-09 and 009-226-10, 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 February 28, 2018. 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 _____, 2018, 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 subject to the conditions of approval included in Exhibit(s) "C" and pursuant to the provisions of NRS 278.480, which among its provisions, requires a written order to be prepared and recorded in the office of the Carson City Recorder; and

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

NOW, THEREFORE, the Board of Supervisors hereby orders:

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

ORDERED this ____ day of _____, 2018, by the Carson City Board of Supervisors.

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk-Recorder

EXHIBIT "A"
Private Access Easement

All that certain real property situate within the SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, being a portion of Aspen Street as shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 and on Parcel Map No. 2094, filed as Document No. 172859, both Official Records of Carson City, State of Nevada, and being more particularly described as follows:

A strip of land, 30.00 feet in width, laying 15.00 feet on each side of the following described centerline;

BEGINNING at a point on the centerline of said Aspen Street, from which the southeasterly most corner of Parcel A of said Parcel Map No. 1557, bears North 89°10'15" West, a distance of 30.00 feet;

THENCE from said point of beginning, along said centerline North 00°44'30" East, 150.00 feet to the intersection with the southerly right of way line of Arthur Street and the **POINT OF TERMINATION** of the herein described centerline.

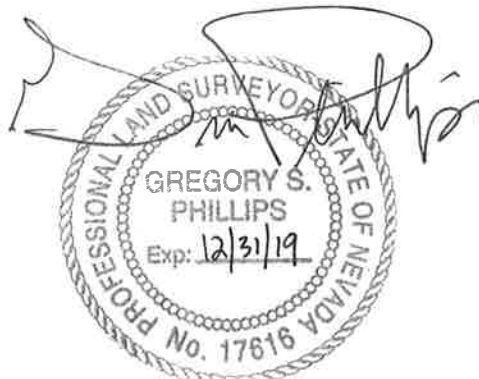
The sidelines of the herein described centerline to be lengthened or shortened so as to intersect at the southerly right of way line of said Arthur Street and the prolongation of the southerly lines of Parcel A per said Parcel Map No. 1557 and Parcel A per said Parcel Map No. 2094 to the centerline of said Aspen Street.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:

Lumos & Associates
Greg Phillips, P.L.S.
800 East College Pkwy
Carson City, NV 89706



12/14/17

ARTHUR STREET

15' 15'

A.P.N. 009-224-03
PTN OF PATENT #1224318
HURZEL, J.J. & J.S.
PTN OF PCL A PM 1557

A.P.N. 009-226-09
PTN OF PATENT #1224328
SCULLY
PTN OF PCL A PM 2094



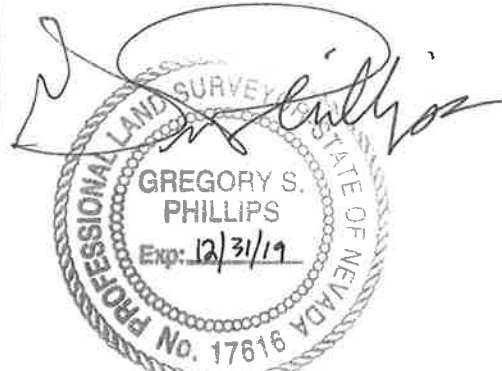
N 89°10'15" W
30.00'

P.O.B.

A.P.N. 009-224-04
PTN OF PATENT #1224318
HURZEL FAMILY TRUST
PTN OF PCL B PM 1557

A.P.N. 009-226-10
PTN OF PATENT #1224328
ROTOLI, ET AL
PTN OF PCL B PM 2094

ASPEN STREET
(TO BE ABANDONED)



12/14/17

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

EXHIBIT "A-1"
EASEMENT RESERVATION IN
ABANDONED ASPEN STREET
PORTION OF SEC. 32, T15N, R20E, MDM
CARSON CITY NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A"
Road Abandonment of a Portion of
Aspen Street Affecting A.P.N. 009-224-03

All that certain real property situate within the NW1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224318, dated December 1, 1961, and being more particularly described as follows:

The westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the northeast corner of said Parcel A being the Point of Intersection of the southerly line of Arthur Street with the westerly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 1557;

Thence from said **POINT OF BEGINNING**, along said westerly line of Aspen Street, South 00°44'30" West a distance of 150.00 feet to the southeast corner of said Parcel A, as shown on said Parcel Map;

Thence leaving said westerly line of Aspen Street and proceeding along the easterly prolongation of the southerly line of aforementioned Parcel A, South 89°10'15" East, a distance of 30.00 feet to the centerline of Aspen Street, also being the easterly line of said government patent;

Thence leaving said easterly prolongation and proceeding along said centerline and the easterly line of said patent, North 00°44'30" East, a distance of 150.00 feet to an intersection with the aforementioned southerly line of Arthur Street,

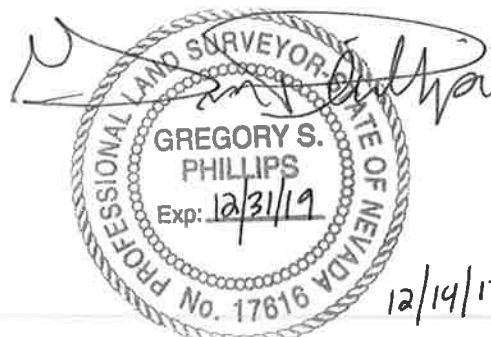
Thence leaving said centerline and easterly patent line and proceeding along the aforementioned southerly line of Arthur Street, North 89°10'15" West a distance of 30.00 feet to the Point of Beginning and end of this description containing 4,500 square feet, more or less.

A blanket public utility easement is reserved for all portions of Aspen Street being abandoned.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
 Greg Phillips, P.L.S.
 800 East College Pkwy
 Carson City, NV 89706



ARTHUR STREET

N 89°10'15" W
30.00'

P.O.B.

A.P.N. 009-224-03
PTN OF PATENT #1224318
HURZEL, J.J. & J.S.
PTN OF PCL A PM 1557

S 0°44'30" W 150.00'

4,500 S.F.

N 0°44'30" E 150.00'

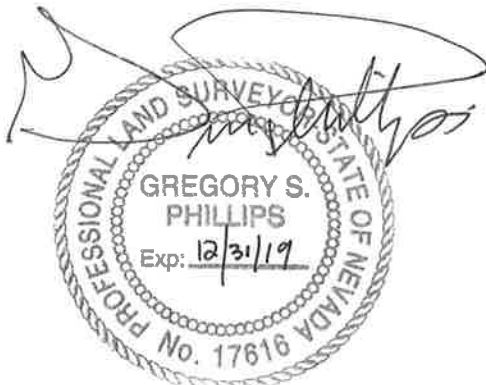


S 89°10'15" E
30.00'

30.00'

NOTE: A BLANKET PUBLIC
UTILITY EASEMENT IS RESERVED
FOR ALL PORTIONS OF ASPEN
STREET BEING ABANDONED

ASPEN STREET



12/14/17



800 E. COLLEGE PARKWAY
CARSON CITY, NEVADA 89705
TEL (775) 883-7077 FAX (775) 883-7114

EXHIBIT "A-1"

**ABANDONMENT OF A PTN OF ASPEN STREET
AFFECTING APN 009-224-03
PORTION OF SEC. 32, T15N, R20E, MDM**

CARSON CITY

NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A-2"
Aspen Street Abandonment
Resultant Parcel Description A.P.N. 009-224-03

All the real property situate in Carson City, State of Nevada, more particularly described as follows:

Parcel A as shown on Map Number 1557
(cka Arthur Street, Carson City, Nevada)

TOGETHER WITH

All that certain real property situate within the NW1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224318, dated December 1, 1961, and being more particularly described as follows:

The westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the northeast corner of said Parcel A being the Point of Intersection of the southerly line of Arthur Street with the westerly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 1557;

Thence from said **POINT OF BEGINNING**, along said westerly line of Aspen Street, South 00°44'30" West a distance of 150.00 feet to the southeast corner of said Parcel A, as shown on said Parcel Map;

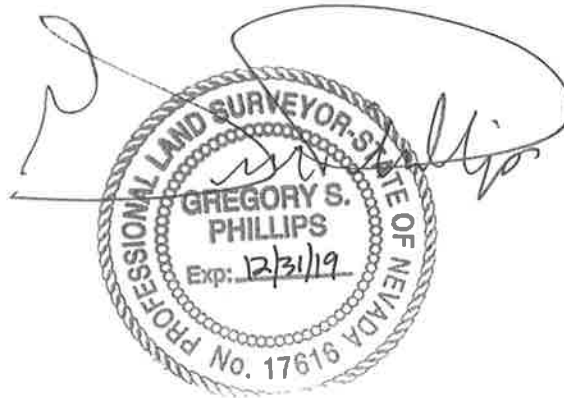
Thence leaving said westerly line of Aspen Street and proceeding along the easterly prolongation of the southerly line of aforementioned Parcel A, South 89°10'15" East, a distance of 30.00 feet to the centerline of Aspen Street, also being the easterly line of said government patent;

Thence leaving said easterly prolongation and proceeding along said centerline and the easterly line of said patent, North 00°44'30" East, a distance of 150.00 feet to an intersection with the aforementioned southerly line of Arthur Street,

Thence leaving said centerline and easterly patent line and proceeding along the aforementioned southerly line of Arthur Street, North 89°10'15" West a distance of 30.00 feet to the Point of Beginning and end of this description containing 4,500 square feet, more or less.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
Greg Phillips, P.L.S.
800 East College Pkwy
Carson City, NV 89706



01/17/18

EXHIBIT "A"
Road Abandonment of a Portion of
Aspen Street Affecting A.P.N. 009-224-04

All that certain real property situate within the NW1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224318, dated December 1, 1961, and being more particularly described as follows:

The westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the southeast corner of said Parcel B being situate on the westerly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 1557;

Thence from said **POINT OF BEGINNING**, along said westerly line of Aspen Street, North 00°44'30" East a distance of 149.32 feet to the northeast corner of said Parcel B, as shown on said Parcel Map;

Thence leaving said westerly line of Aspen Street and proceeding along the easterly prolongation of the northerly line of aforementioned Parcel B, South 89°10'15" East, a distance of 30.00 feet to the centerline of Aspen Street, also being the easterly line of said government patent;

Thence leaving said easterly prolongation and proceeding along said centerline and the easterly line of said patent, South 00°44'30" West, a distance of 149.32 feet to an intersection with the easterly prolongation of the southerly line of said Parcel B,

Thence leaving said centerline and easterly patent line and proceeding along the aforementioned easterly prolongation of the southerly line of said Parcel B, North 89°09'43" West a distance of 30.00 feet to the Point of Beginning and end of this description.

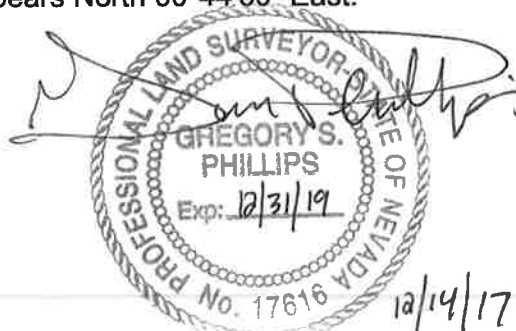
Containing 4,480 square feet, more or less.

A blanket public utility easement is reserved for all portions of Aspen Street being abandoned.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
 Greg Phillips, P.L.S.
 800 East College Pkwy
 Carson City, NV 89706



ARTHUR STREET



NOTE: A BLANKET PUBLIC UTILITY EASEMENT IS RESERVED FOR ALL PORTIONS OF ASPEN STREET BEING ABANDONED

S 89°10'15" E
30.00'

A.P.N. 009-224-04
PTN OF PATENT #1224318
HURZEL FAMILY TRUST
PTN OF PCL B PM 1557

P.O.B.

N 0°44'30" E 149.32'

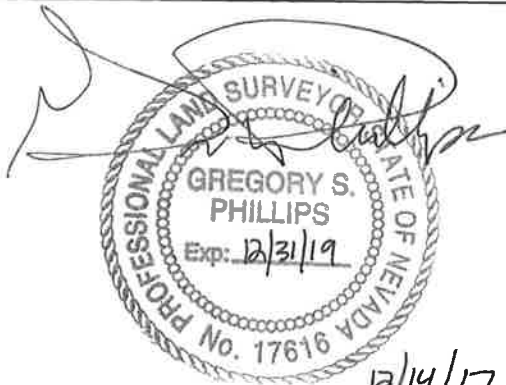
4,480 S.F.

S 0°44'30" W 149.32'

N 89°09'43" W
30.00'

30.00'

ASPEN STREET



12/14/17



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

EXHIBIT "A-1"

ABANDONMENT OF A PTN OF ASPEN STREET
AFFECTING APN 009-224-04
PORTION OF SEC. 32, T15N, R20E, MDM

CARSON CITY

NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A-2"
Aspen Street Abandonment
Resultant Parcel Description A.P.N. 009-224-04

All the real property situate in Carson City, State of Nevada, more particularly described as follows:

A portion of the NW ¼ of the SE ¼ of the NW ¼ of the SW ¼ of Section 32, Township 15 North, Range 20 East, M.D.B.&M., more particularly described as follows:

Parcel B of the Parcel Map for John and Hattie Hurzel filed for record in the Recorder of Carson City, Nevada, on April 27, 1988, in book 6 of Maps, Page 1557, as File No. 69820.

Excepting Therefrom all oil, gas, and other mineral deposits as reserved in the Patent from the United States of America, Recorded in Book 93, Page 528 of Deeds, in the office of the County Recorder of County Recorder of Ormsby County (now Carson City), Nevada.

TOGETHER WITH

All that certain real property situate within the NW1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224318, dated December 1, 1961, and being more particularly described as follows:

The westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the southeast corner of said Parcel B being situate on the westerly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 1557;

Thence from said **POINT OF BEGINNING**, along said westerly line of Aspen Street, North 00°44'30" East a distance of 149.32 feet to the northeast corner of said Parcel B, as shown on said Parcel Map;

Thence leaving said westerly line of Aspen Street and proceeding along the easterly prolongation of the northerly line of aforementioned Parcel B, South 89°10'15" East, a distance of 30.00 feet to the centerline of Aspen Street, also being the easterly line of said government patent;

Thence leaving said easterly prolongation and proceeding along said centerline and the easterly line of said patent, South 00°44'30" West, a distance of 149.32 feet to an intersection with the easterly prolongation of the southerly line of said Parcel B,

Thence leaving said centerline and easterly patent line and proceeding along the aforementioned easterly prolongation of the southerly line of said Parcel B, North 89°09'43" West a distance of 30.00 feet to the Point of Beginning and end of this description.

Containing 4,480 square feet, more or less.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

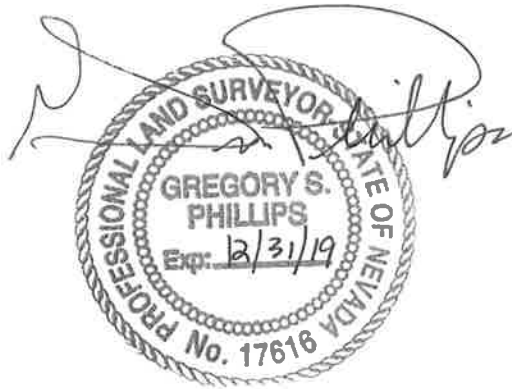
Prepared by:

Lumos & Associates

Greg Phillips, P.L.S.

800 East College Pkwy

Carson City, NV 89706



01/17/18

EXHIBIT "A"
Road Abandonment of a Portion of
Aspen Street Affecting A.P.N. 009-224-11

All that certain real property situate within the SW1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224369, dated December 5, 1961, and being more particularly described as follows:

The westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain parcel of land described in the deed filed as Document No. 457306 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the southeast corner of said parcel being the Point of Intersection of the northerly line of Clear Creek Avenue with the westerly line of Aspen Street;

Thence from said **POINT OF BEGINNING**, along said westerly line of Aspen Street, North 00°44'30" East a distance of 269.33 feet to the northeast corner of said Parcel;

Thence leaving said westerly line of Aspen Street and proceeding along the easterly prolongation of the northerly line of said Parcel, South 89°09'43" East, a distance of 30.00 feet to the centerline of Aspen Street, also being the easterly line of said government patent;

Thence leaving said easterly prolongation and proceeding along said centerline and the easterly line of said patent, South 00°44'30" West, a distance of 269.33 feet to an intersection with the aforementioned northerly line of Clear Creek Avenue,

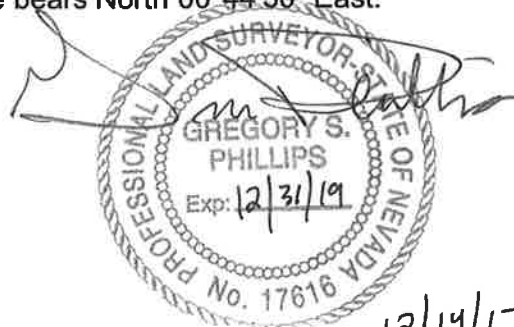
Thence leaving said centerline and easterly patent line and proceeding along the aforementioned northerly line of Clear Creek Avenue, North 89°09'10" West a distance of 30.00 feet to the Point of Beginning and end of this description and containing 8,080 square feet, more or less.

A blanket public utility easement is reserved for all portions of Aspen Street being abandoned.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
Greg Phillips, P.L.S.
800 East College Pkwy
Carson City, NV 89706



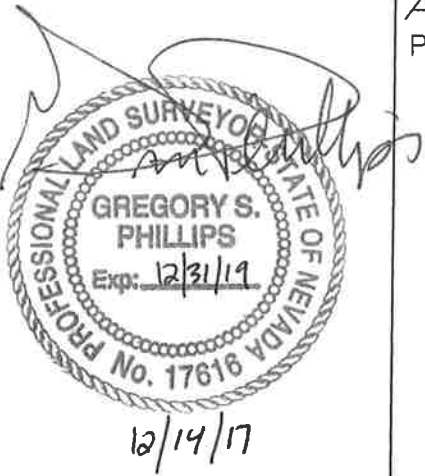
12/14/17

NOTE: A BLANKET PUBLIC
UTILITY EASEMENT IS RESERVED
FOR ALL PORTIONS OF ASPEN
STREET BEING ABANDONED

S 89°09'43" E
30.00'

A.P.N. 009-224-11
PTN OF PATENT #1224369
GALLINA, R.M. & J.M.

30.00'



N 0°44'30" E 269.33'

8,080 S.F.

S 0°44'30" W 269.33'

ASPEN STREET



P.O.B.

N 89°09'10" W
30.00'

CLEAR CREEK AVENUE

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

EXHIBIT "A-1"
ABANDONMENT OF A PTN OF ASPEN STREET
AFFECTING APN 009-224-11
PORTION OF SEC. 32, T15N, R20E, MDM
CARSON CITY NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A-2"
Aspen Street Abandonment
Resultant Parcel Description A.P.N. 009-224-11

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

The East $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 32, Township 15 North, Range 20 East, M.D.B.&M., according to the Official Plat thereof.

EXCEPTING THEREFROM the interest described in that certain Agreement to Purchase, by and between Hugh J. & Ellen M. Smith Family Revocable Trust to Carson City, Nevada, a consolidated municipality, dated February 5, 2015, recorded February 23, 2015, as Document No. 451240, Official Records, Carson City, Nevada.

NOTE: The above metes and bounds description appeared previously in the certain Agreement to Purchase recorded in the office of the County Recorder of Carson City County, Nevada on February 23, 2015, as Document No. 451240 of Official Records.

TOGETHER WITH

All that certain real property situate within the SW1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224369, dated December 5, 1961, and being more particularly described as follows:

The westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain parcel of land described in the deed filed as Document No. 457306 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the southeast corner of said parcel being the Point of Intersection of the northerly line of Clear Creek Avenue with the westerly line of Aspen Street;

Thence from said **POINT OF BEGINNING**, along said westerly line of Aspen Street, North $00^{\circ}44'30''$ East a distance of 269.33 feet to the northeast corner of said Parcel;

Thence leaving said westerly line of Aspen Street and proceeding along the easterly prolongation of the northerly line of said Parcel, South $89^{\circ}09'43''$ East, a distance of 30.00 feet to the centerline of Aspen Street, also being the easterly line of said government patent;

Thence leaving said easterly prolongation and proceeding along said centerline and the easterly line of said patent, South $00^{\circ}44'30''$ West, a distance of 269.33 feet to an intersection with the aforementioned northerly line of Clear Creek Avenue,

Thence leaving said centerline and easterly patent line and proceeding along the aforementioned northerly line of Clear Creek Avenue, North $89^{\circ}09'10''$ West a distance of 30.00

feet to the Point of Beginning and end of this description and containing 8,080 square feet, more or less.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
Greg Phillips, P.L.S.
800 East College Pkwy
Carson City, NV 89706



EXHIBIT "A"
Road Abandonment of a Portion of
Aspen Street Affecting A.P.N. 009-226-05

All that certain real property situate within the SE1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224118, dated November 20, 1961, and being more particularly described as follows:

The easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel 1 as said parcel is shown and delineated on Parcel Map No. 1819, filed as Document No. 104144 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the southwest corner of said parcel being the Point of Intersection of the northerly line of Clear Creek Avenue with the easterly line of Aspen Street;

Thence from said **POINT OF BEGINNING**, along said easterly line of Aspen Street, North 00°44'30" East a distance of 269.18 feet to the northwest corner of said Parcel;

Thence leaving said easterly line of Aspen Street and proceeding along the westerly prolongation of the northerly line of said Parcel, North 89°09'06" West, a distance of 30.00 feet to the centerline of Aspen Street, also being the westerly line of said government patent;

Thence leaving said westerly prolongation and proceeding along said centerline and the westerly line of said patent, South 00°44'30" West, a distance of 269.18 feet to an intersection with the aforementioned northerly line of Clear Creek Avenue,

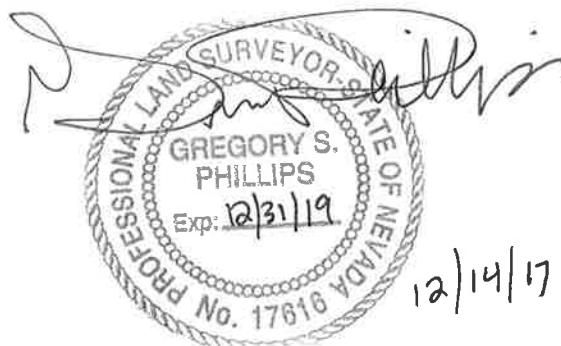
Thence leaving said centerline and westerly patent line and proceeding along the aforementioned northerly line of Clear Creek Avenue, South 89°09'10" East a distance of 30.00 feet to the Point of Beginning and end of this description and containing 8,075 square feet, more or less.

A blanket public utility easement is reserved for all portions of Aspen Street being abandoned.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
 Greg Phillips, P.L.S.
 800 East College Pkwy
 Carson City, NV 89706





30.00'

ASPEN STREET

S 0°44'30" W 269.18'

8,075 S.F.

N 0°44'30" E 269.18'

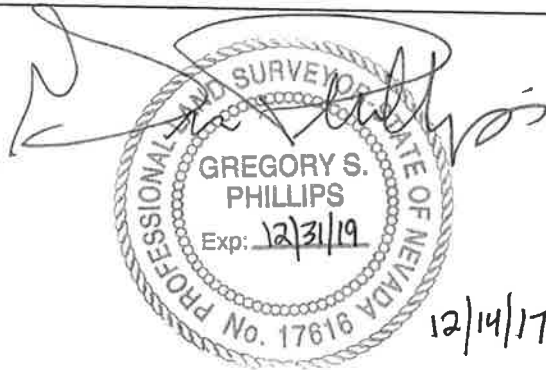
N 89°09'06" W
30.00'

A.P.N. 009-226-05
PTN OF PATENT #1224118
DANFORTH TRUST 9/23/98

NOTE: A BLANKET PUBLIC
UTILITY EASEMENT IS RESERVED
FOR ALL PORTIONS OF ASPEN
STREET BEING ABANDONED

P.O.B.

CLEAR CREEK AVENUE



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

EXHIBIT "A-1"
ABANDONMENT OF A PTN OF ASPEN STREET
AFFECTING APN 009-226-05
PORTION OF SEC. 32, T15N, R20E, MDM
CARSON CITY NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A-2"
Aspen Street Abandonment
Resultant Parcel Description A.P.N. 009-226-05

PARCEL 1 AS SHOWN ON THE PARCEL MAP FOR LEE AND EULA RASNER RECORDED IN THE OFFICE OF THE CARSON CITY RECORDER, STATE OF NEVADA ON AUGUST 6, 1990 IN BOOK 6 OF MAPS, PAGE 1819 AS DOCUMENT NO. 104144.

TOGETHER WITH

All that certain real property situate within the SE1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224118, dated November 20, 1961, and being more particularly described as follows:

The easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel 1 as said parcel is shown and delineated on Parcel Map No. 1819, filed as Document No. 104144 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the southwest corner of said parcel being the Point of Intersection of the northerly line of Clear Creek Avenue with the easterly line of Aspen Street;

Thence from said **POINT OF BEGINNING**, along said easterly line of Aspen Street, North 00°44'30" East a distance of 269.18 feet to the northwest corner of said Parcel;

Thence leaving said easterly line of Aspen Street and proceeding along the westerly prolongation of the northerly line of said Parcel, North 89°09'06" West, a distance of 30.00 feet to the centerline of Aspen Street, also being the westerly line of said government patent;

Thence leaving said westerly prolongation and proceeding along said centerline and the westerly line of said patent, South 00°44'30" West, a distance of 269.18 feet to an intersection with the aforementioned northerly line of Clear Creek Avenue,

Thence leaving said centerline and westerly patent line and proceeding along the aforementioned northerly line of Clear Creek Avenue, South 89°09'10" East a distance of 30.00 feet to the Point of Beginning and end of this description and containing 8,075 square feet, more or less.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
 Greg Phillips, P.L.S.
 800 East College Pkwy
 Carson City, NV 89706

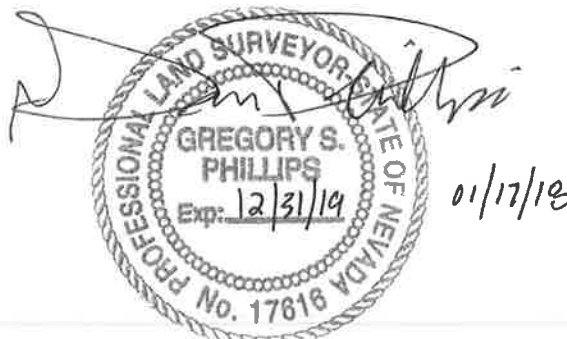


EXHIBIT "A"
Road Abandonment of a Portion of
Aspen Street Affecting A.P.N. 009-226-10

All that certain real property situate within the NE1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224328, dated December 1, 1961, and being more particularly described as follows:

The easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the Southwest corner of said Parcel B being situate on the easterly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 2094;

Thence from said **POINT OF BEGINNING**, along said easterly line of Aspen Street, North 00°44'30" East a distance of 149.77 feet to the northwest corner of said Parcel B, as shown on said Parcel Map;

Thence leaving said westerly line of Aspen Street and proceeding along the westerly prolongation of the northerly line of aforementioned Parcel B, North 89°10'15" West, a distance of 30.00 feet to the centerline of Aspen Street, also being the westerly line of said government patent;

Thence leaving said westerly prolongation and proceeding along said centerline and the westerly line of said patent, South 00°44'30" West, a distance of 149.77 feet to an intersection with the westerly prolongation of the southerly line aforementioned Parcel B,

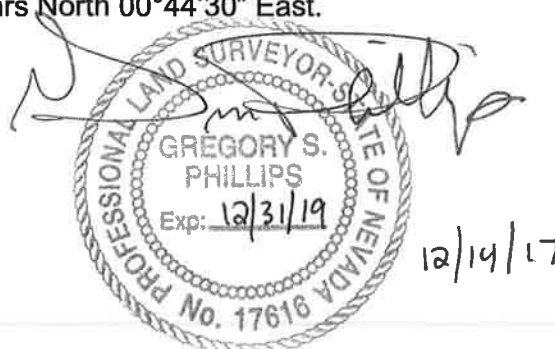
Thence leaving said centerline and westerly patent line and proceeding along the aforementioned westerly prolongation of the southerly line aforementioned Parcel B, South 89°09'43" East a distance of 30.00 feet to the Point of Beginning and end of this description. Containing 4,493 square feet, more or less.

A blanket public utility easement is reserved for all portions of Aspen Street being abandoned.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
 Greg Phillips, P.L.S.
 800 East College Pkwy
 Carson City, NV 89706



ARTHUR ST.

NOTE: A BLANKET PUBLIC UTILITY EASEMENT IS RESERVED FOR ALL PORTIONS OF ASPEN STREET BEING ABANDONED



ASPEN STREET

N 89°10'15" W
30.00'

S 0°44'30" W 149.77'



N 0°44'30" E 149.77'

A.P.N. 009-226-10
PTN OF PATENT #1224328
ROTOLO, ET AL
PTN OF PCL B PM 2094

P.O.B.

30.00'

S 89°09'43" E
30.00'



12/14/17

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

EXHIBIT "A-1"
ABANDONMENT OF A PTN OF ASPEN STREET
AFFECTING APN 009-226-10
PORTION OF SEC. 32, T15N, R20E, MDM
CARSON CITY NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A-2"
Aspen Street Abandonment
Resultant Parcel Description A.P.N. 009-226-10

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

Parcel B as shown on Parcel Map for Thomas S. & Helen M. Been, being a portion of the Northwest 1/4 of the Southwest 1/4 of Section 32, Township 15 North, Range 20 East, M.D.B. & M., Carson City, Nevada, recorded in the office of the Carson City Recorder, State of Nevada on March 3, 1995 in Book 7 of Maps at Page 2094 as File No. 172859, Official Records.

TOGETHER WITH

All that certain real property situate within the NE1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224328, dated December 1, 1961, and being more particularly described as follows:

The easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the Southwest corner of said Parcel B being situate on the easterly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 2094;

Thence from said **POINT OF BEGINNING**, along said easterly line of Aspen Street, North 00°44'30" East a distance of 149.77 feet to the northwest corner of said Parcel B, as shown on said Parcel Map;

Thence leaving said westerly line of Aspen Street and proceeding along the westerly prolongation of the northerly line of aforementioned Parcel B, North 89°10'15" West, a distance of 30.00 feet to the centerline of Aspen Street, also being the westerly line of said government patent;

Thence leaving said westerly prolongation and proceeding along said centerline and the westerly line of said patent, South 00°44'30" West, a distance of 149.77 feet to an intersection with the westerly prolongation of the southerly line aforementioned Parcel B,

Thence leaving said centerline and westerly patent line and proceeding along the aforementioned westerly prolongation of the southerly line aforementioned Parcel B, South 89°09'43" East a distance of 30.00 feet to the Point of Beginning and end of this description. Containing 4,493 square feet, more or less.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:

Lumos & Associates

Greg Phillips, P.L.S.

800 East College Pkwy

Carson City, NV 89706



01/17/18

EXHIBIT "A"
Road Abandonment of a Portion of
Aspen Street Affecting A.P.N. 009-226-09

All that certain real property situate within the NE1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224328, dated December 1, 1961, and being more particularly described as follows:

The easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the northwest corner of said Parcel A being the Point of Intersection of the southerly line of Arthur Street with the easterly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 2094;

Thence from said **POINT OF BEGINNING**, along said easterly line of Aspen Street, South 00°44'30" West a distance of 149.76 feet to the southwest corner of said Parcel A, as shown on said Parcel Map;

Thence leaving said easterly line of Aspen Street and proceeding along the westerly prolongation of the southerly line of aforementioned Parcel A, North 89°10'15" West, a distance of 30.00 feet to the centerline of Aspen Street, also being the westerly line of said government patent;

Thence leaving said westerly prolongation and proceeding along said centerline and the westerly line of said patent, North 00°44'30" East, a distance of 149.76 feet to an intersection with the aforementioned southerly line of Arthur Street,

Thence leaving said centerline and westerly patent line and proceeding along the aforementioned southerly line of Arthur Street, South 89°10'15" East a distance of 30.00 feet to the Point of Beginning and end of this description and containing 4,493 square feet, more or less.

A blanket public utility easement is reserved for all portions of Aspen Street being abandoned.

SEE EXHIBIT "A-1", Plat to Accompany Description, attached hereto and made a part hereof.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

Prepared by:
Lumos & Associates
 Greg Phillips, P.L.S.
 800 East College Pkwy
 Carson City, NV 89706



ARTHUR STREET



N 0°44'30" E 149.76'



S 0°44'30" W 149.76'

S 89°10'15" E
30.00'

P.O.B.

A.P.N. 009-226-09
PTN OF PATENT #1224328
SCULLY
PTN OF PCL A PM 2094

N 89°10'15" W
30.00'

30.00'

ASPEN STREET

NOTE: A BLANKET PUBLIC
UTILITY EASEMENT IS RESERVED
FOR ALL PORTIONS OF ASPEN
STREET BEING ABANDONED

12/14/17

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

EXHIBIT "A-1"
ABANDONMENT OF A PTN OF ASPEN STREET
AFFECTING APN 009-226-09
PORTION OF SEC. 32, T15N, R20E, MDM
CARSON CITY NEVADA

Date: DEC. 2017
Scale: 1" = 60'
Job No: 9242.000

EXHIBIT "A-2"
Aspen Street Abandonment
Resultant Parcel Description A.P.N. 009-226-09

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

Parcel A, as shown on Parcel Map No. 2094 for THOMAS S. AND HELEN M. BEEN, recorded in the office of the Carson City Recorder, State of Nevada, on March 3, 1995, in Book 7 of Maps, at Page 2094, as File No. 173859, Official Records.

TOGETHER WITH

All that certain real property situate within the NE1/4 SE1/4 NW1/4 SW1/4 of Section 32, Township 15 North, Range 20 East, M.D.M., Carson City, State of Nevada, and being a portion of that certain real property described in that Government Patent No. 1224328, dated December 1, 1961, and being more particularly described as follows:

The easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City, and being further described as follows:

BEGINNING at the northwest corner of said Parcel A being the Point of Intersection of the southerly line of Arthur Street with the easterly line of Aspen Street, as said point is shown and delineated on the aforementioned Parcel Map No. 2094;

Thence from said **POINT OF BEGINNING**, along said easterly line of Aspen Street, South 00°44'30" West a distance of 149.76 feet to the southwest corner of said Parcel A, as shown on said Parcel Map;

Thence leaving said easterly line of Aspen Street and proceeding along the westerly prolongation of the southerly line of aforementioned Parcel A, North 89°10'15" West, a distance of 30.00 feet to the centerline of Aspen Street, also being the westerly line of said government patent;

Thence leaving said westerly prolongation and proceeding along said centerline and the westerly line of said patent, North 00°44'30" East, a distance of 149.76 feet to an intersection with the aforementioned southerly line of Arthur Street,

Thence leaving said centerline and westerly patent line and proceeding along the aforementioned southerly line of Arthur Street, South 89°10'15" East a distance of 30.00 feet to the Point of Beginning and end of this description and containing 4,493 square feet, more or less.

The **BASIS OF BEARING** for this description is the centerline of Aspen Street as said line appears on Record of Survey 2864 filed as Document No. 465470 of the Official Records of Carson City. Said centerline bears North 00°44'30" East.

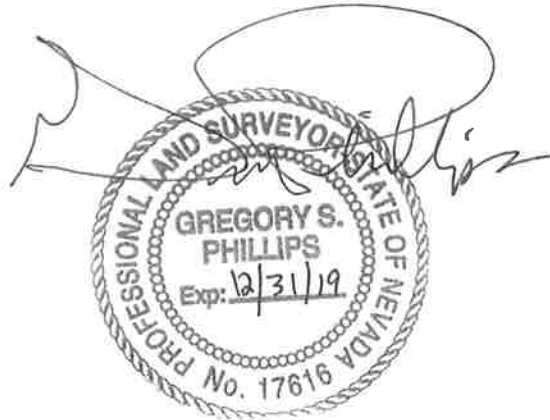
Prepared by:

Lumos & Associates

Greg Phillips, P.L.S.

800 East College Pkwy

Carson City, NV 89706



01/17/18

EXHIBIT B

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: Aspen Street located within the SE1/4 NW1/4 SW1/4 of Section 32

(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
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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.

	MATT GINZLICH	NV ENERGY	11/28/16
Signature	Print Name	Company	Date

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

EXHIBIT B

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: Aspen Street located within the SE1/4 NW1/4 SW1/4 of Section 32

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

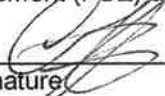
1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

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

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.

	CLIFFORD COOPER	NEVADA BELL TELEPHONE CO d/b/a AT&T NEVADA	11/17/2016
Signature	Print Name	Company	Date

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

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 Engineering (will sign during review)	Southwest Gas Corporation AT&T Nevada Carson City Utilities
--	---

EXHIBIT B

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: Aspen Street located within the SE1/4 NW1/4 SW1/4 of Section 32

(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>James Neff</u>	<u>James Neff</u>	<u>Charter Comm</u>	<u>11-18-16</u>
Signature	Print Name	Company	Date

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

_____ 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
--------------------	---------------------	------------------	---------------

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

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

EXHIBIT "C"

AB-18-009 Aspen Street

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 may be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).
3. A blanket public utility easement for all portions of Aspen Street being abandoned will be provided. No trees or buildings are allowed in the area of the easement.
4. A private access easement 30 feet wide will be provided to provide access to the interior parcels currently shown as Assessor's Parcel number 009-224-04 addressed as 153 Arthur Street, and Assessor's Parcel number 009-226-10 addressed as 5431 Aspen Street.
5. This abandonment pertains to:
 - APN: 009-224-03: The area of the proposed abandonment adjacent to this parcel is 4,500 square feet more or less, being the westerly 30.00 feet of Aspen Street, lying easterly and contiguous to the easterly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City.
 - APN: 009-224-04: The area of the proposed abandonment adjacent to this parcel is 4,480 square feet more or less, being the westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 1557, filed as Document No. 69820 of the Official Records of Carson City.
 - APN: 009-224-11: The area of the proposed abandonment adjacent to this parcel is 8,080 square feet more or less, being the westerly 30.00 feet of Aspen Street lying easterly of and contiguous to the easterly line of that certain parcel of land described in the deed filed as Document No. 457306 of the Official Records of Carson City.
 - APN: 009-226-05: The area of the proposed abandonment adjacent to this parcel is 8,075 square feet more or less, being the easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel 1 as said parcel is shown and delineated on Parcel Map No. 1819, filed as Document No. 104144 of the Official Records of Carson City.
 - APN: 009-226-10: The area of the proposed abandonment adjacent to this parcel is 4,493 square feet more or less, being the easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel B as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of

the Official Records of Carson City.

- APN: 009-226-09: The area of the proposed abandonment adjacent to this parcel is 4,493 square feet more or less, being the easterly 30.00 feet of Aspen Street lying westerly of and contiguous to the westerly line of that certain Parcel A as said parcel is shown and delineated on Parcel Map No. 2094, filed as Document No. 172859 of the Official Records of Carson City.
6. Conditional approval for the requested abandonment shall expire four years after Board of Supervisor approval of the original application, unless an extension of time has been granted by the Board of Supervisors.

EXHIBIT B

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: Aspen Street located within the SE1/4 NW1/4 SW1/4 of Section 32

(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	STEVEN YOUNG Print Name	SOUTHWEST GAS Company	12-28-16 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
-----------	------------	---------	------

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

THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

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

Southwest Gas Corporation
AT&T Nevada
Carson City Utilities

Carson City Planning Division 108 E. Proctor Street, Carson City, NV 89701 Phone: (775) 887-2180 Email: planning@carson.org	
FILE # AB - 18 - 609	
APPLICANT Carson City Public Works	PHONE #
MAILING ADDRESS, CITY, STATE, ZIP 3505 Butti Way, Carson City, Nevada 89701	
EMAIL ADDRESS	
PROPERTY OWNER Carson City	PHONE #
MAILING ADDRESS, CITY, STATE, ZIP 201 N. Carson Street, Carson City, NV 89701	
EMAIL ADDRESS	
APPLICANT AGENT/REPRESENTATIVE Stephanie Hicks, Real Property Mgr 775-283-7904	PHONE #
MAILING ADDRESS, CITY, STATE, ZIP 3505 Butti Way, Carson City, Nevada 89701	
EMAIL ADDRESS shicks@carson.org	
Project's Assessor Parcel Number(s): N/A	Street Address Aspen Street, Carson City, NV 89701

FOR OFFICE USE ONLY:

CCMC 17.15

RECEIVED
 JAN 18 2018
 CARSON CITY PLANNING DIVISION

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:
Reseck 1/18/2018

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:

Carson City Public Works is proposing to abandon Aspen Street between Arthur Street and Clear Creek Avenue. Due to existing utilities, the abandonment will include a blanket public utility easement over all portions of the road right-of-way to be abandoned. Additionally, the request will include a 320 foot wide access easement to provide access to the interior parcels.

PROPERTY OWNER'S AFFIDAVIT

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

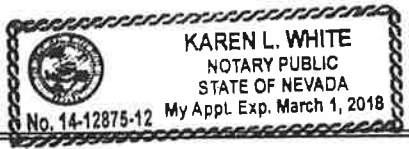
Stephanie L Hicks Signature Carson City Real Property Manager
3505 Butti Way, Carson City, NV 89701 Address 1/18/18 Date

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

STATE OF NEVADA)
 COUNTY)

On January 18, 2018, Stephanie Hicks, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Karen L White
 Notary Public



AB-18-009

ADJACENT PROJECT APNS and ADDRESSES:

Abandonment of Aspen Street between Arthur Street and Clear Creek Avenue, adjacent to: Assessor's Parcel Numbers 009-224-03, -04 and 11, 009-226-05, -09 and -10 addressed as 151, 153 and 159 Arthur Street, 160 and 230 Clear Creek Avenue, and 5431 Aspen Street.



CARSON CITY NEVADA

Consolidated Municipality and State Capital

PUBLIC WORKS

January 18, 2018

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

Subject: Justification for Abandonment of Aspen Street

Dear Ms. Sullivan:

Please accept this letter as the project description and statement of justification for a request for abandonment of Aspen Street in Carson City, Nevada. This request is to abandon the entire 60-foot right-of-way between Arthur Street and Clear Creek Avenue, adjacent to properties located at 151 Arthur Street, 153 Arthur Street, 159 Arthur Street, 5431 Aspen Street, 160 Clear Creek Avenue, and 230 Clear Creek Avenue. The area to be abandoned totals approximately 34,121 square feet and is more particularly described in the attached exhibits.

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

The intention of the proposed right-of-way abandonment is to revert the property to adjacent property owners as the right-of-way is not utilized as a through roadway and is not improved as a roadway.

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

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

Comment: Adjacent property owners will be benefited by the proposed abandonment as they will become the owners of portions of the right-of-way abutting their property. If approved, the right-of-way acreage would be split at the center of the right-of-way running north and south, and assigned to the property owners adjacent to the right-of-way on the east and west. The City has been communicating with several of the property owners over the last year. In addition, all affected property owners were sent a letter on January 18, 2018, advising that the resultant increase in acreage to their parcel due to the abandonment will be taxed in the future. The public will not be damaged by this abandonment as the areas being abandoned are not currently used for public purposes.

Additionally, most of the adjacent parcels access their properties via Arthur Street or Clear Creek Avenue. However, there are two interior parcels that without access easements would be land locked as the result of this abandonment. The application includes the creation of a 20-foot access easement to ensure access for the two interior parcels.

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

Comment: Aspen Street was created when the Bureau of Land Management (BLM) issued patents in the early 1960's. The original patent easement for right-of-way and utilities was 33-feet on each side of the centerline (Patent #'s 1224118, 1224318, 1244328, and 1224369). Later, parcel maps and a Record of Survey show the right-of-way easement being 30-feet on either side of the centerline (Parcel Maps #1557, 1819, 2094, and 2864).

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

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

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

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

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

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

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

Comment: The utility companies Charter Communication and Southwest Gas have indicated they do not have utilities in the public roadway proposed for abandonment and do not want an easement reservation. NV Energy and Nevada Bell Telephone Company dba AT&T have indicated that they do have a utility in the right-of-way being abandoned and desire the creation of a public utility easement (PUE) along the alignment of the existing utility. Additionally, there is an existing water line within the right-of-way and a future sewer extension proposed. Therefore, the City would request a blanket public utility easement to remain over all portions of Aspen Street to be abandoned as provided on the exhibits and descriptions to be recorded.

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

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

If you have any questions, please contact me directly at (775) 283-7904. Thank you for your assistance with this matter.

Sincerely,



Stephanie A. Hicks, AICP, CFM
Real Property Manager