

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

FOR OFFICE USE ONLY:

CCMC 17.15

ABANDONMENT OF PUBLIC RIGHT-OF-WAY

FILE

APPLICANT	PHONE #
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MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS

PROPERTY OWNER	PHONE #
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MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS

APPLICANT AGENT/REPRESENTATIVE	PHONE #
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MAILING ADDRESS, CITY, STATE, ZIP

EMAIL ADDRESS

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Project's Assessor Parcel Number(s):	Street Address
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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: _____

Submittal Deadline: 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:

PROPERTY OWNER'S AFFIDAVIT

I, _____, 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	_____ Address	_____ Date
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Use additional page(s) if necessary for other names.

STATE OF NEVADA)
 COUNTY)

On _____, 2_____, _____, 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.

Notary Public

Public Right-of-Way Abandonment Checklist

Each complete application shall include:

- A written project description describing the proposed abandonment and how access to the parcel(s) will be obtained if an access is proposed to be abandoned. Per Carson City Municipal Code (CCMC) Section 17.15.035(5), this description **must** include the following information:
 - If the subject right-of-way was ever dedicated. If so, documentation is mandatory regarding the street's dedication.
 - How all adjacent parcels will have access, should the abandonment be approved.
 - How the public at large will benefit from and not be injured from the proposed abandonment.

- Per Carson City Municipal Code (CCMC) Section 17.15.010, respond to the following required findings:
 - Will the abandonment result in material injury to the public?
 - What is the history regarding the street being dedicated or not?
 - What should the reasonable consideration be if the street was not dedicated?
 - If an abandonment has a public benefit, how much of the public benefit should be offset against the determination of reasonable consideration?
 - What is the applicability of the parking value analysis applied to this request?
 - Should utilities easements be reserved, continued or vacated?
 - Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?

- An 8.5"x11" Site Map/Exhibit:
 - Drawn to scale, including date, north arrow and scale.
 - Include name address and phone number of the Professional Land Surveyor, licensed in the state of Nevada, who is responsible for the exhibit.
 - Include the stamp, signature, date and license expiration date of the surveyor.
 - Indicate all parcels, rights-of-way and easements or reservations that abut the proposed abandonment.
 - The exhibit (or supplemental documentation) shall indicate any parcel(s) of land that may rely upon access of any sort over the proposed abandonment. Alternative access to the same parcels may be indicated, but note shall be made as to whether they exist or are proposed.

- Legal descriptions of the proposed abandonment **AND** the resulting abutting parcel(s).

- A Utility Statement signed by **each** utility company as indicated on the Utility Statement form.

- If available, a copy of the document(s) that dedicated/established the right-of-way originally.

- A chain of title report pertaining to the affected property (properties) that abut the area of the proposed abandonment.

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: _____

(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.

_____ 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



RELINQUISHMENT CHECKLIST

As of 3/19/09

- Appropriate recorded maps (if easements were granted on a map then that map should be enclosed in the package)
- APN maps
- A letter or note explaining why they want the relinquishment
- Vesting Deed of property where relinquishment is taking place
- The completed Relinquishment Document with a legal description of the area (Exhibit A) with name and address of person creating the description and original stamp. (please change the highlighted areas on the electronic document to conform to what you need)
- A drawing from the engineering firm showing the easement(s) to be relinquished (Exhibit B)
- Once all of the signatures have been obtained on the document, it is required to be recorded in the appropriate county. See list of county offices attached). After recordation, the county will return the original recorded document to NV Energy to be placed into a permanent file.
- A list of names, addresses and phone numbers of some of the other utilities that may need to sign off on this relinquishment is attached.
- If you want a copy of the recorded document make sure we have your address where to mail the document.

Sometimes there will be replacement easements needed and these also require legal descriptions (Exhibit A) and a map (Exhibit B). That document can also be electronically emailed out to you or your engineering firm.

CARSON CITY: DO NOT RECORD THE DOCUMENT

Turn the original into the Planning Department in Carson City and they will record the Document.

Questions

Right of Way Management – 775.834.4075

<mailto:ddohrmann@nvenergy.com>



**Process for Vacation and Relinquishments
Right-of-Way Management
Northern Service Territory
As of 3/19/09**

Introduction

The following process and procedures are written to ensure that all vacation actions and relinquishment requests meet the following outcomes:

- That all requests are handled in the same timely manner
- That all requests are reviewed, approved and signed by the appropriate person(s)
- That the final documents are filed, recorded and scanned for easy use in the future

Definitions

- **Vacation** – To nullify or cancel either by agreement and/or court order land rights as prescribed generally by jurisdictional statute over the easement and adjacent property owners.
- **Relinquishment**- The abandonment of a right of ownership or other interest (such as an easement).

4 general ways that relinquishment requests are received:

- map from an engineering or surveying firm
- request from an engineering or surveying firm
- customer request
- planning department as part of a project

Types of maps or requests:

- **Merger and Re-subdivision** – this map removes property lines and then places them in another location. By State Statute we can use this map to remove easements on the property and add new easements
- **Boundary Line Adjustment** – this map changes the location of the property line between two pieces of property. By State Statute we can move the easements from the existing property line to the new property line.
- **Reversion to Acreage** – this map takes several pieces of property and makes one large property of them. By State Statute we can remove all easements on the different parcels and add new ones to the one parcel left.
- **Relinquishment of a Transmission Use Agreement**
- **Relinquishment of BLM Grant** associated with distribution and/or transmission jobs.

Northern Service Territory

Offices will follow the attached Check List of required information to ensure the most expeditious handling of request for vacation and/or relinquishments. All checklists are electronic and can be emailed and are stored at:

K:\ROWWIGS2008\Processes\Vacation and relinquishments

- A. If easements are granted on a map then that map should be enclosed in the package
- B. APN maps – these are the county maps that show the property and its location
- C. A letter or memo explaining why the customer wants the easement(s) vacated
- D. The completed Relinquishment Document with a legal description of the area to be vacated. This legal description is called “Exhibit A” – The name and address of the person creating the description and an original stamp (wet stamp). The electronic document can be edited to change names and counties etc. to conform to what is required.
- E. The Document must also have a map showing the easement(s) to be relinquished. This is called an “Exhibit B”.
- F. A list of names and addresses of the people and/or companies who wish copies of the recorded document.

Replacement Easements

If replacement easements are needed they will also require a legal description (Exhibit A) and a map (Exhibit B). There are easement documents that can be electronically emailed out to you or your engineering or surveying firm to help you put together the replacement easements.

As the information comes back to the Lands department, it is researched, then reviewed and audited using the following methods:

- I-Connect to identify existing facilities
- maps as to what easements are there and the size
- planner reviews to ensure everything is removed from the easement
- Distribution Planning determines if there is a future need for the easement
- Transmission planning if applicable
- Communications if applicable
- Civil Engineering if applicable
- Electrical Engineering if applicable
- Construction if applicable

If everything is OK after the review/audit and everyone is in agreement with the document(s)/map, it is given to the Director of Lands for signature. If the Director of Lands is not available, regional leadership (Director and Above) has the authority to sign. After the document is signed, it is then given back to the customer for obtaining the other necessary signatures and for recordation.

Questions

Right of Way Management – 775.834.4075

<mailto:ddphrmann@nvenergy>