

**RESOLUTION NO. 2019-R-24**

**A RESOLUTION REGARDING THE RECONVEYANCE OF A  
PERMANENT WELL LOCATED ON APN 007-201-05 TO  
CHARLES G. HUTTER III AND COLLIE L. HUTTER**

**WHEREAS**, it is a function of the City to operate and maintain public water systems;  
and

**WHEREAS**, on March 9, 2004, the Carson City Board of Supervisors approved an agreement between Charles G. Hutter III & Collie L. Hutter and Carson City whereby Mr. and Mrs. Hutter agreed to donate a permanent well and access easement on APN 007-201-05 for the purposes of maintenance and replacement of a municipal water production well, pipeline, and electrical conduits; and

**WHEREAS**, a Gift Deed of Easement for the permanent well and access and maintenance easement located on APN 007-201-05 was recorded on March 19, 2004, in the office of the Carson City Recorder as file number 315661, situated within Section 35, Township 16 North and Range 19 East, M.D.M., as described and shown in Exhibit "A"; and

**WHEREAS**, no payment was made for the well or easement as Mr. and Mrs. Hutter waived their right to have the right-of-way appraised and to just compensation; and

**WHEREAS**, Carson City is unable to utilize the well due to high Uranium levels and it is therefore in the best interest of Carson City and its residents that the well and appurtenances be returned to private ownership; and

**WHEREAS**, NRS 244.290 requires that before the City may sell or lease any donated property, the City must first offer reconveyance of the property to the person that donated the property upon terms prescribed by a resolution of the Board of Supervisors;

**NOW, THEREFORE, BE IT RESOLVED:**

(1) it is in the best interest of Carson City and its residents that the well located on APN 007-201-05 be returned to private ownership and the tax rolls; and

(2) the Real Property Manager is authorized to make a written offer of reconveyance of the permanent well on APN 007-201-05 at no cost to the persons that donated the property, Charles G. Hutter III & Collie L. Hutter; and

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(3) the offer of reconveyance shall be open for acceptance for a 45-day period from the date of the offer; and

(4) upon timely acceptance, the Mayor is authorized to execute a deed of reconveyance.

Upon motion by Supervisor Stacey Giomi, seconded by Supervisor John Barrette, the foregoing Resolution was passed and adopted this 15<sup>th</sup> day of August, 2019, by the following vote.

AYES: Supervisor Stacey Giomi  
Supervisor John Barrette  
Supervisor Brad Bonkowski  
Supervisor Lori Bagwell  
Mayor Robert Crowell

NAYS: None

ABSENT: None

ABSTAIN: None.

  
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ROBERT L. CROWELL, Mayor

ATTEST:

  
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AUBREY ROWLATT, Clerk - Recorder