

# STAFF REPORT

Report To:Board of SupervisorsMeeting Date:December 16, 2021

Staff Contact: Darren Schulz, Public Works Director

Agenda Title: For Possible Action: Discussion and possible action regarding a proposed resolution concerning an application under Nevada Revised Statutes ("NRS") 244.287 for the conveyance, without consideration, of approximately 2.91 acres of undeveloped land at the western end of Assessor's Parcel Number ("APN") 010-037-04 ("Property"), more commonly known as 3410 Butti Way, which is owned by Carson City, to Oikos Development Corporation ("Oikos"), a tax-exempt 501(c)(3) organization, for the development of an affordable housing project. (Dan Stucky, DStucky@carson.org and Robert Nellis, RNellis@carson.org).

Staff Summary: On January 17, 2019, the Board of Supervisors ("Board") directed staff to initiate diligence on conveying a portion of APN 010-037-04 to a qualified developer for development of affordable/workforce housing. Since that time, the Board selected PalaSeek LLP ("PalaSeek") for the negotiation of a development agreement; PalaSeek added Oikos and Sierra Flats Senior LP ("Sierra Flats") to its development team; that team has secured a significant amount of affordable housing tax credits for an affordable housing project on the Property; and at the Board's November 18, 2021 meeting, they presented a proposed development agreement, along with an application to the Board for conveyance of the Property under NRS 244.287 to Oikos.

Agenda Action: Resolution

Time Requested: 15 minutes

# Proposed Motion

I move to adopt Resolution No. 2021-R-\_\_\_\_\_.

# **Board's Strategic Goal**

Economic Development

# Previous Action

January 17, 2019- The Board directed staff to initiate due diligence to determine whether to convey the western 6.31 acres of APN 010-037-04 under NRS Chapter 244 for development of affordable/workforce housing and prepare a proposed Request for Proposals ("RFP") to allow the Board to seek proposals from qualified developers through a competitive process.

September 5, 2019- The Board reviewed and discussed the draft RFP and directed staff to publish the RFP in order to seek proposals from qualified developers through a competitive process.

December 5, 2019- The Board held a public hearing on the RFP and the selection of a developer for the Property, and approved a motion selecting PalaSeek to work with the City to pursue a development agreement for PalaSeek's proposed project.

April 15, 2021- The Board approved an Exclusive Negotiating Rights Agreement wherein Carson City and PalaSeek agreed that until January 1, 2022, they will pursue a development agreement wherein PalaSeek will develop affordable housing on the western 6.31 acres of APN 010-037-04.

November 4, 2021- The Board reviewed and provided direction to staff on a rough draft for a development agreement between Carson City and PalaSeek LLP, Oikos, and Sierra Flats for development of the affordable housing project on the Property.

November 18, 2021- The Board introduced, on first reading, a proposed ordinance approving the development agreement between Carson City and PalaSeek, Oikos, and Sierra Flats for development of the affordable housing project on the Property. Additionally, the Board recognized Oikos' application for conveyance of the Property under NRS 244.287 and directed staff to perform the noticing and other diligence required by that statute.

# Background/Issues & Analysis

Pursuant to the 1959 Statutes of Nevada, Chapter 504, on September 12, 1960, the State donated approximately 127.7 acres of property along Butti Way to Carson City. Since this time, the property has been developed to house several City departments and facilities including the Public Works Department and Corporate Yard, the Parks Department, the Nevada Humane Society and the Water Resource Reclamation Facility. Within that 127.7 acres acquired by the City is 7.81 acres of real property at 3410 Butti Way (APN 010-037-04). The City has designated the western-most 6.31 acres of the 7.81 acres making up APN 010-037-04 for the development of an affordable housing project. The remaining 1.5 acres making up the eastern-most portion of APN 010-037-04 is being reserved for future use by the City. The City does not have a present need to retain the 6.31 acres for public use and identified it as a feasible location for affordable/workforce housing.

Since the Board directed staff to pursue a development agreement with PalaSeek for an affordable housing project, that project has been awarded \$1,250,000 in annual low-income housing tax credits, \$900,000 in National Housing Trust Funds, and \$1,750,000 in federal HOME funds from the Nevada Housing Division. Additionally, PalaSeek has partnered with Oikos, a tax exempt 501(c)(3) specializing in public housing development, and together they formed Sierra Flats to pursue Phase 1 of an affordable housing development on the Property with 40 units for seniors and 40 units for families.

Today, the Board will also consider the second reading of a development agreement between the City and PalaSeek, Oikos, and Sierra Flats for construction of Phase 1 for an affordable housing project to be built on the Property. As described in the development agreement, prior to conveyance of the Property to Oikos, the development agreement must be executed and the parcel map for the Property must be recorded clearly delineating the portion of APN 010-037-04 subject to the development agreement and the related conveyance of the Property, which sits on the westernmost 2.91 acres of APN 010-037-04.

At its November 18, 2021 meeting, the Board directed City staff to perform the requisite noticing and diligence to convey the Property to Oikos, an I.R.S. tax-exempt 501(c)(3), without fee, for the development of an affordable housing project on the Property under NRS 244.287. It was previously anticipated that the City would convey the land to the Developer for a nominal charge of \$10,000 plus the cost of any transfer taxes. However, after further review of NRS 244.287, which is the preferred method of conveyance to a non-profit, it was determined no consideration may be made. The Developer will be responsible to pay all transfer costs.

Substantively, NRS 244.287 allows the Board to convey City land, without consideration, under specific circumstances that staff believes are met by Oikos' application:

1. The City must have purchased the land or received it by donation.

Here, the State donated the land to the City in 1960, as required by 1959 Statutes of Nevada, Chapter 504.

2. The City may convey to a tax-exempt 501(c)(3) organization that applies to receive the property. Here, Oikos is a tax-exempt 501(c)(3) and has applied to receive the Property.

3. The Board must be satisfied that the organization, or its assignee, will use the property to develop affordable housing.

The Board must make this finding at the public hearing on Oikos' application. The proposed resolution, 2021-R-\_\_\_\_, for this matter includes this finding.

4. Conveying the property to the non-profit organization to develop affordable housing will not violate any gift condition.

There are no relevant restrictions on the City's use of the land conveyed by the State in 1960.

5. The Board must enter into an agreement wherein the non-profit, or its assignee, is bound to use the property for affordable housing for at least 50 years.

If the Board approves the development agreement on second reading, the Property will be conveyed subject to a restrictive covenant requiring that the Property be used as affordable housing for 51 years.

NRS 244.287 also requires Carson City to fulfill certain procedural requirements before it can convey property without consideration for affordable housing. Staff has fulfilled the procedural requirements as follows:

1. The City must hold a public hearing on the application for conveyance. The Board's meeting today (December 16, 2021) is the requisite public hearing.

2. For a December 16, 2021 public hearing, the City must, no later than December 5, 2021:

a. Publish notice of the public hearing at least once in a newspaper of general circulation. Notice was published December 1, 2021 and December 4, 2021 in the Nevada Appeal.

b. Mail notice of the public hearing to the owners of record for real property within 300 feet of the Property. Staff dispatched mailed notices November 30, 2021.

c. Post notice of the public hearing on a conspicuous location on the property. Staff posted large signage with notice of the public hearing at two locations on the Property on December 1, 2021.

3. Though not required, City staff also posted notice of the public hearing at the City's Community Development Office, Community Center, Library, Courthouse, and website on or before December 1, 2021.

If the Board adopts the development agreement on second reading, and it determines that all substantive and procedural prerequisites are met here, it may adopt Resolution No. 2021-R-\_\_\_\_ and convey the Property to Oikos without consideration.

Applicable Statute, Code, Policy, Rule or Regulation NRS 244.287

Financial Information Is there a fiscal impact? No

If yes, account name/number: N/A

Is it currently budgeted? No

Explanation of Fiscal Impact: N/A

# <u>Alternatives</u>

Provide alternative direction to staff regarding any conveyance of the Property.

# Attachments:

1\_Resolution.pdf

- 2\_Property Legal Description and Exhibit.pdf
- 3\_Application for Conveyance from Oikos Development Corporation (ODC).pdf
- 4\_Original 1960 Deed from State to Carson City.pdf
- 5\_Proof of Publication.pdf
- 6\_Proof of Mailing.pdf
- 7\_Proof of Public Noticing Sign at Site.pdf
- 8\_Proof of Noticing.pdf

# **Board Action Taken:**

Motion:	

1)_	
2)	

Aye/Nay

(Vote Recorded By)

# A RESOLUTION REGARDING THE CONVEYANCE, WITHOUT CONSIDERATION, OF 2.91 ACRES WITHIN APN 010-037-04 TO OIKOS DEVELOPMENT CORPORATION UNDER NRS 244.287 FOR THE DEVELOPMENT OF AFFORDABLE HOUSING

WHEREAS, NRS 244.287 allows Carson City's Board of Supervisors ("Board") to convey City-owned land without consideration to a non-profit organization if the nonprofit organization demonstrates to the Board's satisfaction that it, or its assignee, will use the land to develop affordable housing;

WHEREAS, Carson City acquired 127.7 acres of land by donation from the State of Nevada through Chapter 503 of the 1959 Statutes of Nevada and a deed dated September 12, 1960 and recorded with the Ormsby County Recorder on September 13, 1960 as Document No. 34996 at Book 89, Page 158 ("1960 Deed");

WHEREAS, through the 1960 Deed, Carson City now owns 7.81 acres of land that is designated as APN 010-037-04, including the westernmost 2.91 acres of APN 010-037-04, which is described and shown in Exhibit A and A-1 ("Land");

WHEREAS, on November 18, 2021 the Board introduced Bill No. 115 on first reading, which is an ordinance to approve a development agreement between Carson City and PalaSeek LLP, Oikos Development Corporation ("Oikos"), and Sierra Flats Senior LP for the conveyance of the Land to Oikos and the development of an affordable housing project on the Land ("Development Agreement");

WHEREAS, the Development Agreement requires that any conveyance to Oikos be subject to a Restrictive Covenant requiring, among other things, that the Land be used for affordable housing for a period of at least 51 years;

**WHEREAS**, on November 18, 2021 the Board also reviewed an application for Carson City to convey the Land to Oikos under NRS 244.287 for the development of an affordable housing project;

WHEREAS, Oikos is a tax-exempt non-profit organization under 26 U.S.C. § 501(c)(3);

WHEREAS, conveying to Oikos under NRS 244.287 does not violate any condition from the 1960 Deed;

**WHEREAS**, Carson City provided notice that a public hearing would be held on December 16, 2021 on the issue of Oikos' application by:

- 1. Publishing notice in the Nevada Appeal on December 1, 2021 and December 4, 2021;
- 2. Dispatching notice on November 30, 2021 via U.S. mail to all owners of record of real property within 300 feet of the Land;
- 3. Posting notice on two large signs, visible from the street, on the Land on December 1, 2021; and

4. Posting notice on the City's website and at the City's Community Development Office, City Hall, Community Center, Library, and Courthouse, on or before December 1, 2021;

WHEREAS, at its December 16, 2021 meeting, the Board voted to adopt Bill No. 115 on second reading, thereby approving the Development Agreement; and

WHEREAS, the Board is satisfied that Oikos, or its assignee, will use the Land to develop affordable housing;

NOW, THEREFORE, the Board hereby resolves that:

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- 1. It is in the best interest of Carson City and its residents that the Land be used to develop affordable housing;
- 2. Oikos' application under NRS 244.287 to receive the Land, without consideration, for the development of an affordable housing project is approved; and
- 3. The Mayor is authorized to execute a deed conveying the Land to Oikos once conveyance is required by the terms of the Development Agreement.

Upon motion by Supervisor					, se	econd	led by Sup	ervisor
	, the	foregoing	Resolution	was p	bassed	and	adopted th	is 16th
day of December, 2021 by the following v	vote.			_			_	

VOTE:	
AYES:	
NAYS:	
ABSENT: ABSTAIN:	

LORI BAGWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

# EXHIBIT A DESCRIPTION OF SIERRA FLATS – PHASE 1

A portion of Parcel 1 shown on that Record of Survey supporting a Boundary Line Adjustment for Carson City, recorded as File No. 278817 on May 30, 2002, in Book 9, Page 2454 (Map No. 2454), in the Carson City Recorder's Office, Carson City, Nevada, situate within the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 15 North, Range 20 East, Mount Diablo Base & Meridian, more particularly described as follows:

**BEGINNING** at the Northwest corner of said Parcel 1, described as the N1/16 Cor Sec 15-16, as shown on said Record of Survey point on the southerly line of said Parcel 1;

**THENCE**, leaving the **POINT OF BEGINNING**, and along the North line of said Parcel 1, departing said line, South 88°59'25" East, 410.00 feet;

**THENCE,** leaving said North line South 00°38'21" West, 189.75 feet, to the northerly right-of-way line of Butti Way, as described in Document Number 276885 as file in the Official Records of Carson City, Nevada on April 19, 2002, to the beginning of a non-tangent curve to the left from which the radius point bears South 21°45'16" East;

**THENCE**, southwesterly, along the northerly right-of-way line of said Butti Way, 33.93 feet along a the arc of a curve having a radius of 426.66 feet and through a central angle of 04°33'25";

**THENCE,** continuing along said northerly right-of-way line, South 63°41'20" West, 50.52 feet;

**THENCE,** continuing along said northerly right-of-way line South 55°11'12" West, 187.18 feet;

**THENCE,** continuing along said northerly right-of-way line South 50°08'29" West, 81.25 feet, to the easterly right-of-way line of Airport Road;

**THENCE,** along the easterly right-of-way line of Airport Road, North 67°54'48" West, 134.59 feet to the beginning of a tangent curve to the right;

**THENCE,** continuing along the easterly right-of-way line of Airport Road, 65.14 feet along the arc of a curve having a radius of 370.00 feet and through a central angle of 10°05′06″, to the most westerly corner of the above-mentioned Parcel 1;

**THENCE,** leaving the easterly right-of-way line of said Airport Road, and along the westerly line of said Parcel 1, North 79°28'19" East, 64.85 feet;

**THENCE,** continuing along the westerly line of said Parcel 1, North 00°38'21" East, 300.00 feet, **POINT OF BEGINNING**.

Containing 2.91 Acres, more or less.

See Exhibit "A-1" attached hereto and made a part hereof

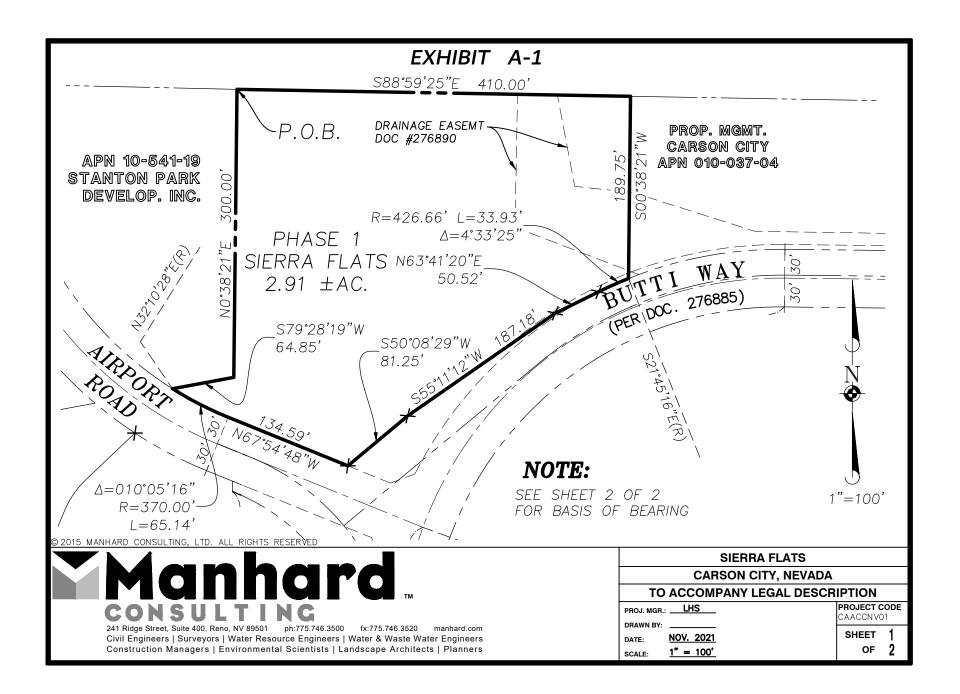
**Basis of Bearings:** South 10°30′31″ East between Carson City Control Monuments CC013 and CC087 shown on Record of Survey Map number 2749 recorded August 11, 2010 in the Official Records of Carson City, Nevada, as File Number 403425.

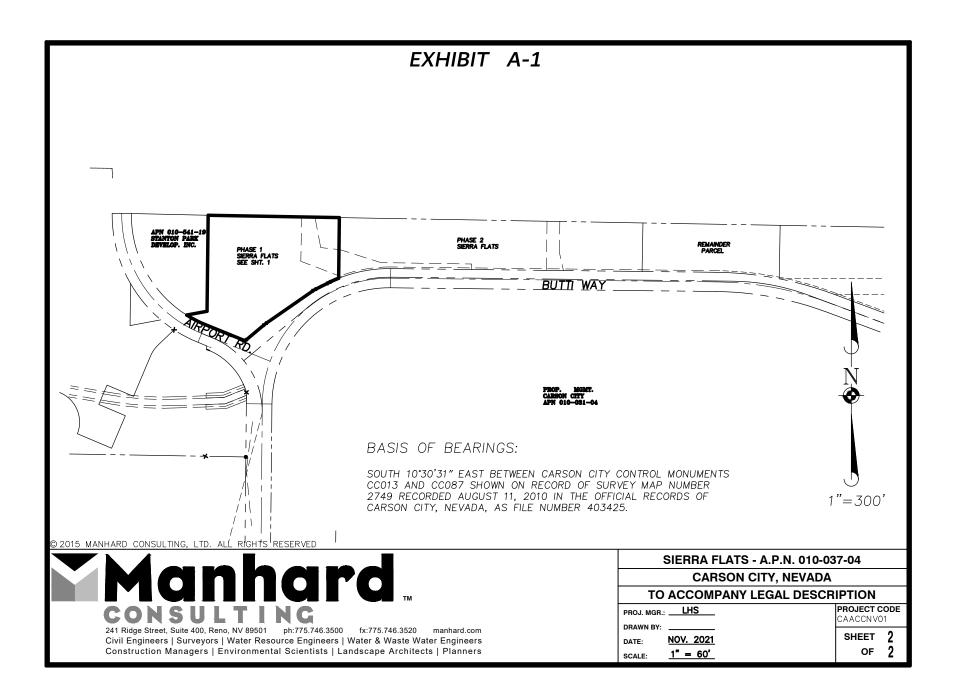
**Surveyor's Certificate:** I hereby certify that the attached description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Lee H. Smithson Nevada PLS 5097 For and on behalf of











Oikos Development Corporation 1712 Main Street Suite 206 Kansas City, MO 64108 <u>msnodgrass.odc@gmail.com</u>

November 10<sup>th</sup>, 2021

Carson City Board of Supervisors:

Re: Application for conveyance of 2.91 under NRS 244.287 for the development of affordable housing

Oikos Development Corporation (ODC) is a not-for-profit 501c3 operating in multiple states, including Nevada. Our mission is to provide quality, affordable housing in areas of the country where a need is present, which now includes most of the United States.

Consistent with the proposed development agreement between Carson City and PalaSeek LLP, Oikos Development Corporation ("Oikos"), and Sierra Flats Senior LP, Oikos now applies for conveyance of the 2.91 acres described in Exhibit A & A-1 to this letter under NRS 244.287.

Thank you for your consideration.

Sincerely,

Michael Snodgrass President/CEO Oikos Development Corporation

# EXHIBIT A DESCRIPTION OF SIERRA FLATS – PHASE 1

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**BEGINNING** at the Northwest corner of said Parcel 1, described as the N1/16 Cor Sec 15-16, as shown on said Record of Survey point on the southerly line of said Parcel 1;

**THENCE**, leaving the **POINT OF BEGINNING**, and along the North line of said Parcel 1, departing said line, South 88°59'25" East, 410.00 feet;

**THENCE,** leaving said North line South 00°38'21" West, 189.75 feet, to the northerly right-of-way line of Butti Way, as described in Document Number 276885 as file in the Official Records of Carson City, Nevada on April 19, 2002, to the beginning of a non-tangent curve to the left from which the radius point bears South 21°45'16" East;

**THENCE**, southwesterly, along the northerly right-of-way line of said Butti Way, 33.93 feet along a the arc of a curve having a radius of 426.66 feet and through a central angle of 04°33'25";

**THENCE,** continuing along said northerly right-of-way line, South 63°41'20" West, 50.52 feet;

**THENCE,** continuing along said northerly right-of-way line South 55°11'12" West, 187.18 feet;

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**THENCE,** continuing along the easterly right-of-way line of Airport Road, 65.14 feet along the arc of a curve having a radius of 370.00 feet and through a central angle of 10°05′06″, to the most westerly corner of the above-mentioned Parcel 1;

**THENCE,** leaving the easterly right-of-way line of said Airport Road, and along the westerly line of said Parcel 1, North 79°28'19" East, 64.85 feet;

**THENCE,** continuing along the westerly line of said Parcel 1, North 00°38'21" East, 300.00 feet, **POINT OF BEGINNING**.

Containing 2.91 Acres, more or less.

See Exhibit "A-1" attached hereto and made a part hereof

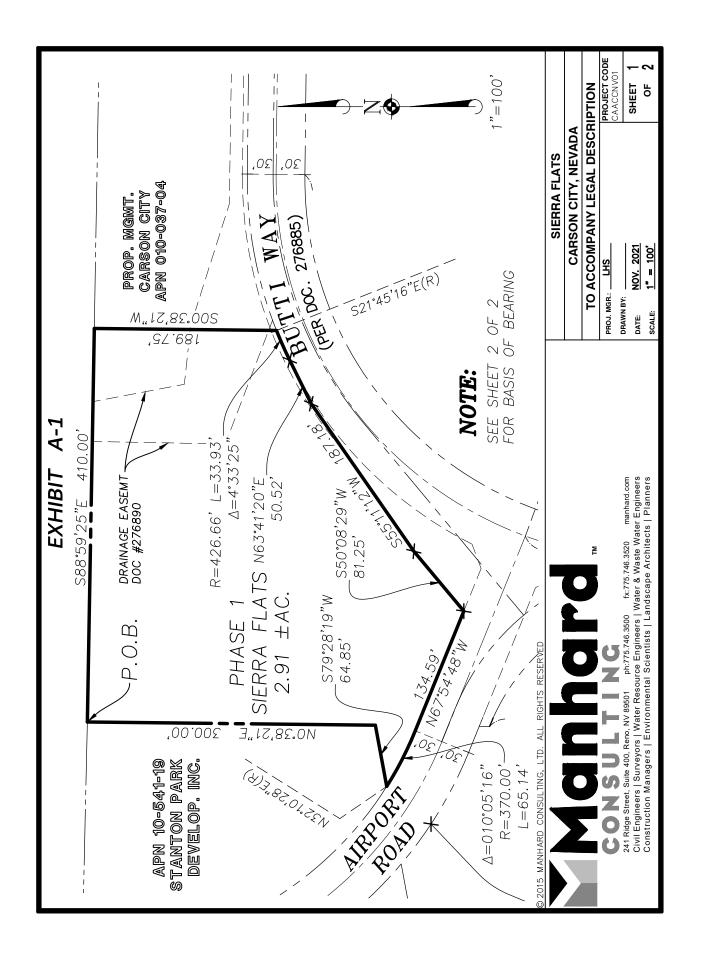
**Basis of Bearings:** South 10°30′31″ East between Carson City Control Monuments CC013 and CC087 shown on Record of Survey Map number 2749 recorded August 11, 2010 in the Official Records of Carson City, Nevada, as File Number 403425.

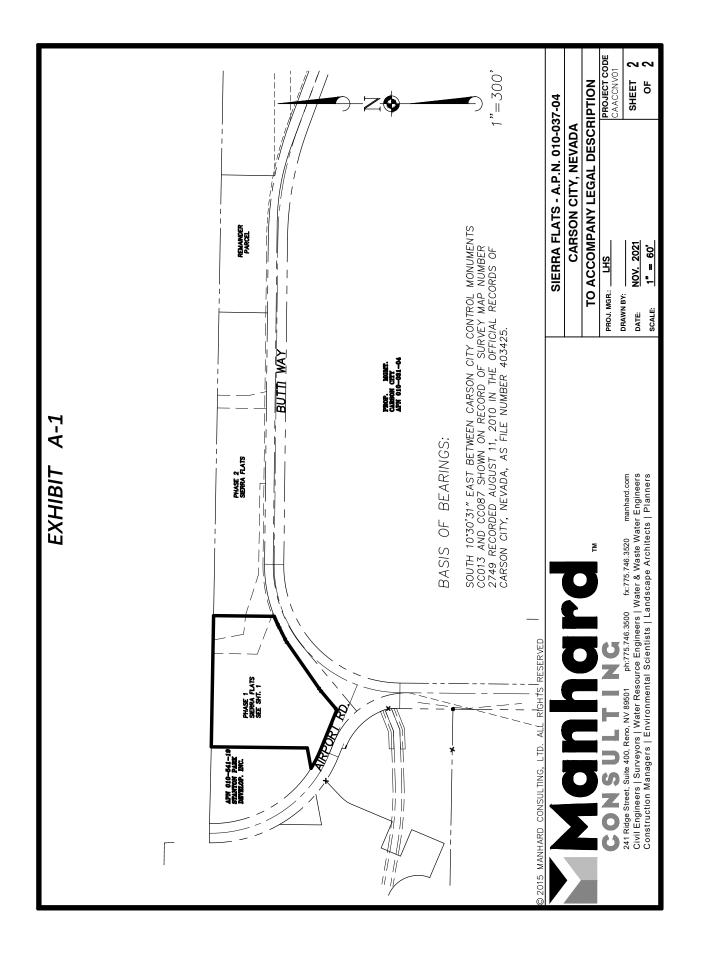
**Surveyor's Certificate:** I hereby certify that the attached description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Lee H. Smithson Nevada PLS 5097 For and on behalf of









DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE P. O. BOX 2508 CINCINNATI, OH 45201

Date: DEC 10 2018

OIKOS DEVELOPMENT CORPORATION C/O MICHAEL SNODGRASS 600 N 17TH ST KANSAS CITY, KS 66102-4204

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Employer Identification Number: 83-2398791 DLN: 17053317366008 Contact Person: SHEILA M ROBINSON ID# 31220 Contact Telephone Number: (877) 829-5500 Accounting Period Ending: December 31 Public Charity Status: 170(b)(1)(A)(vi) Form 990/990-EZ/990-N Required: Yes Effective Date of Exemption: October 23, 2018 Contribution Deductibility: Yes Addendum Applies: No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

more particularly described as follows, to wit:

Lot Eleven (11) and the East nine (9) feet of Lot Ten (10) in Block Three (3) of Corbett's Addition to Carson City, Ormsby County, Nevada. Subject to all liens and encumbrances of Record.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Parties of the Second Part, as Joint Tenants, and not as tenants in common, with the right of survivorship, and to the heirs and assigns of such survivor forever.

IN WITNESS WHEREOF, the Parties of the First Part have executed this conveyance the day and year first above written.

The parties of the Second Part have joined in the execution of this conveyance for the purpose of evidencing their intention to hold title to the above described property as Joint Tenants with the right of survivorship and not as tenants in common or as community property.

FIRST PARTIES:

SECOND PARTIES:

Marion M. Evermann Marion M. Evermann Anthony G. Barile Jr. Anthony G. Barile, Ju

George L. Evermann George L. Evermann

Rose Barile Rose Barile

STATE OF NEVADA, ) COUNTY OF Ormsby )

SS.

ON THIS <u>9th</u> day of August, 1960, personally appeared before me, the undersigned, a Notary Public in and for the said County and State, GEORGE L. EVERMANN and MARION M. EVERMANN, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged to me that they each executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this Certificate first above written.

Betty A. Hill Notary Public (SEAL)

My Commission Expires: Sept 21, 1961

Attached to this Document is One (1) Ten Dollars (\$10.00), One (1) Three Dollars and Thirty Cents (\$3.30), and One 11) One Dollar (\$1.00), Documentary Stamps Cancelled Total \$14.30.

Filed for Record at Request of NEVADA TITLE GUARANTY CO. SEP 12, 1960 at 11 Min. Past 3 o'clock P M Recorded in Book 89 Deeds Page 157 Records Ormsby County, Nevada.

At. Las m. Stinson County Recorder

Deputy

File No. 34990

#### DEED

THIS INDENTURE, made this 12th day of September, 1960, by and between the STATE OF NEVADA, hereinmetter referred to as Party of the First Part, and the City of CARSON CITY, a Municipal Corporation of the State of Nevada, hereinafter referred to as Party of the Second Part.

WITNESSETH:

That the said Party of the First Part, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, to it in hand paid by Party of the Second Part, the receipt whereof is hereby acknowledged, does by these presents grant, bargain and sell unto the said Party of the Second Part, and to its successors and assigns forever, all that certain lot, piece or parcel of land situate in Ormsby County, State of Nevada, and bounded and described as follows, to wit:

> Portions of the S1/2 NW 1/4 and N 1/2 SW 1/4, Section 15, T 15N R 20 E, MDB&M, Ormsby County, Nevada, containing 127.7 acres, more or less, and more specifically described as follows:

127.7 Acres, more or less, and more specifically described as follows: Beginning at the NW corner of the SW 1/4 NW 1/4 Section 15, T 15 N R2CE, MDB&M, from which the bronse cap monument marking the quarter corner common to Sections 15 and 16 bears S 0°13' E 1326.00 feet, being Corner No. 1; thence S 89°37' E along the sixteenth section line 2578.37 feet, more or less, to a point on the north line of the SE 1/4 NW 1/4 Section 15 from which the NE corner of said SE 1/4 NW 1/4 Section 15 hears S 89°37' E 80.00 feet, being Corner No. 2; thence S 0°10' W along the westerly right-of-way line of county road 365 feet, more or less, to a point of curvature, being Corner No. 3; thence curving to the right from an initial tangent bearing S 0°10' W 473.74 feet along a circular curve of 1106 foot radius through a central angle of 24°32'30" to a point of tangency of said county road right-of-way, being Corner No. 4; thence S 24°22'30" W along said right-of-way 1ine 1762.16 feet, more or less, to Corner No. 5; thence N.89°37' W 1744.37 feet, more or less, to à point on the westerly line of Section 15, being Corner No. 6; thence N 0°13' W along the section line 2455.27 feet, more or less, to Corner No. 1, the point of beginning.

SUBJECT TO:

- Title to the real property hereinbefore described, HOWEVER, shall vest in Party of the Second Part, if, and only in the event that, the City of Carson City, Nevada (said Party of the Second Part) has acquired the sever system as described and provided in Chapter 503, 1958-1959 Statutes of Nevada.
- 2. Easement for existing Nevada State Prison sewer lines and disposal facilities.
  - 3. Water rights, mineral rights, reservations and exclusions in patents or of record.
  - Bights of way for any existing roads, trails, canals, ditches, flumes, conduits, pipe, pole or transmission lines on, under, over, through or across said premises.
  - Such state of facts as would be disclosed by an accurate survey and inspection of the premises.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, and the reversion and reversions, remainder and remainders, rents,

issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Party of the Second Part, and to its successors and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has executed this conveyance the day and year first hereinabove written.

Grant Sawyer Governor, State of Nevada

John Koontz (SEAL) Secretary of State, State of Nevada (Official State Seal)

SS

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COUNTY OF ORMSBY )

STATE OF NEVADA

On this 12th day of September, 1960, personally appeared before me, a Notary Public in and for said county and state, GRANT SAWYER, GOVERNOR OF THE STATE OF NEVADA, known to me to be the person described in and who executed the foregoing instrument and

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he duly acknowledged to me that he is so authorized, and has executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said county, the day and year in this certificate first above written.

Dorothy S. Warren (SEAL) Notary Public

My Commission Expires: Sept. 19, 1963

Sept 13, 1960 DOCUMENT NO. 34996

Filed for record at the request of: John Tom Ross at 18 minutes past 3 o'clock P.M. Recorded in Book 89 of Deeds Page158 Records of Ormsby County, Nevada.

Fee: 💲 exempt

m County Recorder Deputy

#### DEED

THIS INDENTURE made the <u>31st</u> day of <u>December</u>, 19<u>58</u>, by and between HAROLD GRADY HANCOCK, a single man, Party of the First Part, and CLIFFORD L. TINNERMAN, a single man, of Ormsby County, Nevada, Party of the Second Part,

#### WITNESSETH:

That the said Party of the First Part for and in consideration of the sum of TEN (\$10.00) DOLLARS, lawful money of the United States of America to him in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, does by these presents GRANT, BARGAIN, SELL, CONVEY and CONFIRM unto the Party of the Second Part, and to the survivor of him, and to the heirs and assigns of such survivor forever, all that certain lot, piece or parcel of land situate in Ormsby County, Newada, and more particularly described as follows, to-wit:

Lot No. 11 located in west  $\frac{1}{2}$  of SW1 of SW1 of Section 3, T. 15 N., R. 20 E. M.D.B.&M. of W. C. Pennington Subdivision, Ormsby County, State of Nevada.

TOGETHER with the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD unto the said Party of the Second Part and to the survivor of him, and to the heirs and assigns of such survivor forever.

IN WITNESS WHEREOF, the Party of the First Part has hereunto set his hands the day and year first above written.

> Harold Grady Hancock Harold Grady Hancock

STATE OF NEVADA ) SS.

ON THIS<u>31st</u> day of <u>December</u>, 19<u>58</u>, personally appeared before me, the undersigned Notary Public in and for the aforesaid County and State, HAROLD GRADY HANCOCK, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the wame freely and voluntarily and for the uses and purposes therein mentioned.

Proof and Statement of Publication AD #:



580 Mallory Way, Suite 200, Carson City, NV 89701 PO Box 648, Carson City, NV 89702 (775) 881-1201 FAX: (775) 887-2408

Customer Account #:

Legal Account

Matt Speers says: That he is a legal clerk of the Nevada Appeal a newspaper published Wednesday and Saturday at Carson City, in the State of Nevada.

Copy Line

PO #:

# AD #:

of which a copy is hereto attached, was published in said newspaper for the full required period of time(s) commencing on and ending on, all days inclusive.

Signed:

Matt Speers

Statement:

Date Amount Credit Balance

legalscarson city



#### CARSON CITY PURCHASING AND CONTRACTS Conveyance of Carson City Property, Without Consideration, for the Development of Affordable Housing 2.91 Acres of 3410 Butti Way (APN 010-037-04)

**SUMMARY:** Carson City owns approximately 7.81 acres of real property at 3410 Butti Way, APN 010-037-04. Carson City has received an application from Oikos Development Corporation ("Oikos"), a tax exempt 501(c) (3) organization, requesting that Carson City convey the westernmost 2.91 acres of APN 010-037-04 to Oikos, without consideration, for the development of an affordable housing project on that 2.91 acres.

Oikos will not be eligible to receive the 2.91 acres of Carson City land unless it demonstrates to the satisfaction of the Board of Supervisors that Oikos, or its assignee, will use the property to develop affordable housing. In addition, any conveyance shall be subject to an agreement requiring Oikos or its assignee to use the 2.91 acres of land to provide affordable housing for at least 50 years.

Pursuant to Nevada Revised Statutes ("NRS") 244.287, the Carson City Board of Supervisors must hold a public hearing before making a decision on Oikos' application.

# A DECISION ON OIKOS' APPLICATION

will be made by the Carson City Board of Supervisors during a public meeting on December 16, 2021, which begins at 8:30 am. That meeting will take place at the Carson City Community Center, Robert 'Bob' Crowell Board Room, 851 East William Street, Carson City, NV 89701. Specifically, at that public hearing, the Board of Supervisors will decide whether to convey the westernmost 2.91 acres of APN 010-037-04 to Oikos to develop an affordable housing project, under NRS 244.287.

**PUBLIC NOTICE DOCUMENTS** will be posted at the following locations in Carson City: Community Development (108 E Proctor St, Carson City, NV 89701), City Hall (201 N Carson St, Carson City, NV 89701), Community Center (851 E William St, Carson City, NV 89701), Library (900 N Roop St, Carson City, NV 89701), Courthouse (885 E Musser St #2007, Carson City, NV), and online at the Carson City website http://www. carson.org. Those documents will include the legal description and a map exhibit for the westernmost 2.91 acres of APN 010-037-04.

Carol Akers Purchasing and Contracts Administrator Carson City, Nevada

Pub: December 1, 4, 2021

Ad#19348



# CARSON CITY NEVADA CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

# Conveyance of Carson City Property, Without Consideration, for the Development of Affordable Housing

# 2.91 Acres of 3410 Butti Way (APN 010-037-04)

Dear Property Owner,

**YOU ARE HEREBY NOTIFIED** that Carson City owns approximately 7.81 acres of real property at 3410 Butti Way, APN 010-037-04. A legal description and a map exhibit for the westernmost 2.91 acres of APN 010-037-04 is attached as Exhibit A & A-1. A vicinity map is attached as Exhibit B. Carson City has received an application from Oikos Development Corporation ("Oikos"), a tax exempt 501(c)(3) organization, requesting that Carson City convey the westernmost 2.91 acres of APN 010-037-04 to Oikos, without consideration, for the development of an affordable housing project on that 2.91 acres.

Oikos will not be eligible to receive the 2.91 acres of Carson City land unless it demonstrates to the satisfaction of the Board of Supervisors that Oikos, or its assignee, will use the property to develop affordable housing. In addition, any conveyance shall be subject to an agreement requiring Oikos or its assignee to use the 2.91 acres of land to provide affordable housing for at least 50 years.

Pursuant to Nevada Revised Statutes ("NRS") 244.287, the Carson City Board of Supervisors must hold a public hearing before making a decision on Oikos' application.

<u>A DECISION ON OIKOS' APPLICATION</u> will be made by the Carson City Board of Supervisors during a public meeting on December 16, 2021, which begins at 8:30 am. That meeting will take place at the Carson City Community Center, Robert 'Bob' Crowell Board Room, 851 East William Street, Carson City, NV 89701. Specifically, at that public hearing, the Board of Supervisors will decide whether to convey the westernmost 2.91 acres of APN 010-037-04 to Oikos to develop an affordable housing project, under NRS 244.287.

**PUBLIC NOTICE DOCUMENTS** will be posted at the following locations in Carson City: Community Development (108 E Proctor St, Carson City, NV 89701), City Hall (201 N Carson St, Carson City, NV 89701), Community Center (851 E William St, Carson City, NV 89701), Library (900 N Roop St, Carson City, NV 89701), Courthouse (885 E Musser St #2007, Carson City, NV), and online at the Carson City website http://www.carson.org.

Dan Stucky, Deputy Director Public Works

Carson City Public Works 3505 Butti Way, Carson City, NV 89701 (775) 887-2355

# EXHIBIT A DESCRIPTION OF SIERRA FLATS – PHASE 1

A portion of Parcel 1 shown on that Record of Survey supporting a Boundary Line Adjustment for Carson City, recorded as File No. 278817 on May 30, 2002, in Book 9, Page 2454 (Map No. 2454), in the Carson City Recorder's Office, Carson City, Nevada, situate within the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 15 North, Range 20 East, Mount Diablo Base & Meridian, more particularly described as follows:

**BEGINNING** at the Northwest corner of said Parcel 1, described as the N1/16 Cor Sec 15-16, as shown on said Record of Survey point on the southerly line of said Parcel 1;

**THENCE**, leaving the **POINT OF BEGINNING**, and along the North line of said Parcel 1, departing said line, South 88°59'25" East, 410.00 feet;

**THENCE,** leaving said North line South 00°38'21" West, 189.75 feet, to the northerly right-of-way line of Butti Way, as described in Document Number 276885 as file in the Official Records of Carson City, Nevada on April 19, 2002, to the beginning of a non-tangent curve to the left from which the radius point bears South 21°45'16" East;

**THENCE**, southwesterly, along the northerly right-of-way line of said Butti Way, 33.93 feet along a the arc of a curve having a radius of 426.66 feet and through a central angle of 04°33'25";

**THENCE,** continuing along said northerly right-of-way line, South 63°41'20" West, 50.52 feet;

**THENCE,** continuing along said northerly right-of-way line South 55°11'12" West, 187.18 feet;

**THENCE,** continuing along said northerly right-of-way line South 50°08'29" West, 81.25 feet, to the easterly right-of-way line of Airport Road;

**THENCE,** along the easterly right-of-way line of Airport Road, North 67°54'48" West, 134.59 feet to the beginning of a tangent curve to the right;

**THENCE,** continuing along the easterly right-of-way line of Airport Road, 65.14 feet along the arc of a curve having a radius of 370.00 feet and through a central angle of 10°05′06″, to the most westerly corner of the above-mentioned Parcel 1;

**THENCE,** leaving the easterly right-of-way line of said Airport Road, and along the westerly line of said Parcel 1, North 79°28'19" East, 64.85 feet;

**THENCE,** continuing along the westerly line of said Parcel 1, North 00°38'21" East, 300.00 feet, **POINT OF BEGINNING**.

Containing 2.91 Acres, more or less.

See Exhibit "A-1" attached hereto and made a part hereof

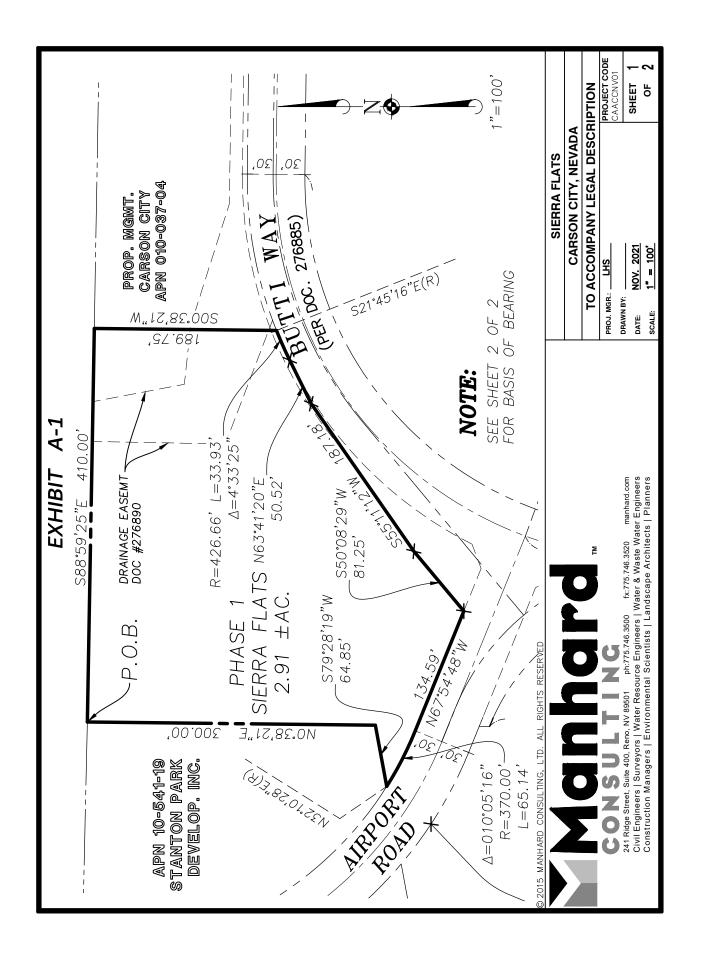
**Basis of Bearings:** South 10°30′31″ East between Carson City Control Monuments CC013 and CC087 shown on Record of Survey Map number 2749 recorded August 11, 2010 in the Official Records of Carson City, Nevada, as File Number 403425.

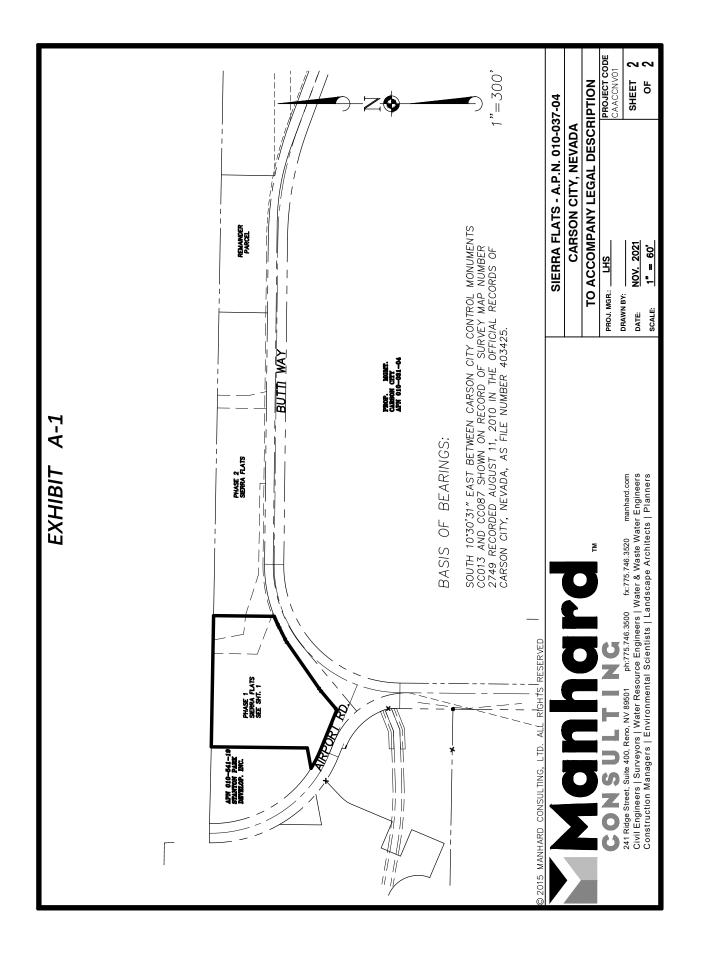
**Surveyor's Certificate:** I hereby certify that the attached description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Lee H. Smithson Nevada PLS 5097 For and on behalf of











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BUTTI WY
ERTY MANAGEMENT, CARSON CITY



#### MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Carson City , NV makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/17/2018 Data updated 11/17/2018

# **PUBLIC NOTICE**

TITLE: Conveyance of Carson City Property. Without Consideration, for the Development of Affordable Housing on 2.91 Acres of 3410 Butti Way (APN 010-037-04)

DESCRIPTION: Carson City owns approximately 7,81 acres of real property at 3410 Butti Way, APN 010-037-04. Carson City has received an application from Oikos Development Corporation ("Oikos"), a tax exempt 501(ci(3) organization, requesting that Carson City convey the westernmost 2.91 acres of APN 010-037-04 to Oikos, without consideration, for the development of an affordable housing project on that 2.91 acres.

Olkos will not be eligible to receive the 2.91 acres of Carson City land unless it demonstrates to the satisfaction of the Board of Supenisors that Olkos, or its assignee, will use the property to develop affordable housing. In addition, any conveyance shall be subject to an agreement requiring Olkos or its assignee to use the 2.91 acres of land to provide affordable housing for at least 50 years.

Pursuant to Nevada Revised Statutes ("NRS") 244.287, the Carson City Board of Supervisors must hold a public hearing before making a decision on Olikos' application.

PUBLIC MEETING DATE, TIME, & LOCATION: A decision on Okios' application will be made by the Carsion City Board of Supervisors during a public meeting our December 16, 2021, which begins at 8:30 am. That meeting will take place at the Carsion City Community Center, Robert Bob' Crowell Board Room, 851 East William Street, Carsion City, NV 89701. Specifically, at that public hearing, the Board of Supervisors will decide whether to convey the westernmost 2.91 acres of APN 010-037-04 to Okios to develop an affordable housing project, under NRS 244.287.

PUBLIC NOTICE DOCUMENTS: Public noticing documents will be posted at following locations in Carson City: Community Development (108 E Product Carson City, NV 89701), City Hall (201 N Carson St. Carson City, NV 80701), Lewry (60 Community Center (851 E William St. Carson City, NV 99701), Lewry (60 Roop St. Carson City, NV 89701), Courthouse (855 E Musser St #2007, Can City, NV), and online at the Carson City website http://www.carson.org.

CARSON CITY CONTACT: Public Works Department 3505 Butti Way Carson City, NV 89701 775-887-2355



# **PUBLIC NOTICE**

**TITLE:** Conveyance of Carson City Property, Without Consideration, for the Development of Affordable Housing on 2.91 Acres of 3410 Butti Way (APN 010-037-04)

**DESCRIPTION:** Carson City owns approximately 7.81 acres of real property at 3410 Butti Way, APN 010-037-04. Carson City has received an application from Oikos Development Corporation ("Oikos"), a tax exempt 501(c)(3) organization, requesting that Carson City convey the westernmost 2.91 acres of APN 010-037-04 to Oikos, without consideration, for the development of an affordable housing project on that 2.91 acres.

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Pursuant to Nevada Revised Statutes ("NRS") 244.287, the Carson City Board of Supervisors must hold a public hearing before making a decision on Oikos' application.

**PUBLIC MEETING DATE, TIME, & LOCATION:** A decision on Oikos' application will be made by the Carson City Board of Supervisors during a public meeting on December 16, 2021, which begins at 8:30 am. That meeting will take place at the Carson City Community Center, Robert 'Bob' Crowell Board Room, 851 East William Street, Carson City, NV 89701. Specifically, at that public hearing, the Board of Supervisors will decide whether to convey the westernmost 2.91 acres of APN 010-037-04 to Oikos to develop an affordable housing project, under NRS 244.287.

**PUBLIC NOTICE DOCUMENTS:** Public noticing documents will be posted at the following locations in Carson City: Community Development (108 E Proctor St, Carson City, NV 89701), City Hall (201 N Carson St, Carson City, NV 89701), Community Center (851 E William St, Carson City, NV 89701), Library (900 N Roop St, Carson City, NV 89701), Courthouse (885 E Musser St #2007, Carson City, NV), and online at the Carson City website <a href="http://www.carson.org">http://www.carson.org</a>.

**CARSON CITY CONTACT:** 

Public Works Department 3505 Butti Way Carson City, NV 89701 775-887-2355



# **NOTICE TO THE PUBLIC:**

#### Conveyance of Carson City Property, Without Consideration, for the Development of Affordable Housing 2.91 Acres of 3410 Butti Way (APN 010-037-04)

**SUMMARY:** Carson City owns approximately 7.81 acres of real property at 3410 Butti Way, APN 010-037-04. A legal description and a map exhibit for the westernmost 2.91 acres of APN 010-037-04 is attached as Exhibit A & A-1. A vicinity map is attached as Exhibit B. Carson City has received an application from Oikos Development Corporation ("Oikos"), a tax exempt 501(c)(3) organization, requesting that Carson City convey the westernmost 2.91 acres of APN 010-037-04 to Oikos, without consideration, for the development of an affordable housing project on that 2.91 acres.

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Pursuant to Nevada Revised Statutes ("NRS") 244.287, the Carson City Board of Supervisors must hold a public hearing before making a decision on Oikos' application.

<u>A DECISION ON OIKOS' APPLICATION</u> will be made by the Carson City Board of Supervisors during a public meeting on December 16, 2021, which begins at 8:30 am. That meeting will take place at the Carson City Community Center, Robert 'Bob' Crowell Board Room, 851 East William Street, Carson City, NV 89701. Specifically, at that public hearing, the Board of Supervisors will decide whether to convey the westernmost 2.91 acres of APN 010-037-04 to Oikos to develop an affordable housing project, under NRS 244.287.

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# EXHIBIT A DESCRIPTION OF SIERRA FLATS – PHASE 1

A portion of Parcel 1 shown on that Record of Survey supporting a Boundary Line Adjustment for Carson City, recorded as File No. 278817 on May 30, 2002, in Book 9, Page 2454 (Map No. 2454), in the Carson City Recorder's Office, Carson City, Nevada, situate within the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 15 North, Range 20 East, Mount Diablo Base & Meridian, more particularly described as follows:

**BEGINNING** at the Northwest corner of said Parcel 1, described as the N1/16 Cor Sec 15-16, as shown on said Record of Survey point on the southerly line of said Parcel 1;

**THENCE**, leaving the **POINT OF BEGINNING**, and along the North line of said Parcel 1, departing said line, South 88°59'25" East, 410.00 feet;

**THENCE,** leaving said North line South 00°38'21" West, 189.75 feet, to the northerly right-of-way line of Butti Way, as described in Document Number 276885 as file in the Official Records of Carson City, Nevada on April 19, 2002, to the beginning of a non-tangent curve to the left from which the radius point bears South 21°45'16" East;

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Containing 2.91 Acres, more or less.

See Exhibit "A-1" attached hereto and made a part hereof

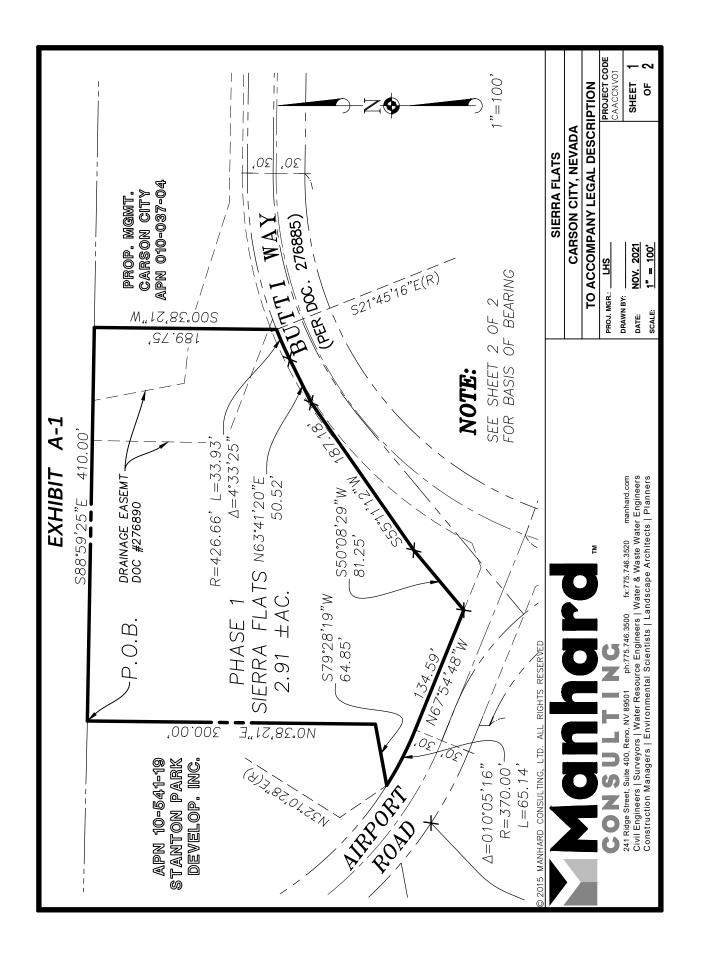
**Basis of Bearings:** South 10°30′31″ East between Carson City Control Monuments CC013 and CC087 shown on Record of Survey Map number 2749 recorded August 11, 2010 in the Official Records of Carson City, Nevada, as File Number 403425.

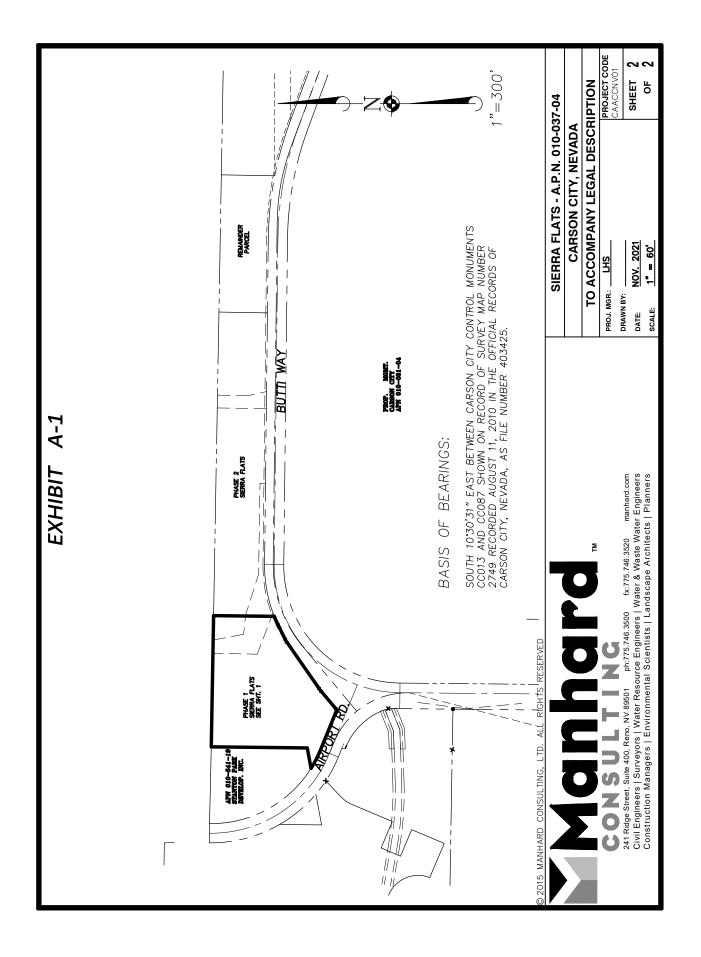
**Surveyor's Certificate:** I hereby certify that the attached description was prepared by me or under my direct supervision and is accurate to the best of my knowledge and belief.

Lee H. Smithson Nevada PLS 5097 For and on behalf of











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BUTTI WY
ERTY MANAGEMENT, CARSON CITY



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Geometry updated 11/17/2018 Data updated 11/17/2018