



## STAFF REPORT

**Report To:** Board of Supervisors                      **Meeting Date:** April 21, 2022

**Staff Contact:** Darren Schulz, Public Works Director

**Agenda Title:** For Possible Action: Discussion and possible action regarding the potential disposal of City-owned land at 2621 Northgate Lane, APN 002-062-05 ("Property"), that is 1.133 acres in total, including a 15,841 square foot office building, and a proposed resolution related to disposal of the Property. (Robert Nellis, RNellis@carson.org; Randall Rice, RRice@carson.org)

Staff Summary: Currently, the City leases office space on the Property to various non-profits, which pay nominal or below-market rent to the City. On February 25, 2022, the Board of Supervisors ("Board") directed staff to prepare a resolution for the disposal of the Property through an auction among qualified non-profits under Nevada Revised Statutes ("NRS") 244.284. On April 7, 2022, staff presented a proposed resolution to the Board, and the Board directed staff to bring the resolution back after incorporating their comments and researching a legal issue. Staff, in conjunction with the District Attorney's Office, has addressed the Board's comments in this updated draft of the proposed resolution.

**Agenda Action:** Formal Action / Motion                      **Time Requested:** 20 minutes

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### **Proposed Motion**

I move to adopt Resolution No. 2022-R \_\_\_\_\_, with the inclusion of Alternative No. \_\_\_\_\_ to the quitclaim deed as discussed.

### **Board's Strategic Goal**

Sustainable Infrastructure

### **Previous Action**

June 1987 - the Board approved an agreement for the support and conduct of cooperative extension work between the Agricultural/Extension Department of the University of Nevada System of Higher Education and Carson City.

April 18, 1996 - the Board approved the sale of the Property at public auction.

May 1, 1997 - the Board approved action to allow the Nevada Department of Transportation to auction the Property; auction was unsuccessful.

October 16, 1997 - the Board approved entering into sales agreements with licensed real estate brokers or agents to facilitate the Property's sale; sales efforts were unsuccessful.

September 17, 2009 - the Board approved a lease for \$1.00 per year to Nevada Rural Counties RSVP Program, Inc. ("RSVP") for an initial 10-year term expiring on September 17, 2019, with one 10-year option to renew. The lease may be terminated with 30 days' notice in the event the City conveys the office building on the Property.

March 18, 2010 - the Board approved a lease for \$1.00 per year to Ron Wood Family Resource Center ("RWFRC") beginning on the August 1, 2010 and terminating on July 30, 2020 with one 10-year option to renew. The lease may be terminated with 30 days' notice in the event the City conveys the office building on the Property.

July 21, 2016 - the Board approved a lease for \$1.00 per year to Capital City Circles Initiative ("CCCI") for a 5-year term through August 31, 2021 with one 5-year option to renew. The lease may be terminated with 30 days' notice in the event the City disposes of the Property.

February 17, 2017 - the Board directed staff to review existing lease agreements for the Property and determine potential termination options.

December 21, 2017 - the Board approved, and the City subsequently entered into, lease amendments clarifying maintenance responsibilities between the City and the Property's tenants, RSVP, RWFRC and CCCI.

July 1, 2021 - the Board directed staff to proceed with diligence related to disposal of the Property, including securing a title report and appraisals, discussing the possibility of transferring the Property to one or multiple non-profit tenants with the District Attorney's Office and providing the current tenants with information on the Property's capital investment needs.

February 25, 2022 - the Board directed staff to prepare a proposed resolution declaring the intent to sell the Property to a qualified non-profit at auction and perform all preparatory tasks for disposal in compliance with NRS.

April 7, 2022 – the Board directed staff to make modifications to sections 5, 6, 8 and 11 to the proposed resolution, as well as the proposed Quitclaim Deed, and sought additional guidance from the District Attorney's Office regarding the enforceability of potential restraints on a grantee's power to convey the Property in the future.

### **Background/Issues & Analysis**

#### **Property History:**

In 1982, the City acquired the Property, including the office building situated on the Property, which was constructed in 1976.

On August 12, 1997, the Property was offered for sale at auction and there were no bidders. Due to there being no bidders at public auction, the City attempted to list the Property for sale with agents and brokers, but the Property still did not sell.

#### **Current Tenants & Leases:**

The City currently leases the office building on the Property to three non-profit organizations: RSVP, RWFRC and CCCI (collectively, "Non-Profit Tenants") and to the Board of Regents, University of Nevada System Cooperative Extension program ("UNCE"). The Non-Profit Tenants pay a dollar a year in rent, plus maintenance costs. The leases with the Non-Profit Tenants can be terminated with 30 days' notice if the office building on the Property is conveyed. UNCE is a holdover tenant on the Property unless or until an agreement is executed with the City, and it pays for utilities on the Property.

#### **Maintenance & Capital Investment Needs:**

The average annual cost to the City for maintenance on the Property is approximately \$19,000. On March 3, 2020, Faithful + Gould, Inc. ("F+G") prepared a Facility Condition Assessment ("FCA") Report that identified

capital investment needs that are projected to be \$1,693,406.00 over 10 years for the Property. Adjusted for today's dollars and considering current building market conditions, the estimated cost for the Property's capital investment needs is estimated to be \$1,814,608. F+G also estimated the Construction Replacement Value of the office building on the Property to be \$5,132,400, or \$350.00 per SF, if the City was to construct an equivalent building.

**Diligence Completed by Staff:**

On July 19, 2021, the District Attorney's Office provided an analysis regarding City's ability to potentially convey the Property to a new Non-Profit comprising the current Non-Profit Tenants and UNCE pursuant to NRS 244.284 or 244.2833.

On September 23, 2021, Public Works staff met with the current Non-Profit Tenants and UNCE to discuss the costs of the recommended capital investment for the building over a ten-year period, Non-Profit Tenants' and UNCE's financial plan to maintain the building if it were to be conveyed to them, Non-Profit Tenants' and UNCE's plan to continue to lease space to the current tenants and the possibility of forming a new non-profit, comprising the current Non-Profit Tenants and UNCE, to accept the donation.

Between October 21 and December 14, 2021, staff received two appraisals for the Property indicating a minimum average value of \$1,035,000 if the City elects to not cure any of the recommended deferred maintenance prior to disposal.

**The Proposed Resolution & Disposal:**

The proposed resolution is designed to follow the general procedures for real property transactions, except where doing so is inconsistent with the Board's goal to transfer the Property to a local non-profit organization using the Property to actually provide charitable services to the community.

The resolution is designed to allow the Board to determine whether a non-profit organization is qualified to bid before opening sealed bids. Based on NRS 244.284 and direction provided during the Board's February 25, 2022 meeting, bidding will be limited to "qualified non-profits," which must (1) be Nevada non-profit corporations, (2) be tax exempt 501(c)(3) organizations, and (3) have been providing charitable services in Carson City for at least one year.

Sealed written bids from qualified non-profits would be opened at a time-certain during a Board meeting, the written bids would be ordered by price, and the Board would solicit any oral bids exceeding the highest written bid. The Board would maintain discretion to reject any particular bid, or all bids. The Board would then issue a second resolution accepting the bid it determines to be highest, and accepting the second highest bid in the event the highest bidder fails to timely tender payment in full.

The conveyance will be made "as-is, where-is" through a quitclaim deed, and, as required by NRS 244.284(3), the Property would automatically revert to the City if it is no longer used for charitable purposes.

**Applicable Statute, Code, Policy, Rule or Regulation**

NRS 244.284

**Financial Information**

**Is there a fiscal impact? Yes**

**If yes, account name/number: General Fund – Surplus Sales – 1010090-482080**

**Is it currently budgeted? No**

**Explanation of Fiscal Impact:** Proceeds from the sale would go into the General Fund to be used for future facilities maintenance or to acquire other real property for the City's use. Revenues are not known, therefore, they are not currently budgeted.

**Alternatives**

Do not adopt the resolution and/or provide alternative direction.

**Attachments:**

2. [NRS 244.284 Resolution for Disposal Northgate\\_DRAFT\\_REDLINE.pdf](#)

3. [NRS 244.284 Resolution for Disposal Northgate\\_FINAL v2.pdf](#)

4. [Quitclaim Deed\\_Northgate\\_DRAFT\\_REDLINE v2.pdf](#)

**Board Action Taken:**

Motion: _____	1) _____	Aye/Nay
	2) _____	_____
		_____
		_____
		_____
		_____

\_\_\_\_\_  
(Vote Recorded By)

**RESOLUTION NO. 2022-R-\_\_\_\_\_**

**A RESOLUTION DECLARING THE INTENTION TO SELL 1.133 ACRES OF CARSON CITY LAND KNOWN AS 2621 NORTHGATE LANE, APN 002-062-05, (“PROPERTY”), INCLUDING THE 15,841 SQUARE FOOT OFFICE BUILDING ON THE PROPERTY, THROUGH AN AUCTION AMONG QUALIFIED NON-PROFITS.**

**WHEREAS**, the City owns the Property, which is further depicted in Exhibit A to the resolution, and with the legal description in Exhibit B to the resolution; and

**WHEREAS**, the City acquired the Property in 1982, including the office building situated on the Property, which was constructed in 1976; and

**WHEREAS**, on August 12, 1997, the Property was offered for sale at auction and there were no bidders. Due to there being no bidders at public auction, the City attempted to list the Property for sale with agents and brokers, but the Property still did not sell; and

**WHEREAS**, the City currently leases the office building on the Property to three non-profit organizations and to the Board of Regents; and

**WHEREAS**, the average annual cost to the City for maintenance on the Property is approximately \$19,000 and the estimated cost for the Property’s capital investment needs is \$1,814,608 over 10 years; and

**WHEREAS**, NRS 244.284 allows the City to dispose of real property to a corporation for public benefit to be used for charitable or civic purposes on such terms and conditions as seem proper to the City; and

**WHEREAS**, the proposed sale of the City’s interest in this Property via an auction among qualified non-profits would be consistent with NRS 244.284;

**NOW, THEREFORE**, the Carson City Board of Supervisors hereby resolves that:

- (1) As used in this resolution, the term “qualified non-profit” shall refer to an organization that:
  - (a) Is organized as a Nevada non-profit corporation under NRS Ch. 82;
  - (b) Is a tax exempt 501(c)(3) organization; and
  - (c) Has provided charitable services in Carson City for at least one year from the date of this resolution;
- (2) Carson City does not need the Property for public purposes, and auctioning the Property among qualified non-profits to be used for charitable purposes is desirable and in the best interest of Carson City;
- (3) The Board of Supervisors intends to sell the Property through an auction among qualified non-profit organizations to be used for charitable purposes, consistent with NRS 244.284;
- (4) As required by NRS 244.284(3), any conveyance is subject to automatic reversion to the City if the qualified non-profit organization ceases to use the Property for charitable purposes;

(5) The minimum price of the auction shall be ~~\_\_\_\_\_~~ Three-Hundred Eighty-Five Thousand Dollars and 00/100 (\$385,000.00);

(6) A sealed-bid auction for the Property will be held on ~~July 7, 2022, at 8:45 am~~  
~~,~~ \_\_\_\_\_  
\_\_\_\_\_ am/pm;

(7) Notice of the adoption of this resolution and of the time, place and manner of the auction among qualified non-profits shall be given by:

- (a) Posting this resolution, including exhibits, in at least three public locations for at least the 15 days preceding the scheduled sealed-bid auction; and
- (b) Publishing in the Nevada Appeal, at least once a week for the three weeks preceding the scheduled sealed-bid auction, notice of the resolution's adoption; a description of the Property; the minimum price for the Property; the time, place and manner of the auction; and where copies of the resolution can be found.

(8) No later than ~~5:00 pm on 8:00 am July 6, 2022 on the date on which the sealed-bid auction will take place~~, prospective bidders shall submit to the City Manager a package containing the following sealed and unsealed components for the Board of Supervisors' review and consideration:

- (a) Unsealed Portion of Submission:
  - (i) Information sufficient for the City to quickly verify that the prospective bidder fulfills the criteria of a "qualified non-profit," as defined in this resolution, and is therefore eligible to participate in the auction.
- (b) Sealed Portion of Submission:
  - (i) The qualified non-profit's actual bid for the Property; and
  - (ii) A letter of credit or other proof of ability to pay at least the amount of the written bid by the qualified non-profit.

(9) The Board of Supervisors will open the sealed bids of qualified non-profits at the date and time designated for the sealed-bid auction. The Board of Supervisors will determine the highest written bidder, then call for any oral bids which exceed the highest written bid by 5% or more. Oral bids may only be made by qualified non-profits that properly submitted a sealed bid. At the conclusion of any oral bidding, the Board of Supervisors will determine the highest and second highest bidders. The Board of Supervisors may reject any oral bids that exceed the amount of the letter of credit or other proof of ability to pay provided in the qualified non-profit's sealed submission.

(10) The Board of Supervisors reserves the right to reject any bid, or all bids, if it determines doing so is in the best interests of Carson City. Any rejected bids will be excluded from the determination of the highest and second highest bidders.

(11) All bids for the Property, and the Property's conveyance, are subject to the following terms and conditions:

- ~~(a) The bid offer may be all cash, or with third-party financing as the bidder may obtain.~~
- ~~(ab)~~ A \$15,000 security deposit from the highest ~~and second highest~~ bidder will be required. The security deposit must be paid within two business days of notification of selection as the highest ~~and second highest~~ bidder, and must be made payable to the Carson City Treasurer. The security deposit will be credited against the purchase price.
- ~~(be)~~ Payment in full must be received from the highest bidder within ~~70~~30 days of the date of the resolution approving the highest bidder.
- ~~(d) The City will hold the security deposit of the second highest bidder until payment is received from the highest bidder and the City provides a quitclaim deed to the buyer. The City will then refund the security deposit of the second highest bidder.~~
- ~~(ce)~~ If the highest bidder fails to submit full payment within ~~30-70~~ days, the security deposit will be forfeited to the City as liquidated damages, not as a penalty, and the Property will be offered to second highest bidder.
- ~~(d) If the highest bidder fails to perform within 70 days, the City will provide the second highest bidder with written notice that the highest bidder failed to perform, and the second highest bidder will then have two business days to tender a \$15,000 security deposit made payable to the Carson City Treasurer. The security deposit will be credited against the purchase price. The second highest bidder must then tender payment in full within 30-70 days from the date the City gave written notice of the highest bidder's failure to perform. If the second highest bidder fails to submit full payment within those 70 days, of that offer to tender payment in full to the City, and if no tender is timely made, that the~~ security deposit will also be forfeited to the City as liquidated damages, not as a penalty.
- ~~(ef)~~ The purchase price for the Property shall be paid via certified funds acceptable to the Carson City Treasurer or wire-transferred funds, and Carson City shall provide a fully executed quitclaim deed, substantially similar to Exhibit C to this resolution, to the buyer upon confirmation that the full purchase price has cleared. Thereafter, Carson City shall record that fully executed quitclaim deed upon buyer's request.
- ~~(fg)~~ **The Property is being conveyed AS-IS, WHERE-IS, via quitclaim deed and subject to NRS 244.284, and any other restrictions on future conveyance shown in Exhibit C to this resolution via quitclaim deed.** Carson City has disclosed the following items during open meetings regarding the Property: a title report from Stewart Title (dated July 26, 2021; File No. 1321115); two appraisals for the Property (Johnson, Perkins, Griffin appraisal, dated Nov. 12, 2021; John S. Wright & Assocs. appraisal, dated Sept. 29, 2021), and a facility condition assessment for the Property (Faithful+Gould assessment, dated March 3, 2020). **However, all bidders and the ultimate buyer must rely on their own diligence and investigations, performed at their own expense, in determining whether to bid on and/or buy the Property. This section is a material part of Carson City's consideration for and inducement to offer the Property for sale, and this term shall survive the closing for this transaction.**
- ~~(gh)~~ The buyer shall be responsible for all costs associated with closing, including but not limited to any transfer costs.

(12) The Board of Supervisors will issue a resolution declaring the qualified non-profits it determines to be the highest and second highest bidders, and it will authorize the Mayor to execute a quitclaim deed substantially similar to Exhibit C to this resolution, in favor of the appropriate, qualified non-profit.





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  - (c) Has provided charitable services in Carson City for at least one year from the date of this resolution;
- (2) Carson City does not need the Property for public purposes, and auctioning the Property among qualified non-profits to be used for charitable purposes is desirable and in the best interest of Carson City;
- (3) The Board of Supervisors intends to sell the Property through an auction among qualified non-profit organizations to be used for charitable purposes, consistent with NRS 244.284;
- (4) As required by NRS 244.284(3), any conveyance is subject to automatic reversion to the City if the qualified non-profit organization ceases to use the Property for charitable purposes;

(5) The minimum price of the auction shall be Three-Hundred Eighty-Five Thousand Dollars and 00/100 (\$385,000.00);

(6) A sealed-bid auction for the Property will be held on July 7, 2022, at 8:45 am;

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(11) All bids for the Property, and the Property's conveyance, are subject to the following terms and conditions:

- (a) A \$15,000 security deposit from the highest bidder will be required. The security deposit must be paid within two business days of notification of selection as the

highest bidder, and must be made payable to the Carson City Treasurer. The security deposit will be credited against the purchase price.

- (b) Payment in full must be received from the highest bidder within 70 days of the date of the resolution approving the highest bidder.
- (c) If the highest bidder fails to submit full payment within 70 days, the security deposit will be forfeited to the City as liquidated damages, not as a penalty, and the Property will be offered to second highest bidder.
- (d) If the highest bidder fails to perform within 70 days, the City will provide the second highest bidder with written notice that the highest bidder failed to perform, and the second highest bidder will then have two business days to tender a \$15,000 security deposit made payable to the Carson City Treasurer. The security deposit will be credited against the purchase price. The second highest bidder must then tender payment in full within 70 days from the date the City gave written notice of the highest bidder's failure to perform. If the second highest bidder fails to submit full payment within those 70 days, the security deposit will also be forfeited to the City as liquidated damages, not as a penalty.
- (e) The purchase price for the Property shall be paid via certified funds acceptable to the Carson City Treasurer or wire-transferred funds, and Carson City shall provide a fully executed quitclaim deed, substantially similar to Exhibit C to this resolution, to the buyer upon confirmation that the full purchase price has cleared. Thereafter, Carson City shall record that fully executed quitclaim deed upon buyer's request.
- (f) **The Property is being conveyed AS-IS, WHERE-IS, via quitclaim deed and subject to NRS 244.284 and any other restrictions on future conveyance shown in Exhibit C to this resolution.** Carson City has disclosed the following items during open meetings regarding the Property: a title report from Stewart Title (dated July 26, 2021; File No. 1321115); two appraisals for the Property (Johnson, Perkins, Griffin appraisal, dated Nov. 12, 2021; John S. Wright & Assocs. appraisal, dated Sept. 29, 2021), and a facility condition assessment for the Property (Faithful+Gould assessment, dated March 3, 2020). **However, all bidders and the ultimate buyer must rely on their own diligence and investigations, performed at their own expense, in determining whether to bid on and/or buy the Property. This section is a material part of Carson City's consideration for and inducement to offer the Property for sale, and this term shall survive the closing for this transaction.**
- (g) The buyer shall be responsible for all costs associated with closing, including but not limited to any transfer costs.

(12) The Board of Supervisors will issue a resolution declaring the qualified non-profits it determines to be the highest and second highest bidders, and it will authorize the Mayor to execute a quitclaim deed substantially similar to Exhibit C to this resolution, in favor of the appropriate, qualified non-profit.

Upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, the foregoing Resolution was passed and adopted this \_\_\_\_th day of \_\_\_\_\_, 2022 by the following vote.

VOTE:           AYES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_

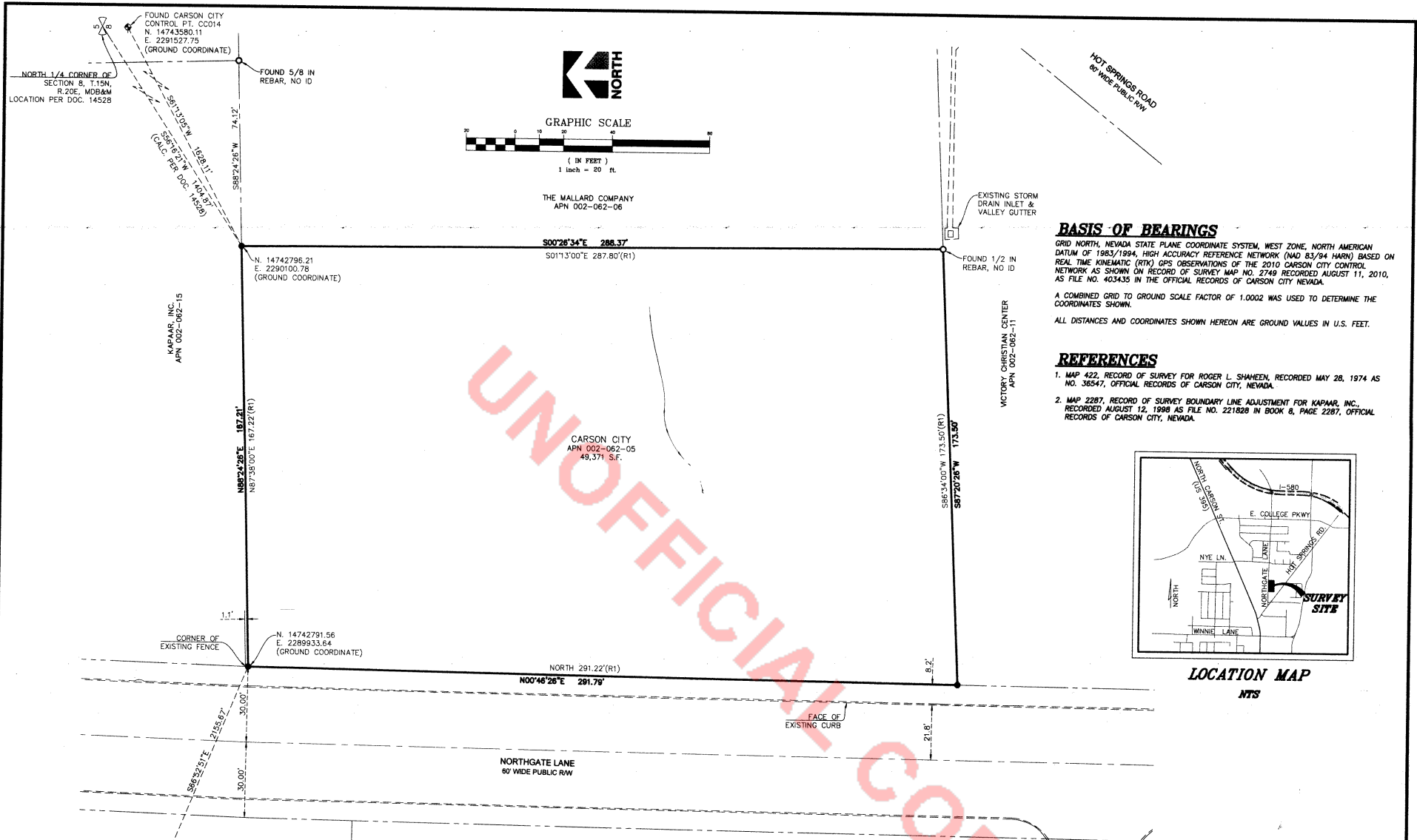
ABSTAIN:

\_\_\_\_\_

\_\_\_\_\_  
Lori Bagwell, Mayor

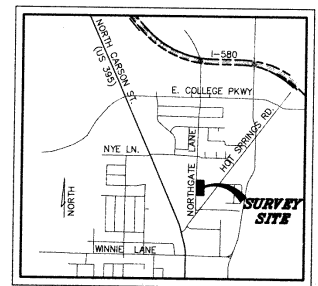
ATTEST

\_\_\_\_\_  
Aubrey Rowlett, Clerk  
Carson City, Nevada



**BASIS OF BEARINGS**  
 GRID NORTH, NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983/1994, HIGH ACCURACY REFERENCE NETWORK (NAD 83/94 HARN) BASED ON REAL TIME KINEMATIC (RTK) GPS OBSERVATIONS OF THE 2010 CARSON CITY CONTROL NETWORK AS SHOWN ON RECORD OF SURVEY MAP NO. 2749 RECORDED AUGUST 11, 2010, AS FILE NO. 403435 IN THE OFFICIAL RECORDS OF CARSON CITY NEVADA.  
 A COMBINED GRID TO GROUND SCALE FACTOR OF 1.0002 WAS USED TO DETERMINE THE COORDINATES SHOWN.  
 ALL DISTANCES AND COORDINATES SHOWN HEREON ARE GROUND VALUES IN U.S. FEET.

**REFERENCES**  
 1. MAP 422, RECORD OF SURVEY FOR ROGER L. SHAMEEN, RECORDED MAY 28, 1974 AS NO. 36547, OFFICIAL RECORDS OF CARSON CITY, NEVADA.  
 2. MAP 2287, RECORD OF SURVEY BOUNDARY LINE ADJUSTMENT FOR KAPAAR, INC., RECORDED AUGUST 12, 1998 AS FILE NO. 221828 IN BOOK 8, PAGE 2287, OFFICIAL RECORDS OF CARSON CITY, NEVADA.



**LOCATION MAP**  
 NTS

UNOFFICIAL COPY

- LEGEND**
- = SET 5/8 INCH REBAR AND CAP PLS 17044
  - = FOUND MONUMENT AS NOTED
  - ⊕ = CARSON CITY CONTROL POINT
  - (R1) = RECORD MAP REFERENCE
  - — — = EX. PROPERTY LINE
  - — — = EX. ADJACENT LOT LINES
  - — — = EX. CENTERLINE
  - — — = EX. CONCRETE/CURB
  - — — = EX. CONTOL MONUMENT TIE

**SURVEYOR'S CERTIFICATE:**  
 I, JAMES R. BEDARD, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, CERTIFY THAT:  
 1) THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY SUPERVISION AT THE INSTANCE OF CARSON CITY.  
 2) THE LAND SURVEYED LIES WITHIN A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 15 NORTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, CARSON CITY, NEVADA AND THE SURVEY WAS COMPLETED ON SEPTEMBER 11, 2018.  
 3) THIS PLAT COMPLIES WITH APPLICABLE STATUTES OF THIS STATE AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED, AND THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH CHAPTER 625 OF THE NEVADA ADMINISTRATIVE CODE.  
 4) THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

JAMES R. BEDARD  
 NEVADA P.L.S. 17044



**RECORDER'S CERTIFICATE:**  
 FILED FOR RECORD AT THE REQUEST OF MANHARD CONSULTING, LTD. ON THIS 17 DAY OF SEPT 2018, AT 32 MINUTES PAST 10 O'CLOCK A.M. IN BOOK 11, AT PAGE 2949 OF OFFICIAL RECORDS OF CARSON CITY, NEVADA.  
 RECORDING FEE: \$17.00 BY: SUSAN MERLIWETHER, RECORDER  
 FILE NUMBER: 487548 BY: [Signature]

RECORD OF SURVEY FOR  
**CARSON CITY**  
 BEING THAT PARCEL OF LAND DESCRIBED IN DOC. # 14528 RECORDED NOV. 4, 1982, OFFICIAL RECORDS OF CARSON CITY, NV SITUATE WITHIN THE NE 1/4 NW1/4 OF SECTION 8, T15N, R20E, MDB&M CARSON CITY NEVADA

**Manhard CONSULTING LTD**  
 Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers • Construction Managers • Environmental Scientists • Landscape Architects • Planners

DRAWN BY: JLM  
 DATE: 4/5/2018  
 PROJ. CODE: CON.CONV  
 PROJ. #: 01  
 SHEET 1 OF 1

SECTION 8,  
E SURVEY  
OF  
THE DATE  
5 OF THE  
, AND ARE

**RECORDER'S CERTIFICATE:**

FILED FOR RECORD AT THE REQUEST OF MANHARD CONSULTING, LTD. ON THIS  
17 DAY OF SEPT 2018, AT 32 MINUTES PAST 10 O'CLOCK A.M. IN  
BOOK 11, AT PAGE 2949 OF OFFICIAL RECORDS OF CARSON CITY, NEVADA.

RECORDING FEE: \$27.00 BY: SUSAN MERIWEATHER  
RECORDER

FILE NUMBER: 489548 BY: [Signature]

RECORD OF SURVEY  
FOR

CARSON CITY

BEING THAT PARCEL OF LAND DESCRIBED IN DOC. # 14528  
RECORDED NOV. 4, 1982, OFFICIAL RECORDS OF CARSON CITY, NV  
SITUATE WITHIN THE NE 1/4 NW1/4 OF SECTION 8, T15N, R20E, MDB&M  
CARSON CITY NEVADA

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**Manhard**  
CONSULTING LTD

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Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers  
Construction Managers • Environmental Scientists • Landscape Architects • Planners

DRAWN BY:	JLM
DATE:	4/5/2018
PROJ. CODE:	CON.CCNV
PROJ. #:	01
1 SHEET	
OF 1	

2949

2949

# EXHIBIT B

## Legal Description

That portion of the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 15 North, Range 20 East, M.D.B. & M., in Carson City Nevada, described as follows:

Commencing at the North 1/4 corner of Section 8, Township 15 North, Range 20 East, M.D.B.&M., thence South 56°16'21" West, 1404.87 feet to the Northeast corner of the parcel and the True Point of Beginning; thence South 00°26'34" East, 288.37 feet; thence South 87°20'26" West, 173.50 feet; thence along Northgate Street, North 00°46'26" 291.79 feet; thence North 88°24'26" East, 167.21 feet to the Point of Beginning.

Reference is hereby made to that certain Record of Survey Map No. 2949 for Carson City in the office of the County Recorder of Carson City, State of Nevada, on September 17, 2018 as file no. 488548 of Official Records.

# EXHIBIT C

APN 002-062-05

AFTER RECORDING RETURN TO:  
Attention: Real Property Manager  
Carson City Public Works

3505 Butti Way  
Carson City, NV 89701

MAIL TAX STATEMENTS TO:  
[Buyer]  
[Buyer Address 1]  
[Buyer Address 2]

The undersigned hereby affirms that this document, including any exhibits, submitted for recording does not contain the personal information of any person or persons. (Pursuant to NRS 239B.030)

## QUITCLAIM DEED

THIS DEED, made this \_\_\_\_ day of \_\_\_\_\_, 2022 by and between CARSON CITY, a consolidated municipality and political subdivision of the State of Nevada, hereinafter called GRANTOR, and \_\_\_\_\_, a Nevada nonprofit corporation and I.R.S. tax-exempt 501(c)(3) organization, hereinafter called GRANTEE,

### WITNESSETH:

That said GRANTOR, pursuant to Resolution 2022-R-\_\_\_\_ (Exhibit A), NRS 244.284, and for good and valuable consideration, the receipt whereof is hereby acknowledged, and subject to the requirements of NRS 244.284(3), does hereby remise, release and forever quitclaim unto the said GRANTEE all of the right, title and fee interest said GRANTOR can convey in and to that certain real property, hereinafter PROPERTY, located at 2621 Northgate Lane, Carson City, Nevada (APN 002-062-05), described as follows:

That portion of the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 15 North, Range 20 East, M.D.B. & M., in Carson City Nevada, described as follows: Commencing at the North 1/4 corner of Section 8, Township 15 North, Range 20 East, M.D.B.&M., thence South 56°16'21" West, 1404.87 feet to the Northeast corner of the parcel and the True Point of Beginning; thence South 00°26'34" East, 288.37 feet; thence South 87°20'26" West, 173.50 feet; thence along Northgate Street, North 00°46'26" 291.79 feet; thence North 88°24'26" East, 167.21 feet to the Point of Beginning. Reference is hereby made to that certain Record of Survey Map No. 2949 for Carson City in the office of the County Recorder of Carson City, State of Nevada, on September 17, 2018 as file no. 488548 of Official Records.



# EXHIBIT C

## **SUBJECT TO THE FOLLOWING RESTRICTIONS WHICH GRANTEE AND GRANTOR INTEND TO RUN WITH THE LAND:**

- (1) Consistent with NRS 244.284(3), this Quitclaim Deed conveys GRANTOR's interest in the PROPERTY to GRANTEE so long as the PROPERTY is used by a "qualified non-profit" as defined in Exhibit A to actually provide charitable services to the residents of Carson City, and if the PROPERTY ceases to be used by a "qualified non-profit" for such charitable purposes, the PROPERTY automatically reverts to GRANTOR.

(2) **PROPOSED, ALTERNATIVE OPTIONS FOR THE BOARD OF SUPERVISORS' MAY 21, 2022 MEETING**

**ALTERNATIVE NO. 1 – Pre-Screen All Transfers & Void Offending Transfers:**

In addition, any transfer of estate or interest in the PROPERTY from GRANTEE or its successors ("GRANTEE-CONVEYOR"), to a third party ("GRANTEE-CONVEYEE")—including but not limited to sales, leases, and easements concerning the PROPERTY—is void unless pre-approved by the Board of Supervisors. GRANTEE-CONVEYOR and GRANTEE-CONVEYEE will be responsible for presenting the Board of Supervisors with information sufficient to determine whether the GRANTEE-CONVEYEE (a) will be a "qualified non-profit" as defined in Exhibit A, and (b) is otherwise eligible to receive an interest in the Property under NRS 244.284. The Board of Supervisors shall not unreasonably withhold such pre-approval. Notwithstanding the foregoing, the renewal of a lease from GRANTEE-CONVEYOR to GRANTEE-CONVEYEE concerning the PROPERTY is valid without pre-approval by the Board of Supervisors if, and only if: (a) the Board of Supervisors previously pre-approved the lease being renewed; (b) the renewal does not alter the parties to the lease being renewed; (c) the parties to the lease being renewed remain "qualified non-profits" providing charitable services to the residents of Carson City; (d) the renewal solely extends the term of the lease ("Renewal Term"), without altering any other terms of the lease being renewed; and (e) the Renewal Term is \_\_\_\_ year(s) or less.

**ALTERNATIVE NO. 2 – Pre-Screen Significant Transfers & Void Offending Transfers:**

In addition, any transfer of estate or interest in the PROPERTY from GRANTEE or its successors ("GRANTEE-CONVEYOR"), to a third party ("GRANTEE-CONVEYEE") with a term of \_\_\_\_ years or longer is void unless pre-approved by the Board of Supervisors. GRANTEE-CONVEYOR and GRANTEE-CONVEYEE will be responsible for presenting the Board of Supervisors with information sufficient to determine whether the GRANTEE-CONVEYEE (a) will be a "qualified non-profit" as defined in Exhibit A, and (b) is otherwise eligible to receive an interest in the Property under NRS 244.284. The Board of Supervisors shall not unreasonably withhold such pre-approval.

**ALTERNATIVE NO. 3 – Pre-Screen Significant Transfers with Reversion:**

In addition, GRANTEE or its successors ("GRANTEE-CONVEYOR") shall not make any transfer of estate or interest in the PROPERTY with a term of \_\_\_\_

# EXHIBIT C

years or longer to a third party ("GRANTEE-CONVEYEE") unless that transfer is pre-approved by the Board of Supervisors. Any such transfer made without pre-approval of the Board of Supervisors is void and shall result in the interest conveyed through this Quitclaim Deed automatically reverting to GRANTOR, Carson City. GRANTEE-CONVEYOR and GRANTEE-CONVEYEE will be responsible for presenting the Board of Supervisors with information sufficient to determine whether the GRANTEE-CONVEYEE (a) will be a "qualified non-profit" as defined in Exhibit A, and (b) is otherwise eligible to receive an interest in the Property under NRS 244.284. The Board of Supervisors shall not unreasonably withhold such pre-approval.

IN WITNESS WHEREOF said GRANTOR has hereunto signed on the day and year first above written.

\_\_\_\_\_  
LORI BAGWELL, Mayor

STATE OF NEVADA )

CARSON CITY )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

APPROVED AS TO FORM:

Carson City District Attorney

By: \_\_\_\_\_

Date: \_\_\_\_\_

# EXHIBIT C

APN 002-062-05

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Carson City Public Works

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# EXHIBIT C

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#### ALTERNATIVE NO. 1 – Pre-Screen All Transfers & Void Offending Transfers:

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# EXHIBIT C

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IN WITNESS WHEREOF said GRANTOR has hereunto signed on the day and year first above written.

\_\_\_\_\_  
LORI BAGWELL, Mayor

STATE OF NEVADA )

CARSON CITY )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

APPROVED AS TO FORM:  
Carson City District Attorney

By: \_\_\_\_\_

Date: \_\_\_\_\_