



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** May 5, 2022

Staff Contact: Darren Schulz, Public Works Director

Agenda Title: For Possible Action: Discussion and possible action regarding a proposed resolution and agreement (“Resolution”) for the Nevada Department of Transportation (“NDOT”) to relinquish and transfer to Carson City portions of cul-de-sacs at Monk Court and Hospitality Way that fall within or about Carson City Assessor’s Parcel Number (“APN”) 002-763-01. (Robert Nellis, RNellis@carson.org; Randall Rice, RRice@carson.org)

Staff Summary: NDOT owns APN 002-763-01, and it plans to dispose of it. Staff has requested that, prior to disposal, NDOT relinquish the existing cul-de-sacs on or adjacent to that parcel for City right-of-way. City staff has determined the rights-of-way are necessary for emergency vehicle access.

Agenda Action: Formal Action / Motion **Time Requested:** Consent

Proposed Motion

I move to approve, and authorize the Mayor to sign, the resolution and agreement with NDOT, Resolution No. 2022-R-_____.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

Nevada Revised Statutes (“NRS”) NRS 408.527 allows NDOT to relinquish rights-of-way to local governments, provided: (1) NDOT and the local government enter into a written agreement; and (2) the local government consents to the relinquishment by resolution. The Resolution is intended to fulfill both requirements.

In July 2018, NDOT conveyed APN 002-762-02, south of Hospitality Way, to a private party via a Quitclaim Deed recorded as Document No. 487118. NDOT excluded the southern portion of the Hospitality Way cul-de-sac from that conveyance and has maintained ownership. The Resolution would relinquish the south portion of the Hospitality Way cul-de-sac to the City.

APN 002-763-01 is located between Monk Court and Hospitality Way along the Interstate 580 right-of-way near Arrowhead Drive. The 1.81 acre parcel is zoned retail commercial and is surplus right-of-way that NDOT plans to dispose of. APN 002-763-01 includes the north portion of the Hospitality Way cul-de-sac and the Monk Court cul-de-sac. Staff requested that NDOT relinquish the portions of this land containing these existing cul-de-sacs before disposing of the parcel because the cul-de-sacs are necessary for emergency vehicle access and turnaround. NDOT has agreed to relinquish the cul-de-sacs to the City.

If the City approves the Resolution, it will then go to the NDOT Board of Directors for review and consideration, and the cul-de-sacs will be relinquished to the City if the NDOT Board agrees to the Resolution.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 408.527

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

Alternatives

Do not approve the Resolution and/or provide alternative direction.

Attachments:

[Revised ROC 4.27.22.pdf](#)

Board Action Taken:

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

(Vote Recorded By)

Ptn. of APN: 002-763-01
Adj. to APN: 002-762-02
Control Section: CC-17
Route: IR-580 Former Route: US-395
Project: QF-395-1(6)
E.A.: 71366
Ptn. of Parcels: U-395-CC-008.443
 U-395-CC-008.546
 U-395-CC-008.547
 U-395-CC-008.604
Surplus No.: REL 21-04
Surplus Parcels: I-580-CC-007.573 XS1
 I-580-CC-007.579 XS1
 I-580-CC-007.671 XS1

RESOLUTION CONSENTING TO RELINQUISHMENT
AND LAND TRANSFER AGREEMENT

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish portions of IR-580 lying within Carson City, State of Nevada, extending from Approximate Milepost I-580-CC-007.572 to Approximate Milepost I-580-CC-007.584 (southerly portion of Hospitality Way cul-de-sac), from Approximate Milepost I-580-CC-007.579 to Approximate Milepost I-580-CC-007.591 (northerly portion of Hospitality Way cul-de-sac), and from Approximate Milepost I-580-CC-007.671 to Approximate Milepost I-580-CC-007.686 (southerly portion of Monk Court cul-de-sac), a distance of approximately 0.034 miles, said right-of-way is delineated and identified as Parcels I-580-CC-007.573 XS1, I-580-CC-007.579 XS1 and I-580-CC-007.671 XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

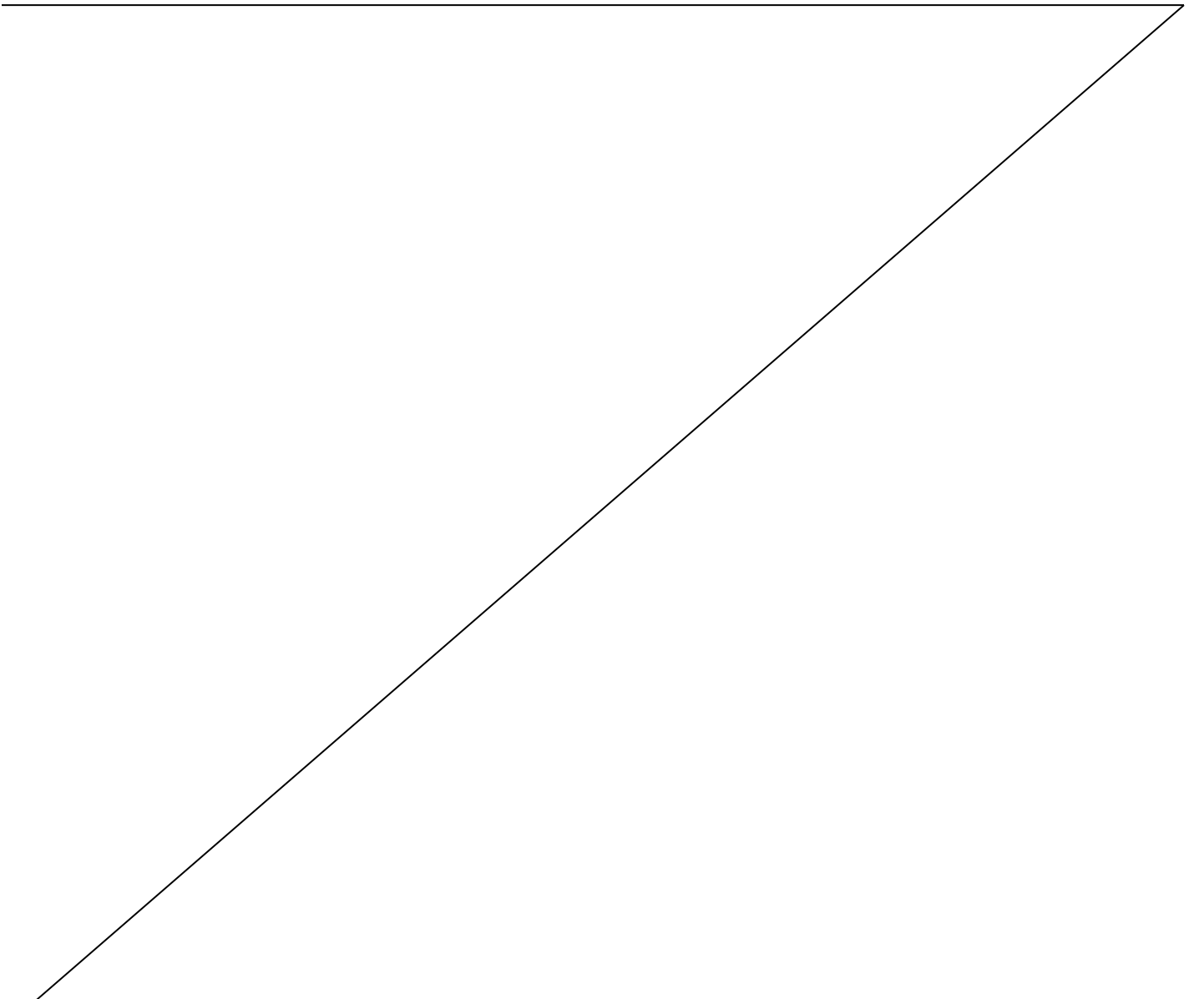
WHEREAS, the Carson City Board of Supervisors State of Nevada, desires that the aforesaid portions of said highway be relinquished to Carson City; and

WHEREAS, Carson City has requested the relinquishment of aforesaid portions of highway for the purpose of a transportation facility; and

WHEREAS, Carson City has agreed to accept the relinquishment of said right-of-way for the aforesaid portions of IR-580.

NOW THEREFORE be it resolved that the Carson City Board of Supervisors, does in consideration of

the actions of the Department as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to Carson City those portions of IR-580 lying within the Carson City, State of Nevada, extending from Approximate Milepost I-580-CC-007.572 to Approximate Milepost I-580-CC-007.584 (southerly portion of Hospitality Way cul-de-sac), from Approximate Milepost I-580-CC-007.579 to Approximate Milepost I-580-CC-007.591 (northerly portion of Hospitality Way cul-de-sac), and from Approximate Milepost I-580-CC-007.671 to I-580-CC-007.686 (southerly portion of Monk Court cul-de-sac), a distance of approximately 0.034 miles, said right-of-way is delineated and identified as Parcels I-580-CC-007.573 XS1, I-580-CC-007.579 XS1 and I-580-CC-007.671 XS1 on EXHIBIT "A" attached hereto and made a part hereof.



The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this _____ day of _____, 20__.

ATTEST:

CARSON CITY BOARD OF SUPERVISORS

, City Clerk

, Mayor

REVIEWED AND RECOMMENDED BY:

APPROVED AS TO LEGALITY AND FORM:

Craig Reynoldson, Chief Right-of-Way Agent

Dennis Gallagher, Chief Deputy Attorney General,
Department of Transportation

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STATE OF NEVADA acting by and through its
Department of Transportation

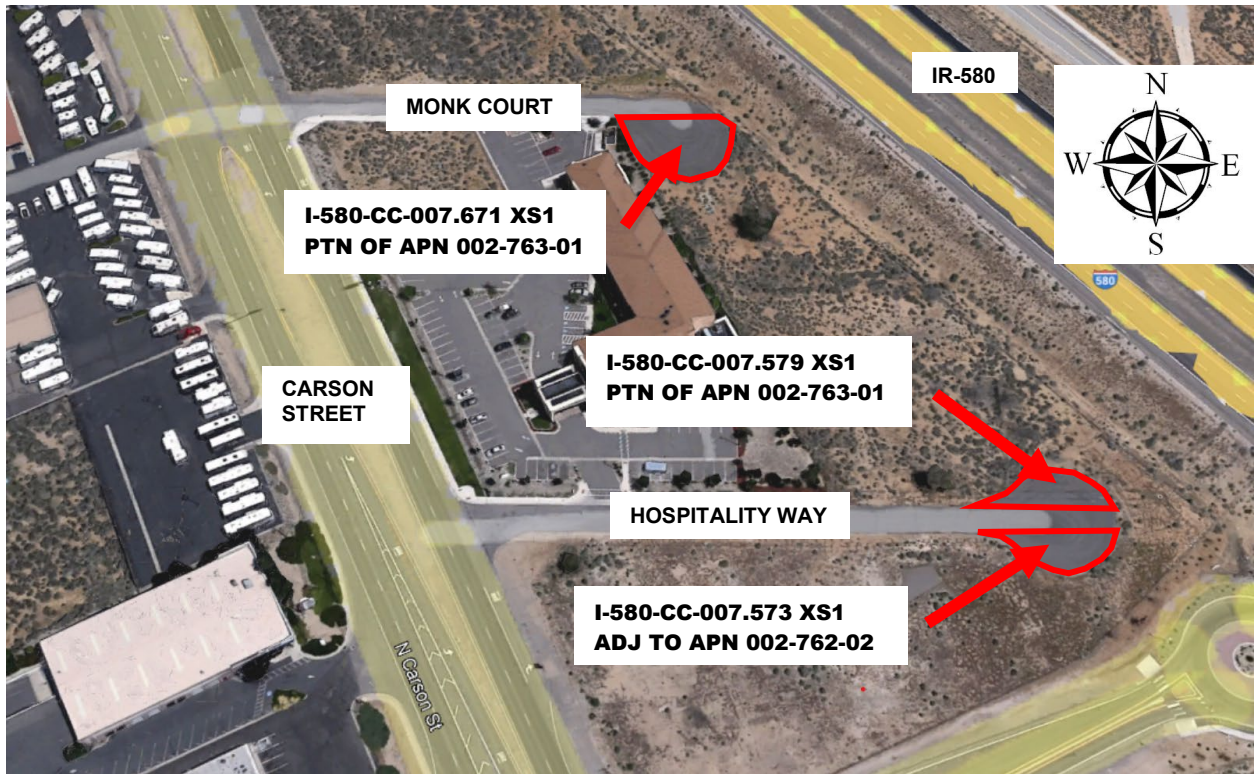
Darin Tedford, Deputy Director Project Delivery

STATE OF NEVADA
CARSON CITY

On this _____ day of _____, 20____, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, _____ personally known (or proved) to me to be the _____ Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.

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



REL 21-04
Cul-De-Lacs on Hospitality Way and Monk Court
Between Carson Street and IR-580
in Carson City, State of Nevada

EXHIBIT "A"

LEGAL DESCRIPTION PREPARED BY:
GREGORY A. BIGBY, P.L.S.
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

EXHIBIT "A"
LEGAL DESCRIPTION

Ptn. of APN: 002-763-01
Adj. to APN: 002-762-02
Project: QF-395-1(6)
E.A. 71366
Ptn. of Parcels: U-395-CC-008.443
 U-395-CC-008.546
 U-395-CC-008.547
 U-395-CC-008.604
Parcels: I-580-CC-007.573 XS1
 I-580-CC-007.579 XS1
 I-580-CC-007.671 XS1

I-580-CC-007.573 XS1

Situate, lying and being in Carson City, State of Nevada and more particularly described as being a portion Government Lot 2 of the NW 1/4 of the NE 1/4 of Section 6, T. 15 N., R. 20 E., M.D.M., and more particularly described as being a portion of Lot 3, Block C as shown on that certain Subdivision Map for Eagle Valley Vista Subdivision, filed for record on August 23, 1954, in Book 1, Page 103, of the Official Records of Ormsby County, Nevada, and more fully described by metes and bounds as follows:

BEGINNING at a point on the southerly right-of-way line of Hospitality Way, 206.72 feet left of and at right angles to the centerline of IR-580 at Highway Engineer's Station "O" 485+90.31 P.O.T., said point of beginning further described as bearing S. 52°19'47" E., a distance of 1,479.48 feet from a 2.5 INCH BRASS DISC ON A 3/4 INCH IRON PIPE STAMPED "N 1/4 S6 T15N R20E R334 1951", accepted as the north quarter corner of said Section 6; thence along the following three (3) courses and distances:

- 1) from a tangent which bears S. 28°46'25" W., along said southerly right-of-way line, curving to the right with a radius of 52.00 feet, through an angle of 112°34'26", an arc distance of 102.17 feet;
- 2) from a tangent which bears N. 38°39'09" W., continuing along said southerly right-of-way line, curving to the left

with a radius of 38.00 feet, through an angle of 19°56'08",
an arc distance of 13.22 feet;

- 3) S. 89°15'22" E. – 96.07 feet, along the former southerly right-of-way line of said Hospitality Way, to the point of beginning; said parcel contains an area of 1,814 square feet (0.04 acres).

I-580-CC-007.579 XS1

Situate, lying and being in Carson City, State of Nevada and more particularly described as being a portion of Government Lot 2 of the NW 1/4 of the NE 1/4 of Section 6, T. 15 N., R. 20 E., M.D.M., and more particularly described as being a portion of Lot 3, Block B as shown on that certain Subdivision Map for Eagle Valley Vista Subdivision, filed for record on August 23, 1954, in Book 1, Page 103, of the Official Records of Ormsby County, and more fully described by metes and bounds as follows:

BEGINNING at a point on the northerly right-of-way line of Hospitality Way, 173.55 feet left of and at right angles to the centerline of IR-580 at Highway Engineer's Station "O" 466+27.73 P.O.T., said point of beginning further described as bearing S. 53°53'42" E., a distance of 1,449.49 feet from a 2.5 INCH BRASS DISC ON A 3/4 INCH IRON PIPE STAMPED "N 1/4 S6 T15N R20E R334 1951", accepted as the north quarter corner of said Section 6; thence along the following three (3) courses and distances:

- 1) N. 89°15'22" W. – 93.84 feet, along the former northerly right-of-way line of said Hospitality Way;
- 2) from a tangent which bears N. 57°35'44" E., curving to the left along said northerly right-of-way line of Hospitality Way with a radius of 38.00 feet, through an angle of 17°14'37", an arc distance of 11.44 feet;
- 3) from a tangent which bears N. 40°21'07" E., curving to the right continuing along said northerly right-of-way line with a radius of 52.00 feet, through an angle of 110°56'52", an arc distance of 100.69 feet to the point of beginning; said parcel contains an area of 1,708 square feet (0.04 acres).

I-580-CC-007.671 XS1

Situate, lying and being in Carson City, State of Nevada and more particularly described as being a portion of Government Lot 2 of the NW 1/4 of the NE 1/4 of Section 6, T. 15 N., R. 20 E., M.D.M., and more particularly described as being a portion of Lot 3, Block B as shown on that certain Subdivision Map for Eagle Valley Vista Subdivision, filed for record on August 23, 1954, in Book 1, Page 103, of the Official Records of Ormsby County, and more fully described by metes and bounds as follows:

BEGINNING at a point on the left or westerly right-of-way line of IR-580, 145.32 feet left of and right angles to centerline of IR-580 at Highway Engineer's Station "O" 471+12.70 P.O.T., said point of beginning further described as bearing S. 61°31'36" E., a distance of 990.62 feet from a 2.5 INCH BRASS DISC ON A 3/4 INCH IRON PIPE STAMPED "N 1/4 S6 T15N R20E R334 1951", accepted as the north quarter corner of said Section 6; thence along the following four (4) courses and distances:

- 1) from a tangent which bears S. 12°14'30" E., curving to the right along the southerly right-of-way line of Monk Court with a radius of 52.00 feet, through an angle of 145°08'25", an arc distance of 131.73 feet to the westerly lot line of said Lot 3;
- 2) N. 24°27'46" W. – 60.40 feet, along said westerly lot line and said southerly right-of-way line of Monk Court;
- 3) S. 89°15'22" E. – 107.07 feet, along the former southerly right-of-way line of said Monk Court to said left or westerly right-of-way line IR-580;
- 4) S. 42°57'27" E. – 6.11 feet, along said westerly right-of-way line to the point of beginning; said parcel contains an area of 5,873 square feet (0.13 acres).

EXCEPTING THEREFROM any and all water rights appurtenant to said parcels.

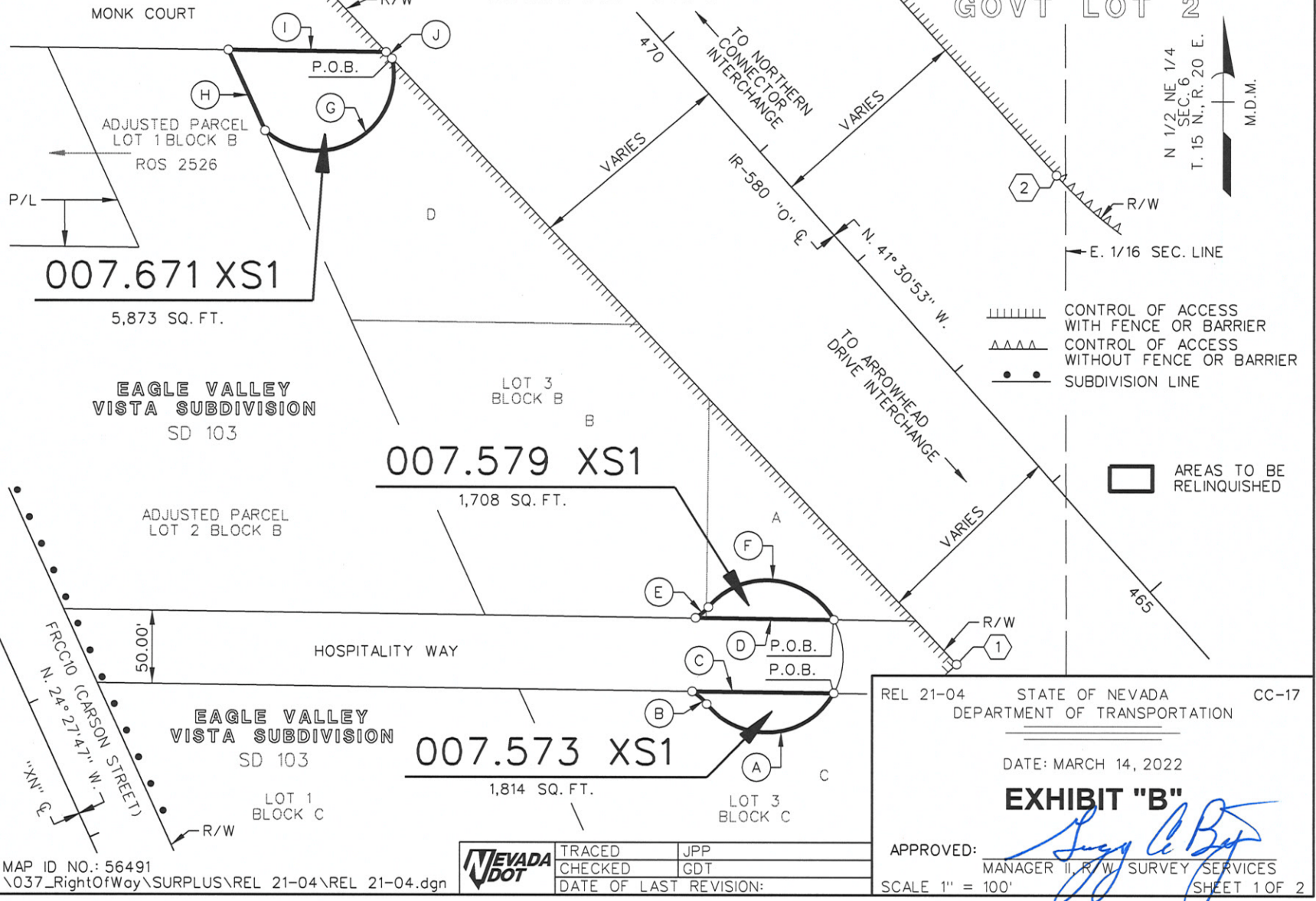
The Basis of Bearing for these descriptions is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, West Zone as determined by the State of Nevada, Department of Transportation.

PARCEL NO. PREFIX: I-580-CC-

PROJECT: QF-395-1(6)
E.A. 71366

CARSON CITY

GOVT LOT 2



- ▬▬▬▬▬▬▬ CONTROL OF ACCESS WITH FENCE OR BARRIER
- ▴▴▴▴▴▴▴ CONTROL OF ACCESS WITHOUT FENCE OR BARRIER
- SUBDIVISION LINE

▭ AREAS TO BE RELINQUISHED

REL 21-04 STATE OF NEVADA CC-17
DEPARTMENT OF TRANSPORTATION

DATE: MARCH 14, 2022

EXHIBIT "B"

APPROVED: *[Signature]*
MANAGER II, R/W SURVEY SERVICES

SCALE 1" = 100' SHEET 1 OF 2

MAP ID NO.: 56491
\\037_RightOfWay\SURPLUS\REL 21-04\REL 21-04.dgn

NEVADA DOT	TRACED	JPP
	CHECKED	GDT
	DATE OF LAST REVISION:	

PARCEL NO. PREFIX: I-580-CC-

PROJECT: QF-395-1(6)
E.A. 71366

007.573 XS1	
P.O.B. = 206.72' LT. "O" 465+90.31 P.O.T. TIE: S. 52° 19' 47" E. - 1,479.48' FROM THE N 1/4 COR. SEC. 6, T. 15 N., R. 20 E., M.D.M.	
(A)	$\Delta = 112^\circ 34' 26''$ R = 52.00' L = 102.17' T.B. = S. 28° 46' 25" W.
(B)	$\Delta = 19^\circ 56' 08''$ R = 38.00' L = 13.22' T.B. = N. 38° 39' 09" W.
(C)	S. 89° 15' 22" E. - 96.07'

PTN. OF PARCEL

C U-395-CC-008.443 1,814 SQ. FT.
GBS 103003 7/12/90

007.671 XS1	
P.O.B. = 145.32' LT. "O" 471+12.70 P.O.T. TIE: S. 61° 31' 36" E. - 990.62' FROM THE N 1/4 COR. SEC. 6, T. 15 N., R. 20 E., M.D.M.	
(G)	$\Delta = 145^\circ 08' 25''$ R = 52.00' L = 131.73' T.B. = S. 12° 14' 30" E.
(H)	N. 24° 27' 46" W. - 60.40'
(I)	S. 89° 15' 22" E. - 107.07'
(J)	S. 42° 57' 27" E. - 6.11'

PTN. OF PARCEL

D U-395-CC-008.604 5,873 SQ. FT.
GBS 84345 4/28/1989

007.579 XS1	
P.O.B. = 173.55' LT. "O" 466+27.73 P.O.T. TIE: S. 53° 53' 42" E. - 1,449.49' FROM THE N 1/4 COR. SEC. 6, T. 15 N., R. 20 E., M.D.M.	
(D)	N. 89° 15' 22" W. - 93.84'
(E)	$\Delta = 17^\circ 14' 37''$ R = 38.00' L = 11.44' T.B. = N. 57° 35' 44" E.
(F)	$\Delta = 110^\circ 56' 52''$ R = 52.00' L = 100.69' T.B. = N. 40° 21' 07" E.

PTN. OF PARCELS

A U-395-CC-008.546 1,688 SQ. FT.
GBS 89769 8/28/1989
B U-395-CC-008.547 20 SQ. FT.
GBS 75743 9/07/1988

ROW OFFSETS	
(1)	131.25' LT. "O" 465+49.81 P.O.T.
(2)	140.00' RT. "O" 467+54.63 P.O.T.

REL 21-04	STATE OF NEVADA	CC-17
DEPARTMENT OF TRANSPORTATION		
DATE: MARCH 14, 2022		
EXHIBIT "C"		
APPROVED:	<i>[Signature]</i>	
	MANAGER II R/W SURVEY SERVICES	
	SHEET 2 OF 2	

MAP ID NO.: 56491
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NEVADA DOT	TRACED	JPP
	CHECKED	GDT
	DATE OF LAST REVISION:	