

Item # 3-4

**City of Carson City  
Agenda Report**

**Date Submitted:** 04/03/08

**Agenda Date Requested:** 03/25/08

**Time Requested:** Consent

**To:** Mayor and Supervisors

**From:** Development Services - Engineering

**Subject Title:** Action to accept a Correction Order vacating and abandoning a portion of unnamed and unimproved right of way extending along the northern boundaries of previous APN 08-023-03 and 08-023-04, resulting in abandonment of 929 square feet of unnamed and unimproved right of way across APN 08-023-23.

**Staff Summary:** Staff is requesting that the Board of Supervisors approve a Correction Order vacating and abandoning a portion of an unnamed and unimproved public right-of-way. This Correction Order would result in abandonment of 929 square feet of right of way across APN 08-023-23 that should have been abandoned by previous Board action on February 2, 1986. The past Board action approved a request from Howard F. Collett and Preston D'Artez (property owner) to vacate and abandon a portion of an unnamed and unimproved public right-of-way extending along the northern boundaries of previous APN 8-023-03 and 8-023-04. As it turns out, the Assessor map shows the right of way as having already been abandoned, so there will be no change to the property as far as the Assessor is concerned.

**Type of Action Requested:** (check one)  
 Resolution       Ordinance  
 Formal Action/Motion       Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to accept a Correction Order vacating and abandoning a portion of unnamed and unimproved right of way extending along the northern boundaries of previous APN 08-023-03 and 08-023-04, resulting in abandonment of 929 square feet of unnamed and unimproved right of way across APN 08-023-23.

**Explanation for recommended Board Action:** This Correction Order would result in abandonment of 929 square feet of right of way across APN 08-023-23 that should have been abandoned by previous Board action on February 2, 1986.

**Applicable Status, Code, Policy, Rule or Regulation:** NRS 278.480(6).

**Fiscal Impact:** None

**Funding Source:** N/A

**Explanation of Impact:** N/A

**Alternatives:** None

**Supporting Materials:** Correction Order vacating and abandoning a portion of an unnamed and unimproved public right of way. Legal Description (Exhibit 1) and Map (Exhibit A).

Prepared By: Eva Chwalisz, Management Assistant

Reviewed By: JSS Date: 3/25/08  
(Jeff Sharp, P.E., City Engineer)

Concurrences: Yann Barte Date: 3-25-08  
(Department Head)  
Chris K. Brown Date: 3/25/08  
(City Manager)  
Melanie Proukett Date: 3-25-08  
(District Attorney)

Board Action Taken:

Motion: \_\_\_\_\_ 1) \_\_\_\_\_ Aye/Nay  
2) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

1  
2 CORRECTION ORDER VACATING AND ABANDONING A  
3 PORTION OF AN UNNAMED AND UNIMPROVED RIGHT-OF-  
4 WAY EXTENDING ALONG THE NORTHERN BOUNDARIES  
5 OF APN 8-023-03 AND 8-023-04.

6 WHEREAS, HOWARD F. COLLETT and PRESTON D'ARTEZ, on  
7 December 27, 1985, filed a written application seeking vacation and abandonment of  
8 an unnamed and unimproved right-of-way extending along the northern boundaries  
9 of APN 8-023-03 and 8-023-04 (hereinafter simply called right-of-way); and

10 WHEREAS, said application was thereafter referred to the Carson City  
11 Planning Commission; and

12 WHEREAS, a public hearing was thereafter duly noticed and conducted by  
13 the Carson City Planning commission on January 28, 1986, at which time the  
14 Commission recommended approval of abandoning the right-of-way subject to  
15 Department of Public Works determining the actual dimensions of said right-of-  
16 way; and

17 WHEREAS, the Carson City Board of Supervisors, at their regularly  
18 scheduled and duly noticed meeting of February 6, 1986, found that the public would  
19 not be materially injured by the proposed vacation and accordingly ordered the  
20 vacation and abandonment of the pertinent portion of right-of-way in Carson City,  
21 pursuant to the provisions of NRS 278.480 which require a written order to be  
22 prepared and recorded in the office of the recorder of Carson City; and

23 WHEREAS, the order recorded June 2, 1986 as document #46003  
24 inadvertently omitted a portion of the easement approximately 30' square and a  
25 description of that portion is included in this legal description.

26 NOW, THEREFORE, this order hereby certifies that the Carson City Board of  
27 Supervisors did, at their February 6, 1986, meeting order the vacation and abandonment of a  
28

1 portion of the above-referenced right-of-way in Carson City, Nevada, more  
2 particularly described as follows:

3  
4 An unnamed and unimproved right-of-way along  
5 the north boundary of Imus Subdivision and being the north 50 feet  
6 of the NE1/4 of the SW1/4 of the NW1/4 of the SE1/4 of Section 31,  
7 Township 16 North, Range 20 East, M.D.B. & M. plus Exhibit 1  
8 attached.

9 The Board of supervisors further orders:

10

- 11 1. That if a utility has an easement over or under the property  
12 hereby vacated and abandoned by this order said easement or  
13 easements shall be continued and shall not be effected by the  
14 abandonment.
- 15 2. That upon recordation, title to the above-described portion of the  
16 right-of-way reverts to the respective abutting property owners in  
17 accordance with NRS 278.480(6).

18  
19 ORDERED this 2<sup>nd</sup> day of February, 1986 by the Carson City Board of  
20 Supervisors and corrected this \_\_\_\_\_ day of <sup>8</sup> \_\_\_\_\_, 200~~8~~<sup>0</sup>.

21  
22 Mayor

23  
24 ATTEST:

25  
26 Clerk

27  
28

**PEACHAY 02-451.1  
PEACHAY EASEMENT  
ABANDONMENT**

October 2, 2006

A portion of land within the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 31, Township 16 North, Range 20 East, M.D.M., Carson City, Nevada, being more particularly described as follows:

BEGINNING at the Northwest corner of said Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4, which bears N. 09°17'14" E., 1988.27 feet from the South 1/4 corner of said 31;

thence along said North line, S. 89°03'36" E., 30.91 feet;

thence S. 00°30'559" W., 30.00 feet;

thence N. 89°10'36" W., 30.97 feet to the West line of said Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4;

thence along said West line, N. 00°30'559" E., 30.00 feet to the POINT OF BEGINNING;

Containing 929 square feet, more or less.

**Basis of Bearings**

The West Line of the Southeast 1/4 of Section 31, T. 16 N., R 20 E., per Record of Survey To Accompany A Lot Line Adjustment for J. & C. Pawluk and Elbert Hendrick, Document No. 261832, Carson City, Nevada Recorder's Office.

**PREPARED BY:**

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Resource Concepts, Inc.  
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212 Elks Point Road, Suite 441  
Zephyr Cove, NV 89448  
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**EXHIBIT 1**

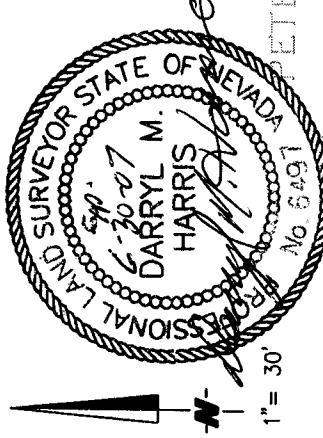


EXHIBIT "A"

ROAD EASEMENT ABNDONMENT

929± SQUARE FEET

BLM

FND. 5/8" RB  
TAG RLS 1350  
(NOT USED)

FND. 5/8" RB  
ALUM. CAP  
R.P. SURVEY PLS 5547

FND. 5/8" RB  
ALUM. CAP  
R.P. SURVEY PLS 5547  
S 89°03'36" E  
195.16'  
EX.WELL

AREA OF  
ABANDONMENT

30' IMUS ROAD  
EASEMENT

FND. 5/8" RB  
W/ CAP  
HADDEN PLS 5286

FND. 3/4" IP

HENDRICK

QUITCLAIM DEED  
DOC. NO. 266522

PEACHAY  
APN 8-023-23

LEGEND

- FOUND 1/4 CORNER
- FOUND MONUMENT AS NOTED