City of Carson City
Agenda Report

Date Submitted: September 8, 2009

Agenda Date Requested: September 17, 2009
Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Public Works-Planning Division

Subject Title: Action to approve an Abandonment of Public Right-of-Way application from Connie Muir (property owner: William Burnaugh Trust), to abandon a 14-foot portion on the north side of the Musser Street right-of-way, on property located at 201 N. Pratt Avenue and 204 N. Harbin Avenue, APNs 004-172-06 and 004-172-12, and authorize the mayor to sign the Order of Abandonment. (AB-09-066) (Jennifer Pruitt)

Summary: The abandonment would reduce the right-of-way width along the frontage of these parcels from 74 feet to 60 feet. The remaining right-of-way would not impact any existing or planned street improvements.

Type of Action Requested:

( ) Resolution
(X) Formal Action/Motion
( ) Ordinance
( ) Other (Specify)

Does This Action Require A Business Impact Statement: ( ) Yes (X) No

Planning Commission Action: Recommended approval on August 26, 2009 by a vote of 6 Ayes and 0 Nays.

Recommended Board Action: I move to approve an Abandonment of Public Right-of-Way application from Connie Muir (property owner: William Burnaugh Trust), to abandon a 14-foot portion on the north side of the Musser Street right-of-way, on property located at 201 N. Pratt Avenue and 204 N. Harbin Avenue, APNs 004-172-06 and 004-172-12, based on seven findings and subject to the conditions of approval contained in the staff report, and to authorize the mayor to sign the Order of Abandonment.

Explanation for Recommended Board Action: Pursuant to NRS 278.480 and CCMC Title 17, the Board of Supervisors take final action the right-of-way abandonments.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 278.480 and CCMC Title 17.15

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Refer back to staff and Planning Commission for further review
2) Approve request for abandonment

Supporting Material: 1) PC packet

Prepared By: Janice Brod, Management Assistant V

Reviewed By: _____ Date: _____
(Planning Division Director)

_____ Date: _____
(Public Works Director)

_____ Date: _____
(City Manager)

_____ Date: _____
(District Attorney's Office)

Board Action Taken:

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

_____
(Vote Recorded By)

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF AUGUST 26, 2009

FILE NO: AB-09-066 **AGENDA ITEM: H-2**

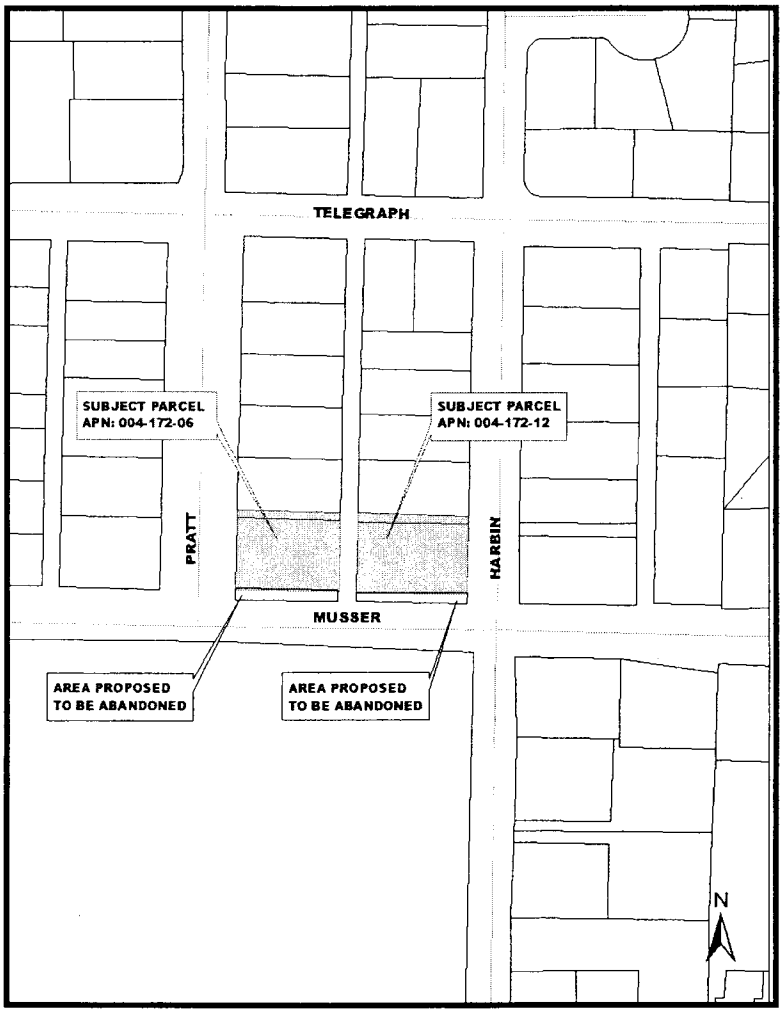
STAFF AUTHOR: Jennifer Pruitt, Principal Planner

APPLICANT: Connie Muir

OWNERS: William Burnaugh Trust 10/09/08

REQUEST: Abandonment of a 128 foot in length, 14 foot wide portion of East Musser Street and also a 120 foot in length, 14 foot wide portion of East Musser Street, totaling a 3,472-square-foot area, more or less, adjacent to, properties located at 201 N. Pratt Avenue and 204 N. Harbin Avenue, APN(s) 004-172-06 and 004-172-12.

RECOMMENDED MOTION: "I move to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-09-066, for a 128 foot in length, 14 foot wide portion of East Musser Street and also a 120 foot in length, 14 foot wide portion of East Musser Street, totaling a 3,472-square-foot area, more or less, located east of the intersection of North Pratt Avenue and East Musser Street, based on seven findings and subject to the conditions of approval contained in the staff report."



RECOMMENDED CONDITIONS OF APPROVAL:

1. Prior to the recordation of said abandonment, the applicant shall be responsible for the submittal of all necessary legal documentation and title search materials if required by the Planning Division in order to fully complete the abandonment process.

2. The applicant must sign and return the Notice of Decision for conditions of approval within10 days of receipt of notification. If the Notice of Decision is not signed and returned within10 days, then the item will be rescheduled for the next Planning Commission meeting for further considerations (this Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors).

3. All other departments' conditions of approval, which are attached, shall be incorporated as conditions of this report.

4. This abandonment pertains to:

   - APN: 004-172-06: The area of the proposed abandonment adjacent to this parcel is 1,680 square feet, more or less.

   - APN: 004-172-12: The area of the proposed abandonment adjacent to this parcel is 1,792 square feet, more or less.

5. Records indicate that there are power and/or cable television utilities within the right of way area to be abandoned. Said utilities shall be continued and not be affected by the abandonment. Each utility company reserves an easement along the alignment of existing utility infrastructure.

LEGAL REQUIREMENTS: Nevada Revised Statutes (NRS) 278.480 (Vacation or Abandonment of Streets, Easements or Maps; Reversion of Divided Land) and Carson City Municipal Code (CCMC) Title 17 Division of Land, Subdivision of Land, Chapter 17.15 Abandonment of Right-of-Way.

MASTER PLAN DESIGNATION: Mixed Use Residential

PRESENT ZONING: Residential Office and Multi Family Duplex

KEY ISSUES: Will the City or public be materially injured by the approval of subject abandonment?

SURROUNDING ZONING AND LAND USE INFORMATION:

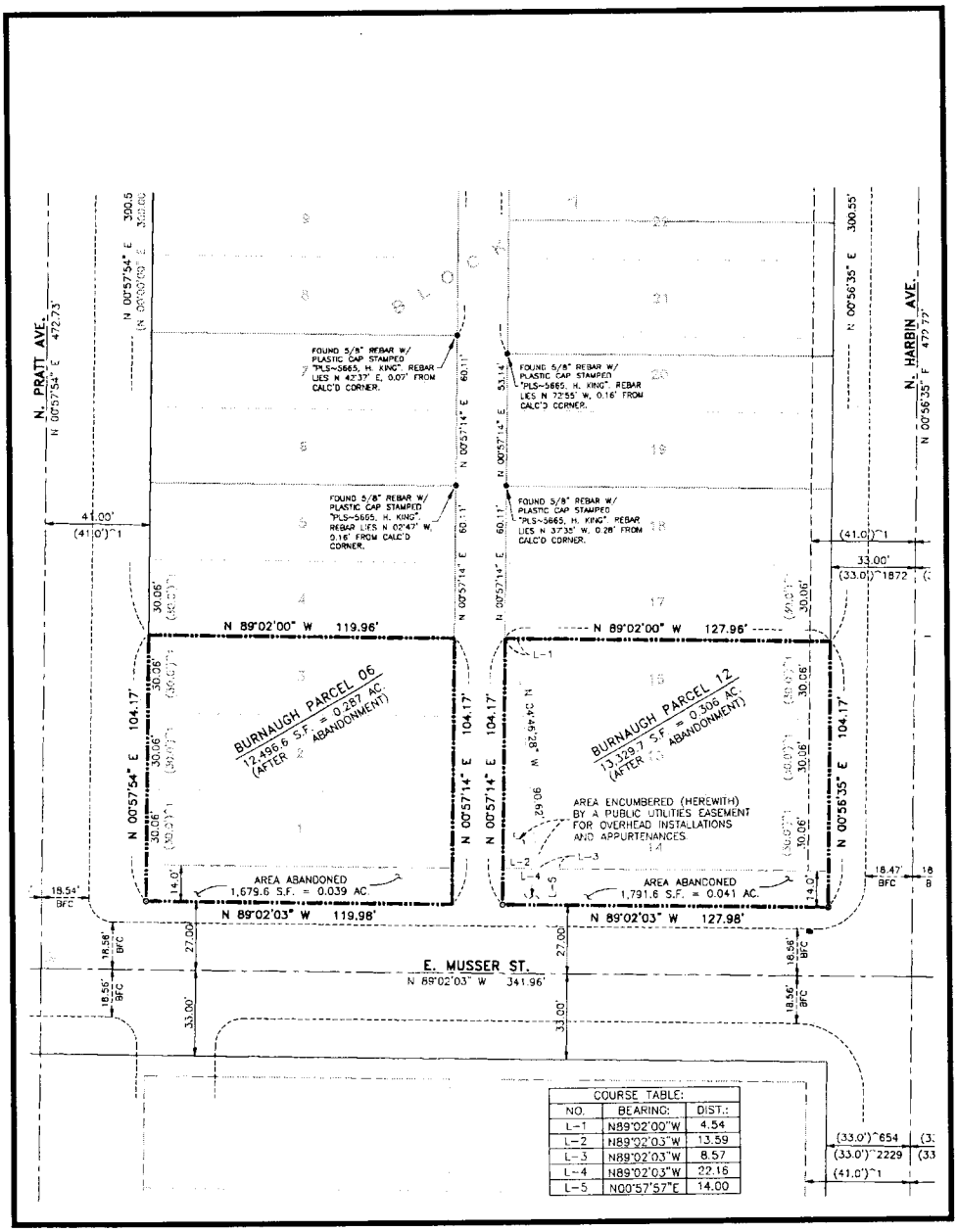
NORTH:	Residential Office, Residential
SOUTH:	Public Regional, Office
WEST:	Residential Office, Office
EAST:	Multi Family Duplex, Residential

PREVIOUS REVIEWS:

None.

DISCUSSION:

This request is to allow the abandonment of a 128 foot in length, 14 foot wide portion of East Musser Street and also a 120 foot in length, 14 foot wide portion of East Musser Street, totaling a 3,472-square-foot area, more or less, adjacent to, properties located at 201 N. Pratt Avenue and 204 N. Harbin Street. The Planning Division staff conducted a site visit on July 22, 2009 and found the subject area to be relatively flat with no improvements. These portions of right-of-way are currently unimproved and would likely never be improved for streets due to the existing curb located within the right-of-way. See exhibit below. There is no anticipated need to widen East Musser Street at this location to accommodate future traffic. Musser Street is classified as a local street.



COURSE TABLE:		
NO.	BEARING:	DIST.:
L-1	N89°02'00"W	4.54
L-2	N89°02'03"W	13.59
L-3	N89°02'03"W	8.57
L-4	N89°02'03"W	22.16
L-5	N00°57'57"E	14.00

The utility companies, Nevada Bell Telephone Company dba AT&T and Southwest Gas have indicated they do not have utilities in the public roadway easement proposed for abandonment and do not want these reservations to be continued. Charter Communication has indicated they have utilities within the Public Utility Easement and Nevada Energy is requesting a Public Utility Easement as a result of the proposed abandonment.

Pursuant to NRS 278.480 Vacation or abandonment of a street or easement, if upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, if satisfied that the public will not be materially injured by the proposed vacation, shall order the street or easement vacated.

With the recommended conditions of approval and based on the finding of fact that the public will not be materially injured by the proposed vacation, it is recommended that the Planning Commission make a recommendation to the Board of Supervisors for approval of AB-09-066.

PUBLIC COMMENTS: A public notice was sent by certified mail to the adjacent property owners per NRS. At the writing of this report, there have been no comments in opposition or support of the proposed abandonment.

CITY DEPARTMENT/OUTSIDE AGENCY COMMENTS: The following comments were received from City departments. Recommendations have been incorporated into the recommended conditions of approval, where applicable.

Engineering Division:

The Engineering Division recommends APPROVAL of the proposed abandonment, subject to the recommended conditions.

Building Division:

The Carson City Building Division, based on the plans provided, does not have any comments or concerns at this time for the road abandonment.

Fire Department:

We have no concerns with this request.

Health Department:

Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

RIGHT-OF-WAY ABANDONMENT FINDINGS: In accordance with the policy for right-of-way abandonments adopted by the Board of Supervisors on October 1, 1998, the staff recommendation is based upon the following findings, which are substantiated in the public record.

1. Will the public be materially injured or not?

Per the information provided by the applicant the adjacent property owners will not be damaged by this abandonment application, nor will the public be materially injured by the abandonment.

Per the information provided by Jeff Sharp, City Engineer, and the Planning Division the public will not be materially injured by the proposed abandonment of the right of way. The subject right of way area is presently improved.

There will be no landlocked parcels created as a result of the proposed abandonment.

2. Whether the street was dedicated or not?

The subject right-of-way was dedicated by the recordation plat of the Valley Park Subdivision Map; Map #1 recorded September 24, 1906. Since Carson City did not pay for the right-of-way, it is staff's conclusion that no charge for the right-of-way can be required.

3. What should the reasonable consideration be if the street was not dedicated?

It has been determined by the Engineering Division that there are no indications that the City of Carson City ever paid for the easement in question. It is recommended that there be no charge required with this abandonment.

4. If abandonment has a public benefit, how much of the public benefit should be offsetted against the determination of reasonable consideration?

No charge for this abandonment is recommended. Therefore, this item does not apply to this abandonment.

5. Applicability of the parking value analysis applied to this request.

There will be no elimination of on-street parking in the area of the proposed abandonment. This item is not applicable to the proposed abandonment, since the abandonment is not located within the downtown area and will not result in elimination of on-street parking.

6. Should utilities easements be reserved, continued or vacated?

The utility companies, Nevada Bell Telephone Company dba AT&T and Southwest Gas have indicated they do not have utilities in the public roadway easement proposed for abandonment and do not want these reservations to be continued. Charter Communication has indicated they have utilities within the Public Utility Easement and Nevada Energy is requesting a Public Utility Easement as a result of the proposed abandonment. The requested easements will be recorded with the required abandonment documents as requested by Nevada Energy.

7. Imposition of any conditions of approval by the Board of Supervisors or recommended by the Planning Commission or staff.

Staff has included within this staff report conditions of approval, which relate to the responsibilities of the applicant in the event this application is approved.

Respectfully submitted,
PUPLIC WORKS DEPARTMENT, PLANNING DIVISION

Jennifer Pruitt

Jennifer Pruitt, AICP, LEED AP
Principal Planner

Attachments
Application (AB-09-066)
Building comments
Health Comments
Engineering comments
Draft Order of Abandonment

APN(s): 004-172-06 and 004-172-12

AN ORDER ABANDONING A 128 FOOT LONG, 14 FOOT WIDE PORTION OF EAST MUSSER STREET AND ALSO A 120 FOOT LONG, 14 FOOT WIDE PORTION OF EAST MUSSER STREET, LOCATED EAST OF THE INTERSECTION OF NORTH PRATT AVENUE AND EAST MUSSER STREET, BEING A 3,472-SQUARE-FOOT AREA, MORE OR LESS, ON PROPERTIES LOCATED AT 201 NORTH PRATT AVENUE AND 204 NORTH HARBIN AVENUE, ASSESSORS PARCEL NUMBERS 004-172-06 AND 004-172-12, IN CARSON CITY, NEVADA.

WHEREAS, on July 16, 2009, Connie Muir duly filed a written application seeking vacation and abandonment of a portion of public right-of-way, being east of the intersection of North Pratt Avenue and East Musser Street approximately 3,472 square feet, adjacent to, APN(s) 004-172-06 and 004-172-12, in Carson City, Nevada; and

WHEREAS, the application was thereafter referred to the Carson City Planning Commission and a public hearing was thereafter duly noticed and held before the Planning Commission on August 26, 2009. At the public hearing public testimony was taken and the Commission, after discussion and deliberation, recommended approval of abandonment of the subject right-of-way to the Carson City Board of Supervisors, finding that the public would not be materially injured by the vacation; and

WHEREAS, the Carson City Board of Supervisors, at their regular and duly noticed meeting of September 17, 2009, found that the public would not be materially injured by the proposed vacation, and accordingly ordered the abandonment of the public right-of-way in question pursuant to the provisions of NRS 278.480, which among its provisions, requires a written order to be prepared

and recorded in the office of the Carson City Recorder; and

WHEREAS, the vacation and abandonment of the right-of-way is more particularly described on the attached Exhibit "A", a map of the right-of-way abandonment is shown as the Display of Exhibit "B", and the attached utility statements are shown as Exhibit "C".

NOW, THEREFORE, the Board of Supervisors hereby orders:

1. That the above-described right-of-way is hereby abandoned according to the provisions of NRS 278.480.

2. That if a utility company has a utility or an easement over or under the property hereby vacated and abandoned by this order, said easement or easements shall be continued and shall not be affected by the abandonment.

3. That water, sewer, and storm drain facilities, which may presently exist within the areas affected by abandonment's, will be protected by easements. The abandonment may be subject to reserving easements for utility companies and/or Carson City if requested.

4. That the property owner shall obtain approval from Carson City Utilities and Street Departments prior to constructing improvements within said area. Improvements include, but are not limited to, landscaping, fencing, paving, and structures.

ORDERED this ___ day of _____, 2009, by the Carson City Board of Supervisors.

_____

ROBERT L. CROWELL, Mayor

ATTEST:

_____

ALAN GLOVER, Clerk-Recorder

RECEIVED

AUG 18 2009

CARSON CITY
PLANNING DIVISION

MEMORANDUM

DATE: August 18, 2009

TO: Jennifer Pruitt – Planning Division

FROM: Jeff Sharp – Engineering Division

RE: AB 09-066 Musser Strip Abandonment
Engineering Text for Planning Commission Staff Report

The following text is offered for inclusion in the Planning Commission staff report for the above referenced land use proposal:

SUBJECT TITLE: Request to allow the following abandonment:

A 14 foot wide by 119.98 foot long 1679.6 square foot strip of the northernmost portion of E. Musser Street located directly east of N. Pratt Street adjacent to 201 N. Pratt Street, APN 004-172-06, as well as a 14 foot wide by 127.98 foot long 1791.6 square foot strip of the northernmost portion of E. Musser Street located directly west of N. Harbin Avenue adjacent to 204 N. Harbin Avenue, APN 004-172-12.

RECOMMENDATION:

The Engineering Division recommends APPROVAL of the proposed abandonment subject to the following conditions:

1. Records indicate that there are power and/or cable television utilities within the right of way area to be abandoned. Said utilities shall be continued and not be affected by the abandonment. Each utility company reserves an easement along the alignment of existing utility infrastructure.

DISCUSSION: The Engineering Division has reviewed the request within our areas of purview relative to adopted standards and practices. The following discussion is offered.

1. Chain of Title: This portion of E. Musser Street was created by the plat of Valley Park on September 24, 1906. There are no records indicating that the City ever paid for the right of way.

File # (Ex: MPR #07-111)	*AB 09-066*
Brief Description	*Abandonment of 14'-0" along Musser*
Project Address or APN	*201 N Pratt & 204 N Harbin*
Bldg Div Plans Examiner	*Don Wilkins*
Review Date	*August 12, 2009*
Total Spent on Review	

BUILDING DIVISION COMMENTS:

The Carson City Building Division, based on the plans provided do not have any comments or concerns at this time for the road abandonment.

From: Teresa Hayes
To: MPR Committee
Date: 08/14/2009 1:10 PM
Subject: planning commission 8/26/09

TSM 09-063
SUP 09-064
VAR 09-065

CCHHS: Comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.
CCMC 12.05.020 (4) The board of supervisors declares that protection of Carson City's aquifers and watersheds is in the public's health, safety and general welfare. To this end, all permits and approvals under this chapter shall reflect the protection of watersheds and wellhead protection areas in Carson City. Any new parcels created under Title 17 of the Carson City Municipal Code shall have a minimum size of 3 acres if individual sewage disposal systems (ISDS) are proposed to be utilized. In all other cases, sewage disposal shall be accomplished through the extension of sewer lines to serve the property or parcel. ISDS shall be allowed in Carson City only for individual residential lots meeting the requirements of the Carson City Municipal Code.
An exception to the requirement of a minimum parcel size of 3 acres exists if denitrification type ISDS are required to be installed for all new installations. The exception would only apply to creation of 4 or less parcels from any one parcel of land, and the minimum parcel size shall not be less than 1 acre.
The use of denitrification type ISDS may not be utilized for parceling of 5 or more parcels without the approval of the utilities director. The nitrate levels discharged by the denitrification systems must meet the discharge limits allowed by the Safe Drinking Water Act. The denitrification systems must be approved by the National Sanitation Foundation (NSF). The applicant will be required to enter into and maintain a maintenance contract with an approved provider for the denitrification system and obtain an annual permit from the Carson City health division for maintenance and operation of the denitrification system. Prior to approval of the parceling, the applicant will be required to show that the proposed parcels meet all requirements of this chapter and the Nevada Administrative Code, Chapter 444, including but not limited to required separations from property lines, wells, watercourses, structures, and underground bedrock and water table, and minimum lot sizes due to presence of wells, city water and slope. (Ord. 2006-30 § 2, 2006: Ord. 1996-49 § 1, 1996: Ord. 1995-14 § 4, 1995: Ord. 1980-22 § 5 (part), 1980).

AB 09-066

Carson City Health and Human Services has no comments regarding the project as described in the packet received. The applicant must meet all applicable codes and ordinances as they apply to this request.

Teresa Hayes, R.E.H.S.
Environmental Health Specialist II
Carson City Health and Human Services
900 E. Long St
Carson City, NV 89706
Phone: (775) 887-2190 ext 30227
Fax: (775) 887-2248

Carson City Planning Division
2621 Northgate Lane, Suite 62 · Carson City NV 89706
Phone: (775) 887-2180 · E-mail: plandept@ci.carson-city.nv.us

FOR OFFICE USE ONLY:

RECEIVED
JUL 16 2009
CARSON CITY PLANNING DIVISION

ABANDONMENT OF PUBLIC RIGHT-OF-WAY

FILE # AB - 09 - 066

FEE: $2,450.00 + noticing fee

PROPERTY OWNER
William Burnaugh Trust OCT 09, 2008
MAILING ADDRESS, CITY, STATE, ZIP
P.O. Box 787 Carson City NV. 89702
PHONE # (775) 882-8882 FAX # 775-882-0928
E-MAIL ADDRESS ~~billinbajaca~~ billinbaja@yahoo.com

Name of Person to Whom All Correspondence Should Be Sent
APPLICANT/AGENT
Connie Muir
MAILING ADDRESS, CITY, STATE ZIP
PO Box 395 Carson City, NV 89702
PHONE # 884-4176 FAX #
Cell 220-3764
E-MAIL ADDRESS
muirc@pyramid.net

SUBMITTAL PACKET

- ☑ Application Form
- ☑ 6 Completed Application Packets (1 Original + 5 Copies)
- ☑ Legal Description
- ☑ Site Map
- ☑ Utility Statements (original)
- ☑ Documentation of taxes paid to date
- ☑ Chain of Title or Title Report for subject parcel showing how right of way was originally dedicated
- ☑ Complied with notes below.*

Application Reviewed and Received By: JPmuir

Submittal Deadline: See attached PC application submittal schedule.

Project's Assessor Parcel Number(s): 004-172-06 + 12

Street Address 201 N. Pratt ~~St~~ AVE + 204 N. Harbin ~~St~~ AVE ZIP Code

Briefly describe location, width and length of the proposed abandonment: 14-feet wide along the south side of Parcels 004-172-06 and 004-172-12. 119.98 feet along parcel 06 and 127.98 feet along parcel 12

JUSTIFICATION: Explain why the request is being made, if the subject right-of-way was ever dedicated to Carson City, when and by whom, and why the abandonment will not damage any adjacent properties: Additional room to comply with parking, landscape + set back for development. Map #1 set forth, laid out, + plotted the parcels and Musser Street right-of-way. There is no damage to any other properties, the Sheriffs Dept parcel is built out and unaffected by the proposed abandonment.

If you are abandoning an access, explain how the parcel will be accessed: N/A

PROPERTY OWNER'S AFFIDAVIT

I, William Burnaugh, being duly deposed, do hereby affirm that I am the record owner of the subject property, and the information herewith submitted is in all respects true and correct to the best of my knowledge.

Signature

Post Office Box 787
Address
CARSON City NEVADA 89702

April 9 '09
Date

Use additional page(s) if necessary for other names.

STATE OF NEVADA)
COUNTY)

On April 9, 2009, William Burnaugh, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Notary Public

J. BROOKS
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-07-13
Certificate No: 01-66893-3

*NOTES: In order to facilitate the processing of your application, prior to submitting your application to the Planning Division, please contact Development Engineering at 2621 Northgate Lane, Suite 6, to ensure that department has no concerns with your application, and take your packet to the Utilities Department for signature. A signed utility statement, a typed legal description, and an 8 ½ by 11 inch map prepared by a licensed surveyor describing the land to be abandoned are required to be submitted with this application. Please submit detailed and explicit plans, as they will be submitted for review by the Planning Commission and Board of Supervisors, and subsequently recorded.

PRIOR TO AGENDIZING FOR BOARD OF SUPERVISORS, DOCUMENTATION OF TAXES PAID IN FULL FOR THE FISCAL YEAR IS REQUIRED.

NARRATIVE JUSTIFICATION LETTER

RIGHT-OF-WAY

The proposed abandonment of 14-feet of the north side of Musser Street right-of-way is located south of 201 N. Pratt Avenue, APN 004-172-06 and 204 N. Harbin Avenue, APN 004-172-12. The project is located directly across Musser Street from the Carson City Sheriff's Facility.

The original Musser Street right-of-way was 82-feet wide. Carson City abandoned 8-feet on the south side of the street, leaving 33-feet half street width on the south side of Musser Street and 41-feet half street width on the north side, a total of 74-feet right-of-way width.

The proposed abandonment of 14-feet along the north side of Musser Street will leave 27-feet of half street width on the north side, and the 33-feet half street width on the south side. After the proposed abandonment, the total width of the Musser Street right-of-way will be 60-feet.

From the back of curb on the north side of Musser Street the right-of-way will extend north a distance of 8.44-feet, leaving enough room for a future 5-foot sidewalk with an additional 3.44-feet of right-of-way behind the sidewalk.

JUSTIFICATION

The additional square footage within the parcels will assist the property owner to comply with parking, landscape and setback requirements for proposed development. The owner is considering office space on one or both of the parcels. Zoning for office needs to be addressed for the Harbin Avenue parcel, and the intent is to follow up with that procedure.

Development of these two parcels will enhance the visible atmosphere of the area around the City Complex. Additional tax revenue will be generated for the City.

The proposed abandonment does not affect any of the neighboring properties, nor does it affect access via the alley. The Sheriff's Department parcel south of Musser Street has the frontage built out, and will not be affected by the proposed abandonment. Currently, the portion to be abandoned is a strip of dirt between the curb and the fences along the south property lines of the parcels. A driveway for 201 N. Pratt Street enters the property across the existing right-of-way, and will be unaffected by the abandonment.

The Valley Park Addition is created by Map #1 with wording that set forth, laid out, and plotted the parcels and Streets. There were not easements created with Map#1.

UTILITIES

Currently an existing power pole and overhead utility lines for NV Energy and Charter Communications is located partially on private property (APN 004-172-12) and partially within the right-of-way proposed to be abandoned. A PUE is proposed to accommodate the existing infrastructure.

Connie Muir

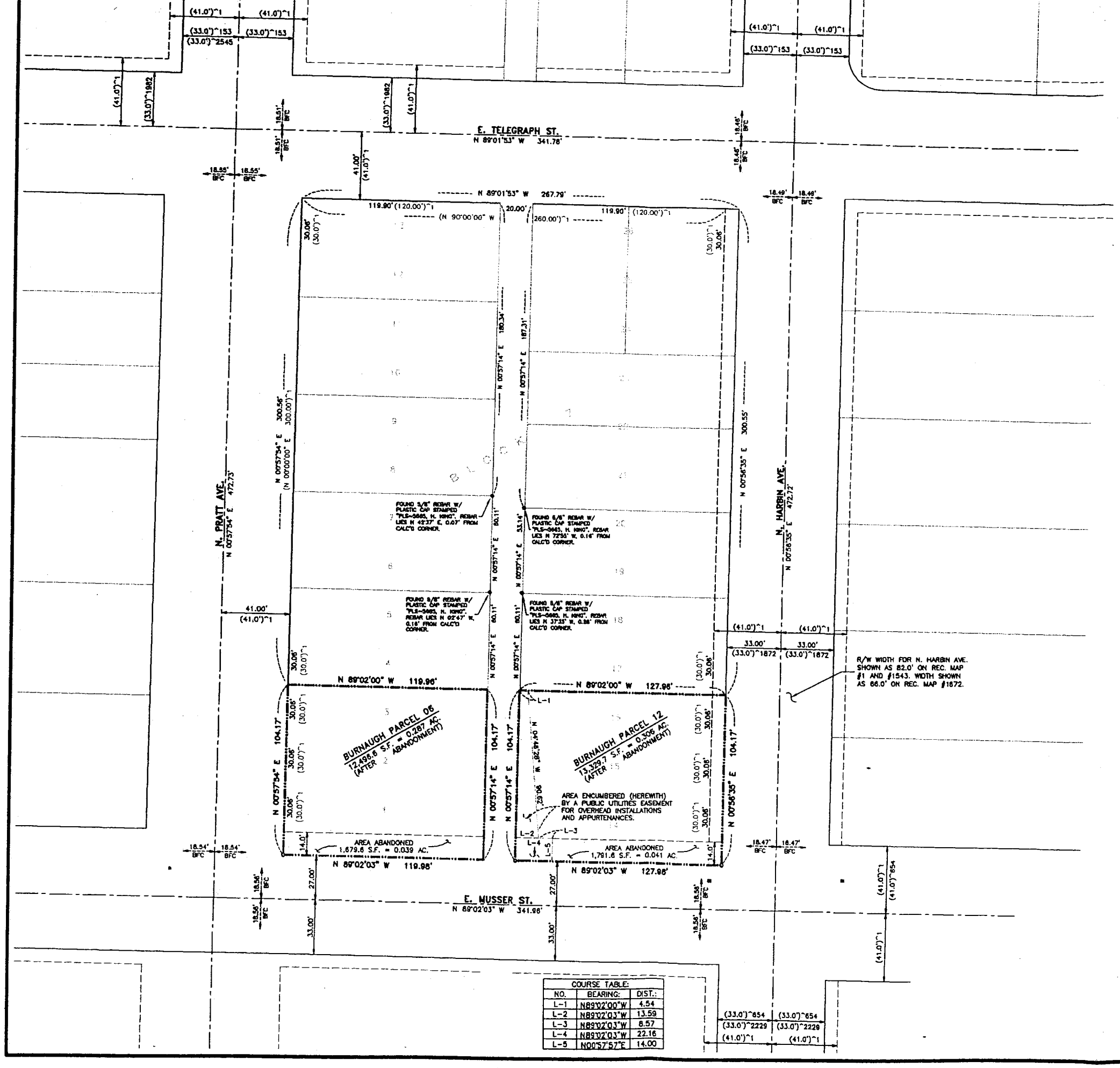
From: Jeff Sharp [JSharp@ci.carson-city.nv.us]
Sent: Monday, July 13, 2009 3:46 PM
To: muirc@pyramid.net
Cc: Jennifer Pruitt
Subject: Musser Abandonment

Connie:

The Engineering Division is supportive of your request for abandonment of a strip of right of way along the north side of Musser Street east of Pratt Street. You may submit the abandonment application now. I will need to see the survey map and evaluate existing conditions before making a final decision on the allowable width of abandonment. As you know, the abandonment will go to the Planning Commission and Board of Supervisors for final consideration.

JS

Jeff Sharp, P.E.
City Engineer
Carson City Public Works
Engineering Division
2621 Northgate Lane, Suite 54
Carson City, NV 89706
(775) 887-2300 ext 30084
jsharp@ci.carson-city.nv.us



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L-5	N00°57'57"E	14.00

THE UNDERSIGNED OWNERS OF THE AFFECTED PARCELS SHOWN ON THIS MAP, DO HEREBY STATE:

1). THEY HAVE EXAMINED THIS PLAT, AND APPROVE AND AUTHORIZE ITS RECORDATION;

2). THAT ALL EASEMENTS SHOWN HEREON ARE DEDICATED AS PERMANENT EASEMENTS FOR THE STATED PURPOSE;

WILLIAM BURNAUGH (DATE)
TRUSTEE OF THE WILLIAM BURNAUGH TRUST, DATED OCT. 9, 2008

STATE OF NEVADA }
COUNTY OF _____ }

ON THIS _____ DAY OF _____, 20___, WILLIAM BURNAUGH, TRUSTEE OF THE WILLIAM BURNAUGH TRUST, DATED OCTOBER 9, 2008, DID PERSONALLY APPEAR BEFORE ME, AND UPON OATH, DID DEPOSE AND SAY THAT HE EXECUTED THE FOREGOING CERTIFICATE FREELY AND VOLUNTARILY, FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE:

I, JACK E. RANDELL JR., A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1). THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SURVEYED BY ME AT THE INSTANCE OF WILLIAM BURNAUGH;

2). THE LANDS SURVEYED LIE WITHIN THE VALLEY PARK ADDITION TO CARSON CITY (MAP #1), WITHIN THE EAST 1/2 OF SECTION 17, T. 15 N., R. 20 E., M.D.B.& M., AND THE SURVEY WAS COMPLETED ON JULY 10, 2009;

3). THE MONUMENTS ARE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED.

4). THIS MAP IS NOT IN CONFLICT WITH THE PROVISIONS OF N.R.S. 278.010 TO 278.630 INCLUSIVE.

7/15/09 Jack E. Randell Jr.

JACK E. RANDELL JR. PLS-5547 RENEWAL DATE: 12/31/09

UTILITY COMPANY APPROVALS:

THE EASEMENTS SHOWN ON THIS MAP HAVE BEE CHECKED AND APPROVED BY:

BY: _____ BY: _____
NV ENERGY (DATE) CHARTER COMMUNICATIONS (DATE)

BY: _____
NV ENERGY (DATE)

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF NORTH PRATT AVE., WITHIN THE NEVADA STATE PLANE COORDINATE SYSTEM, WEST ZONE (NAD83). THE BEARING OF SAID LINE BEING N 00°57'54" E.

15 0 15 30 45
SCALE 1" = 30'

THIS DRAWING REDUCED.

LEGEND:

- ● FOUND SURVEY MONUMENT AS INDICATED.
- ⊙ SET 5/8" RB W/ ALUM. CAP STAMPED "PLS 5547"
- 5.00' MEASURED DIMENSION
- (5.0')^A RECORD DIMENSION (EXPONENT INDICATES REFERENCE MAP NO.)
- RB REBAR
- NT NO TAG
- —·—·— BOUNDARY OF SUBJECT PARCELS (AFTER ABANDONMENT)

CLERK-RECORDER'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF .....,
ON THIS ..... DAY OF ....., 20....., AT ..... MINUTES PAST ..... O'CLOCK, ...M., IN THE OFFICIAL RECORDS OF CARSON CITY, NEVADA.

FILE NO. ..... FEE: .....

CLERK RECORDER:

BY: _____

TOTAL AREA SURVEYED = 25,826.3 S.F. , OR 0.593 AC.

RECORD OF SURVEY IN SUPPORT OF AN ABANDONMENT OF A PORTION OF EAST MUSSER STREET

FOR:

WILLIAM BURNAUGH TRUSTEE OF THE WILLIAM BURNAUGH TRUST, DATED OCTOBER 9, 2008

LOCATED AT THE SOUTH END OF BLOCK 7, AS SHOWN ON THE MAP OF VALLEY PARK ADDITION, FILED IN THE OFFICE OF THE COUNTY RECORDER OF CARSON CITY, NEVADA ON SEPT. 25, 1908 AND RECORDED ON OCT. 12, 1906 IN BOOK 31 OF POWERS, PLATS AND MISCELLANEOUS AT PAGE 213.

R. P. Surveying & Engineering
P.O. Box 307
Dayton, Nevada 89403
702-248-5148

EXHIBIT A

LEGAL DESCRIPTION

"BURNAUGH PARCEL 12"

Consolidated former A.P.N. 04-172-12, following an abandonment

A parcel of land situate in the East $^1/_2$ of section 17, T. 15 N., R. 20 E., M.D.B.& M., Carson City, Nevada, being lots 14, 15 & 16 of Block 7, and the Northernmost 14 ft. of that area shown as "East Musser St.", on the map of Valley Park Addition, filed in the office of the County Recorder of Carson City, Nevada on September 25, 1906 and recorded on October 12, 1906 in Book 31 of Powers, Plats and Miscellaneous at Page 213 (Map #1), bounded on the West by the East line of a 20 ft. wide Alley, and on the East by the West line of N. Harbin Ave., The subject parcel is shown as the "BURNAUGH PARCEL 12", on a Record of Survey for William Burnaugh, trustee of The William Burnaugh Trust, dated October 9, 2008, which is being recorded concurrently with this document, and by reference thereto is made a part hereof. Said parcel is more particularly described as follows:

COMMENCING at the point of intersection of the centerlines of East Musser St. and North Pratt Ave., thence, along the centerline of North Pratt Ave., N 00° 57' 54" E, a distance of 131.17 ft.; Thence, leaving said centerline, S 89° 02' 00" E, a distance of 180.96 ft. to the Northwest corner of Lot 16, Block 7, of said map #1, the **TRUE POINT OF BEGINNING**;

Thence, along the North line of said Lot 16, **S 89° 02' 00" E**, a distance of **127.96 ft.** to the West line of N. Harbin Ave.;

Thence, along said West line, **S 00° 56' 35 W**, a distance of **104.17 ft.** to a set 5/8" rebar with aluminum cap stamped "PLS 5547" ;

Thence, leaving said West line, **N 89° 02' 03" W**, a distance of **127.98 ft.** to the East line of a 20 ft. wide Alley, and a set 5/8" rebar with aluminum cap stamped "PLS 5547" ;

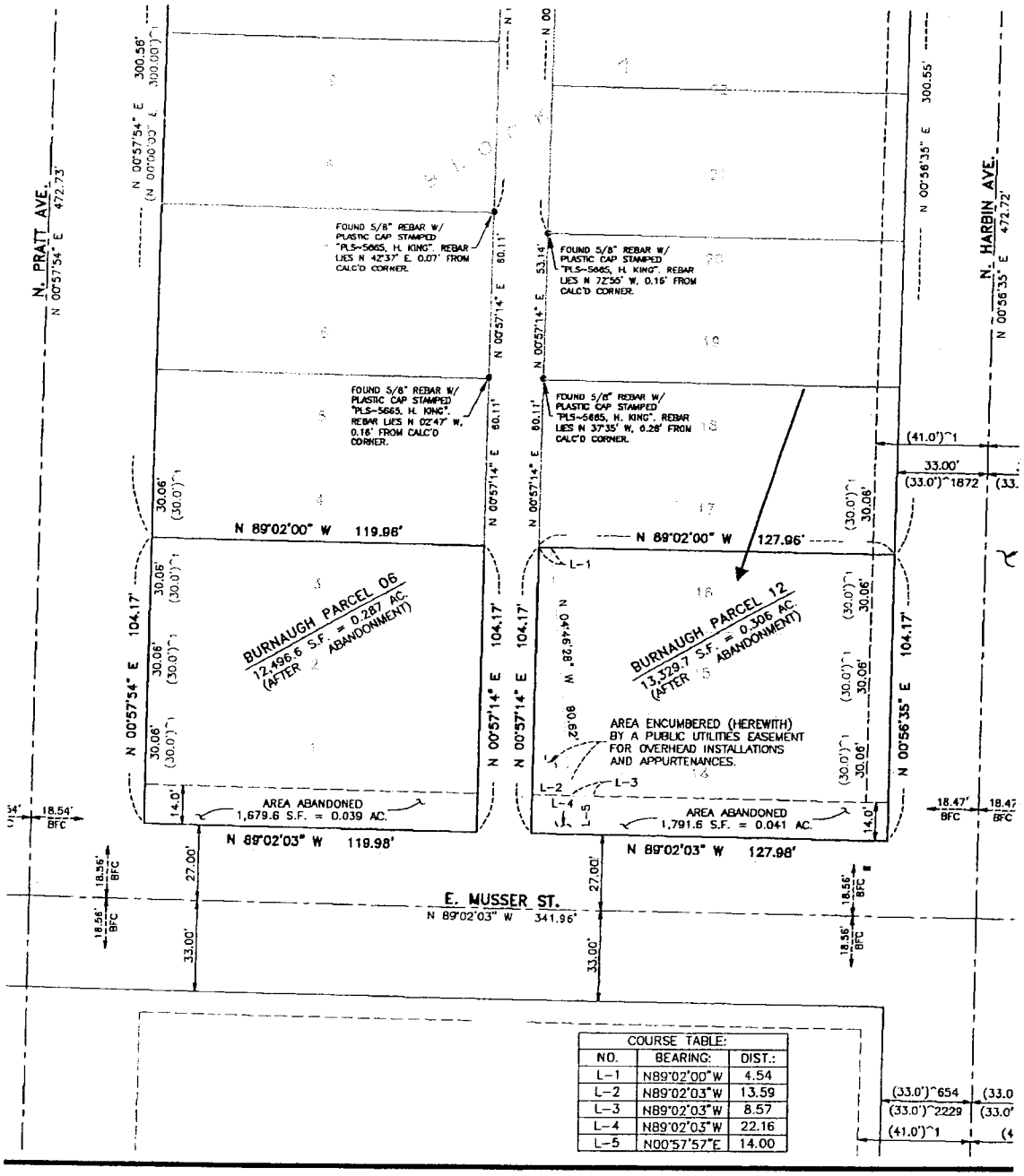
Thence, along said East line, **N 00° 57' 14" E**, a distance of **104.17 ft.** to the **TRUE POINT OF BEGINNING**;

Containing an area of 13,329.7 S.F., or 0.306 Acres, more or less.

Description prepared by: R.P. Surveying & Engineering
Jack E. Randell Jr. PLS-5547
P.O. Box 907, Dayton NV 89403

Jack E. Randell Jr.
7/15/09
RENEW: 12/31/09

Basis of Bearings: The centerline of N. Pratt Ave., within the The Nevada State Plane Coordinate System, West Zone, (NAD83), the bearing of said line being N 00°57'54" E.



COURSE TABLE:		
NO.	BEARING:	DIST.:
L-1	N89°02'00"W	4.54
L-2	N89°02'03"W	13.59
L-3	N89°02'03"W	8.57
L-4	N89°02'03"W	22.16
L-5	N00°57'57"E	14.00

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF EAST MUSSER ST. R/W, ABANDONED IN FAVOR OF THE BURNAUGH PARCEL, A.P.N. 04-172-06

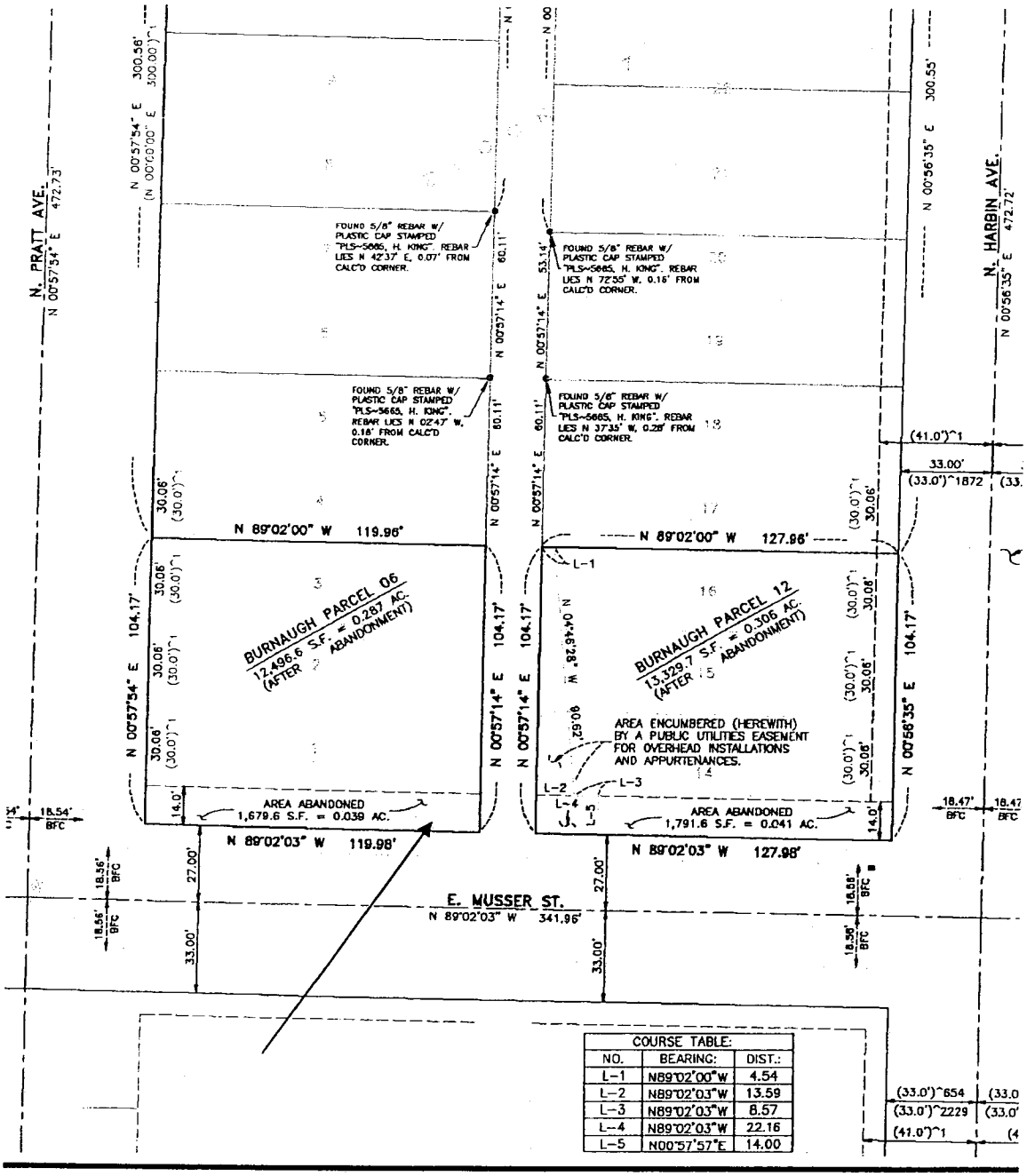
A parcel of land situate in the East $^1/_2$ of section 17, T. 15 N., R. 20 E., M.D.B.& M., Carson City, Nevada, being the Northernmost 14 ft. of that area shown as "East Musser St.", on the map of Valley Park Addition, filed in the office of the County Recorder of Carson City, Nevada on September 25, 1906 and recorded on October 12, 1906 in Book 31 of Powers, Plats and Miscellaneous at Page 213 (Map #1), bounded on the West by the East line of Pratt Av., and on the East by the West line of a 20 ft. wide Alley, being adjacent to Lot 1, Block 7 of said map #1. The area subject of abandonment is shown on a Record of Survey for William Burnaugh, trustee of The William Burnaugh Trust, dated October 9, 2008, which is being recorded concurrently with this order of abandonment, and by reference thereto is made a part hereof. Said parcel is more particularly described as follows:

COMMENCING at the point of intersection of the centerlines of East Musser St. and North Pratt Ave., thence, along the centerline of North Pratt Ave., N 00° 57' 54" E, a distance of 41.00 ft.; Thence, leaving said centerline, S 89° 02' 03" E, a distance of 41.00 ft. to the Southwest corner of Lot 1, Block 7, of said map #1, the **TRUE POINT OF BEGINNING**;

Thence, along the South line of said Lot 1, **S 89° 02' 03" E**, a distance of **119.97 ft.** to the West line of a 20 ft. wide Alley;

Thence, along said West line, **S 00° 57' 14" W**, a distance of **14.00 ft.** ;

Exhibit B


N. PRATT AVE.
N. HARBIN AVE.
E. MUSSER ST.
N 89°02'03" W 341.96'
BURNAUGH PARCEL 06
12,496.6 S.F. = 0.287 AC.
(AFTER ABANDONMENT)
BURNAUGH PARCEL 12
13,329.7 S.F. = 0.306 AC.
(AFTER ABANDONMENT)
AREA ABANDONED
1,679.6 S.F. = 0.039 AC.
AREA ABANDONED
1,791.6 S.F. = 0.041 AC.
AREA ENCUMBERED (HEREWITH) BY A PUBLIC UTILITIES EASEMENT FOR OVERHEAD INSTALLATIONS AND APPURTENANCES.
FOUND 5/8" REBAR W/ PLASTIC CAP STAMPED "PLS-5665, H. KING". REBAR LIES N 42°37' E, 0.07' FROM CALC'D CORNER.
FOUND 5/8" REBAR W/ PLASTIC CAP STAMPED "PLS-5665, H. KING". REBAR LIES N 72°35' W, 0.16' FROM CALC'D CORNER.
FOUND 5/8" REBAR W/ PLASTIC CAP STAMPED "PLS-5665, H. KING". REBAR LIES N 02°47' W, 0.16' FROM CALC'D CORNER.
FOUND 5/8" REBAR W/ PLASTIC CAP STAMPED "PLS-5665, H. KING". REBAR LIES N 37°35' W, 0.28' FROM CALC'D CORNER.
N 89°02'00" W 119.96'
N 89°02'00" W 127.96'
N 89°02'03" W 119.98'
N 89°02'03" W 127.98'
N 00°57'54" E 104.17'
N 00°57'14" E 104.17'
N 00°56'35" E 104.17'
N 00°57'54" E 472.73'
N 00°56'35" E 472.72'
N 00°57'54" E 300.56'
N 00°56'35" E 300.55'
N 00°46'28" W 90.62'
COURSE TABLE:
NO. | BEARING: | DIST.:
L-1 | N89°02'00"W | 4.54
L-2 | N89°02'03"W | 13.59
L-3 | N89°02'03"W | 8.57
L-4 | N89°02'03"W | 22.16
L-5 | N00°57'57"E | 14.00

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

APN 004-172-06 + 12

LOCATED AT: 201 N. Pratt St. + 204 N. Harbin St.

(THE LOCATION, APN NUMBER AND ADDRESS MUST BE LISTED ABOVE PRIOR TO OBTAINING SIGNATURES)

1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

Signed: Larry Gibson — Signature: LARRY GIBSON — Company: SOUTHWEST GAS CORP — Date: 7/14/09

Signed: Brent Howerton — Signature: Brent Howerton — Company: Nevada Bell Telephone dba AT&T Nevada — Date: 7/15/09

Signed: _____ Signature _____ Company _____ Date _____

2. We DO have a utility in the right-of-way being abandoned and desire creation of a public utility easement (PUE) along the alignment of the existing utility.

Signed: _____ Signature _____ Company _____ Date _____

Signed: _____ Signature _____ Company _____ Date _____

Signed: _____ Signature _____ Company _____ Date _____

3. OTHER: (Please type in a statement which applies to your situation): we have utilities within the PUE shown on the Record of Survey

Signed: Jared Beisner — Signature: Jared Beisner — Company: Charter Com — Date: 7-15-09

Signed: _____ Signature _____ Company _____ Date _____

Signed: _____ Signature _____ Company _____ Date _____

THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

NV Energy
Charter Communications
Carson City Engineering (will sign during review)
Southwest Gas Corporation
AT&T Nevada
Carson City Utilities

A.P.N.: 004-172-06 & 004-172-12

After Recordation Return To:
NV Energy
Land Operations
PO Box 10100
Reno, Nevada 89520

RELINQUISHMENT OF EASEMENTS

KNOW ALL MEN BY THESE PRESENTS:

SIERRA PACIFIC POWER COMPANY dba NV Energy, a Nevada corporation, presents, relinquish and reconvey unto, to William Burnaugh Trust 10/9/08, and all persons legally entitled thereto, a portion of the right-of-way relinquished by the record of survey. Said Record of Survey also dedicates a public utility easement for infrastructure located on private property and within the right-of-way being relinquished, Record of Survey document number _____, recorded _____ in _____, Nevada, to wit:

EXHIBIT "A" LEGAL description AND EXHIBIT "B" Map

Attached hereto and made a part of.

TOGETHER WITH ALL AND SINGULAR the tenements, hereditaments and appurtenances thereunto belonging or in anyways appertaining thereto.

DATED this 15th day of July, 2009.

SIERRA PACIFIC POWER COMPANY
a Nevada corporation

BY: Carolyn C. Barbash
CAROLYN C. BARBASH,
Executive, Regional Operations

STATE OF NEVADA)
COUNTY OF CARSON)

This instrument was acknowledged before me on July 15, 2009 by CAROLYN C. BARBASH as Executive, Regional Operations for NV ENERGY, a Nevada corporation.

Debra L. Hand
Notary Public

DEBRA L. HAND
NOTARY PUBLIC
STATE OF NEVADA
No.90-2541-12 My Appt. Exp. Feb. 1, 2010

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF EAST MUSSER ST. R/W, ABANDONED IN FAVOR OF THE BURNAUGH PARCEL, A.P.N. 04-172-12

A parcel of land situate in the East $^1/_2$ of section 17, T. 15 N., R. 20 E., M.D.B.& M., Carson City, Nevada, being the Northernmost 14 ft. of that area shown as "East Musser St.", on the map of Valley Park Addition, filed in the office of the County Recorder of Carson City, Nevada on September 25, 1906 and recorded on October 12, 1906 in Book 31 of Powers, Plats and Miscellaneous at Page 213 (Map #1), bounded on the West by the East line of a 20 ft. wide Alley, and on the East by the West line of N. Harbin Ave., being adjacent to Lot 14, Block 7 of said map #1. The area subject of abandonment is shown on a Record of Survey for William Burnaugh, trustee of The William Burnaugh Trust, dated October 9, 2008, which is being recorded concurrently with this order of abandonment, and by reference thereto is made a part hereof. Said parcel is more particularly described as follows:

COMMENCING at the point of intersection of the centerlines of East Musser St. and North Pratt Ave., thence, along the centerline of North Pratt Ave., N 00° 57' 54" E, a distance of 41.00 ft.; Thence, leaving said centerline, S 89° 02' 03" E, a distance of 180.97 ft. to the Southwest corner of Lot 14, Block 7, of said map #1, the **TRUE POINT OF BEGINNING**;

Thence, along the South line of said Lot 14, **S 89° 02' 03" E**, a distance of **127.97 ft.** to the West line of N. Harbin Ave.;

Thence, along said West line, **S 00° 56' 35 W**, a distance of **14.00 ft.** to a set 5/8" rebar with aluminum cap stamped "PLS 5547" ;

Thence, leaving said West line, **N 89° 02' 03" W**, a distance of **127.98 ft.** to the East line of a 20 ft. wide Alley, and a set 5/8" rebar with aluminum cap stamped "PLS 5547" ;

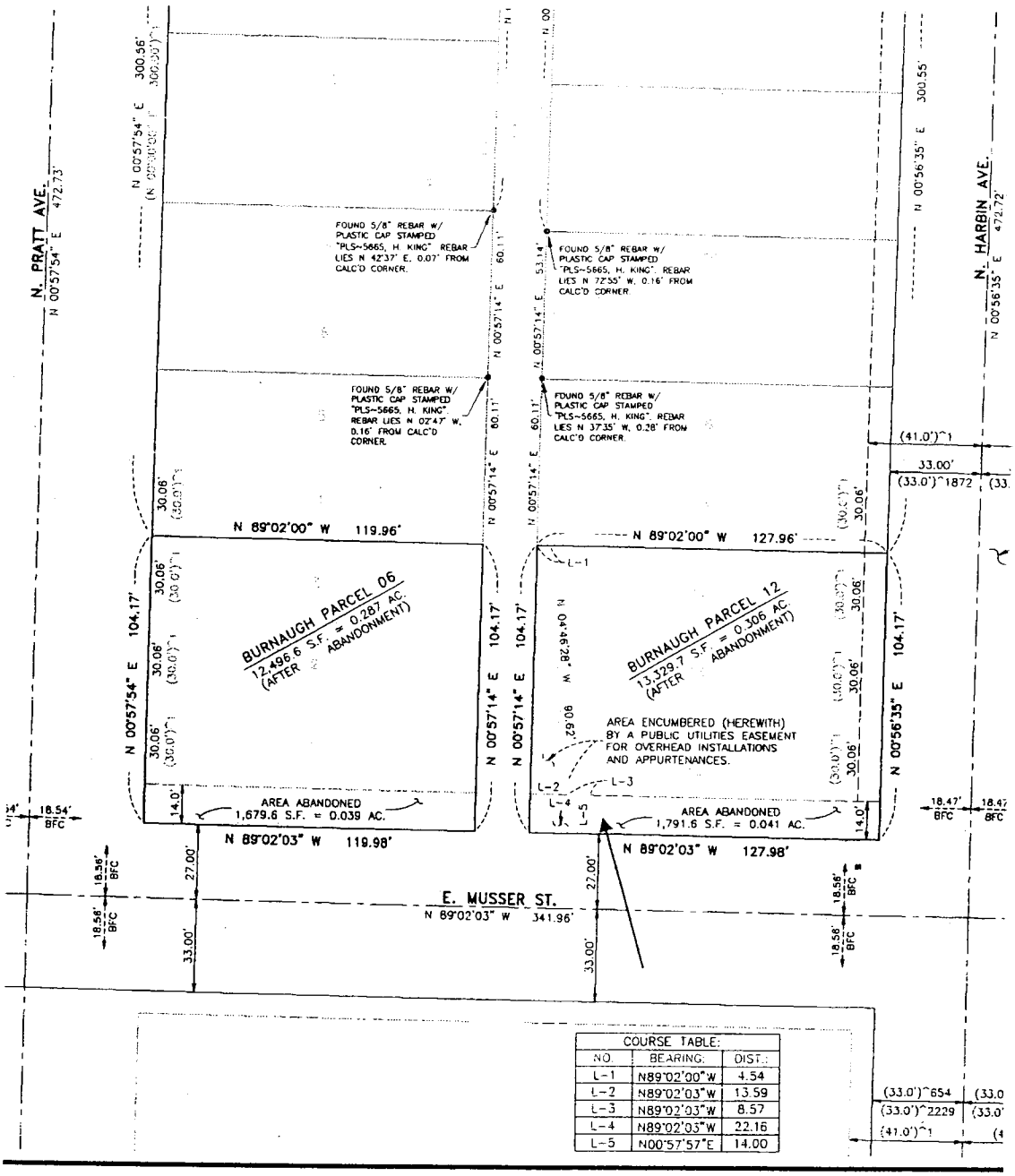
Thence, along said East line, **N 00° 57' 14" E**, a distance of **14.00 ft.** to the **TRUE POINT OF BEGINNING**;

Containing an area of 1,791.6 S.F., or 0.041 Acres, more or less.

Description prepared by: R.P. Surveying & Engineering
Jack E. Randell Jr. PLS-5547
P.O. Box 907, Dayton NV 89407

Basis of Bearings: The centerline of N. Pratt Ave., within the The Nevada State Plane Coordinate System, West Zone, (NAD83), the bearing of said line being N 00°57'54" E.

Exhibit B



COURSE TABLE:		
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L-4	N89°02'03"W	22.16
L-5	N00°57'57"E	14.00

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF EAST MUSSER ST. R/W, ABANDONED IN FAVOR OF THE BURNAUGH PARCEL, A.P.N. 04-172-06

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Thence, along the South line of said Lot 1, **S 89° 02' 03" E**, a distance of **119.97 ft.** to the West line of a 20 ft. wide Alley;

Thence, along said West line, **S 00° 57' 14" W**, a distance of **14.00 ft.** ;

Thence, leaving said West line, **N 89° 02' 03" W**, a distance of **119.98 ft.** to the East line of N. Pratt Ave., and a set 5/8" rebar with aluminum cap stamped "PLS 5547" ;

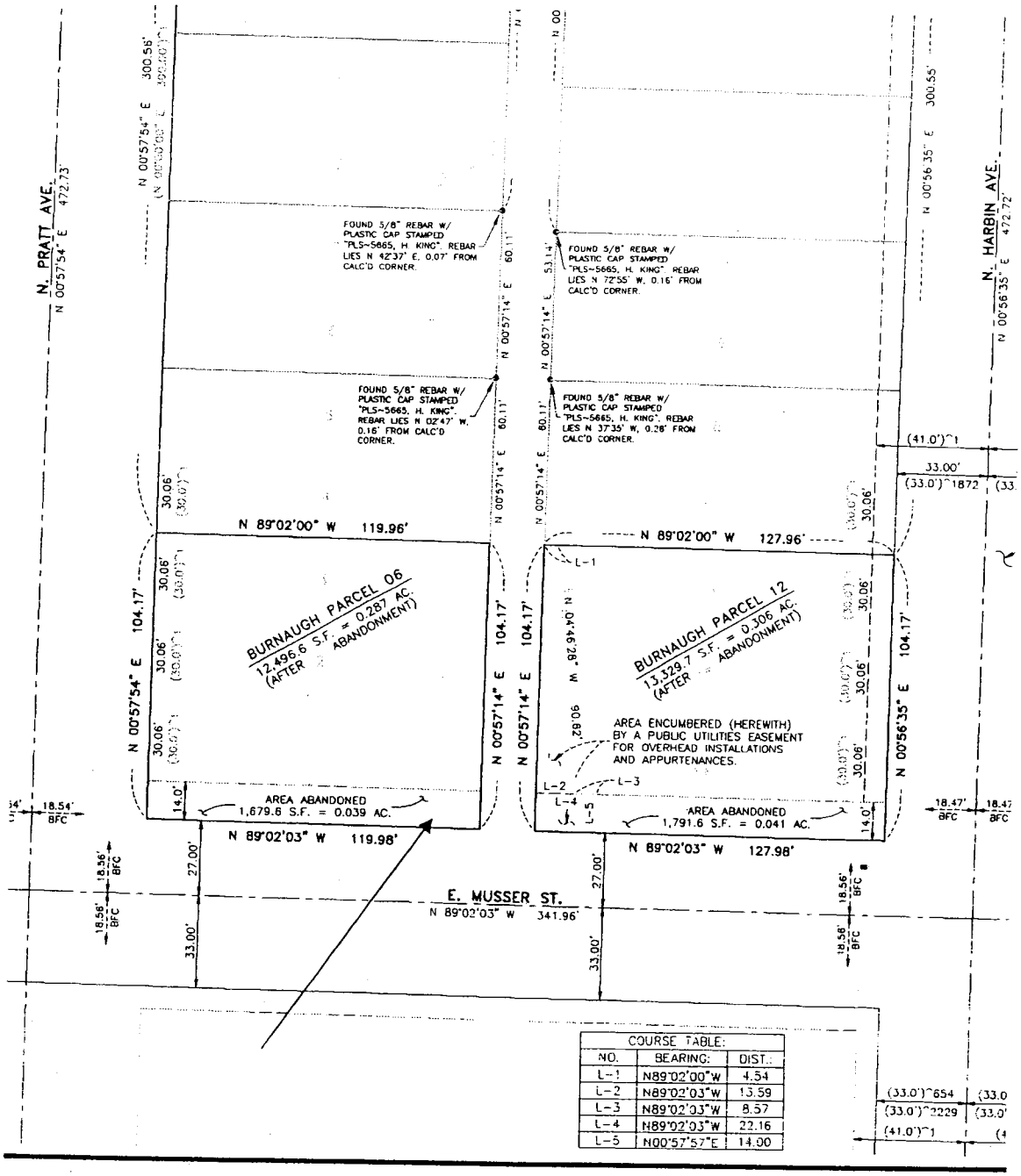
Thence, along said East line, **N 00° 57' 54" E**, a distance of **14.00 ft.** to the **TRUE POINT OF BEGINNING**;

Containing an area of 1,679.6 S.F., or 0.039 Acres, more or less.

Description prepared by: R.P. Surveying & Engineering
Jack E. Randell Jr. PLS-5547
P.O. Box 907, Dayton NV 89407

Basis of Bearings: The centerline of N. Pratt Ave., within the The Nevada State Plane Coordinate System, West Zone, (NAD83), the bearing of said line being N 00°57'54" E.

Exhibit B



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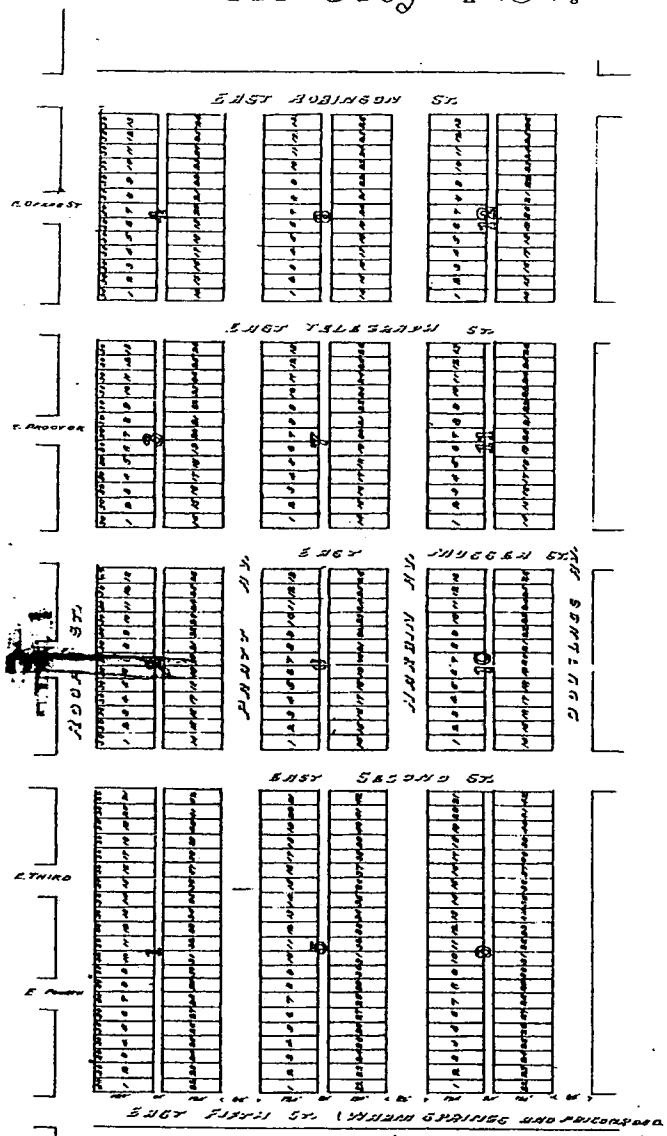
L-3	N89°02'03"W	8.57
L-4	N89°02'03"W	22.16
L-5	N00°57'57"E	14.00

PLAN HOLD

DRAWING NUMBER
VALLEY PARK 1

VALLEY PARK,

Carson City Nev.



STATE OF NEVADA
COUNTY OF ORMSBY } SS.

On this 28th day of September in the year One Thousand Nine Hundred and Six, before me C.N. PETERS a Notary Public in and for the County of Ormsby personally appeared Ross G. Lewis President & Jas. A. Mc Fadden President and Jos. T. Davis, Secretary of VALLEY LAND COMPANY, a corporation, acting under and in the by-laws of Nevada, the said Corporation, & the owners of the certain land for which, on behalf and by the authority of said Corporation, they caused to be made an accurate plat of the premises of ground laid out and platted, particularly setting forth and describing same by their boundaries, courses and extent, and that portions are set apart for avenues and alleys, and all lots offered for sale, by numbers and their proper length and width.

That they acknowledge the above plat on behalf of the Corporation therein named, and they acknowledge to me that such Corporation 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 the City of Carson County of Ormsby the day and year in this Certificate first above written.

C. N. Peters
Notary Public in and for the County of Ormsby, State of Nevada.

STATE OF NEVADA
COUNTY OF ORMSBY } SS.

I, A.C. Pratt, a Surveyor of the City of Carson County of Ormsby and State of Nevada, do hereby certify that I have surveyed the premises described in the annexed plat and that the courses of the lines of said plat shown thereon are true and correct and that the said plat shows by lots and blocks all said premises, and therein and thereon are shown the lots, blocks, streets and avenues and alleys.

Beginning at the intersection of the one hundred foot Carson City National Cemetery Road with the North boundary of Robinson Street, thence along said road N. 60 W. 1.45 chains, thence N. 1.45 chains, thence N. 60 E. 1.45 chains, thence S. 1.45 chains to the North boundary of Robinson Street, thence W. 1.45 chains to the point of beginning.

Witness my hand this 28 day of September, 1906.

A.C. Pratt
Surveyor, City of Carson, State of Nevada.

I hereby certify that the above survey as correctly represented on this plat.

Dated at Carson, Nevada, this 28th day of September, 1906.

A.C. Pratt

1

Secured Tax Payment Inquiry 7/14/09 11:21:49 **TC0100B**

Parcel #..... 004-172-06
Property Loc... 201 N PRATT AVE
Billed to..... BURNAUGH, WILLIAM TRUST 10/9/08
% WILLIAM BURNAUGH, TRUSTEE
P O BOX 787
CARSON CITY, NV 89702-0000

2010 Roll #..: 002397
District.....: 1.0
Tax Service..:
Land Use Code: 200

Outstanding Taxes:

Prior Year	Tax	Penlty/Intrst	Total	Amount Paid	Total Due
No Prior Year Taxes					
Current Year					
08/17	129.86		129.86	.00	129.86
10/05	128.00		128.00	.00	257.86
01/04	128.00		128.00	.00	385.86
03/01	128.00		128.00	.00	513.86
Totls	513.86	.00	513.86	.00	

F9=Scan >/< ≥
F12=End F13=Show History F14=Print Summary F17=Assessor's File Inquiry

PAID
CC Treasurer

Ck # 1929
07/14
$ 129.86
Cb

JUL 2009

Secured Tax Payment Inquiry 7/14/09 11:22:07 TC0100B

Parcel #..... 004-172-12
Property Loc... 204 N HARBIN AVE
Billed to..... BURNAUGH, WILLIAM TRUST 10/9/08
% WILLIAM BURNAUGH, TRUSTEE
P O BOX 787
CARSON CITY, NV 89702-0000

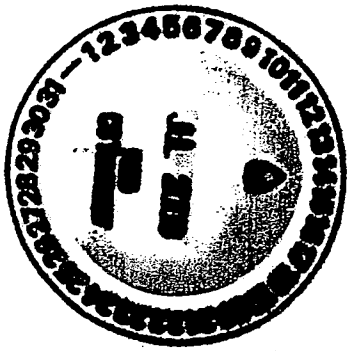
2010 Roll #..: 002398
District.....: 1.0
Tax Service..:
Land Use Code: 320

Outstanding Taxes:

Prior Year	Tax	Penlty/Intrst	Total	Amount Paid	Total Due
No Prior Year Taxes					
Current Year					
08/17	167.34		167.34	.00	167.34
10/05	164.00		164.00	.00	331.34
01/04	164.00		164.00	.00	495.34
03/01	164.00		164.00	.00	659.34
Totls	659.34	.00	659.34	.00	

F9=Scan >/< >
F12=End F13=Show History F14=Print Summary F17=Assessor's File Inquiry

Ck # 1930
07/14
$ 167.34
CB



PRELIMINARY REPORT

Northern Nevada Title Company
307 W Winnie Lane #5
Carson City, NV 89703-4103
(775)-883-7513 FAX (775)-887-5065

To: Northern Nevada Title Company

Escrow No. **CC-1090709-TO**
Title No. **1090709**

Your No.

Property Address
204 N. Harbin Avenue
Carson City, NV 89701

Assessor's Parcel Number
004-172-12

In response to the above referenced application for a policy of title insurance, Old Republic National Title Insurance Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulation of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated: **April 9, 2009** at 7:30 A.M.

Bonnie Graybill
Bonnie Graybill, Title Officer

The form of policy of title insurance contemplated by this report is: **CLTA Owners**

The estate or interest in the land hereinafter described or referred to covered by this report is: **A fee**

Title to said estate or interest at the date hereof is vested in:

William Burnaugh, Trustee of the William Burnaugh Trust, dated October 9, 2008

The land referred to in the report is situate in the State of Nevada, County of **Carson City** and is described as follows:

Lots 14, 15 and 16 in Block 7 as shown on the map of Valley Park Addition, filed in the office of the County Recorder of Carson City, Nevada on September 25, 1906 and Recorded on October 12, 1906 in Book 31 of Powers, Plats and Miscellaneous at Page 213.

NORTHERN NEVADA TITLE COMPANY
PRELIMINARY REPORT

Escrow No. CC-1090709-TO

At the date hereof exceptions to coverage, in addition to the exclusions contained in said policy form, would be as follows:

EXCEPTIONS FROM COVERAGE

The policy, **with the exception of any ALTA Lenders policy,** contemplated to be issued hereunder will not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
   Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by public records.

PART II

1) The lien, if any, for taxes for improvements completed or in progress, but which were not shown on the tax bill for the current year.

2) Liens levied by the Carson City Water and Sewer District for water, sewer and storm water utilities, by reason that subject property is located within said district. To verify payments, delinquencies or liens, contact Carson City Utilities at (775) 887-2355.

3) Easement, together with the rights incidental thereto,

GRANTED TO:	Carson City
PURPOSE:	Sewer line
RECORDED:	December 24, 1913
BOOK:	34, Powers, Plats and Miscellaneous
PAGE:	124
DOCUMENT NO.:	215
AFFECTS:	Portion of said land, exact location not defined of record

Continued...

Escrow No. CC-1090709-TO

NORTHERN NEVADA TITLE COMPANY
PRELIMINARY REPORT

At the date hereof exceptions to coverage, in addition to the exclusions contained in said policy form, would be as follows:

4) Deed of Trust, to secure an indebtedness of the amount stated therein.

ORIGINAL AMOUNT:	$81,250.00
DATED:	April 14, 1997
RECORDED:	April 21, 1997
DOCUMENT NO.:	201694, Official Records
TRUSTOR:	William Burnaugh and Jeana Marie Burnaugh, husband and wife as joint tenants
TRUSTEE:	Beneficial Management Corporation of America, a Delaware Corporation qualified to do business in Nevada
BENEFICIARY:	Beneficial Mortgage Co. of Nevada, a Delaware Corporation qualified to do business in Nevada

5) The requirement that an executed Certification of Trust pursuant to NRS 164.400 et.seq. be submitted prior to the issuance of a Title Insurance Policy.

6) "Preliminary Reports" are furnished in connection with an application for title insurance and are offers to issue a title policy subject to the stated exceptions set forth in the report. The information contained herein, while deemed reliable, does not reflect the information that would be shown in an abstract of title, and no liability is assumed nor is any assurance given as to the accuracy of the vesting, legal description or items contained in or deleted from this report.

If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

NOTE: As a matter of information, we report that taxes for the year 2008-2009, have been paid in full.

TOTAL AMOUNT:	$640.14
ASSESSORS PARCEL NO.:	004-172-12

oOo

Northern Nevada Title Company
307 W. Winnie Lane, Suite 5
Carson City, NV 89703

Privacy Policy Notice
as of September 20, 2005

PURPOSE OF THIS NOTICE

Northern Nevada Title Company (NNTC) and it's Underwriters share your concerns about privacy. Each Company is committed to respecting the privacy of our policyholders. Therefore, in accordance with Federal and State laws and regulations, we are providing you with this notice of how we might use the information about you which we gather in the process of issuing a policy of title insurance.

Title V of the Gramm-Leach-Bliley Act (GLBA) and the laws of the State in which you reside generally prohibit us from sharing non public personal information about you with a third party unless we provide you with this notice of our privacy policies and practices, such as the type of information that we collect about you and the categories of persons or entities to whom that information may be disclosed. In compliance with the GLBA and the laws of this State, we are providing you with this document, which notifies you of the privacy policies and practices of NNTC and it's Underwriters.

OUR PRIVACY POLICIES AND PRACTICES

I. Information we collect and sources from which we collect it:

We do not collect any nonpublic personal information about you other than the following:

Information we receive from you or from your attorney or other representatives on applications or other forms;

Information about your transactions with us, our affiliates or our Underwriters.

In addition, we may collect other non public personal information about you from individuals and companies other than those proposed for coverage.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional information will be collected about you.

II. Information we disclose to third parties:

In the course of our general business practices, we may disclose the information that we collect (as described above) about you or others without your permission to the following types of institutions for the reasons described:

To a third party such as a surveying, real estate tax research or municipal data firm if the disclosure will enable that party to perform a business, professional or insurance function for us;

To an insurance institution, agent, or credit reporting agency in order to detect or prevent criminal activity, fraud or misrepresentation in connection with an insurance transaction;

To an insurance institution, agent, or credit reporting agency for either this Company or the entity to whom we disclose the information to perform a function in connection with an insurance transaction involving you;

To an insurance regulatory authority, law enforcement, or other governmental authority in order to protect our interests in preventing or prosecuting fraud, or if we believe that you have conducted illegal activities;

To an actuarial or research organization for the purpose of conducting actuarial or research studies.

The disclosures described above are permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH AFFILIATES OR NON-AFFILIATED THIRD PARTIES FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

III. Your right to access and amend your personal information:

You have the right to request access to the personal information that we record about you. Your right includes the right to know the source of the information and the identity of the persons, institutions or types of institutions to whom we have disclosed such information within 2 years prior to your request. Your right includes the right to view such information and copy it in person, or request that a copy of it be sent to you by mail (for which we may charge you a reasonable fee to cover our costs). Your right also includes the right to request corrections, amendments or deletions of any information in our possession. The procedures that you must follow to request access to or an amendment of your information are as follows:

To obtain access to your information from Northern Nevada Title Company: You should submit a request in writing Northern Nevada Title Company, 307 W. Winnie Lane, Suite 5, Carson City, Nevada 89703. The request should include your name, address, policy number, telephone number, and the information to which you would like access. The request should state whether you would like access in person or a copy of the information sent to you by mail. Upon receipt of your request, we will contact you within 30 business days to arrange providing you with access in person or the copies that you have requested.

To obtain access to your information from the Underwriter: You should submit your written request including the specified information to the address stated above. The request should include the same information mentioned above for requests to NNTC. The request will be forwarded to the Underwriter which insured your transaction

To correct, amend, or delete any of your information: You should submit a request in writing to the address referenced directly above. The request should include your name, address, policy number, telephone number, the specific information in dispute, and the identity of the document or record that contains the disputed information. Upon receipt of your request, we will contact you within 30 business days to notify you either that we have made the correction, amendment or deletion, or that we refuse to do so and the reasons for the refusal which you will have an opportunity to challenge.

IV. Our practices regarding information confidentiality and security:

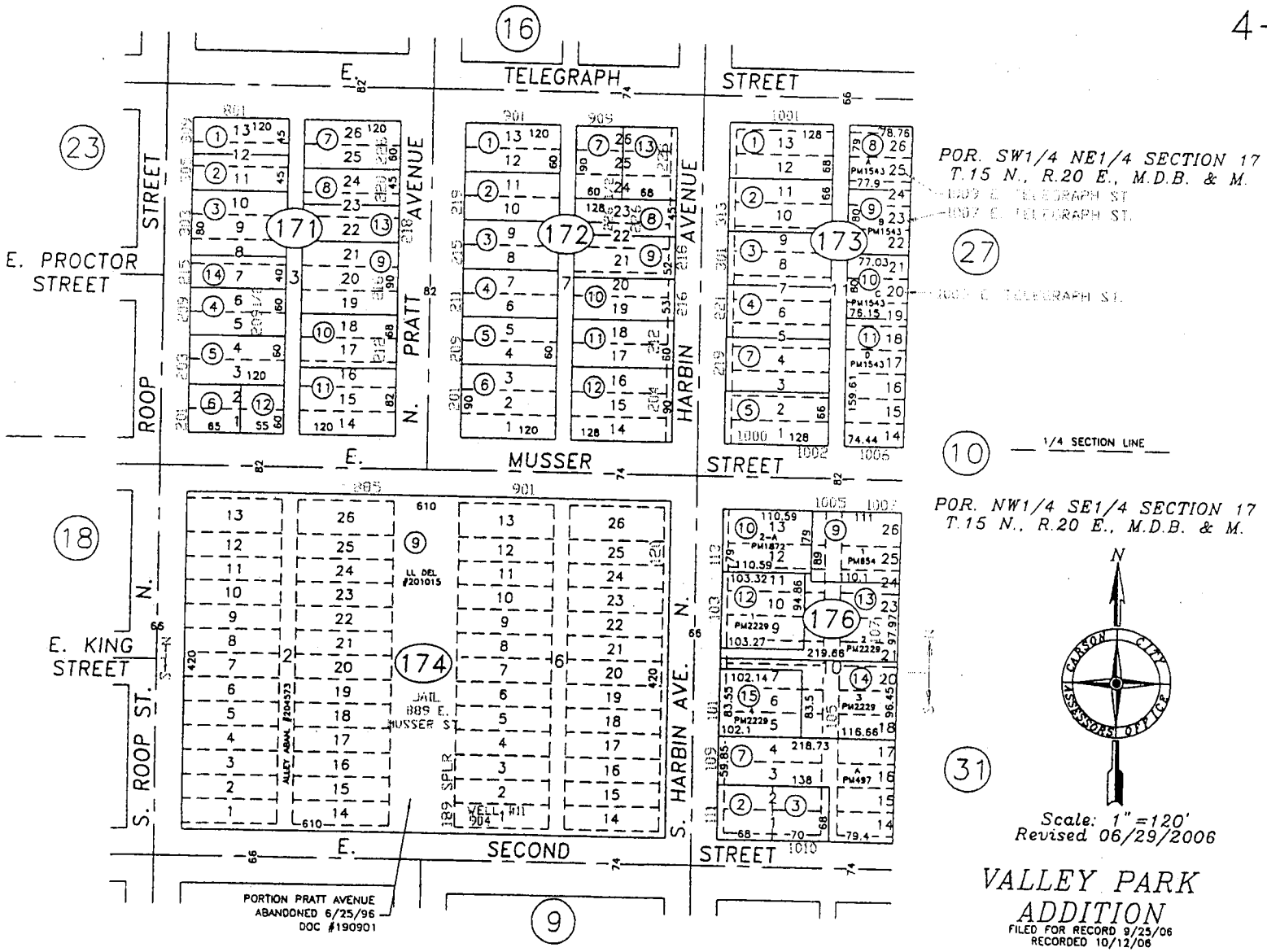
We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

V. Our policy regarding dispute resolution:

Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

VI. Reservation of the right to disclose information in unforeseen circumstances:

In connection with the potential sale or transfer of its interests, Northern Nevada Title Company, its Underwriters and their respective affiliates reserve the right to sell or transfer your information (including but not limited to your address, name, age, sex, zip code, state and country of residency and other information that you provide through other communications) to a third party entity that (1) concentrates its business in a similar practice or service; (2) agrees to be a successor in interest of Northern Nevada Title Company or the Underwriter with regard to the maintenance and protection of the information collected; and (3) agrees to the obligations of this privacy statement.



NOTE
SOME PARCELS DELINEATED HEREON MAY NOT BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION DUE TO DISCREPANCIES BETWEEN LOT LINES.

Corrected the distances

CARSON CITY, NEVADA
THIS MAP IS PREPARED FOR THE USE OF THE CARSON CITY ASSESSOR FOR ASSESSMENT AND ILLUSTRATIVE PURPOSES ONLY. IT DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED AS TO THE SUFFICIENCY OR ACCURACY OF THE DATA DELINEATED HEREON. YOU CAN VIEW AND PRINT OUR MAPS AT NO CHARGE FROM OUR WEBSITE AT
www.carsoncitynv.us/Assessor

Northern Nevada Title Company does not represent this plat as a survey of the land indicated hereon, although believed correct, no liability is assumed as to the accuracy thereof.

BK 34, P 1 Doc 215 12-24-1913

GRANT OF RIGHT OF WAY FROM ORMSBY COUNTY TO CARSON CITY.

THIS INDENTURE, made and entered into this first day of December, 1913, by and between Ormsby County, of the State of Nevada, acting through its duly elected and qualified Board of County Commissioners, and under and by virtue of a motion duly made and carried, and spread upon the minutes of said Board, the party of the first part, and Carson City, of Ormsby County, Nevada, acting through its duly authorized officers, and under and by virtue of a motion of the Board of Trustees of Carson City, duly passed and entered upon the minutes of the said Board, the party of the second part, WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar, lawful money of the United States of America, to it paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain and sell unto the said party of the second part, its successors and assigns, a right of way for the construction of a sewer line through and across those certain lots, pieces and parcels of land, lying and being in Carson City, Ormsby County, Nevada, and more particularly described as follows, to-wit: All of lots No. (1) and (10) and the east sixteen feet of lots No. (2) and (9) of Block No. (76) of Musser's Division of Carson City, Ormsby County, Nevada. TOGETHER with the right of entry for the purpose of constructing, repairing and maintaining said sewer line. TO HAVE AND TO HOLD, the said right of way, together with the said right of entry unto the said party of the second part, its assigns and successors forever. IN WITNESS WHEREOF, the said party of the first part, by the signature of the Chairman of its Board of County Commissioners, and its seal attested and affixed by its County Clerk, has hereunto set its hand and seal the day and year first above written.

Attest: E.O.Patterson, (SEAL) Clerk of the Board.

Geo. E.Kitzmeyer, Chairman of the Board of County Commissioners.

STATE OF NEVADA)
:ss
County of Ormsby)

On this First day of December, in the year one thousand nine hundred and 13, before me C.R.Dake, County Recorder in and for said county, personally appeared Geo. E.Kitzmeyer, and E.O.Patterson, known to me to be the Chairman of the Board of County Commissioners, and the Clerk of the Board, respectively, and the persons described in, whose names are subscribed to and who executed the within instrument, and they acknowledged to me that they 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 the County of Ormsby, the day and year in this certificate first above written.

(SEAL) C.R.Dake, County Recorder.

Filed for Record at request of John M.Chartz, Dec. 24th, 1913, at 3 o'clock, P.M.
And Recorded December 27th, 1913. File No. 214.

C.R.Dake
County Recorder.

GRANT OF RIGHT OF WAY BY JAMES T.DAVIS, TO CARSON CITY.

WHEREAS, Carson City, of Ormsby County, Nevada, is about to enter into a contract, wherein Steve Belli and Joe Maroni agree to construct certain sewer lines from said Carson City to their lands to the east of said city, and wherein said Carson City agrees to lease to the said Steve Belli and Joe Maroni certain of the sewerage waters of said Carson City, and WHEREAS, it becomes necessary for said sewer lines to pass through my lands, commonly known as "Valley Park", and WHEREAS, the said Carson City, has, through its duly authorized officers, agreed, under written contract with me, to place at the intersection of each street in said Valley Park with either of said sewer lines, a double T connection, and has further agreed to run said sewer lines on a continuous grade, and at least eighteen inches beneath the ground upon entering my lands, and at least one foot beneath the surface of the ground at the east end of my said lands. NOW, THEREFORE, in consideration of the sum of one dollar, lawful money of the United States of America, to me in hand paid, the receipt whereof is hereby acknowledged, and in consideration of the hereinbefore mentioned covenants and agreements, I, James T.Davis, of Carson City, Ormsby County, Nevada, do hereby grant to Carson City, a right of way through my lands known as Valley Park for two seperate and distinct sewer lines, together with the further

right of entry for the purpose of constructing said sewers and making necessary repairs thereon. IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 4th. day of December, 1913.

James T.Davis. (SEAL)

corrections made before signing. C.H.Peters, Notary Public in and for Ormsby County, State of Nevada.

STATE OF NEVADA)
:ss
County of Ormsby.,)

On this 8th, day of December, A.D. one thousand nine hundred and thirteen, personally appeared before me, C.H.Peters, a Notary Public in and for the said County of Ormsby, James T.Davis, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he 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 the County of Ormsby, the day and the year in this certificate first above written. (SEAL) C.H.Peters.

Notary public in and for the County of Ormsby, State of Nevada. My Commission expires 1st April. 1917.

Filed for Record at request of John M.Chartz, Dec, 24th, 1913. at 3 o'clock P.M.
And Recorded December 27th, 1913. File No. 215.

County Recorder.

GRANT OF RIGHT OF WAY TO CARSON CITY, BY JOSEPH ROCHON.

THIS INDENTURE, made and entered into this 8th day of December, 1913, by and between Joseph Rochon, of Carson City, Ormsby County, Nevada, the party of the first part, and Carson City, of Ormsby County, Nevada, acting through its duly authorized officers, to-wit: the President of the Board of Trustees of Carson City, and the Clerk of the said Board, and under and by virtue of a motion of the said Board of Trustees, duly passed and entered upon the minutes of the said Board, the party of the second part. WITNESSETH: That said party of the first part, for and in consideration of the sum of One Dollar, lawful money of the United States of America, to him in hand paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain and sell unto the said party of the second part, its assigns and successors, a right of way for the construction of a sewer line through and across those certain blocks and lots of land, lying being and situate in Carson City, Ormsby County, Nevada, and particularly described as follows: All of Blocks No. 75 and 76, save and excepting lots No. 1 and 10 and the east 16 feet of lots No. 2 and 9 of Block 76, Musser's Division of Carson City, Ormsby County, Nevada. Together with the right of entry for the purpose of constructing, repairing and maintaining said sewer line. TO HAVE AND TO HOLD, the said right of way, together with the said right of entry unto the said party of the second part, its assigns and successors forever. IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Joseph Rochon. (SEAL)

STATE OF NEVADA)
:ss
County of Ormsby.,)

On this 8th, day of December, A.D. one thousand nine hundred and thirteen, personally appeared before me, C.H.Peters, a Notary Public in and for the said County of Ormsby, Joseph Rochon, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he 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 the County of Ormsby, the day and the year in this certificate first above written.

(SEAL) C.H.Peters.

Notary Public in and for the County of Ormsby, State of Nevada. My Commission expires 1st-April 1917.

Filed for Record at request of John M.Chartz, Dec. 24th, 1913. at 3 o'clock, P.M.
And Recorded December 29th, 1913. File No. 216.

County Recorder.

PRELIMINARY REPORT

Northern Nevada Title Company
307 W Winnie Lane #5
Carson City, NV 89703-4103
(775)-883-7513 FAX (775)-887-5065

To: **Northern Nevada Title Company**

Escrow No. **CC-1090708-TO**
Title No. **1090708**

Your No.

Property Address
201 N. Pratt Avenue
Carson City, NV 89701

Assessor's Parcel Number
004-172-06

In response to the above referenced application for a policy of title insurance, Old Republic National Title Insurance Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulation of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated: **April 8, 2009** at 7:30 A.M.

Bonnie Graybill
Bonnie Graybill, Title Officer

The form of policy of title insurance contemplated by this report is: **CLTA Owners**

The estate or interest in the land hereinafter described or referred to covered by this report is: **A fee**

Title to said estate or interest at the date hereof is vested in:

William Burnaugh, Trustee of the William Burnaugh Trust, dated October 9, 2008

The land referred to in the report is situate in the State of Nevada, County of **Carson City** and is described as follows:

Lots 1, 2 and 3 in Block 7 as shown on the map of Valley Park Addition, filed in the office of the County Recorder of Carson City, Nevada on September 25, 1906 and Recorded on October 12, 1906 in Book 31 of Powers, Plats and Miscellaneous at Page 213.

NORTHERN NEVADA TITLE COMPANY
PRELIMINARY REPORT

Escrow No. CC-1090708-TO

At the date hereof exceptions to coverage, in addition to the exclusions contained in said policy form, would be as follows:

EXCEPTIONS FROM COVERAGE

The policy, **with the exception of any ALTA Lenders policy,** contemplated to be issued hereunder will not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

PART I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
   Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.

4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by public records.

PART II

1) The lien, if any, for taxes for improvements completed or in progress, but which were not shown on the tax bill for the current year.

2) Liens levied by the Carson City Water and Sewer District for water, sewer and storm water utilities, by reason that subject property is located within said district. To verify payments, delinquencies or liens, contact Carson City Utilities at (775) 887-2355.

3) Easement, together with the rights incidental thereto,

GRANTED TO:	Carson City
PURPOSE:	Sewer line
RECORDED:	December 24, 1913
BOOK:	34, Powers, Plats and Miscellaneous
PAGE:	124
DOCUMENT NO.:	215
AFFECTS:	Portion of said land, exact location not defined of record

4) The requirement that an executed Certification of Trust pursuant to NRS 164.400 et.seq. be submitted prior to the issuance of a Title Insurance Policy.

Continued...

NORTHERN NEVADA TITLE COMPANY
PRELIMINARY REPORT

Escrow No. CC-1090708-TO

At the date hereof exceptions to coverage, in addition to the exclusions contained in said policy form, would be as follows:

5) "Preliminary Reports" are furnished in connection with an application for title insurance and are offers to issue a title policy subject to the stated exceptions set forth in the report. The information contained herein, while deemed reliable, does not reflect the information that would be shown in an abstract of title, and no liability is assumed nor is any assurance given as to the accuracy of the vesting, legal description or items contained in or deleted from this report.

If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

NOTE: As a matter of information, we report that taxes for the year 2008-2009, have been paid in full.

TOTAL AMOUNT:	$476.69
ASSESSORS PARCEL NO.:	004-172-06

oOo

Northern Nevada Title Company
307 W. Winnie Lane, Suite 5
Carson City, NV 89703

Privacy Policy Notice
as of September 20, 2005

PURPOSE OF THIS NOTICE

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Title V of the Gramm-Leach-Bliley Act (GLBA) and the laws of the State in which you reside generally prohibit us from sharing non public personal information about you with a third party unless we provide you with this notice of our privacy policies and practices, such as the type of information that we collect about you and the categories of persons or entities to whom that information may be disclosed. In compliance with the GLBA and the laws of this State, we are providing you with this document, which notifies you of the privacy policies and practices of NNTC and it's Underwriters.

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I. Information we collect and sources from which we collect it:

We do not collect any nonpublic personal information about you other than the following:

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To a third party such as a surveying, real estate tax research or municipal data firm if the disclosure will enable that party to perform a business, professional or insurance function for us;

To an insurance institution, agent, or credit reporting agency in order to detect or prevent criminal activity, fraud or misrepresentation in connection with an insurance transaction;

To an insurance institution, agent, or credit reporting agency for either this Company or the entity to whom we disclose the information to perform a function in connection with an insurance transaction involving you;

To an insurance regulatory authority, law enforcement, or other governmental authority in order to protect our interests in preventing or prosecuting fraud, or if we believe that you have conducted illegal activities;

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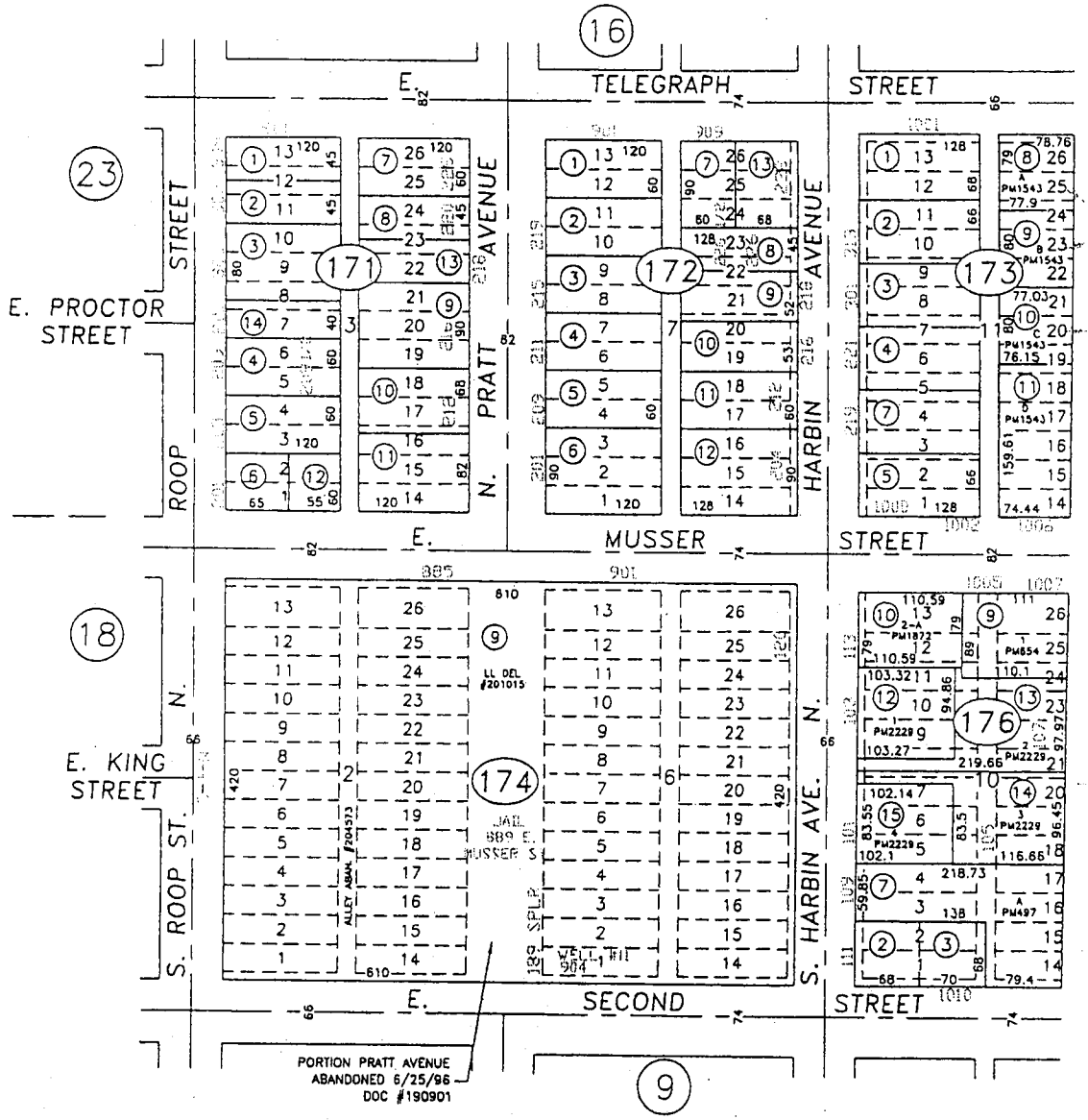

POR. SW1/4 NE1/4 SECTION 17
T.15 N., R.20 E., M.D.B. & M.

POR. NW1/4 SE1/4 SECTION 17
T.15 N., R.20 E., M.D.B. & M.

Scale: 1" =120'
Revised 06/29/2006

VALLEY PARK ADDITION

FILED FOR RECORD 9/25/06
RECORDED 10/12/06

NOTE
SOME PARCELS DELINEATED HEREON MAY NOT BE PRESENTED IN TRUE SIZE, SHAPE, OR LOCATION DUE TO DISCREPANCIES BETWEEN LOT LINES.

CARSON CITY, NEVADA
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Corrected the distances

Northern Nevada Title Company does not represent this plat as a survey of the land indicated hereon, although believed correct, no liability is assumed as to the accuracy thereof.

BK 34, PP 111-119
DOC 215
12-24-1913

GRANT OF RIGHT OF WAY FROM ORMSBY COUNTY TO CARSON CITY.

THIS INDENTURE, made and entered into this first day of December, 1913, by and between Ormsby County, of the State of Nevada, acting through its duly elected and qualified Board of County Commissioners, and under and by virtue of a motion duly made and carried, and spread upon the minutes of said Board, the party of the first part, and Carson City, of Ormsby County, Nevada, acting through its duly authorized officers, and under and by virtue of a motion of the Board of Trustees of Carson City, duly passed and entered upon the minutes of the said Board, the party of the second part, WITNESSETH: That the said party of the first part, for and in consideration of the sum of One Dollar, lawful money of the United States of America, to it paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain and sell unto the said party of the second part, its successors and assigns, a right of way for the construction of a sewer line through and across those certain lots, pieces and parcels of land, lying and being in Carson City, Ormsby County, Nevada, and more particularly described as follows, to-wit: All of lots No. (1) and (10) and the east sixteen feet of lots No. (2) and (9) of Block No. (76) of Musser's Division of Carson City, Ormsby County, Nevada. TOGETHER with the right of entry for the purpose of constructing, repairing and maintaining said sewer line. TO HAVE AND TO HOLD, the said right of way, together with the said right of entry unto the said party of the second part, its assigns and successors forever. IN WITNESS WHEREOF, the said party of the first part, by the signature of the Chairman of its Board of County Commissioners, and its seal attested and affixed by its County Clerk, has hereunto set its hand and seal the day and year first above written.

Attest: E.O.Patterson, (SEAL)
Clerk of the Board.

Geo. E.Kitzmeyer,
Chairman of the Board of County Commissioners.

STATE OF NEVADA)
:ss
County of Ormsby)

On this First day of December, in the year one thousand nine hundred and 13, before me C.R.Dake, County Recorder in and for said county, personally appeared Geo. E.Kitzmeyer, and E.O.Patterson, known to me to be the Chairman of the Board of County Commissioners, and the Clerk of the Board, respectively, and the persons described in, whose names are subscribed to and who executed the within instrument, and they acknowledged to me that they 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 the County of Ormsby, the day and year in this certificate first above written.

(SEAL) C.R.Dake,
County Recorder.

Filed for Record at request of John M.Chartz, Dec. 24th, 1913, at 3 o'clock, P.M.
And Recorded December 27th, 1913. File No. 214.

C.R.Dake
County Recorder.

GRANT OF RIGHT OF WAY BY JAMES T.DAVIS, TO CARSON CITY.

WHEREAS, Carson City, of Ormsby County, Nevada, is about to enter into a contract, wherein Steve Belli and Joe Maroni agree to construct certain sewer lines from said Carson City to their lands to the east of said city, and wherein said Carson City agrees to lease to the said Steve Belli and Joe Maroni certain of the sewerage waters of said Carson City, and WHEREAS, it becomes necessary for said sewer lines to pass through my lands, commonly known as "Valley Park", and WHEREAS, the said Carson City, has, through its duly authorized officers, agreed, under written contract with me, to place at the intersection of each street in said Valley Park with either of said sewer lines, a double T connection, and has further agreed to run said sewer lines on a continuous grade, and at least eighteen inches beneath the ground upon entering my lands, and at least one foot beneath the surface of the ground at the east end of my said lands. NOW, THEREFORE, in consideration of the sum of one dollar, lawful money of the United States of America, to me in hand paid, the receipt whereof is hereby acknowledged, and in consideration of the hereinbefore mentioned covenants and agreements, I, James T.Davis, of Carson City, Ormsby County, Nevada, do hereby grant to Carson City, a right of way through my lands known as Valley Park for two seperate and distinct sewer lines, together with the further

right of entry for the purpose of constructing said sewers and making necessary repairs thereon. IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 4th. day of December, 1913.

James T.Davis. (SEAL)

corrections made before signing. C.H.Peters, Notary Public in and for Ormsby County, State of Nevada.

STATE OF NEVADA)
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County of Ormsby.,)

On this 8th, day of December, A.D. one thousand nine hundred and thirteen, personally appeared before me, C.H.Peters, a Notary Public in and for the said County of Ormsby, James T.Davis, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he 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 the County of Ormsby, the day and the year in this certificate first above written. (SEAL) C.H.Peters,
Notary public in and for the County of Ormsby, State of Nevada. My Commission expires 1st April. 1917.
Filed for Record at request of John M.Chartz, Dec, 24th, 1913. at 3 o'clock P.M.
And Recorded December 27th, 1913. File No. 215.

C.P.Dake
County Recorder.

GRANT OF RIGHT OF WAY TO CARSON CITY, BY JOSEPH ROCHON.

THIS INDENTURE, made and entered into this 8th day of December, 1913, by and between Joseph Rochon, of Carson City, Ormsby County, Nevada, the party of the first part, and Carson City, of Ormsby County, Nevada, acting through its duly authorized officers, to-wit: the President of the Board of Trustees of Carson City, and the Clerk of the said Board, and under and by virtue of a motion of the said Board of Trustees, duly passed and entered upon the minutes of the said Board, the party of the second part. WITNESSETH: That said party of the first part, for and in consideration of the sum of One Dollar, lawful money of the United States of America, to him in hand paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain and sell unto the said party of the second part, its assigns and successors, a right of way for the construction of a sewer line through and across those certain blocks and lots of land, lying being and situate in Carson City, Ormsby County, Nevada, and particularly described as follows: All of Blocks No. 75 and 76, save and excepting lots No. 1 and 10 and the east 16 feet of lots No. 2 and 9 of Block 76, Musser's Division of Carson City, Ormsby County, Nevada. Together with the right of entry for the purpose of constructing, repairing and maintaining said sewer line. TO HAVE AND TO HOLD, the said right of way, together with the said right of entry unto the said party of the second part, its assigns and successors forever. IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Joseph Rochon. (SEAL)

STATE OF NEVADA)
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County of Ormsby.,)

On this 8th, day of December, A.D. one thousand nine hundred and thirteen, personally appeared before me, C.H.Peters, a Notary Public in and for the said County of Ormsby, Joseph Rochon, known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he 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 the County of Ormsby, the day and the year in this certificate first above written.

(SEAL) C.H.Peters,
Notary Public in and for the County of Ormsby, State of Nevada. My Commission expires 1st-April 1917.
Filed for Record at request of John M.Chartz, Dec. 24th, 1913. at 3 o'clock, P.M.
And Recorded December 29th, 1913. File No. 216.

C.P.Dake
County Recorder.