

## STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JULY 27, 2011

FILE NUMBER: AB-11-043

AGENDA ITEM: H-2

STAFF AUTHOR: Kathe Green, Assistant Planner

APPLICANT: Ken Iwamura/Tri State Surveying

OWNERS: Robert T Morris and Kay Ellen Armstrong, Kurt D and Nancy C Grange

**REQUEST:** Abandonment of a portion of Karin Drive northeast of Rand Avenue. The area is approximately a total of 6,783 square feet, adjacent to properties located at 1712 Karin Drive to the west, 1946 Hamilton Avenue to the north and an unaddressed parcel to the east, Assessor's Parcel Numbers 002-371-01, 002-523-09 and 002-374-01.

**RECOMMENDED MOTION:** "I move to recommend that the Board of Supervisors approve an abandonment of public right-of-way application, AB-11-043, for an area approximately totaling 6,721 square-feet more or less, located north of Karin Drive and northwest of Rand Avenue, adjacent to properties located at 1712 Karin Drive to the west, 1946 Hamilton Avenue to the north and an unaddressed parcel to the east, APNs 002-371-01, 002-523-09 and 002-374-01, based on 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 within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 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 right-of-way area adjacent to APNs 002-371-01, 002-523-09 and 002-374-01.
5. Conditional approval for the requested abandonment shall expire one year after Board of Supervisor approval of the original application, unless an extension of time has been granted by the Board of Supervisors.
6. Owner of the abandoned property must provide a permanent 20 foot wide access, maintenance and construction easement to Carson City for an existing storm drain pipe that runs north-south through the property. The easement must be 10 wide on each side of the pipe.
7. Owner of the abandoned property must provide a 10 foot wide public utility easement along the Karin Drive right of way.
8. Owner must provide a utility easement for Charter Cable Company for the existing cable improvements on the property.
9. The property line between APNs 002-374-01 and 002-523-09 must be properly deleted before the abandonment can be recorded.
10. There are minor corrections which must be made on the legal descriptions before the abandonment is recorded.

**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:** Right-of-Way area, adjacent to Medium Density Residential and Public/Quasi-Public

**PRESENT ZONING:** Right-of-Way area, adjacent to Single Family 6000 (SF6) and Public Neighborhood (PN)

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

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Single Family 6000 (SF6)/Residence  
SOUTH: Public Neighborhood (PN)/Vacant  
WEST: Single Family 6000 (SF6)/Residence  
EAST: Public Neighborhood (PN)/ Vacant

**PREVIOUS REVIEWS:**

None

**DISCUSSION:**

This request is to allow the abandonment of a right-of-way area adjacent to Karin Drive and northwest of Rand Avenue, which is approximately 6,783 square foot, more or less, adjacent to properties located at 1712 Karin Drive on the west, 1946 Hamilton Avenue on the north and an unaddressed parcel on the east which is now owned by the applicants, Robert T Morris and Kay Ellen Armstrong. It is noted this last parcel is unaddressed and was previously owned by Carson City (Carson City Parks Department). It was sold to the applicants, Robert Morris and Kay Armstrong, after approval by the Board of Supervisors on December 16, 2010. The parcels adjacent to the right-of-way area are APN 002-371-01 to the west, 002-374-01 to the east and 002-523-09 to the north.

Chain of Title is as follows: This right-of-way area was originally dedicated to Carson City with the development of Sunland Vista subdivision Unit 12-C recorded January 31, 1973 on recorded map #396, file #16186. It appears the intention was for a roadway to continue to the north and a linear park to be created to the east of the roadway in conjunction with an access between Karin Drive and Hamilton Avenue. However, the property to the north was subsequently developed by parcel maps that cut off any access between Karin Drive and Hamilton Avenue. This left a remnant parcel of City-owned property and a right-of-way area which were the responsibility of the City, but which were not maintained. As previously mentioned, the City has sold the City-owned remnant parcel to the applicants, leaving only the right-of-way area which does not connect to any other roadway on the north. It is also noted the property to the southwest of this area is a City-owned vacant lot, which was noted on the original subdivision map as a fault scarp, with the fault extending to the location under discussion.

The property line to the northeast of the right-of-way to be abandoned (which is the southeast lot line of 1946 Hamilton Avenue and the northwest lot line of the unaddressed property to the east of the right-of-way) must be properly deleted before the abandonment can be recorded. In addition, a condition from Rory Hogen of the Engineering Division is that corrections must be made on the legal descriptions prior to the abandonment being recorded.

Planning Division staff conducted a site visit on July 8, 2011 and found the subject area to be a vacant parcel with a slope downward from west to southeast. There is presently no improvement or development in the area proposed to be abandoned. The applicants intend to create one large parcel to be used as a back yard and swimming pool.

The applicants have negotiated with Kurt and Nancy Grange, property owners to the southwest of the Morris/Armstrong house, to secure the entire right-of-way area upon approval of the abandonment process, rather than splitting the resulting area between the adjoining parcel owners.

The Grange's would receive approximately 62 square feet of the right-of-way at the corner of Karin Drive and the unnamed roadway to create a straight line at their southeast property line. Morris/Armstrong would receive approximately 6,721 square feet upon approval. The total area to be abandoned would be approximately 6,783 square feet. The proposal is to add this right-of-way area to the area purchased from Carson City, delete the property line at the southern portion of their parcel with the house on it, thereby creating one large parcel which has frontages on both Hamilton Ave and Karin Drive.

Nevada Bell Telephone Company dba AT&T, NV Energy, and Southwest Gas have indicated they do not have utilities in the public roadway easement proposed for abandonment and do not want any reservation to be continued. Charter Communication has indicated they do have a utility interest in the right-of-way being abandoned and do desire to continue the public utility easement. In addition, per Rory Hogen of the Carson City Engineering Division, Carson City has an existing storm drain pipe which runs north-south through the property. An easement must be created showing a 10 foot width on each side of the pipe, as well as a 10 foot wide public utility easement along the Karin Drive right-of-way. A condition of approval notes that these easements must be included in the documentation to be recorded. See the plan provided by Charles Ken Iwamura of Tri State Surveying, LTD for detailed maps showing the area to be abandoned.

Pursuant to NRS 278.480 Vacation or Abandonment of a Street or Easement: If upon public hearing by the Board of Supervisors, the Board is satisfied that the public will not be materially injured by the proposed vacation, the Board shall order the street or easement vacated.

With the recommended conditions of approval and based on the findings 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-11-043, subject to the recommended conditions of approval.

**PUBLIC COMMENTS:** A public notice was sent by certified mail to the three 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:**

1. Owner of the abandoned property must provide a permanent 20 foot wide access, maintenance and construction easement to Carson City for an existing storm drain pipe that runs north-south through the property. The easement must be 10 wide on each side of the pipe.
2. Owner of the abandoned property must provide a 10 foot wide public utility easement along the Karin Drive right of way.
3. Owner must provide a utility easement for Charter Cable Company for the existing cable improvements on the property.
4. The property line on the north side of the street right-of-way to be abandoned (the south lot line of 1946 Hamilton Avenue) must be properly deleted before the abandonment can be recorded.
5. There are minor corrections to be made on the legal descriptions before abandonment approval (recording).

**Building Division:**

The Building Division has no objections to the abandonment of the road.

**Fire Department:**

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**Health Department:**

The Health and Human Services Department has no comments on this project.

**Environmental Control Authority:**

No comments or requirements.

**Parks and Recreation Department:**

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**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 Rory Hogen of the Engineering Division and the Planning Division, the public will not be materially injured by the proposed abandonment of the right of way.

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

**2. Whether the street was dedicated or not?**

The right-of-way was dedicated to Carson City on the plat for the Sunland Vista Subdivision Unit 12-C, Shown on recorded map #396, File #16186, recorded 1/31/73.

**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 right-of-way in question, as it was dedicated to the City as a portion of the Sunland Vista Subdivision. It is recommended that there be no charge in addition to the fee to apply and postage required to notify the adjacent property owners. It is noted the property would not be functional as a street, as the property to the north was developed as a house, effectively blocking the area for use as a street. It was noted when the parcel adjacent to the right-of-way on the east was sold to the applicants, that the parcel was too small to establish an economically viable use by anyone other than a person who owns real property adjacent to it. This parcel is also less than the minimum width of 60 feet usually required for a parcel in the Single Family 6000 zoning district. This parcel is only 50 feet wide.

**4. If abandonment has a public benefit, how much of the public benefit should be offset 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 right-of-way area has not been developed. This item is not applicable to the proposed abandonment and will not result in elimination of on-street parking.

**6. Should utility easements be reserved, continued or vacated?**

The utility companies, AT&T Nevada, NV Energy and Southwest Gas have indicated they do not have utilities in the public roadway proposed for abandonment and do not want a easement reservation. Charter Communication does indicate they have a utility in the right-of-way being

abandoned and desire it to continue. Also, Carson City has a storm drain pipe that runs north-south through the property and is requiring a 20 foot wide easement, with 10 feet on each side of the pipe. Also, a 10 foot wide public utility easement is required along the Karin Drive right-of-way. A condition of approval describes the requirement that the owner must provide a Charter Communication easement for existing cable improvements, public utility easement, and storm drain pipe easement on the property.

**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,

PUBLIC WORKS DEPARTMENT, PLANNING DIVISION

*Kathe Green*

Kathe Green  
Assistant Planner

Attachments:

Application (AB-11-043)  
Building Division comments  
Fire Department comments  
Environmental Control Authority comments  
Health Department comments  
Engineering Division comments  
Parks and Recreation comments  
Draft Order of Abandonment



## MEMORANDUM

**DATE:** July 6, 2011  
**TO:** Kathe Green – Planning Division  
**FROM:** Rory Hogen – Engineering Division  
**RE:** AB 11-043 Abandonment of City ROW south of 1946 Hamilton Ave.  
Engineering Text for Planning Commission Staff Report

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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:

The owner of 1946 Hamilton Ave., Mr. Robert Morris, is asking to have the unused and unimproved City right of way just south of his property abandoned by Carson City. This right of way extends north from Karin Dr. about 106 feet and serves no properties.

**RECOMMENDATION:**

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

**CONDITIONS OF APPROVAL:**

1. Owner of the abandoned property must provide a permanent 20 foot wide access, maintenance and construction easement to Carson City for an existing storm drain pipe that runs north-south through the property. The easement must be 10 wide on each side of the pipe.
2. Owner of the abandoned property must provide a 10 foot wide public utility easement along the Karin Dr. right of way.
3. Owner must provide a utility easement for Charter Cable Co. for the existing cable improvements on the property.
4. The property line on the north side of the street right of way to be abandoned (the south lot line of 1946 Hamilton Ave.) must be properly deleted before the abandonment can be recorded.
5. There are minor corrections to be made on the legal descriptions before abandonment approval.

**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 right of way was dedicated to Carson City on the plat for the Sunland Vista Subdivision Unit 12-C, shown on recorded map #396, File #16186, recorded 1/31/73.

## **Kathe Green - Re: PC July 27**

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**From:** Dustin Boothe  
**To:** Kathe Green  
**Date:** 7/14/2011 5:36 pm  
**Subject:** Re: PC July 27

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**Kathe:**

Please see below:

**SUP-04-090a**

Carson City Health and Human Services has no comments on this project.

**SUP-11-042**

Carson City Health and Human Services has no comments on this project.

**AB-11-043**

Carson City Health and Human Services has no comments on this project.

Dustin Boothe, MPH, REHS  
Carson City Health and Human Services  
900 E. Long St.  
Carson City, NV 89706  
(775) 887-2190 ext. 7220

Please Note I have a new E-Mail address.  
[dboothe@carson.org](mailto:dboothe@carson.org)

Confidentiality Notice: This email message, including any attachments, may contain privileged and confidential information for the sole use of the intended recipient(s). If the reader of this message is not the intended recipient, any unauthorized review, dissemination, distribution, or copying of this email message is strictly prohibited. If you have received and/or are viewing this email in error, please notify the sender immediately by reply email and delete this email from your system.

>>> Kathe Green 7/14/2011 11:59 AM >>>

Can you please send comments for the Planning Commission items, even if it's just a comment that you have no comment? They were due on Monday. Thanks, Kathe

Kathe Green  
Assistant Planner  
Carson City Planning Division  
108 E Proctor St  
Carson City, NV 89701  
(775) 283 7071  
[kgreen@carson.org](mailto:kgreen@carson.org)



APN(s): 002-371-01, 002-523-09 and 002-374-01

AN ORDER ABANDONING AN APPROXIMATELY 157 FOOT LONG, 57 FOOT WIDE PORTION OF PROPERTY ADJACENT TO KARIN DRIVE AND NORTHWEST OF RAND AVENUE, LOCATED IN THE SUNLAND VISTA SUBDIVISION UNIT 12-C WITHIN A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.B.&M., BEING A 6,873-SQUARE-FOOT AREA, MORE OR LESS, ON PROPERTIES LOCATED ADJACENT TO 1712 KARIN DRIVE, 1946 HAMILTON AVENUE AND AN UNADDRESSED PARCEL TO THE EAST, ASSESSORS PARCEL NUMBERS 002-371-01, 002-5223-09 AND 002-374-01, IN CARSON CITY, NEVADA.

WHEREAS, on June 16, 2011, Tri State Surveying duly filed a written application seeking vacation and abandonment of a portion of public right-of-way, being within a portion of the northwest 1/4 of the southwest 1/4 of section 9, township 15 north, range 20 east, M.D.B. & M., approximately 6,873 square feet, adjacent to, APN(s) 002-371-01, 002-523-09 and 002-374-01 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 July 27, 2011. 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 August 18, 2011, 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(s) "A", a map of the right-of-way abandonment is shown as the Display of Exhibit(s) "B", and the attached utility statements are shown as Exhibit(s) "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 the abandonment will be protected by easements. The abandonment may be subject to reserving easements for utility companies and/or Carson City if requested.

ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2011, by the Carson City Board of Supervisors.

\_\_\_\_\_  
ROBERT L. CROWELL, Mayor

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder

Carson City Planning Division  
108 E. Proctor Street • Carson City NV 89701  
Phone: (775) 887-2180 • E-mail: [planning@carson.org](mailto:planning@carson.org)

FOR OFFICE USE ONLY:

**RECEIVED**

**ABANDONMENT OF  
PUBLIC RIGHT-OF-WAY**

JUN 23 2011

FEE: \$2,450.00 + noticing fee CARSON CITY  
PLANNING DIVISION

**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:

Submittal Deadline: See attached PC application submittal  
schedule.

**FILE # AB - 11 - 043**

**PROPERTY OWNER**

Robert Morris

**MAILING ADDRESS, CITY, STATE, ZIP**

1946 Hamilton Ave, Carson City NV 89706

**PHONE #**

**FAX #**

(775)8836630

**E-MAIL ADDRESS**

Name of Person to Whom All Correspondence Should Be Sent

**APPLICANT/AGENT**

KEN INAMURA / TRI STATE SURVEYING

**MAILING ADDRESS, CITY, STATE ZIP**

425 E. LONG ST., CARSON CITY, NV 89706

**PHONE #**

**FAX #**

(775) 887 - 9911

(775) 887 - 9915

**E-MAIL ADDRESS**

**Project's Assessor Parcel Number(s):**

The parcel has no APN

**Street Address**

Karin Drive

**ZIP Code**

89706

Briefly describe location, width and length of the proposed abandonment:

The property is unimproved and is shown as roadway between lot 41 (APN 002-371-01) and a city park parcel (APN 002-374-01 now owned by Morris/Armstrong) on the Sunland Vista Subdivision Unit 12-C Map, recorded in the official records of Carson City, Nevada, file no. 16186. The property is approximately 50' x 157'

**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:

The right of way was dedicated by the Sunland Vista Subdivision Unit 12-C in 1972. The right of way has not been developed and is not used for access

If you are abandoning an access, explain how the parcel will be accessed:  
The easement is not used for access.

**PROPERTY OWNER'S AFFIDAVIT**

I, Robert Morris, 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.

Robert J. Morris  
Signature

1946 HAMILTON AVE

Address

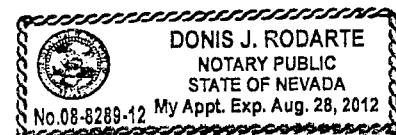
5-18-2011  
Date

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

STATE OF NEVADA )  
COUNTY )

On May 18, 2011, ROBERT T. MORRIS,  
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.

Donis J. Rodarte  
Notary Public



\*NOTES: In order to facilitate the processing of your application, prior to submitting your application to the Planning Division, please contact Engineering at 887-2300 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 1/2 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.**

## ADDENDUM 1

THIS ADDENDUM is hereby made a part of that certain application to the Carson City Planning Commission by Morris/ Armstrong for a abandonment of public right of way on Assessor's Parcel Number . A copy of said application is attached hereto.

## OWNER'S AFFIDAVIT

(to be executed by the legal property owner(s) in addition to those legal owners on the subject application)

STATE OF NEVADA)

SS

CARSON CITY

I, KAY ELLEN ARMSTRONG, being duly sworn, depose and say that I am a legal owner of the property involved in the subject application, that the statements herein contained in that application are in all respects, true and correct to the best of my knowledge.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Mailing Address: 1946 HAMILTON AVE

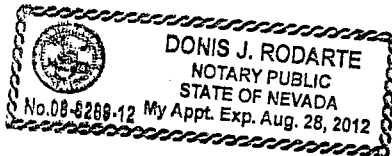
CARSON CITY, NV 89706

Telephone: 775-883-6639

E-mail Address:

SUBSCRIBED AND SWORN BEFORE ME  
THIS 18th DAY OF May, 2011.

**Notary Public**



## ADDENDUM 1

THIS ADDENDUM is hereby made a part of that certain application to the Carson City Planning Commission by Morris/ Armstrong for a abandonment of public right of way on Assessor's Parcel Number . A copy of said application is attached hereto.

## OWNER'S AFFIDAVIT

(to be executed by the legal property owner(s) in addition to those legal owners on the subject application)

STATE OF NEVADA)

**SS**

CARSON CITY

I, Nancy Grange, being duly sworn, depose and say that I am a legal owner of the property involved in the subject application, that the statements herein contained in that application are in all respects, true and correct to the best of my knowledge.

Signature

knowledge.

*Nancy Craven Grange*

Signature

Date \_\_\_\_\_

Date 5/19/11

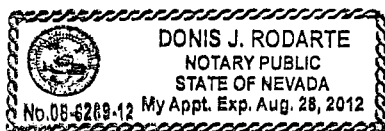
Mailing Address: 1712 Karin Drive  
Carson City, NV 89706

Telephone: 775-883-5011

E-mail Address: \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME  
THIS 19th DAY OF May, 2011.

Notary Public



## ADDENDUM 1

THIS ADDENDUM is hereby made a part of that certain application to the Carson City Planning Commission by Morris/ Armstrong for a abandonment of public right of way on Assessor's Parcel Number . A copy of said application is attached hereto.

## OWNER'S AFFIDAVIT

(to be executed by the legal property owner(s) in addition to those legal owners on the subject application)

STATE OF NEVADA)

CARSON CITY ) SS

I, Kurt Grange, being duly sworn, depose and say that I am a legal owner of the property involved in the subject application, that the statements herein contained in that application are in all respects, true and correct to the best of my knowledge.

Signature Kurt Jackson Grange

Date 5/18/2011

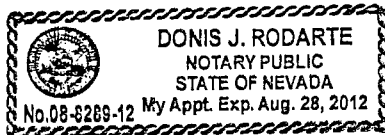
Mailing Address: 1712 Karin Drive  
Carson City, NV 89706

Telephone: 775-883-5011

E-mail Address: \_\_\_\_\_

SUBSCRIBED AND SWORN BEFORE ME  
THIS 19th DAY OF May, 2011.

Notario Publico





Robert T. Morris  
Kay Ellen Armstrong  
1946 Hamilton Ave.  
Carson City, Nevada 89706

June 12, 2011

Re: Robert Morris and Kay Ellen Armstrong application for abandonment  
of public right-of-way.

To the Carson City Planning Commission and Board of Supervisors:

This is an application for the abandonment of a right-of-way dedicated in connection with the Sunland Vista Subdivision Unit 12-C recorded January 31, 1973, No. 16186. The property is currently vacant and is not used for access to any property. The configuration shown on the subdivision map has an unnamed roadway easement and an adjacent park strip that would have accessed property to the North but the subsequent platting of Hamilton Avenue and the intervening lot extinguished any use for the proposed right-of-way.

The right-of-way lies between the residence of Kurt and Nancy Grange, at 1712 Karin Drive (APN 02371-01) on the West and a 3900 square foot former remnant of Carson City Park property (APN 02-374-01) that we now own and abuts the back of our property at 1946 Hamilton Avenue (APN 02-523-09).

We have been working to acquire this property for use as a back yard and plan on building a swimming pool. After discussions with staff, a two-step process was proposed and accepted. The first step was the purchase of the park strip and the second was the abandonment of the right-of-way. The lots will finally be consolidated into a single lot by a boundary line adjustment. We have purchased the Park strip from the City after the Board's approval of a resolution to sell the property. We are now interested in acquiring the remnant of the public right-of-way by asking for its abandonment. As the owner of the adjacent parcel we are asking for the Eastern half of the right-of-way. We have an agreement with the Granges, owner of the property adjacent to the Western half of the right-of-way, to purchase their right to the Western half of the right-of-way. Our request is that the order of abandonment transfer the entire right-of-way based on the agreement.



UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

UNIT 12-C

LOCATED AT: SUNLAND VISTA ROADWAY STUB, SUNLAND VISTA SUBDIVISION

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

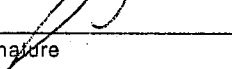
1. We DO NOT have a utility in the right-of-way being abandoned and DO NOT desire continuation of said easement in its present location.

Signed: \_\_\_\_\_  
Signature Company Date

Signed: \_\_\_\_\_  
Signature Company Date

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): \_\_\_\_\_

Signed: \_\_\_\_\_  
Signature Company Date

Signed: \_\_\_\_\_  
Signature Company Date

Signed: \_\_\_\_\_  
Signature Company Date

THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

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

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: SUNLAND VISTA ROADWAY STUB, SUNLAND VISTA SUBDIVISION  
UNIT 12-C

(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: [Signature] SOUTHWEST GAS CORP 5/24/11  
Signature LARRY GIBSON Company Date

Signed: \_\_\_\_\_  
Signature Company Date

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): \_\_\_\_\_

Signed: \_\_\_\_\_  
Signature Company Date

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

# UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

UNIT 12-C

LOCATED AT: SUNLAND VISTA ROADWAY STUB, SUNLAND VISTA SUBDIVISION

(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:

Patti Espin  
Signature

NV Energy  
Company

5/16/11  
Date

Signed:

Signature

C

Date

Signed:

Signature

C

Date

*This is the  
original -  
Thanks Ken,*

2. We DO have a utility in the right-of-way being easement (PUE) along the alignment of the existin

if a public utility

*Patti Espin*

Signed:

Signature

C

Date

Signed:

Signature

Company

Date

Signed:

Signature

Company

Date

3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

Signed:

Signature

Company

Date

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

**UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY**

LOCATED AT: SUNLAND VISTA ROADWAY STUB, SUNLAND VISTA SUBDIVISION <sup>UNIT 12-C</sup>

(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: [Signature] AT&T Nevada 6-3-11  
Signature Company Date

Signed: \_\_\_\_\_  
Signature Company Date

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): \_\_\_\_\_

Signed: \_\_\_\_\_  
Signature Company Date

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



*Land Information Solutions*

## **TRI STATE SURVEYING, LTD.**

425 East Long Street  
Carson City, Nevada 89706  
Telephone (775) 887-9911 ♦ FAX (775) 887-9915  
Toll Free: 1-800-411-3752

---

### Roadway Abandonment Exhibit "A"

The real property situate in Carson City, State of Nevada, described as follows:

A portion of the unnamed road between Lot 41 and City Park as shown on that certain subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

Beginning at a point that bears South 21°22'03" West 106.28 feet from the northeast corner of Lot 41 of said subdivision map;

Thence South 21°22'03" West 17.61 feet to a point on the northerly right of way line of Karin Drive, also being a point on a curve having a radius of 265.29 feet;

Thence westerly along said curve to the left through a central angle of 03°40'05" having an arc length of 16.98 feet, chord of North 75°52'28" West 16.98 feet to a point of cusp and beginning of a curve having a radius of 20.00 feet;

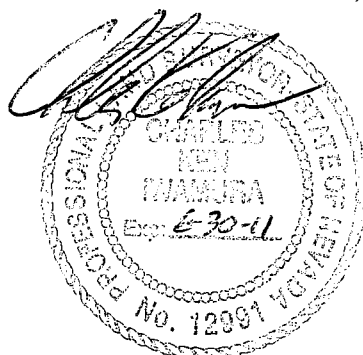
Thence northeasterly along said curve to the left leaving the northerly right of way line of Karin Drive through a central angle of 80°55'27" having an arc length of 28.25 feet, chord of North 61°49'46" East 25.96 feet to the Point of Beginning and end of this Description.

Contains 62 Square Feet, more or less.

The basis of bearings of this description is identical to the subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

Prepared by:

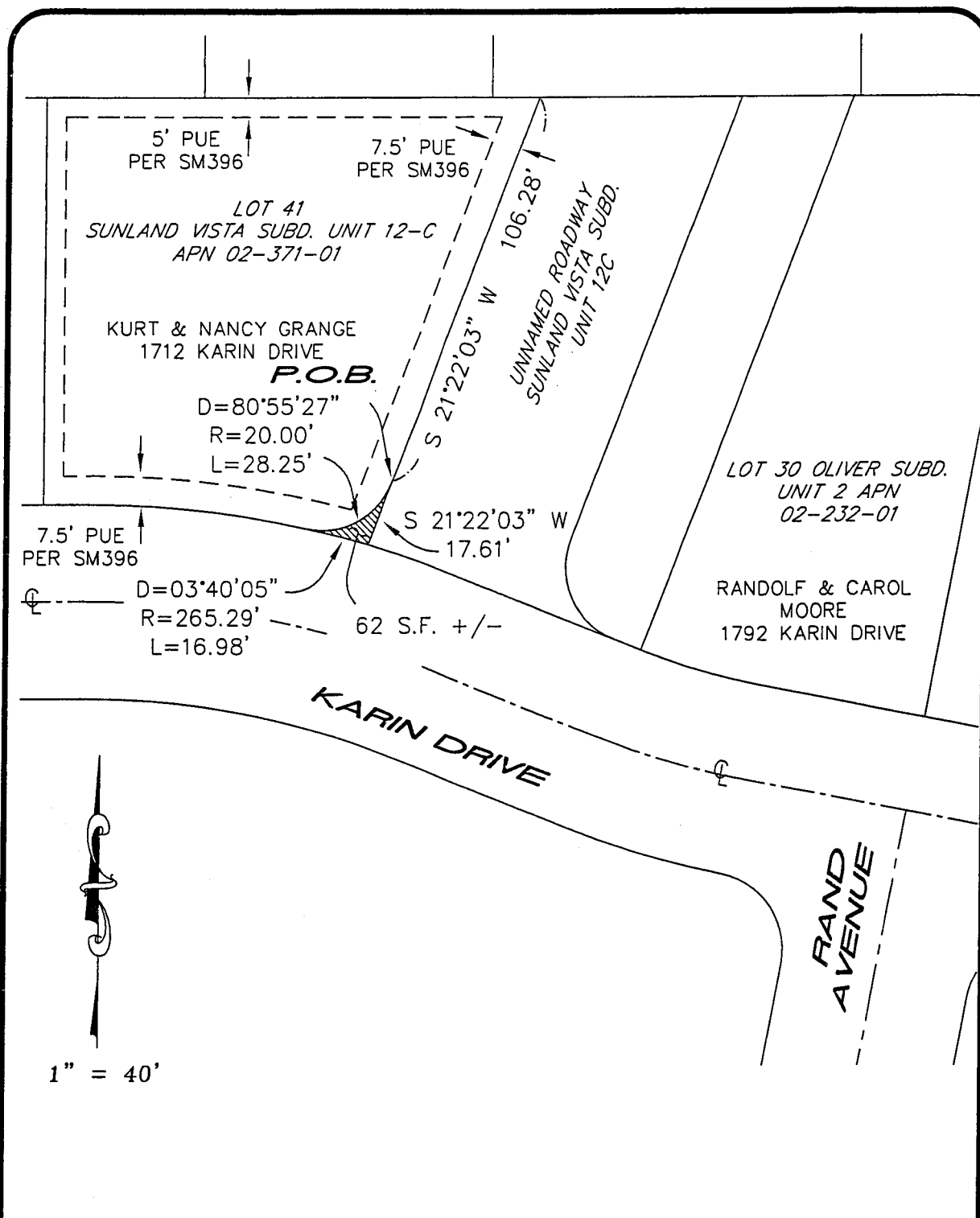
**TRI STATE SURVEYING, LTD.**



6-16-11

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Charles Ken Iwamura, P.L.S.  
Nevada Certificate No. 12991



### EXHIBIT "B"

ROADWAY ABANDONMENT OF  
A PORTION OF UNNAMED ROAD  
OF SUNLAND VISTA SUBDIVISION UNIT 12-C,  
MAP No. 396 OF OFFICIAL RECORDS  
CARSON CITY, NEVADA



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---

### Resultant Parcel Exhibit "A"

The real property situate in Carson City, State of Nevada, described as follows:

A portion of the unnamed road between Lot 41 and City Park and all of Lot 41 as shown on that certain subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

Beginning at the northeast corner of Lot 41 of said subdivision map;  
Thence South  $21^{\circ}22'03''$  West 123.88 feet to a point on the northerly right of way line of Karin Drive, also being a point on a curve having a radius of 265.29 feet;  
Thence westerly along said curve to the left through a central angle of  $16^{\circ}01'40''$  having an arc length of 74.21 feet, chord of North  $82^{\circ}03'15''$  West 73.97 feet to a point of tangent;  
Thence South  $89^{\circ}55'55''$  West 12.67 feet along said right of way line;  
Thence North  $00^{\circ}04'05''$  West 105.00 feet leaving said right of way line:  
Thence North  $89^{\circ}55'55''$  East 131.19 feet to the Point of Beginning and end of this Description.

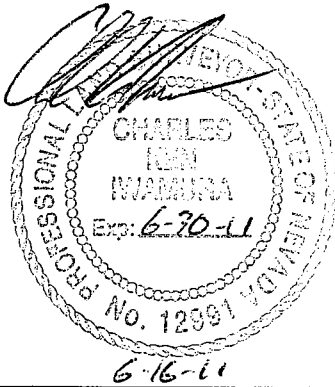
Contains 11,881 Square Feet, more or less.

The basis of bearings of this description is identical to the subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.



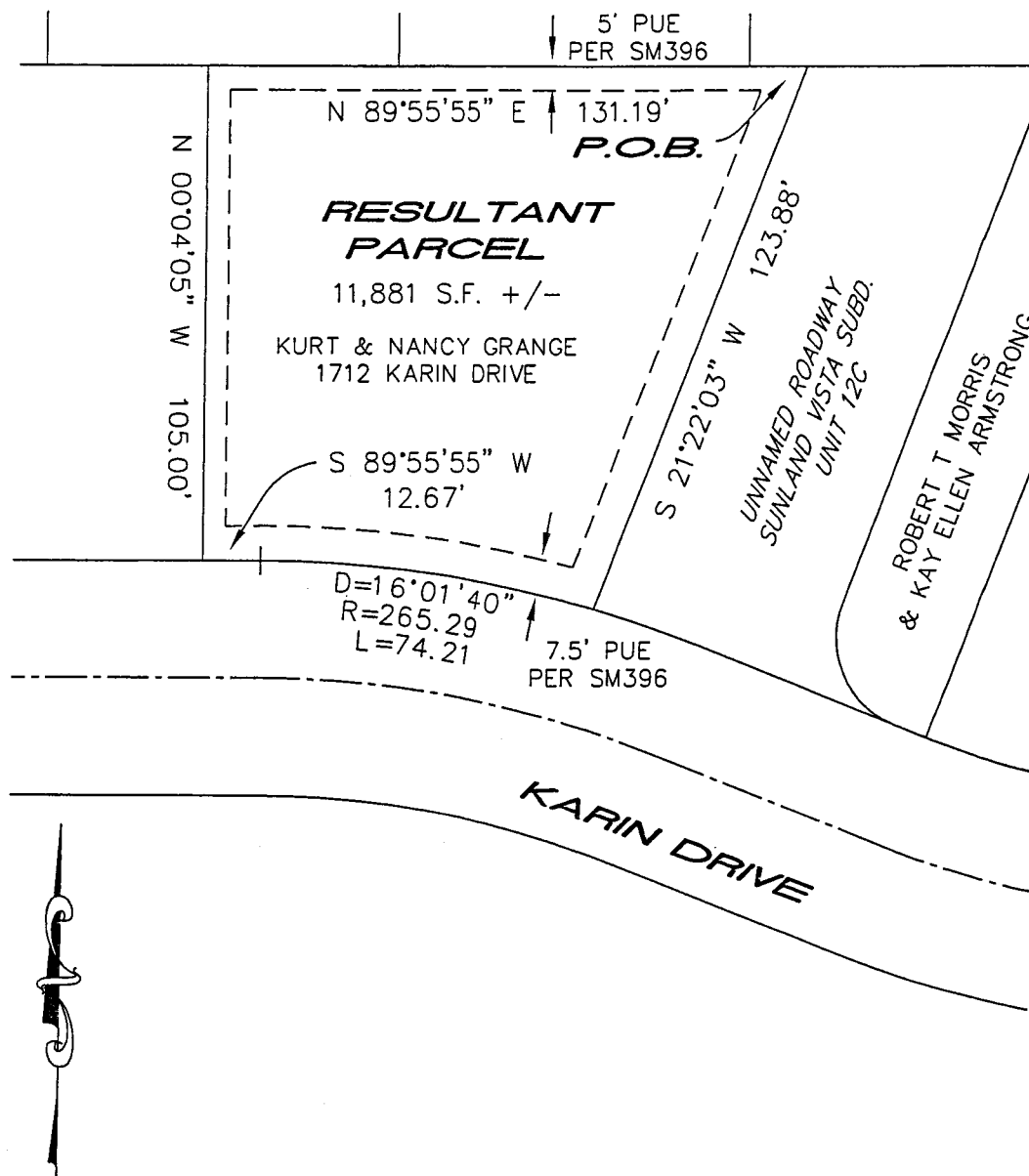
Prepared by:

TRI STATE SURVEYING, LTD.



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Charles Ken Iwamura, P.L.S.  
Nevada Certificate No. 12991



## EXHIBIT "B"

RESULTANT PARCEL



## TRI STATE SURVEYING, LTD

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Carson City, Nevada 89706  
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---

### Roadway Abandonment Exhibit "A"

The real property situate in Carson City, State of Nevada, described as follows:

A portion of the unnamed road between Lot 41 and City Park as shown on that certain subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

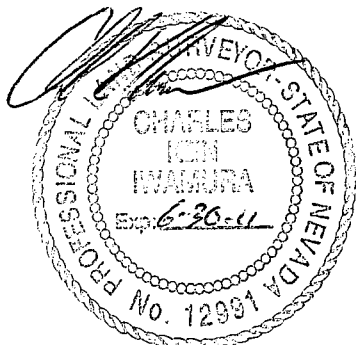
Beginning at the northwest corner of City Park of said subdivision map;  
Thence South  $21^{\circ}22'03''$  West 122.33 feet to the beginning of a curve to the left having a radius of 20.00 feet;  
Thence southeasterly along said curve through a central angle of  $90^{\circ}00'00''$  having an arc length of 31.42 feet, chord of South  $23^{\circ}37'57''$  East 28.28 feet to a point on the northerly right of way line of Karin Drive;  
Thence North  $68^{\circ}37'57''$  West 45.00 feet along said right of way line to the beginning of a curve to the left having a radius of 265.29 feet;  
Thence westerly along said curve through a central angle of  $05^{\circ}24'26''$  having an arc length of 25.04 feet, chord of North  $71^{\circ}20'12''$  West 25.03 feet;  
Thence North  $21^{\circ}22'03''$  East 123.88 feet leaving said right of way line;  
Thence North  $89^{\circ}55'55''$  East 53.72 feet to the Point of Beginning and end of this Description.

Contains 6,721 Square Feet, more or less.

The basis of bearings of this description is identical to the subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

Prepared by:

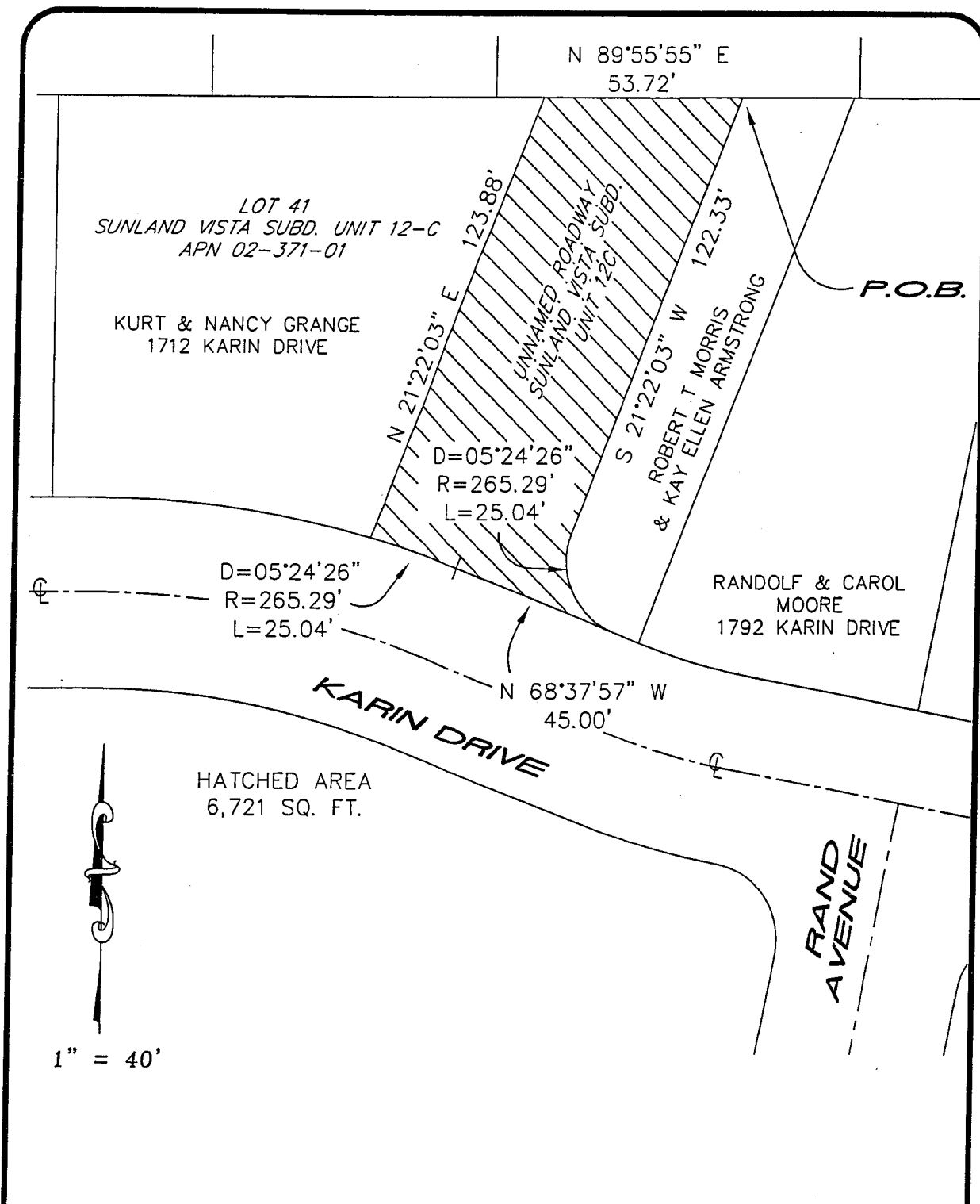
**TRI STATE SURVEYING, LTD.**



6-16-11

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Charles Ken Iwamura, P.L.S.  
Nevada Certificate No. 12991



## EXHIBIT "B"

ROADWAY ABANDONMENT OF  
 A PORTION OF UNNAMED ROAD  
 OF SUNLAND VISTA SUBDIVISION UNIT 12-C,  
 MAP No. 396 OF OFFICIAL RECORDS  
 CARSON CITY, NEVADA



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---

### Result of Roadway Abandonment Exhibit "A"

The real property situate in Carson City, State of Nevada, described as follows:

A portion of the unnamed road between Lot 41 and City Park and all of that certain lot "City Park" as shown on that certain subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

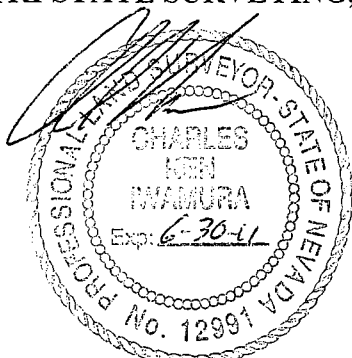
Beginning at the northeast corner of that certain lot "City Park" of said subdivision map;  
Thence South  $21^{\circ}22'03''$  West 153.29 feet to a point on the northerly right of way line of Karin Drive;  
Thence North  $68^{\circ}37'57''$  West 52.92 feet along said right of way line to the beginning of a curve to the left having a radius of 265.29 feet;  
Thence westerly along said curve through a central angle of  $05^{\circ}24'26''$  having an arc length of 25.04 feet, chord of North  $71^{\circ}20'12''$  West 25.03 feet;  
Thence North  $21^{\circ}22'03''$  East 123.88 feet leaving said right of way line;  
Thence North  $89^{\circ}55'55''$  East 83.72 feet to the Point of Beginning and end of this Description.

Contains 10,763 Square Feet, more or less.

The basis of bearings of this description is identical to the subdivision plat of SUNLAND VISTA SUBDIVISION, UNIT 12-C, filed in the office of the Recorder of Carson City, State of Nevada, on January 31, 1973 in Book 2, Page 396, as File Number 16186, Official Records.

Prepared by:

**TRI STATE SURVEYING, LTD.**



6-16-11

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Charles Ken Iwamura, P.L.S.  
Nevada Certificate No. 12991