

## STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JULY 25, 2018

**FILE NUMBER:** AB-18-094

**AGENDA ITEM:** E.1

**STAFF CONTACT:** Kathe Green, Assistant Planner

**AGENDA TITLE:** To make a recommendation to the Board of Supervisors regarding an application from Carson City for abandonment of up to a 20-foot wide public ingress/egress easement from Ash Canyon Road to Wellington South, then north on Wellington West, turning west and ending at the southwest corner of lot 12 of Wellington Crescent Subdivision.

**STAFF SUMMARY:** The subject easement was recorded August 26, 1992 as document number 133478 in Carson City to create a non-exclusive easement to allow members of the public a means of ingress and egress to Ash Canyon. Per the recorded document, the easement was to be rescinded and revoked when an additional means of ingress and egress was dedicated that provides members of the public with an alternate access to Ash Canyon. This alternate access for the public was secured by Carson City, and was recorded August 26, 2003 under document 304501. Therefore, abandonment of the easement is proposed. It is noted the 50-foot private access, public utility easements(s) as well as the 20-foot public water easement are not being abandoned and will remain in effect. The abandonment is adjacent to Assessor's Parcel Numbers referenced in the Order of Abandonment.

**PROPOSED MOTION:** "I move to recommend that the Board of Supervisors approve AB-18-094, an abandonment of easement application, to allow an abandonment of up to a 20-foot wide public ingress/egress easement from Ash Canyon Road to Wellington South, then north on Wellington West, turning west and ending at the southwest corner of Lot 12 of Wellington Crescent Subdivision, adjacent to Assessor's Parcel Numbers referenced in the Order of Abandonment, 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 as 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 may 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. The area of abandonment totals approximately 22,608 square feet and is more particularly described in the Order of Abandonment and exhibits. This easement abandonment pertains to areas up to 20 feet wide, adjacent to Assessor's Parcel Numbers 007-371-05, 007-371-08, 007-371-09, 007-371-10, 007-371-12, 007-371-34, 007-371-35, 007-371-36, 007-371-37, 007-371-38, 007-371-60 and 007-371-61, and addressed as 2777 Wellington South, 1654 Wellington West, 1686 Wellington West, 1718 Wellington West, 1792 Wellington West, 2778 Wellington South, 1673 Wellington West, 1711 Wellington West, 1747 Wellington West, 1789 Wellington West, 1560 Wellington West and 1622 Wellington West.
4. Conditional approval for the requested abandonment shall expire four years after Board of Supervisors approval of the original application, unless an extension of time has been granted by the Board of Supervisors.

**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.

**Adjacent MASTER PLAN DESIGNATION:** Low Density Residential (LDR)

**Adjacent ZONING:** Single Family 1 Acre (SF1A)

**KEY ISSUES:** Will the City or public be materially injured by the approval of the abandonment of the ingress/egress easement?

## **SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Single Family 1 Acre (SF1A)/Residences

SOUTH: Single Family 1 Acre (SF1A)/Residences

WEST: Single Family 1 Acre (SF1A)/Residences

EAST: Single Family 1 Acre (SF1A)/Residences

**PREVIOUS REVIEWS:** None

## **DISCUSSION:**

This request is to allow the relinquishment of an ingress/egress easement granted by Canyon Properties in 1992, to allow members of the public a means of ingress and egress to Ash Canyon. The grant of easement included provisions that the easement would be rescinded and revoked by Carson City when an additional means of ingress and egress was dedicated, which would provide members of the public an alternative means of access to Ash Canyon. This alternative access was secured in 2003 and was recorded as Carson City Recorder's document number 304501. As a result of this alternative access, the original ingress/egress easement is no longer required. This request is to abandon the access easement pursuant to the original agreement.

The area of abandonment totals approximately 22,608 square feet and is more particularly described in the Order of Abandonment and exhibits. This easement abandonment pertains to areas up to 20 feet wide, adjacent to Assessor's Parcel Numbers 007-371-05, 007-371-08, 007-371-09, 007-371-10, 007-371-12, 007-371-34, 007-371-35, 007-371-36, 007-371-37, 007-371-38, 007-371-60 and 007-371-61, and addressed as 2777 Wellington South, 1654 Wellington West, 1686 Wellington West, 1718 Wellington West, 1792 Wellington West, 2778 Wellington South, 1673 Wellington West, 1711 Wellington West, 1747 Wellington West, 1789 Wellington West, 1560 Wellington West and 1622 Wellington West.

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 it shall order the street or easement vacated.

With the recommended conditions of approval and if it is determined 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-18-094, subject to the recommended conditions of approval.

Carson City Public Works has provided detail regarding the Chain of Title as follows: The right-of-way was created pursuant to Document 133478, a grant of public easement for a 20-foot public access ingress/egress easement. There was no fee title right-of-way dedication, only a grant of easement. There is no record that the City ever paid for the grant of easement.

**PUBLIC COMMENTS:** A public notice was sent by certified mail to the 13 adjacent property owners per Nevada Revised States on June 29, 2018. At the writing of this report, there have been no comments received 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.

**Building Department:** No concerns

**Engineering Division:** Recommends APPROVAL of the proposed abandonment of the easement.

**Fire Department:** No concerns

**Environmental Health:** No concerns

**RIGHT-OF-WAY ABANDONMENT FINDINGS:** In accordance with Title 17.15.010, the staff recommendation is based upon the following findings, which are substantiated in the public record.

### **1. Will the abandonment result in material injury to the public?**

The easement was created to provide public ingress/egress to Ash Canyon. A condition of the original document was that the easement would be relinquished when an alternative means of access was created. This access was created in 2003. Therefore, this easement is no longer needed. 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 Stephen Pottey of the Engineering Division, Carson City Public Works, as well as the Planning Division, the public will not be materially injured by the proposed abandonment

of the easement. There will be no landlocked parcels created as a result of the proposed abandonment. There are other easements in the vicinity of this easement which will not be relinquished. All other easements will remain in place.

**2. What is the history regarding the street being dedicated or not?**

The proposal is to relinquish the easement, not the street. The easement was created to provide public ingress/egress to Ash Canyon. There are no records indicating that the City ever paid for the easement. Since Carson City did not pay for the easement, it is staff's conclusion that no charge for the easement 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.

**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. What is the applicability of the parking value analysis applied to this request?**

The streets in Wellington Crescent Subdivision are a part of the adjacent residential parcels. No change is proposed to parking as a result of the abandonment of the easement. Property owners and guests may continue to park in same areas as are presently utilized. No impact to parking is anticipated as a result of an approval of the request to abandon this access ingress/egress easement. Approval of the abandonment will not result in any elimination or changes to existing parking.

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

No changes to any other existing utility or access easements in the area are being proposed. The Carson City Engineering Division has reviewed the submitted documents. The documents to relinquish this easement will need to be recorded if approved.

**7. Are any conditions of approval by the Board of Supervisors or recommendations by the Planning Commission or staff included?**

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.

**Attachments:**

Engineering Division comments  
Fire Department comments  
Environmental Control comments  
Building Division comments  
Draft Order of Abandonment  
Application (AB-18-094)



## MEMORANDUM

**DATE:** 7/18/2018  
**TO:** Hope Sullivan – Planning Division  
**FROM:** Stephen Pottéy P.E. – Development Engineering Division  
**RE:** AB-18-094 Public Access Easement on Wellington West, apns 007-371-05,08,09,10,12,34,35,36,37,38,60,61  
Engineering Division 1<sup>st</sup> Submittal Review Comments

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The Development Engineering Division has completed a review of the above referenced project. Based on our review, the following recommendation and conditions of approval are offered:

### RECOMMENDATION:

The Engineering Division recommends APPROVAL of the proposed abandonment and offers no conditions of 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. What is the chain of title of the right-of-way?  
The right-of-way was created pursuant to Document 133478, a grant of public easement for a 20-foot public access ingress/egress easement. There was no fee title right-of-way dedication, only a grant of easement. There is no record that the City ever paid for the grant of easement.
2. Will the abandonment result in material injury to the public?  
No. A private access easement is maintained for residents, a PUE is maintained for utilities, and alternative access to Ash Canyon has been provided to the public.
3. What is the history regarding the street being dedicated or not?  
The right-of-way was created pursuant to Document 133478, a grant of public easement for a 20-foot public access ingress/egress easement. There was no fee title right-of-way dedication, only a grant of easement. There is no record that the City ever paid for the grant of easement.
4. What should the reasonable consideration be if the street was not dedicated?  
Since there are no records indicating that the City ever paid for the grant of easement, it is recommended that there be no cost to the adjacent property owners for gaining the abandoned easement.
5. If abandonment has a public benefit, how much of the public benefit should be offset against the

determination of reasonable consideration?

The benefit to the public is negligible since alternative access is available.

6. What is the applicability of the parking value analysis applied to this request?  
Parking is not allowed in the easement.
7. Should utilities easements be reserved, continued or vacated?  
Public utility easements (PUE) and a private access easement exist through the final map that created the lots and these easements are retained.
8. Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?  
Development Engineering offers no conditions of approval for consideration.

**Fire Department Comments**

06/19/2018

Fire has no comment on AB 18-094

***Dave Ruben***

Fire Marshal

Carson City Fire Department

777 S. Stewart Street

Carson City, NV 89701

Direct 775-283-7153

Main 775-887-2210

FAX 775-887-2209

# MEMORANDUM

**TO :** Planning Department  
**FROM :** Mark Irwin  
**Re :** AB - 18-094  
**DATE :** June 22, 2018

Greetings,

After initial plan review the Carson City Environmental Control Authority (ECA), a Division of Carson City Public Works Department (CCPW), has the following requirements per the Carson City Municipal Code (CCMC) and the Uniform Plumbing Code (UPC) for AB-18-094.

1. ECA has no requirements or comments.



**Building Department Comments**

06/15/2018

AB-18-094 Wellington West (Carson City Public Works)  
-no comments

APN(s): 007-371-05, 007-371-08, 007-371-09, 007-371-10, 007-371-12, 007-371-34, 007-371-35, 007-371-36, 007-371-37, 007-371-38, 007-371-60 and 007-371-61

AN ORDER ABANDONING UP TO A 20-FOOT WIDE PUBLIC ACCESS INGRESS/EGRESS EASEMENT FROM ASH CANYON ROAD TO WELLINGTON SOUTH, THEN NORTH ON WELLINGTON WEST, TURNING WEST AND ENDING AT THE SOUTHWEST CORNER OF LOT 12 OF WELLINGTON CRESCENT SUBDIVISION MAP, DOCUMENT NO. 104082 OF THE CARSON CITY RECORDER'S OFFICE, BEING 22,608 SQUARE FEET MORE OR LESS, LOCATED WITHIN A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 19 EAST, MDB&M, CARSON CITY, NEVADA, ON AREAS LOCATED ADJACENT TO 2777 WELLINGTON SOUTH, 1654 WELLINGTON WEST, 1686 WELLINGTON WEST, 1718 WELLINGTON WEST, 1792 WELLINGTON WEST, 2778 WELLINGTON SOUTH, 1673 WELLINGTON WEST, 1711 WELLINGTON WEST, 1747 WELLINGTON WEST, 1789 WELLINGTON WEST, 1560 WELLINGTON WEST AND 1622 WELLINGTON WEST IN CARSON CITY, NEVADA.

WHEREAS, on June 11, 2018, Carson City Public Works duly filed a written application seeking vacation and abandonment of up to a 20-foot wide public access ingress/egress easement from Ash Canyon Road to Wellington South, then north on Wellington West, turning west and ending at the southwest corner of Lot 12 of Wellington Crescent Subdivision, being approximately 22,608 square feet more or less, located within a portion of the southeast one-quarter of Section 12, Township 15 North, Range 19 East, MDB&M, Carson City, Nevada, adjacent to APN(s) 007-371-05, 007-371-08, 007-371-09, 007-371-10, 007-371-12, 007-371-34, 007-371-35, 007-371-36, 007-371-37, 007-371-38, 007-371-60 and 007-371-61, 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 25, 2018. At the public hearing testimony was taken and the Commission, after discussion and deliberation, recommended approval of

abandonment of the subject public access ingress/egress easement 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 \_\_\_\_\_ 2018, found that the public would not be materially injured by the proposed vacation, and accordingly ordered the abandonment of the public ingress/egress easement in question subject to the conditions of approval included in Exhibit(s) "C" and 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 ingress/egress easement is more particularly described on the attached Exhibit(s) "A" of written descriptions of the ingress/egress easement abandonment, and maps are also shown as Exhibit(s) "A", and the attached utility statements are shown as Exhibit(s) "B".

NOW, THEREFORE, the Board of Supervisors hereby orders:

1. That the above-described ingress/egress easement 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 utility facilities, which may presently exist within the areas affected by abandonment, will be protected by existing easements.

ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2018, by the Carson City Board of Supervisors.

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ROBERT L. CROWELL, Mayor

ATTEST:

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SUSAN MERRIWETHER, Clerk-Recorder

## **EXHIBIT “C”**

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 as 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 may 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. The area of abandonment totals approximately 22,608 square feet and is more particularly described in the Order of Abandonment and exhibits. This easement abandonment pertains to areas up to 20 feet wide, adjacent to Assessor's Parcel Numbers 007-371-05, 007-371-08, 007-371-09, 007-371-10, 007-371-12, 007-371-34, 007-371-35, 007-371-36, 007-371-37, 007-371-38, 007-371-60 and 007-371-61, and addressed as 2777 Wellington South, 1654 Wellington West, 1686 Wellington West, 1718 Wellington West, 1792 Wellington West, 2778 Wellington South, 1673 Wellington West, 1711 Wellington West, 1747 Wellington West, 1789 Wellington West, 1560 Wellington West and 1622 Wellington West.
4. Conditional approval for the requested abandonment shall expire four years after Board of Supervisors approval of the original application, unless an extension of time has been granted by the Board of Supervisors.

<b>Carson City Planning Division</b> 108 E. Proctor Street, Carson City, NV 89701 Phone: (775) 887-2180 Email: <a href="mailto:planning@carson.org">planning@carson.org</a>		<b>FOR OFFICE USE ONLY:</b>  CCMC 17.15	
<b>FILE # AB - 18 -</b>		<b>ABANDONMENT OF PUBLIC RIGHT-OF-WAY</b>	
<b>APPLICANT</b> Carson City Public Works		<b>PHONE #</b>	
<b>MAILING ADDRESS, CITY, STATE, ZIP</b> 3505 Butti Way, Carson City, Nevada 89701			
<b>EMAIL ADDRESS</b>			
<b>PROPERTY OWNER</b> Carson City		<b>PHONE #</b>	
<b>MAILING ADDRESS, CITY, STATE, ZIP</b> 201 N. Carson Street, Carson City, NV 89701			
<b>EMAIL ADDRESS</b>			
<b>APPLICANT AGENT/REPRESENTATIVE</b> Stephanie Hicks, Real Property Mgr		<b>PHONE #</b> 775-283-7904	
<b>MAILING ADDRESS, CITY, STATE, ZIP</b> 3505 Butti Way, Carson City, Nevada 89701			
<b>EMAIL ADDRESS</b> shicks@carson.org			
<b>Project's Assessor Parcel Number(s):</b> Please see attachment		<b>Street Address</b> Wellington West, Carson City, NV 89701	

**FEE\*:** \$2,450.00 + noticing fee  
 \*Due after application is deemed complete by staff

**SUBMITTAL PACKET – 4 Complete Packets (1 Unbound Original and 3 Copies) including:**

- Application Form
- Written Project Description
- Justification Statement
- Site Map/Exhibit
- Legal Descriptions
- Development Engineering Memo of Support
- Utility Statements
- Title Report
- Documentation of Taxes Paid to Date

**CD or USB DRIVE with complete application in PDF**

**Application Reviewed and Received By:**

**Submittal Deadline:** See attached Planning Commission application submittal schedule.

**Note:** Submittals must be of sufficient clarity and detail to adequately review the request. Additional information may be required.

Briefly describe the proposed right-of-way abandonment. If you are abandoning an access, explain how the parcel will be accessed:

Carson City Public Works is proposing to abandon a 20-foot public ingress/egress easement created per Doc. 133478. Pursuant to the grant of easement, the easement was to be rescinded and revoked when an additional means of ingress and egress was dedicated that provides members of the public with alternative access to Ash Canyon. This alternative access was obtained in 2003. The 50-foot private access and PUE as well as the 20-foot public water easement will remain.

**PROPERTY OWNER'S AFFIDAVIT**

I, Stephanie Hicks, being duly deposed, do hereby affirm that I am the record owner of the subject property, and that I have knowledge of, and I agree to, the filing of this application.

Stephanie Hicks  
 Signature Carson City Real Property Manager

3505 Butti Way, Carson City, NV 89701  
 Address

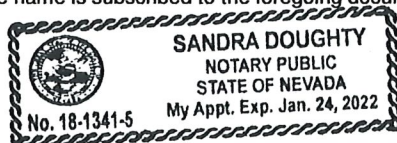
6/8/18  
 Date

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

STATE OF NEVADA )  
 COUNTY Carson )

On June 8<sup>th</sup>, 2018, Stephanie Antoinette Hicks, 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.

[Signature]  
 Notary Public



**Wellington West 20-foot Public Ingress/Egress Easement**

APN 007-371-05

APN 007-371-08

APN 007-371-09

APN 007-371-10

APN 007-371-12

APN 007-371-34

APN 007-371-35

APN 007-371-36

APN 007-371-37

APN 007-371-38

APN 007-371-60

APN 007-371-61





# CARSON CITY NEVADA

## Consolidated Municipality and State Capital

### PUBLIC WORKS

June 8, 2018

Hope Sullivan, AICP  
Carson City Planning Division  
108 E. Proctor Street  
Carson City, Nevada 89701

**Subject: Justification for Abandonment of 20-foot Public Ingress/Egress Easement on Wellington West**

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Dear Ms. Sullivan:

Please accept this letter as the project description and statement of justification for a request for abandonment of a 20-foot public ingress/egress easement on Wellington West per Document Number 133478. This easement was granted by Canyon Properties in 1992 to allow members of the public a means of ingress and egress to Ash Canyon. However, the grant of easement included provisions that the easement would be rescinded and revoked by the City when an additional means of ingress and egress were dedicated to provide members of the public with an alternative access to Ash Canyon.

An alternative access to Ash Canyon was subsequently secured in 2003 pursuant to Document Number 304501. However, the original access easement never abandoned. Therefore, this request will abandon the original access easement pursuant to the agreement.

The area to be abandoned totals approximately 22,608 square feet and is more particularly described in the attached exhibits.

Pursuant to Carson City Municipal Code 17.15.010, we have addressed the required findings below.

*1. Will the abandonment result in material injury to the public?*

*Comment:* Neither the adjacent property owners nor the public will be materially damaged by this abandonment. Alternative access to Ash Canyon for bicycles and pedestrians has been provided to the public has been constructed. Additionally, residential parcels have access through the 50-foot private access and public utility easement which is not being abandoned as a part of this request.

*2. What is the history regarding the street being dedicated or not?*

*Comment:* The right-of-way was created pursuant to Document 133478, a grant of public easement for a 20-foot public access ingress/egress easement. There was no fee title right-of-way dedication, only a grant of easement.



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

*Comment:* Since there are no records indicating that the City ever paid for the grant of easement, it is recommended that there be no cost to the adjacent property owners for gaining the abandoned right-of-way.

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

*Comment:* No charge for the abandonment is recommended. Therefore, this item does not apply to this abandonment.

5. *What is the applicability of the parking value analysis applied to this request?*

*Comment:* The abandonment will not result in the elimination of on-street parking. The subject area is not currently used as a roadway or for parking area.

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

*Comment:* The abandonment of the ingress/egress easement does not include the abandonment of any utility easements. There are separate easements for a 50-foot private access and public Utility easement along Wellington West which will remain. Additionally, there is a separate 20-foot public water main easement between APN 007-371-11 and 007-371-12 to remain.

7. *Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?*

*Comment:* There are no additional conditions from the Engineering Division.

If you have any questions, please contact me directly at (775) 283-7904. Thank you for your assistance with this matter.

Sincerely,



Stephanie A. Hicks, AICP, CFM  
Real Property Manager

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

LOCATED AT: Wellington West 20-foot Public Ingress/Egress Easement over APNs 007-371-05, -08, -09, -10, -12, -34, -35, -36, -37, -38, -60 and -61.

(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.

Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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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.

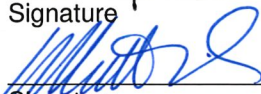
Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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3. OTHER: (Please type in a statement which applies to your situation): We do not have facilities in the ROW being abandoned, however there we do have facilities in the overlapping ROW not being abandoned

Signature	Print Name	Company	Date
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	MATT GINGRICH	NV Energy	5/28/18
Signature	Print Name	Company	Date

Signature	Print Name	Company	Date
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### THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

NV Energy  
Charter Communications  
Carson City Utilities (will sign during review)

Southwest Gas Corporation  
AT&T Nevada

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

LOCATED AT: Wellington West 20-foot Public Ingress/Egress Easement over APNs 007-371-05, -08, -09, -10, -12, -34, -35, -36, -37, -38, -60 and -61.

(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.

Signature _____	Print Name _____	Company _____	Date _____
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Signature _____	Print Name _____	Company _____	Date _____
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Signature _____	Print Name _____	Company _____	Date _____
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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.

<u>Amanda Marucci</u> Signature	<u>Amanda Marucci</u> Print Name	<u>Southwest Gas</u> Company	<u>6/7/18</u> Date
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Signature _____	Print Name _____	Company _____	Date _____
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Signature _____	Print Name _____	Company _____	Date _____
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3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

Signature _____	Print Name _____	Company _____	Date _____
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Signature _____	Print Name _____	Company _____	Date _____
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Signature _____	Print Name _____	Company _____	Date _____
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LOCATED AT: Wellington West 20-foot Public Ingress/Egress Easement over APNs 007-371-05, -08, -09, -10, -12, -34, -35, -36, -37, -38, -60 and -61.

(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.

	CLIFF COOPER MGR OSP PLANNING	NEVADA BEL TELEPHONE CO d/b/a AT&T NEVADA	05/14/2018
Signature	Print Name	Company	Date

Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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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.

Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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Signature	Print Name	Company	Date
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### THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

NV Energy  
Charter Communications  
Carson City Utilities (will sign during review)

Southwest Gas Corporation  
AT&T Nevada

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

LOCATED AT: Wellington West 20-foot Public Ingress/Egress Easement over APNs 007-371-05, -08, -09, -10, -12, -34, -35, -36, -37, -38, -60 and -61.

(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.

<u>Jan Neft</u>	<u>James Neft</u>	<u>Charter Comm.</u>	<u>5-14-18</u>
Signature	Print Name	Company	Date

_____ Signature	_____ Print Name	_____ Company	_____ Date
--------------------	---------------------	------------------	---------------

_____ Signature	_____ Print Name	_____ Company	_____ Date
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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.

_____ Signature	_____ Print Name	_____ Company	_____ Date
--------------------	---------------------	------------------	---------------

_____ Signature	_____ Print Name	_____ Company	_____ Date
--------------------	---------------------	------------------	---------------

_____ Signature	_____ Print Name	_____ Company	_____ Date
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3. OTHER: (Please type in a statement which applies to your situation): \_\_\_\_\_

\_\_\_\_\_

_____ Signature	_____ Print Name	_____ Company	_____ Date
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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_____ Signature	_____ Print Name	_____ Company	_____ Date
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### THE FOLLOWING PUBLIC UTILITIES SHALL SIGN ONE OF THE ABOVE STATEMENTS

NV Energy  
Charter Communications  
Carson City Utilities (will sign during review)

Southwest Gas Corporation  
AT&T Nevada

## EXHIBIT "A"

### DESCRIPTION OF PUBLIC EASEMENT RELINQUISHMENT

All that area described in that Grant of Public Easement recorded August 26, 1992 as Document No. 133478 in the Official Records of Carson City, Nevada, more particularly described as follows:

BEGINNING at a point being the intersection of the Westerly line of the Southeast one-quarter of said Section 12 and the Southwest corner of Lot 12 as shown on the Wellington Crescent Subdivision Map, Document No. 104082 of the Carson City Recorder's office, said point bears S. 00°01'16" W., 790.89 feet from the center of said Section 12 as shown on said Wellington Crescent Subdivision map;

thence N. 00°01'16" E., along the Westerly line of said Lot 12, 10.00 feet;

thence S. 89°58'44" E., 260.00 feet;

thence S. 00°01'16" W., 859.96 feet;

thence 46.44 feet along the arc of a curve to the right having a central angle of 24°11'14" and a radius of 110.00 feet, (chord bears S. 12°06'53" W., 46.09 feet);

thence S. 24°12'30" W., 158.09 feet;

thence 33.52 feet along the arc of a curve to the left having a central angle of 21°20'31" and a radius of 90.00 feet, (chord bears S. 13°32'14" W., 33.33 feet), to a point on the Northerly right-of-way line of Ash Canyon Road as shown on said Wellington Crescent Subdivision Map;

thence N. 87°08'01" W., along said Northerly right-of-way line 20.00 feet;

thence 40.97 feet along the arc of a curve to the right having a central angle of 21°20'31" and a radius of 110.00 feet, (chord bears N. 13°32'14" E., 40.74 feet);

thence N. 24°12'30" E., 158.09 feet;

thence 37.99 feet along the arc of a curve to the left having a central angle of 24°11'14" and a radius of 90.00 feet, (chord bears N. 12°06'53" E., 37.71 feet);

thence N. 00°01'16" E., 675.72 feet to a point on the Northerly line of Lot 10 of said Wellington Crescent Subdivision Map;

thence S. 89°58'44" E., along the Northerly line of said Lot 10, 10.00 feet to a point on the center line of 'Wellington West of said Wellington Crescent Subdivision Map;

thence N. 00°01'16" E., along said centerline of Wellington West, 174.24 feet to the Southeast corner of said Lot 12;

thence N. 89°58'44" W., along the Southerly line of said Lot 12, 250.00 feet to the POINT OF BEGINNING.

Containing 22,608 square feet more or less.

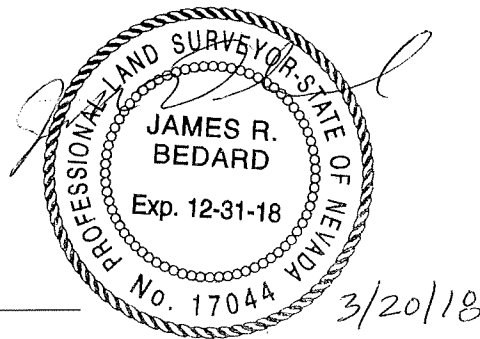
The above legal description describes the same area as described in document No. 133478, recorded August 26, 1992, in the Official Records of Carson City, Nevada.

Prepared by:

Manhard Consulting Ltd

9850 Double R Blvd, Suite 101

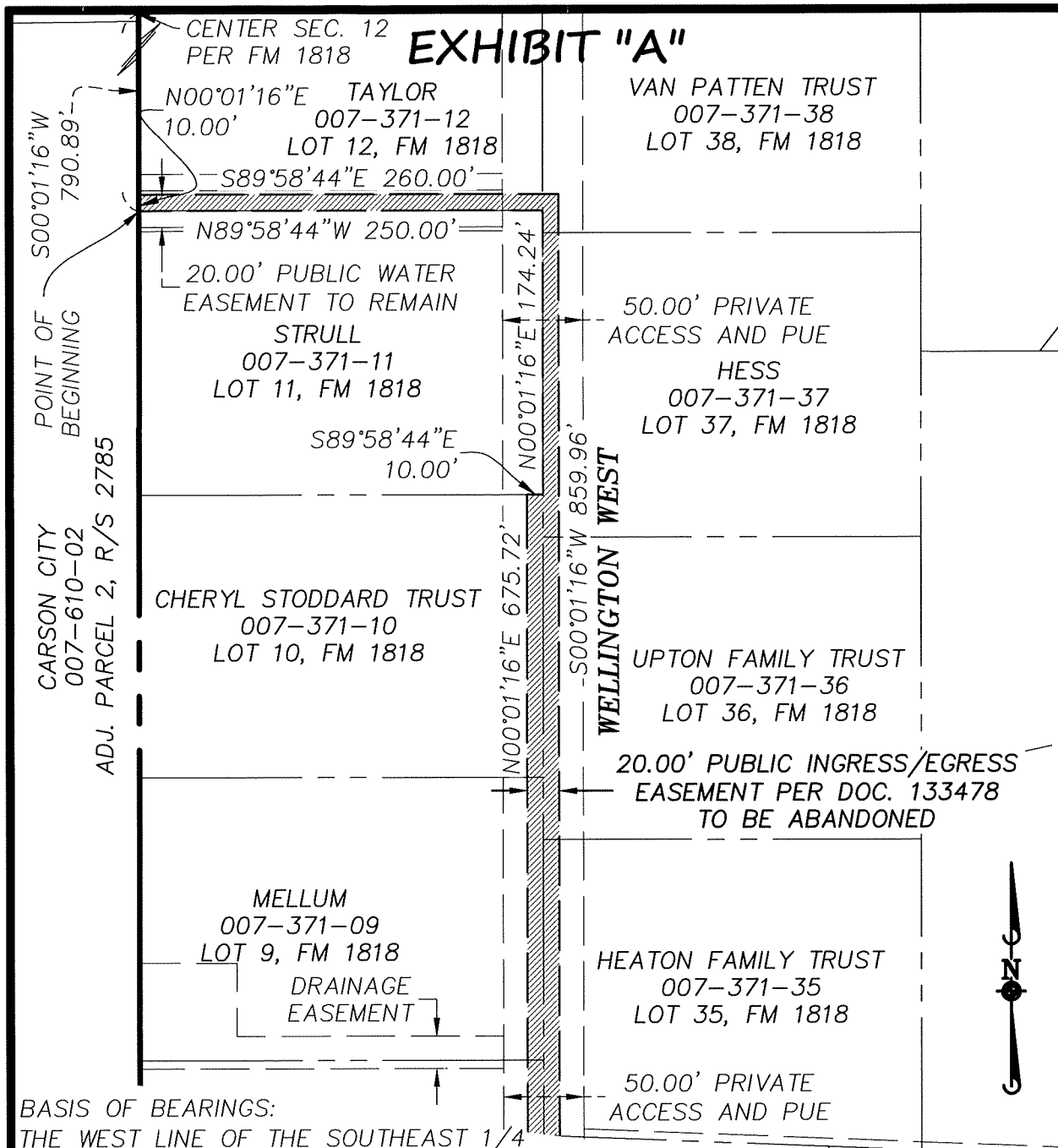
Reno, NV 89521



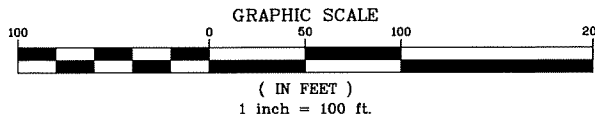
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James R. Bedard, P.L.S.

Nevada Certificate No. 17044



BASIS OF BEARINGS:  
THE WEST LINE OF THE SOUTHEAST 1/4  
OF SECTION 12, TOWNSHIP 15 NORTH,  
RANGE 19 EAST, MOUNT DIABLO BASE  
AND MERIDIAN, BEARING N00°01'16"E  
PER THE SUBDIVISION PLAT OF  
COGORNO ESTATES, MAP NO. 517.



**EASEMENT ABANDONMENT**

**CARSON CITY, NV**

**WELLINGTON WEST**

PROJ. MGR.: JRB  
DRAWN BY: EEM  
DATE: 12/15/17  
SCALE: 1"=100'



**Manhard**  
CONSULTING LTD  
9850 Double R Blvd, Suite 101, Reno, NV 89521  
tel: (775) 746-3500 fax: (775) 746-3520  
www.manhard.com

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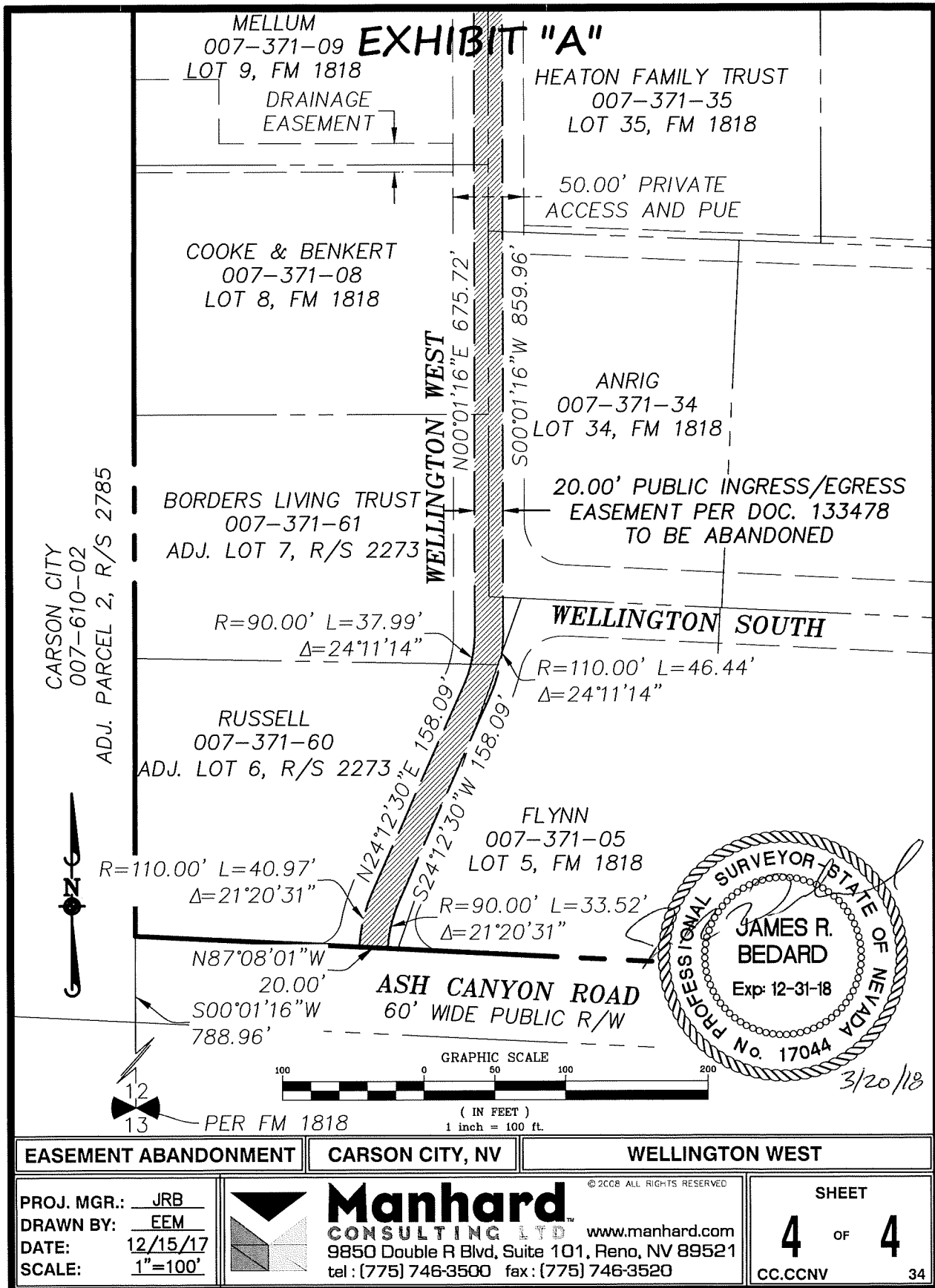
SHEET

**3** OF **4**

CC.CCNV

34





# FINAL MAP FOR WELLINGTON CRESCENT

SE 4 SECTION 12, T.15 N., R.19 E., M.D.B. & M.  
CARSON CITY, NEVADA

## OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT CANYON PROPERTIES, A NEVADA LIMITED PARTNERSHIP IS THE OWNER OF THE TRACT OF LAND REPRESENTED ON THIS PLAT, AND THAT THE SAME IS SUBJECT TO THE EASEMENTS SHOWN HEREON AS DEDICATED AS PERMANENT EASEMENTS FOR THE STATED PURPOSE, IN WITNESS WHEREOF, THE UNDERSIGNED HAS AFFIXED HIS NAME.

James J. Newman 6/25/90  
JAMES J. NEWMAN, GENERAL PARTNER  
CANYON PROPERTIES, A NEVADA LIMITED PARTNERSHIP  
DATE

STATE OF NEVADA  
CARSON CITY

ON THIS 25th DAY OF June, 1990 JAMES J. NEWMAN DID PERSONALLY APPEAR BEFORE ME AND UPON OATH DID DEPOSE AND SAY THAT HE EXECUTED THE FOREGOING INSTRUMENT FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES STATED THEREIN.

Carol J. Watson  
NOTARY PUBLIC

## SURVEYOR'S CERTIFICATE

- I, BRUCE R. SCOTT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NEVADA, CERTIFY THAT:
- THIS IS A TRUE AND ACCURATE REPRESENTATION OF THE LANDS SURVEYED UNDER MY SUPERVISION AT THE INSTANCE OF CANYON PROPERTIES, A NEVADA LIMITED PARTNERSHIP.
  - THE LANDS SURVEYED LIE WITHIN A PORTION OF THE SE 1/4 OF SECTION 12, T.15 N., R.19 E., M.D.B. & M. AND THE SURVEY WAS COMPLETED ON JUNE 1, 1990.
  - THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES.
  - THE MONUMENTS WILL BE OF THE CHARACTER SHOWN AND WILL OCCUPY THE POSITIONS INDICATED THEREON, AND THAT AN APPROPRIATE PERFORMANCE BOND HAS BEEN OR WILL BE POSTED WITH THE GOVERNING BODY TO ASSURE THEIR INSTALLATION.



Bruce R. Scott 6/18/90  
BRUCE R. SCOTT, PLS 3579  
DATE

## UTILITY COMPANY APPROVALS

THE EASEMENTS SHOWN ON THIS PLAT HAVE BEEN CHECKED AND APPROVED BY:

C. H. Bell 6-22-90 6/22/90  
SIERRA PACIFIC POWER CO. DATE NEVADA BELL  
William E. Bell 6-22-90 6/22/90  
SOUTHWEST GAS CORP. DATE T.C.I. CABLEVISION

## TITLE COMPANY CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS PLAT HAS BEEN EXAMINED, THAT THE UNDERSIGNED HEREBY CERTIFIES THAT THE DEVELOPERS OFFERING SAID MAP ARE THE LAST RECORD TITLE HOLDER OF THE LANDS SHOWN HEREON AS OF 7-23, 1990.

DEED OF TRUST  
TRUSTOR: CANYON PROPERTIES, LTD.  
TRUSTEE: FIRST CENTENNIAL TITLE CO. OF NEVADA, INC.  
BENEFICIARY: SOUTHWEST GAS CORPORATION, DBA CARSON WATER COMPANY  
RECORDED ON JUNE 6, 1989 AS DOCUMENT NO. 86390, OFFICIAL RECORDS.

DEED OF TRUST  
TRUSTOR: CANYON PROPERTIES, A NEVADA LIMITED PARTNERSHIP  
TRUSTEE: FIRST NEVADA TITLE CO.  
BENEFICIARY: SOUTHWEST GAS CORPORATION, DBA CARSON WATER COMPANY  
RECORDED ON JULY 3, 1989 AS DOCUMENT NO. 102662, OFFICIAL RECORDS

Denise Neth 7/18/90  
DENISE NETH, PRESIDENT  
FIRST NEVADA TITLE COMPANY

## HEALTH DIVISION CERTIFICATE

THIS FINAL MAP IS APPROVED BY THE HEALTH DIVISION OF THE DEPARTMENT OF HUMAN RESOURCES CONCERNING SEWAGE DISPOSAL, WATER POLLUTION, AND PUBLIC HEALTH. THIS APPROVAL PREDICATES COMMUNITY WATER SUPPLY AND COMMUNITY SEWAGE DISPOSAL. BUILDING PERMITS FOR INDIVIDUAL LOTS ARE SUBJECT TO THE CARSON CITY GROWTH MANAGEMENT ORDINANCE.

Jeffrey Indurcia July 20, 1990  
JEFFREY INDURCIA  
DATE

## CITY ENGINEER'S CERTIFICATE

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE SUBDIVISION SHOWN ON THIS PLAT THAT IT IS SUBSTANTIALLY AS IT APPEARED ON THE TENTATIVE MAP AND THAT ALL LOCAL ORDINANCES HAVE BEEN COMPLIED WITH AND THAT THIS MAP IS TECHNICALLY CORRECT. A PROPER PERFORMANCE BOND HAS BEEN DEPOSITED GUARANTEEING THAT THE MONUMENTS WILL BE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED WITHIN 90 DAYS OF THE COMPLETION OF STREET IMPROVEMENTS.



Jeffrey Indurcia 6/3/90  
CITY ENGINEER  
DATE

## BOARD OF SUPERVISORS APPROVAL

ALL PROVISIONS OF N.R.S. 278.010 TO 278.630 INCLUSIVE AND ALL LOCAL ORDINANCES HAVE BEEN COMPLIED WITH, AND THIS FINAL PLAT IS APPROVED AND ACCEPTED BY THE CARSON CITY BOARD OF SUPERVISORS ON THIS 2nd DAY OF August, 1990.

Alma Slone 6/22/90  
MAYOR  
ATTEST: CITY CLERK Alma Slone

## DIVISION OF WATER RESOURCES CERTIFICATE

THIS FINAL MAP HAS BEEN APPROVED BY THE DIVISION OF WATER RESOURCES OF THE STATE OF NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY SUBJECT TO THE REVIEW OF APPROVAL ON FILE IN THIS OFFICE.

Robert J. Sullivan June 28, 1990  
DIVISION OF WATER RESOURCES  
DATE

## PLANNING COMMISSION REVIEW

THIS FINAL PLAT HAS BEEN EXAMINED AND FOUND TO BE SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ALL CONDITIONS IMPOSED UPON ITS APPROVAL HAVE BEEN SATISFIED. THE TENTATIVE MAP OF THE SUBDIVISION SHOWN HEREON WAS REVIEWED BY THE CARSON CITY REGIONAL PLANNING COMMISSION ON THE 19TH DAY OF DECEMBER, 1989.

Robert J. Sullivan August 1, 1990  
DATE

## TREASURER CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT TAXES ARE NOT DELINQUENT ON LAND PORTRAYED BY THIS FINAL PLAT.

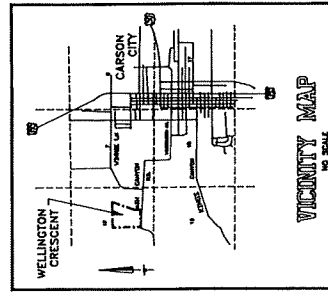
Robert J. Sullivan 8-3-90  
TREASURER  
DATE

## CLERK/RECORDER'S CERTIFICATE

FILED FOR RECORD THIS 5th DAY OF August, 1990 AT 1:55 P.M. IN BOOK 6, PAGE 1818, OF THE OFFICIAL RECORDS OF CARSON CITY, NEVADA AT THE REQUEST OF JAMES J. NEWMAN.

RECORDING FEE: \$ 39.35  
FILE NO.: 104002

Alma Slone  
CLERK/RECORDER



STATE OF NEVADA

UNIVERSITY OF NEVADA

BOARD OF REGENTS

FINAL MAP

FOR WELLINGTON CRESCENT

SE 1/4 SEC. 12, T.15 N., R.19 E., M.D.B. & M.  
BOUNDARY AND LOT INFORMATION

LEGEND

- SET 3/4" IRON W/NO 379 FOUND 3/4" REBAR & TWO 379 UNLESS OTHERWISE NOTED
- CENTERLINE ADJUSTMENT TO BE SET AT END OF CONSTRUCTION

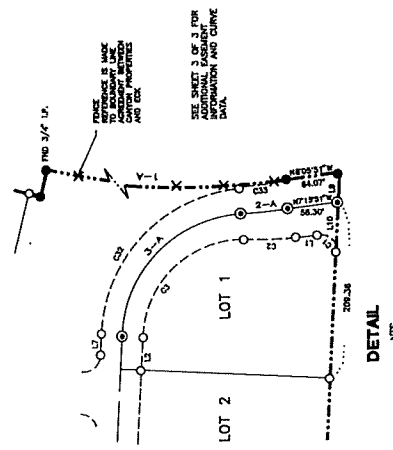
CURVE NO.	CURVE NO.	R	L	T	Δ
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1-2	1-2	750.00	200.00	180.00	180.00
1-3	1-3	750.00	200.00	180.00	180.00
1-4	1-4	750.00	200.00	180.00	180.00
1-5	1-5	750.00	200.00	180.00	180.00
1-6	1-6	750.00	200.00	180.00	180.00
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1-8	1-8	750.00	200.00	180.00	180.00
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1-98	1-98	750.00	200.00	180.00	180.00
1-99	1-99	750.00	200.00	180.00	180.00
1-100	1-100	750.00	200.00	180.00	180.00

NOTES

1. THESE PARCELS ARE SUBJECT TO CARSON CITY'S GROWTH MANAGEMENT ORDINANCE AND ALL PROPERTY OWNERS SHALL COMPLY WITH PROVISIONS OF SAID ORDINANCE.
2. POINTS FOR ALL LOT CORNERS PROPOSED ON THIS MAP SHALL BE IDENTICAL TO THE CORNER POINTS SHOWN ON THE SUBDIVISION PLAT FOR LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
3. THESE PARCELS ARE SUBJECT TO CARSON CITY'S GROWTH MANAGEMENT ORDINANCE AND ALL PROPERTY OWNERS SHALL COMPLY WITH PROVISIONS OF SAID ORDINANCE.

BASIS OF BEARING

THE BASIS OF BEARING FOR THE SUBDIVISION PLAT FOR LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.



DETAIL

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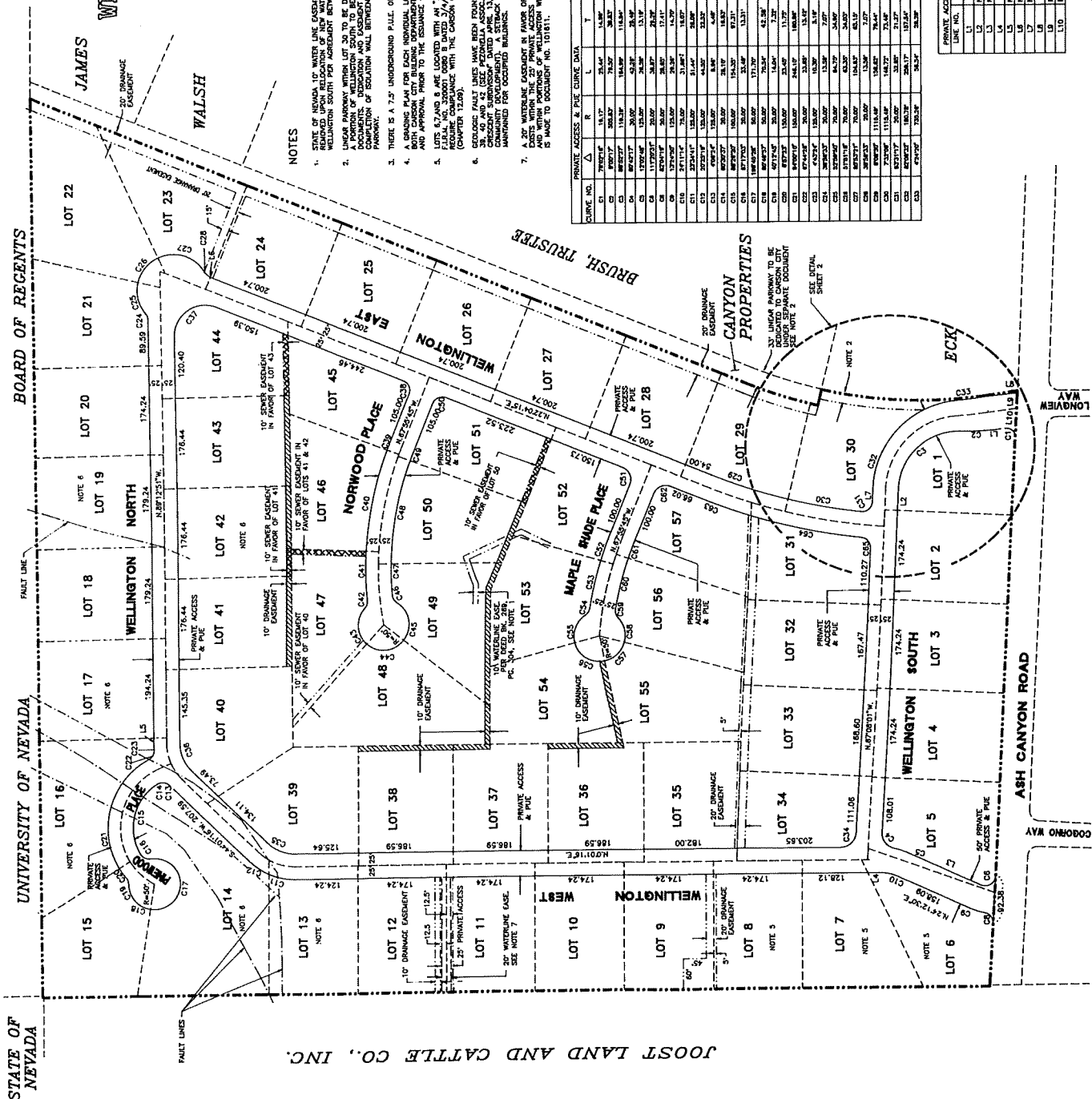
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-96



**FINAL MAP  
FOR  
WELLINGTON CRESCENT**

**EASEMENT AND  
MISCELLANEOUS INFORMATION**



PRIVATE ACCESS & PUE CURVE DATA				
CURVE NO.	$\Delta$	R	L	T
C1	7900000	18.17	79.54	36.87
C2	8000000	20.82	79.52	38.82
C3	8100000	23.47	79.50	40.77
C4	8200000	26.12	79.48	42.72
C5	8300000	28.77	79.46	44.67
C6	8400000	31.42	79.44	46.62
C7	8500000	34.07	79.42	48.57
C8	8600000	36.72	79.40	50.52
C9	8700000	39.37	79.38	52.47
C10	8800000	42.02	79.36	54.42
C11	8900000	44.67	79.34	56.37
C12	9000000	47.32	79.32	58.32
C13	9100000	49.97	79.30	60.27
C14	9200000	52.62	79.28	62.22
C15	9300000	55.27	79.26	64.17
C16	9400000	57.92	79.24	66.12
C17	9500000	60.57	79.22	68.07
C18	9600000	63.22	79.20	70.02
C19	9700000	65.87	79.18	71.97
C20	9800000	68.52	79.16	73.92
C21	9900000	71.17	79.14	75.87
C22	10000000	73.82	79.12	77.82
C23	10100000	76.47	79.10	79.77
C24	10200000	79.12	79.08	81.72
C25	10300000	81.77	79.06	83.67
C26	10400000	84.42	79.04	85.62
C27	10500000	87.07	79.02	87.57
C28	10600000	89.72	79.00	89.52
C29	10700000	92.37	78.98	91.47
C30	10800000	95.02	78.96	93.42
C31	10900000	97.67	78.94	95.37
C32	11000000	100.32	78.92	97.32
C33	11100000	102.97	78.90	99.27
C34	11200000	105.62	78.88	101.22
C35	11300000	108.27	78.86	103.17
C36	11400000	110.92	78.84	105.12
C37	11500000	113.57	78.82	107.07
C38	11600000	116.22	78.80	109.02
C39	11700000	118.87	78.78	110.97
C40	11800000	121.52	78.76	112.92
C41	11900000	124.17	78.74	114.87
C42	12000000	126.82	78.72	116.82
C43	12100000	129.47	78.70	118.77
C44	12200000	132.12	78.68	120.72
C45	12300000	134.77	78.66	122.67
C46	12400000	137.42	78.64	124.62
C47	12500000	140.07	78.62	126.57
C48	12600000	142.72	78.60	128.52
C49	12700000	145.37	78.58	130.47
C50	12800000	148.02	78.56	132.42
C51	12900000	150.67	78.54	134.37
C52	13000000	153.32	78.52	136.32
C53	13100000	155.97	78.50	138.27
C54	13200000	158.62	78.48	140.22
C55	13300000	161.27	78.46	142.17
C56	13400000	163.92	78.44	144.12
C57	13500000	166.57	78.42	146.07
C58	13600000	169.22	78.40	148.02
C59	13700000	171.87	78.38	150.07
C60	13800000	174.52	78.36	152.02
C61	13900000	177.17	78.34	154.07
C62	14000000	179.82	78.32	156.02
C63	14100000	182.47	78.30	158.07
C64	14200000	185.12	78.28	160.02
C65	14300000	187.77	78.26	162.07
C66	14400000	190.42	78.24	164.02
C67	14500000	193.07	78.22	166.07
C68	14600000	195.72	78.20	168.02
C69	14700000	198.37	78.18	170.07
C70	14800000	201.02	78.16	172.02
C71	14900000	203.67	78.14	174.07
C72	15000000	206.32	78.12	176.02

PRIVATE ACCESS & PLE			LINE DATA
LINE NO.	BURNING	DISTANCE	
L1	N7153517M	8.31'	
L2	N6708017M	40.74'	
L3	N24712307E	158.11'	
L4	N6701167E	24.88'	
L5	N88712357E	12.35'	
L6	N2204157E	1.27'	
L7	N6708017M	25.87'	
L8	N6703317M	64.07'	
L9	N6708017M	30.32'	
L10	N487048007E	84.127'	

JOOST LAND AND CATTLE CO., INC.

**GRANT OF PUBLIC EASEMENT**

COMES NOW, CANYON PROPERTIES, a Nevada limited partnership, which entity is the owner of the following described real property located in Carson City, Nevada:

Lots 5, 6, 7, 8, 9, 10, 12, 34, 35, 36, 37 and 38 as shown on the map of WELLINGTON CRESCENT, filed in the office of the Carson City Recorder on August 3, 1990, Book 6 of the Maps, Map No. 1818, File 104082

CANYON PROPERTIES does now grant a non-exclusive easement to members of the public to be used as a means of ingress and egress to Ash Canyon. The ingress and egress easement granted hereby shall not be used for parking nor shall it be used by unlicensed motor vehicles. The easement shall not be used as a means of providing primary or secondary subdivision access or for the placement of utilities for subdivision development other than the Wellington Crescent subdivision.

The non-exclusive ingress and egress easement granted hereby is described as follows:

See Attached Exhibit "B"

The non-exclusive ingress and egress easement granted hereby shall be rescinded and revoked when an additional means of ingress

and egress is dedicated that provides members of the public with alternative access to Ash Canyon.

DATED this 13<sup>th</sup> day of August, 1992.

CANYON PROPERTIES, a Nevada  
Limited Partnership

By *James J. Newman*  
JAMES J. NEWMAN  
General Partner

STATE OF NEVADA       )  
                              : ss.  
CARSON CITY            )

On this 13<sup>th</sup> day of August, 1992, before me, a notary public, personally appeared JAMES J. NEWMAN, who is the General Partner of Canyon Properties, a Nevada limited partnership, personally known to me to be the person whose name is subscribed to the above instrument and who acknowledged that he executed the instrument.

*Nancy Sheppard*  
NOTARY PUBLIC



Exhibit "B"

Wellington Crescent  
Lots 5, 6, 7, 8, 9, 10, 12, 34, 35, 36, 37 and 38  
Access Easement  
Legal Description

August 10, 1992

A 20 foot wide access easement located within a portion of the Southeast one-quarter of Section 12, Township 15 North, Range 19 East, MDB&M, Carson City, Nevada, being more particularly described as follows:

BEGINNING at a point being the intersection of the Westerly line of the Southeast one-quarter of said Section 12 and the Southwest corner of Lot 12 as shown on the Wellington Crescent Subdivision Map, Document No. 104082 of the Carson City Recorder's Office, said point bears S.  $00^{\circ}01'16''$  W., 790.89 feet from the center of said Section 12 as shown on said Wellington Crescent Subdivision Map;

thence N.  $00^{\circ}01'16''$  E., along the Westerly line of said Lot 12, 10.00 feet;

thence S.  $89^{\circ}58'44''$  E., 260.00 feet;

thence S.  $00^{\circ}01'16''$  W., 859.96 feet;

thence 46.44 feet along the arc of a curve to the right having a central angle of  $24^{\circ}11'14''$  and a radius of 110.00 feet, (chord bears S.  $12^{\circ}06'53''$  W., 46.09 feet);

thence S.  $24^{\circ}12'30''$  W., 158.09 feet;

thence 33.52 feet along the arc of a curve to the left having a central angle of  $21^{\circ}20'31''$  and a radius of 90.00 feet, (chord bears S.  $13^{\circ}32'14''$  W., 33.33 feet), to a point on the Northerly right-of-way line of Ash Canyon Road as shown on said Wellington Crescent Subdivision Map;

thence N.  $87^{\circ}08'01''$  W., along said Northerly right-of-way line 20.00 feet;

thence 40.97 feet along the arc of a curve to the right having a central angle of  $21^{\circ}20'31''$  and a radius of 110.00 feet, (chord bears N.  $13^{\circ}32'14''$  E., 40.74 feet);

thence N.  $24^{\circ}12'30''$  E., 158.09 feet;

000133478

thence 37.99 feet along the arc of a curve to the left having a central angle of  $24^{\circ}11'14''$  and a radius of 90.00 feet, (chord bears N.  $12^{\circ}06'53''$  E., 37.71 feet);

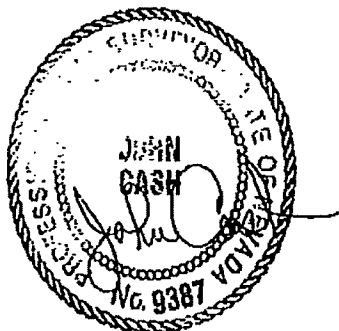
thence N.  $00^{\circ}01'16''$  E., 675.72 feet to a point on the Northerly line of Lot 10 of said Wellington Crescent Subdivision Map;

thence S.  $89^{\circ}58'44''$  E., along the Northerly line of said Lot 10, 10.00 feet to a point on the center line of Wellington West of said Wellington Crescent Subdivision Map;

thence N.  $00^{\circ}01'16''$  E., along said centerline of Wellington West, 174.24 feet to the Southeast corner of said Lot 12;

thence N.  $89^{\circ}58'44''$  W., along the Southerly line of said Lot 12, 250.00 feet to the POINT OF BEGINNING.

Containing 22,608 square feet more or less.



08/13/92

FILED FOR RECORD  
AT THE REQUEST OF  
*Scarpello & Alling*  
'92 AUG 26 P3:30  
000133478  
FILE NO.  
KIYOSHI NISHIKAWA  
CARSON CITY RECORDER  
FEE \$ *8.00* DEP. *Ar*

000133478



FILED FOR RECORD  
AT THE REQUEST OF  
STEWART TITLE OF CARSON CITY  
2003 AUG 26 PM 3:15

FILE NO. **304501**

ALAN GLOVER  
CARSON CITY RECORDER

FEES *AK* DEP *L*

APN Ptn of APN 007-371-30

Recording Requested By:

**Stewart Title of Carson City**

111 W. Proctor

Carson City, NV 89703  
Escrow No. 03022076

---

Agreement  
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2.  
(Additional recording fee applies)

This cover page must be typed.

• **304501**

AFTER RECORDING RETURN TO:  
LAWRENCE A. WERNER, P.E., R.L.S.  
CARSON CITY DEVELOPMENT SERVICES  
ENGINEERING DIVISION  
2621 NORTHGATE LANE, SUITE 54  
CARSON CITY, NV 89706

LEGAL DESCRIPTION PREPARED BY:  
HEIDI A. MIRELES  
NEVADA DEPT. OF TRANSPORTATION  
R/W DIVISION  
1263 S. STEWART STREET  
CARSON CITY, NV 89712

AGREEMENT

THIS AGREEMENT, made this 3rd day of July, 2003  
between the WELLINGTON CRESCENT PROPERTY OWNERS ASSOCIATION, a Nevada  
nonprofit corporation, hereinafter called the OWNER, and CARSON CITY, NEVADA, A  
CONSOLIDATED MUNICIPALITY, hereinafter called the CITY,

WITNESSETH:

1. The OWNER, for and in consideration of the covenants and payments to be  
performed and paid as hereinafter provided agrees as follows:

(a) To grant a permanent access and maintenance easement for the purpose  
of a bicycle/pedestrian path upon, over and across certain real property, together with the  
improvements, including those items listed in the inventory attached hereto and made a part  
hereof by reference, to the CITY; said real property situate, lying and being in Carson City, State  
of Nevada, and more particularly described as being a portion of the SE 1/4 of Section 12,  
T.15N., R.19E., M.D.M., and further described as being a portion of Lot 30 as shown on the  
FINAL MAP FOR WELLINGTON CRESCENT, filed in the Carson City Recorder's Office on  
August 3, 1990 as in Book 6, Page 2438 as Document 104082 and more particularly described  
as follows:

COMMENCING at the S ¼ of Section 12, T15N., R19E., M.D.M.; thence  
N00°01'16"E., 788.96 feet; thence S87°08'01"E., 1132.31 feet, along the northerly right-of-way  
line of Ash Canyon Road to the TRUE POINT OF BEGINNING for this description, said point is  
on the northerly right-of-way line of Ash Canyon Road and the westerly boundary of Lot 30 as  
shown on the FINAL MAP FOR WELLINGTON CRESCENT, filed August 3<sup>rd</sup>, 1990 file number  
104082, Official Records of Carson City, Nevada;

thence N07°15'51"W., 58.30 feet; thence 32.74 feet on a curve to the right, with a  
delta angle of 1°22'07", a radius of 1370.68 feet, and a chord bearing N6°34'48"W, a distance of  
32.74 feet; thence N89°18'46"E, 8.36 feet; thence S5°46'26"E., 79.28 feet; thence 13.56 feet on  
a curve to the left, with a delta angle of 37°51'59", a radius of 20.52 feet, and a chord bearing  
S24°28'32"E., a distance of 13.32 feet; thence N.87°08'02"W., a distance of 10.74 feet, along  
the northerly right-of-way line of Ash Canyon Road, returning to the TRUE POINT OF  
BEGINNING.

Containing 697 square feet more or less.

Basis of Bearing

The west line of the Southeast ¼ of Section 12, T.15N., R.19E., M.D.M. (N.00°01'16"E.) per the  
SUBDIVISION PLAT FOR COGORNO ESTATES, filed August 3<sup>rd</sup>, 1976 file number 64356,  
Official Records of Carson City, Nevada.

• 304501

(c) To deliver to the CITY upon receipt of payment an easement deed granting to the CITY a permanent easement for the purpose of a bicycle/pedestrian path upon, over and across certain real property described as Parcel 3PE, V & T Bike Path upon, over and across certain real property described as Parcel 3TE, V & T Bike Path. OWNER further understands and agrees that said deeds shall be recorded upon execution of this agreement.

(d) To be responsible for said premises, including risk and liability for loss or damage including all repairs and/or maintenance to said premises until such date as OWNER has delivered the before mentioned deed to the CITY, or such date as OWNER has given physical possession of said premises to the CITY.

(e) To permit the CITY or its authorized agents, assignees and contractors to enter in and upon OWNER'S adjacent remaining lands of Lot 30 of the Wellington Crescent Subdivision, as necessary, to construct modifications in the landscape irrigation system to accommodate the new planter box located on a portion of Lot 30 of the Wellington Crescent Subdivision.

(f) To permit the CITY or its authorized agents or contractors to enter in and upon OWNER'S before mentioned lands which are herein agreed to be conveyed for the purpose of constructing a bicycle/pedestrian path prior to the close of escrow.

(g) To waive and hereby does waive, with full knowledge that a portion of a bicycle/pedestrian path and the necessary incidents thereto are to be located upon, over and across the lands hereinabove described, any claim for any and all damages to the remaining adjacent lands and property of the OWNER by reason of the location, construction, landscaping and maintenance of said bicycle/pedestrian path and appurtenances in said location.

2. The CITY, in consideration of the promises and covenants of the OWNER hereinabove set forth, agrees as follows:

(a) To pay to the OWNER in the manner hereinafter provided the sum of FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00), which shall be the total purchase price for all that said property to be conveyed and improvements, listed as follows:

697 SF of Permanent Easement for a Bicycle/Pedestrian Path and  
Installation of ADA walk-through gate, concrete pads for drive-through gate  
controllers, pipe or boulder protection for the gate controller pedestals,  
conduit from rough-in to the drive-through gate and controllers, conduit to the  
subdivision sign, 6 foot fence extension from the drive-through gate. \$40,000.00

(b) To provide full compensation in the amount of TWO THOUSAND FIVE HUNDRED NINE AND NO/100 DOLLARS (\$2,509.00) for conveying the easement needed for the purpose of a bicycle/pedestrian path. Compensation may be provided to owner for termination of a twenty-foot wide ingress and egress easement located along the Wellington West roadway and then between Lots 11 and 12 in the Wellington Crescent Subdivision after completion of the V & T Bike/Pedestrian Path construction and an alternate access is provided.

(c) To deposit in escrow with Stewart Title Company, 111 W. Proctor, Carson City, Nevada, the before mentioned total purchase price, which sum shall be disbursed in accordance with the herein recited covenants, promises and agreements made, and payments to be performed and paid.

**304501**

(d) To leave the adjacent remaining portion of Lot 30 of the Wellington Crescent Subdivision upon which entry is required in as neat and presentable condition as existed prior to such entry, with all property belonging to the OWNER, which the CITY may find it necessary to remove or relocate in order to modify the landscape irrigation system to be replaced as nearly in their original condition and position as is reasonably possible.

(e) To the extent provided by law, including but not limited to the provisions of Nevada Revised Statutes Chapter 41, the CITY agrees to indemnify and hold harmless OWNER from and against any liability arising out of the exercises of the rights granted pursuant to this agreement proximately caused by any act or omission of CITY, or its officers, agents and employees.

(f) That the gate width shall be a minimum of 15 feet, approved, in writing, by the Carson City Fire Marshall, and approved by the Carson City Traffic Engineer and Carson City Board of Supervisors.

(g) To maintain the wall adjacent to the old V & T right-of-way, specifically, the removal of graffiti.

(h) To terminate a twenty-foot wide ingress and egress easement located along the Wellington West roadway and then between Lots 11 and 12 in the Wellington Crescent Subdivision as filed for the record the 26th day of August 1992 in the Official Records of Carson City, Nevada as File Number 133478, after completion of the V & T Bike/Pedestrian Path construction and an alternate access is provided.

3. It is mutually agreed and understood by the CITY and by the OWNER as follows:

(a) That all of the facilities and improvements constructed within the easement granted to the CITY shall be designed in accordance with Carson City Development Standards.

(b) That the CITY will operate and maintain the pedestrian/bicycle path and appurtenances located within said easement.

(c) That the permanent easement described herein will benefit the residents of Carson City.

(d) If OWNER or CITY fails, neglects, or refuses to do or perform any act or thing herein covenanted and agreed to be done or performed, such failure, neglect, or refusal will constitute a default breach of this Agreement. If OWNER or CITY fails, neglects, or refuses to cure the default upon the request of the other party, such other party, at its option, may correct such default and thereupon recover from the other party the cost thereof or may require the specific performance by the other party of all terms, conditions, and covenants of this agreement. The foregoing will be in addition to and exclusive of any other remedy now or hereafter provided by law, and the pursuit of any right or remedy will not be construed as an election.

(e) The illegality or invalidity of any provision or portion of this agreement shall not affect the validity of any remaining provision.

**304501**

(f) The laws of the State of Nevada shall be applied in interpreting and construing this Agreement.

(g) This agreement shall constitute the entire contract between the parties hereto, and no modification hereof shall be binding unless endorsed hereon in writing.

(h) All property descriptions are approximate and subject to slight adjustment as necessary to meet construction requirements.

(i) All covenants and agreements herein contained shall extend to and be obligatory upon the heirs, executors, administrators, successors and assigns, as the case may be, of the respective parties.

(j) As used herein the term OWNER shall include the plural as well as the singular, and the feminine as well as the masculine and the neuter.

(k) That CITY shall have the right to adapt and improve the whole or any part of said property in accordance with the provisions of N.R.S. 271.265.

(l) The regulations pertaining to nondiscrimination and Title VI of the Civil Rights Act of 1964, as contained in Title 23, Code of Federal Regulations Part 200, and Title 49, Code of Federal Regulations Part 21, are hereby incorporated by reference and made a part of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this agreement the day and year first above written.

WELLINGTON CRESCENT PROPRETY OWNERS ASSOCIATION,  
a Nevada nonprofit corporation

By: Gary A. Anderson 6/12/03  
GARY A. ANDERSON, President Date

STATE OF Nevada  
Carson City

On this 12th day of June, 2003, personally appeared before me, the undersigned, a Notary Public in and for the Carson City, State of Nevada

Gary A. Anderson personally known (or proved) to me to be the person whose name is subscribed to the above instrument and who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes thereby mentioned.

S  
E  
A  
L



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

Lauren McClellan  
Notary Public • 304501

CITY:


REVIEWED AND RECOMMENDED BY:

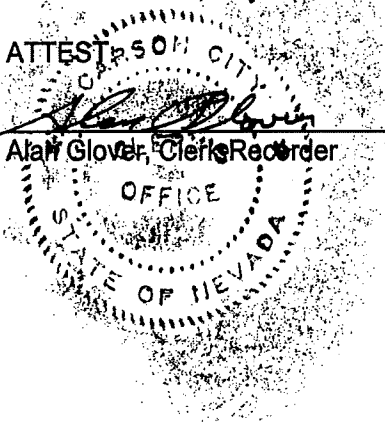
  
LAWRENCE A. WERNER, P.E., R.L.S.  
City Engineer

APPROVED FOR LEGALITY AND FORM:

  
Carson City District Attorney

  
RAY MASAYKO, Mayor

ATTEST  
  
Alan Glover, Clerk/Recorder



304501

ASH CANYON RD.

007-371-01  
DUNBAR, REVOCABLE FAMILY  
TRUST  
LOT 1

007-101-40  
BOURNE, GORDON F

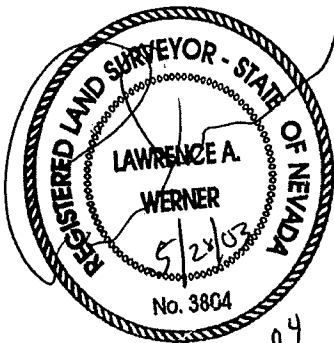
L4  
C2  
L1  
EXHIBIT B 697 SF  
L3  
C1  
L2

LOT 30  
007-371-30  
WELLINGTON WEST  
OWNERS ASSN.

304501

LINE #	BEARING	DISTANCE
L1	N7°15'51"W	56.30'
L2	S89°18'46"E	8.36'
L3	S5°46'26"E	79.28'
L4	N87°08'02"W	10.74'

CURVE #	ARC LENGTH	DELTA ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH
C1	32.74'	1°22'07"	1370.68'	N6°34'48"W	32.74'
C2	13.56'	37°51'59"	20.52'	S24°28'32"E	13.32'



Eff. 6-30-04

**CARSON CITY  
ENGINEERING DEPARTMENT**

3505 BUTTI WAY  
PH: 887-2355

CARSON CITY, NEVADA 89701  
FAX: 887-2614

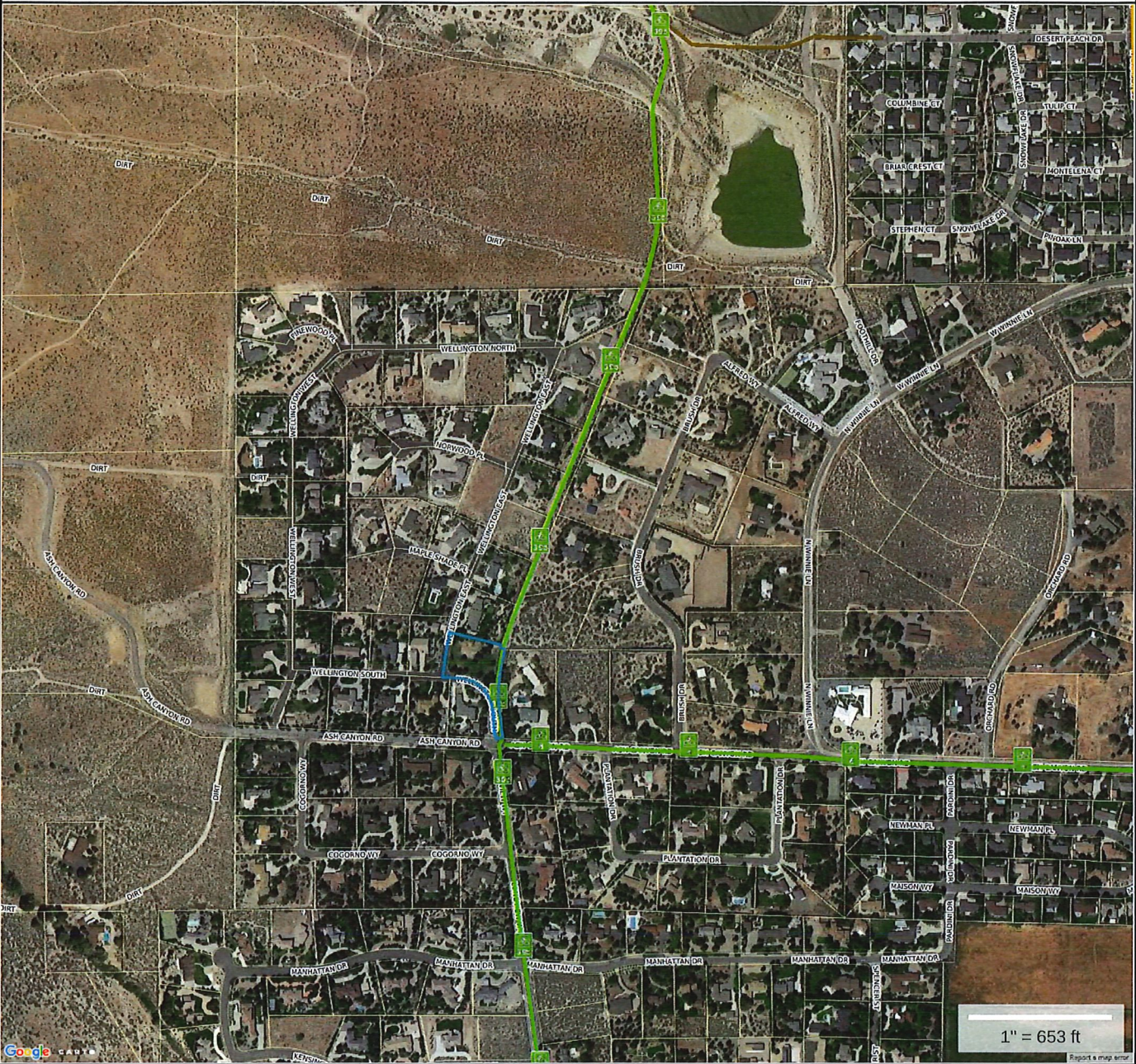
**PERMANANT ACCESS AND  
MAINTENANCE EASEMENTS  
EXHIBIT A  
WELLINGTON CRESCENT**

DESIGNED BY: \_\_\_\_\_  
DRAWN BY: TG  
CHECKED BY: \_\_\_\_\_  
SCALE (HORIZ): 1"=40'  
DATE: 5/23/2003


**FIGURE  
2**



Lot 30 and Route 395



Property Information	
Property ID	00737164
Location	1619 WELLINGTON EAST
Owner	WELLINGTON CRESCENT PROP OWNERS

  
[CLICK LOGO FOR TUTORIAL](#)

**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Carson City , NV makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 05/15/2018  
Properties updated 05/15/2018

Report a map error







## Stephanie Hicks

---

**From:** Dan Stucky  
**Sent:** Monday, June 11, 2018 7:59 AM  
**To:** Stephanie Hicks  
**Subject:** RE: Wellington Crescent Easement Abandonment

I support this abandonment

**Dan Stucky, P.E.** | City Engineer  
Public Works Department | Carson City



3505 Butti Way, Carson City, NV 89701 | Office: 775-887-2355 | Direct: 775-283-7084  
Email: [dstucky@carson.org](mailto:dstucky@carson.org) | Web: [www.carson.org](http://www.carson.org)

---

**From:** Stephanie Hicks  
**Sent:** Friday, June 8, 2018 12:44 PM  
**To:** Dan Stucky  
**Subject:** Wellington Crescent Easement Abandonment

Hi Dan:

Could you please provide me a response to this email indicating your support of the abandonment of the 20-foot ingress/egress easement in the Wellington Crescent Subdivision for access to Ash Canyon?

Thanks much!

Stephanie Hicks, AICP, CFM  
Real Property Manager  
Carson City Public Works  
3505 Butti Way  
Carson City, NV 89701  
(775) 283-7904

