

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF AUGUST 28, 2019

FILE NUMBER: AB-19-122

AGENDA ITEM: E.2

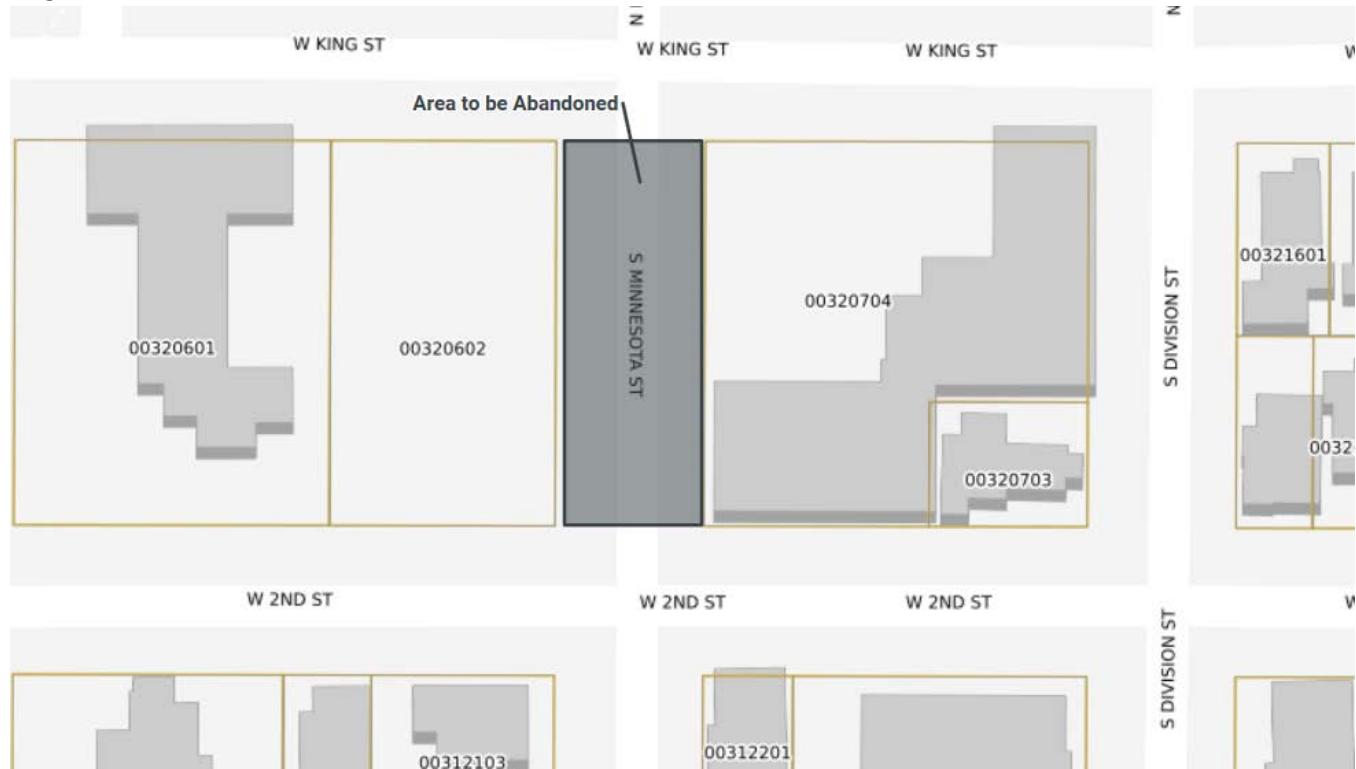
STAFF CONTACT: Kathe Green, Assistant Planner

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a request for an abandonment of a Public Right-of-Way, specifically South Minnesota Street between West Second Street and West King Street, adjacent to and between APN's 003-206-02 and 003-207-04. (Kathe Green, kgreen@carson.org)

STAFF SUMMARY: The subject property is located adjacent to and between the properties containing the Brewery Arts Center and the performance hall. Upon approval, the right-of-way area would be abandoned and the land added equally to the adjacent parcels. The Planning Commission makes a recommendation to the Board of Supervisors regarding requests for right-of-way abandonment. The Board of Supervisors is authorized to abandon the right-of-way.

PROPOSED MOTION: "I move to recommend that the Board of Supervisors approve AB-19-122, an abandonment of a portion of South Minnesota Street between West Second Street and West King Street based on seven findings and subject to the conditions of approval contained in the staff report."

VICINITY MAP:



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. Abandon approximately 11,220 square feet more or less as is more particularly described in the Order of Abandonment and exhibits. An area 66 foot wide by 170 feet long, a portion of South Minnesota Street from a line between the Northeast corner of Block 10 to the Northwest corner of Block 9 southerly to a line between the Southeast corner of Block 10 to the Southwest corner of Block 9. The area is adjacent to properties addressed as West King Street and 449 West King Street, APNs 003-206-02 and 003-207-04.
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.
5. A public utility easement must be retained over the entirety of the abandoned segment.
6. Any future repairs to the asphalt, concrete, and/or aggregate base in the abandoned right-of-way that are required as a result of utility work, must be repaired to City Standards for asphalt, concrete and base material and thickness by the party performing the utility work.

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: Mixed Use Residential (MUR)

Adjacent ZONING: Public Regional (PR)

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

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Residential Office (RO)/offices

SOUTH: Residential Office (RO)/offices

WEST: Public Regional (PR)/performance hall

EAST: Public Regional (PR)/Brewery Arts Center

PREVIOUS REVIEWS 003-206-02:

MPR-15-040: May 15, 2015, review for one year right-of-way occupancy.

SUP-10-104: Dec 15, 2010, approved for closure portion of the right-of-way for an events plaza

AB-08-091: Dec 2, 2008, approved a request to abandon a section of right-of-way but the process was not completed, was not recorded and expired.

DISCUSSION:

The area of abandonment totals approximately 11,220 square feet, more or less, and is more particularly described in the Order of Abandonment and exhibits. This right-of-way abandonment pertains to the portion of South Minnesota Street which is south of King Street and north of West Second Street, between the parking area for the performance hall on the west and the Brewery Arts Center and parking area on the east. This area has been utilized by the Brewery Arts Center for events for many years.

The section of street under review has been blocked with boulders and planters for years. Prior to the current configuration, this section of right-of-way was closed sporadically under approved Special Event Permits issued through the Business License Division. A request to abandon this section of right-of-way was approved in 2008 under AB-08-091, but the process was not completed and subsequently expired. In conjunction with the abandonment request, a request to allow the use of the right-of-way area under review for performance and arts display and as an extension of the Brewery Arts Center and performance hall was approved under SUP-08-083.

There is a section of the street that is still open on the northeast, as there is a driveway to the Brewery Arts Center in this location. This is the only usable driveway along this section of right-of-way. There is parking available on the right-of-way area to the west of this driveway that would remain after this section of roadway is abandoned. A blanket utility easement will be retained under the entire area of right-of-way.

Per the Engineering Department, a condition of approval is the following: Any future repairs to the asphalt, concrete, and/or aggregate base in the abandoned right-of-way that are required as a result of utility work, must be repaired to City Standards for asphalt, concrete and base material and thickness by the party performing the utility work.

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 the requested right-of-way abandonment, being a portion of South Minnesota Street, south of West King Street and north of West Second Street as described in AB-19-122, subject to the recommended conditions of approval.

Carson City Engineering has provided detail regarding the Chain of Title. The right-of-way areas were created as follows: Minnesota Street right-of-way was created by the Sears, Thompson and Sears Subdivision Map recorded as File No. 60864 in Ormsby County on April 2, 1963. The map shows dedication of a 66-foot wide right-of-way between West Second (W.2nd) Street and West King Street.

PUBLIC COMMENTS: A public notice was sent by certified mail to the adjacent property owners per Nevada Revised States on August 9, 2019. 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.

Engineering Division: Recommends APPROVAL of the proposed abandonment, with the following conditions of approval:

1. A public utility easement must be retained over the entirety of the abandoned segment.
2. Any future repairs to the asphalt, concrete, and/or aggregate base in the abandoned right-of-way

that are required as a result of utility work, must be repaired to City Standards for asphalt, concrete and base material and thickness by the party performing the utility work.

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?

There will be no landlocked parcels created as a result of the proposed abandonment. Public utilities easements in the vicinity of the right-of-way abandonment will be retained, not relinquished, and are shown on provided exhibits.

The public will not be materially injured by the proposed abandonment of the right-of-way area. The adjacent property owners will benefit by the proposed abandonment as they will become owners of portions of the right-of-way abutting their property. The public will not be damaged by this abandonment as the area being abandoned will continue to be used for special events. Currently the right-of-way is tax exempt under City ownership. The Brewery Arts Center is also a non-profit organization, so the property will remain tax exempt.

The public will continue to use the area under review when events are held on this section of currently closed right-of-way. The roadway was closed sporadically over the last several years in support of special events held on the right-of-way, then approved for more permanent closure by encroachment permit issued by the Engineering Department in 2015. This abandonment would allow the area currently used for events to be utilized permanently, and allow the right-of-way area to be given to the adjacent property owners, who continue to provide services to the public.

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

The proposal is to relinquish a public right-of-way area. Minnesota Street right-of-way was created by the Sears, Thompson and Sears Subdivision Map recorded as File No. 60864 in Ormsby County on April 2, 1963. The map shows dedication of a 66-foot wide right-of-way between West Second (W.2nd) Street and West King Street. There are no records indicating that the City ever paid for the right-of-way area.

3. 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 right-of-way, it is recommended that there be no cost to the adjacent property owners for gaining the abandoned right-of-way.

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. In addition, the right-of-way area has been temporarily closed at different times over the last 10 years, in support of events at the Brewery Arts Center and performance hall. A permit was issued to permanently place boulders and planters in the right-of-way area in 2015, per Dirk Goering of the Transportation Department of Carson City. The area has therefore not been available for travel or traffic for several years. This request is to allow this section of right-of-way to be permanently abandoned.

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

The abandonment will not result in the elimination of parking spaces. The subject area will still be utilized by the adjacent property owners for parking on the northwest side of the right-of-way area during special events as it is now. A driveway on the northeast side of the right-of-way area will remain. Parking is not allowed to impede the driveway area, and parking will continue to be prohibited in this location. Closure of this section of Minnesota Street has been supported by the Transportation Department, who authorized an encroachment permit and as approved under Special Use Permit for utilization of the area for events for several years. Permanent closure of the street will allow these events to continue.

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

The current blanket public utility easement in this location must be reserved over the entire area. This is shown on the exhibits related to the request.

A condition of approval is the following: Any future repairs to the asphalt, concrete, and/or aggregate base in the abandoned right-of-way that are required as a result of utility work, must be repaired to City Standards for asphalt, concrete and base material and thickness by the party performing the utility work.

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. A condition of approval from the Engineering Department states the surface of the right-of-way away must be maintained in a manner which will allow access to the utilities which are under the asphalt or other approved materials.

Attachments:

Engineering Department comments
Draft Order of Abandonment
Application (AB-19-122)



MEMORANDUM

DATE: 8/21/2019

TO: Kathe Green – Planning Division

FROM: Stephen Pottéy P.E. – Development Engineering Division

RE: Engineering Comments for AB-19-122 N Minnesota St from Second Street to King Street, apns 003-206-02 and 003-207-04

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 with the following conditions of approval:

- A public utility easement must be retained over the entirety of the abandoned segment.
- The file number in the legal description of resultant parcel 003-206-02 must be changed from 1138487 to 138487, and the actual legal description from that file included in the description.
- Any repairs that are needed will only be required to be repaired to meet City Standard details. This must be noted in the language of the abandonment.

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?

Minnesota Street right-of-way was created by the Sears, Thompson and Sears Subdivision Map recorded as File No. 60864 in Ormsby County on April 2, 1963. The map shows dedication of a 66-foot wide right-of-way between W. 2nd Street and W. King Street.

2. Will the abandonment result in material injury to the public?

The adjacent property owners will be benefited by the proposed abandonment as they will become the owners of portions of the right-of-way abutting their property. The public will not be damaged by this abandonment as the area being abandoned will continue to be used as parking for special events. Currently the right-of-way is tax exempt under City ownership. The Brewery Arts Center is also a non-profit organization so the property will remain tax exempt.

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

Minnesota Street right-of-way was created by the Sears, Thompson and Sears Subdivision Map

recorded as File No. 60864 in Ormsby County on April 2, 1963. The map shows dedication of a 66-foot wide right-of-way between W. 2nd Street and W. King Street.

4. 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 right-of-way, it is recommended that there be no cost to the adjacent property owners for gaining the abandoned right of way.
5. If an abandonment has a public benefit, how much of the public benefit should be offset against the determination of reasonable consideration?
No charge for the abandonment is recommended. Therefore, this item does not apply to this abandonment.
6. What is the applicability of the parking value analysis applied to this request?
Comment: The abandonment will not result in the elimination of parking spaces. The subject area will still be utilized by the adjacent property owner for parking during special events as it is now.
7. Should utilities easements be reserved, continued or vacated?
Yes, a blanket public utility easement must be reserved over the entire area.
8. Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?
Please see above.

APN(s): 003-206-02 and 003-207-04

AN ORDER ABANDONING A PORTION OF SOUTH MINNESOTA STREET RIGHT-OF-WAY, IN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 17 OF TOWNSHIP 15 NORTH, RANGE 20 EAST, M. D. B. & M. MINNESOTA STREET AS SHOWN ON THE SEARS, THOMPSON AND SEARS SUBDIVISION OF CARSON CITY, RECORDED APRIL 25, 1963 AS FILE NO. 60864 MAP NO. 186, IN THE OFFICE OF THE COUNTY RECORDER OF CARSON CITY COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SIXTY-SIX (66') FOOT WIDE MINNESOTA STREET FROM A LINE BETWEEN THE NORTHEAST CORNER OF BLOCK 10 TO THE NORTHWEST CORNER OF BLOCK 9 SOUTHERLY TO A LINE BETWEEN THE SOUTHEAST CORNER OF BLOCK 10 TO THE SOUTHWEST CORNER OF BLOCK 9. THE ABOVE DESCRIBED AREA CONTAINS 11,220 SQUARE FEET, MORE OR LESS. AN EASEMENT OF PUBLIC UTILITIES WILL REMAIN ACROSS THE ABOVE DESCRIBED AREA OF ABANDONMENT. THE AREA IS ADJACENT TO ASSESSOR'S PARCEL NUMBERS 003-206-02 AND 003-207-04, IN CARSON CITY, NEVADA.

WHEREAS, on July 18, 2019, Carson City Public Works duly filed a written application seeking vacation and abandonment of a portion of South Minnesota Street right-of-way between West King Street and West Second Street, being approximately 66 feet wide by 170 feet long, approximately 11,220 square feet, more or less, located between the northwesterly right-of-way area of South Minnesota Street at West King Street and the southeasterly right-of-way area of West Second Street, being within the northwest quarter (NW1/4) of the southwest quarter (SW1/4) of Section 17 of Township 15 North, Range 20 East, M. D. B. & M. adjacent to APN(s) 003-206-02 and 003-207-04, in Carson City, Nevada; and

WHEREAS, the application was thereafter referred to the Carson City Planning Commission and a public hearing was thereafter duly noticed and held before the Planning Commission on August 28, 2019. At the public hearing 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 _____ 2019, 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 subject to the conditions of approval included in Exhibit "D" 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 right-of-way is more particularly described on the attached Exhibit(s) "A" and "B" of written and diagrammed descriptions of the right-of-way abandonment, resultant parcels are described on Exhibits "B-1" and "B-2", and the attached utility statements are shown as Exhibits "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. Utility companies have a utility or an easement over or under the property hereby vacated and abandoned by this order, and said easement or easements shall be continued and shall not be affected by the abandonment.
3. Utility facilities which presently exist within the areas affected by this abandonment will be protected by easements. The abandonment will be subject to reserving easements for utility companies and/or Carson City as requested.

4. A public utility easement must be retained over the entirety of the abandoned segment.
5. Any future repairs to the asphalt, concrete, and/or aggregate base in the abandoned right-of-way that are required as a result of utility work, must be repaired to City Standards for asphalt, concrete and base material and thickness by the party performing the work.

ORDERED this ____ day of _____, 2019, by the Carson City Board of Supervisors.

ROBERT L. CROWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

RECEIVED

Carson City Planning Division
108 E. Proctor Street, Carson City, NV 89701
Phone: (775) 887-2180 Email: planning@carson.org

FOR OFFICE USE ONLY:

CCMC 17.15

JUL 18 2019

CARSON CITY
PLANNING DIVISIONABANDONMENT OF
PUBLIC RIGHT-OF-WAY

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: Planning Commission application
submittal schedule.Note: Submittals must be of sufficient clarity and detail to
adequately review the request. Additional information may
be required.

Project's Assessor Parcel Number(s):

N/A

Street Address

A Portion of N. Minnesota Street between W. 2nd and W. King Street

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 portion of N. Minnesota Street between W. 2nd and W. King Street, located between APN's 003-206-02 & 003-207-04. APN 003-206-02 is owned by the Brewery Arts Center and APN 003-207-04 is in the process of being transferred to the Brewery Arts Center. It is proposed that the right-of-way revert to the adjacent properties and a public utility easement be retained.

PROPERTY OWNER'S AFFIDAVIT

I, Stephanie A. 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 A. Hicks
Signature Carson City Real Property Manager Address

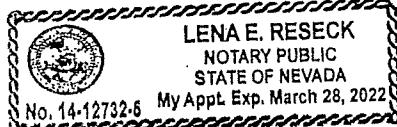
7/18/19
Date

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

STATE OF NEVADA
COUNTY Carson City }

On July 18, 2019, Stephanie 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.

LENA E. RESECK
Notary Public





CARSON CITY NEVADA

Consolidated Municipality and State Capital

PUBLIC WORKS

July 25, 2019

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

Subject: Justification for Abandonment of a Portion of S. Minnesota Street

Dear Ms. Sullivan:

Please accept this letter as the project description and statement of justification for a request for abandonment of a portion of S. Minnesota Street between W. 2nd Street and W. King Street in Carson City, Nevada. This request is to abandon the entire 66-foot wide right-of-way adjacent to APN 003-206-02 and 449 W. King Street (APN 003-207-04). APN 003-206-02 is currently owned by the Brewery Arts Center and 449 W. King Street (APN 003-207-04) is in the process of being transferred to the Brewery Arts Center from the City. The area to be abandoned is more particularly described in the attached exhibits.

Minnesota Street right-of-way was created by the Sears, Thompson and Sears Subdivision Map recorded as File No. 60864 in Ormsby County on February 3, 1860. The City of Carson City is currently the owner of this right-of-way.

This portion of S. Minnesota Street has been closed as a thoroughfare for the last two years and is used by the Brewery Arts Center for handicap parking during special events. However, the Brewery Arts Center would like to have this portion of S. Minnesota Street abandoned permanently so that it can be used as an extension of the BAC Campus. Abandonment of the right-of-way will allow for pedestrian safety between properties as well as additional parking. The Brewery Arts Center will be responsible for all future maintenance.

Due to existing public utilities located within the right-of-way, a public utility easement be retained over the entire width of the abandoned area.

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: The adjacent property owners will be benefited by the proposed abandonment as they will become the owners of portions of the right-of-way abutting their property. The public will not be damaged by this abandonment as the area being abandoned will continue to be used as parking for special events. Currently the right-of-way is tax exempt under City ownership. The Brewery Arts Center is also a non-profit organization so the property will remain tax exempt.

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

Comment: Minnesota Street right-of-way was created by the Sears, Thompson and Sears Subdivision Map recorded as File No. 60864 in Ormsby County on February 3, 1860. The map shows dedication of a 66-foot wide right-of-way between W. 2nd Street and W. King Street.

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 right-of-way, 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 parking spaces. The subject area will still be utilized by the adjacent property owner for parking during special events as it is now.

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

Comment: Southwest Gas, NV Energy and Nevada Bell Telephone Company dba AT&T have indicated that they do have a utility in the right-of-way being abandoned and desire the creation of a public utility easement (PUE) along the alignment of the existing utility. Additionally, there are existing City utilities within the right-of-way. Therefore, the City would request a blanket public utility easement to remain over all portions of S. Minnesota Street to be abandoned as provided on the exhibits and descriptions to be recorded.

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

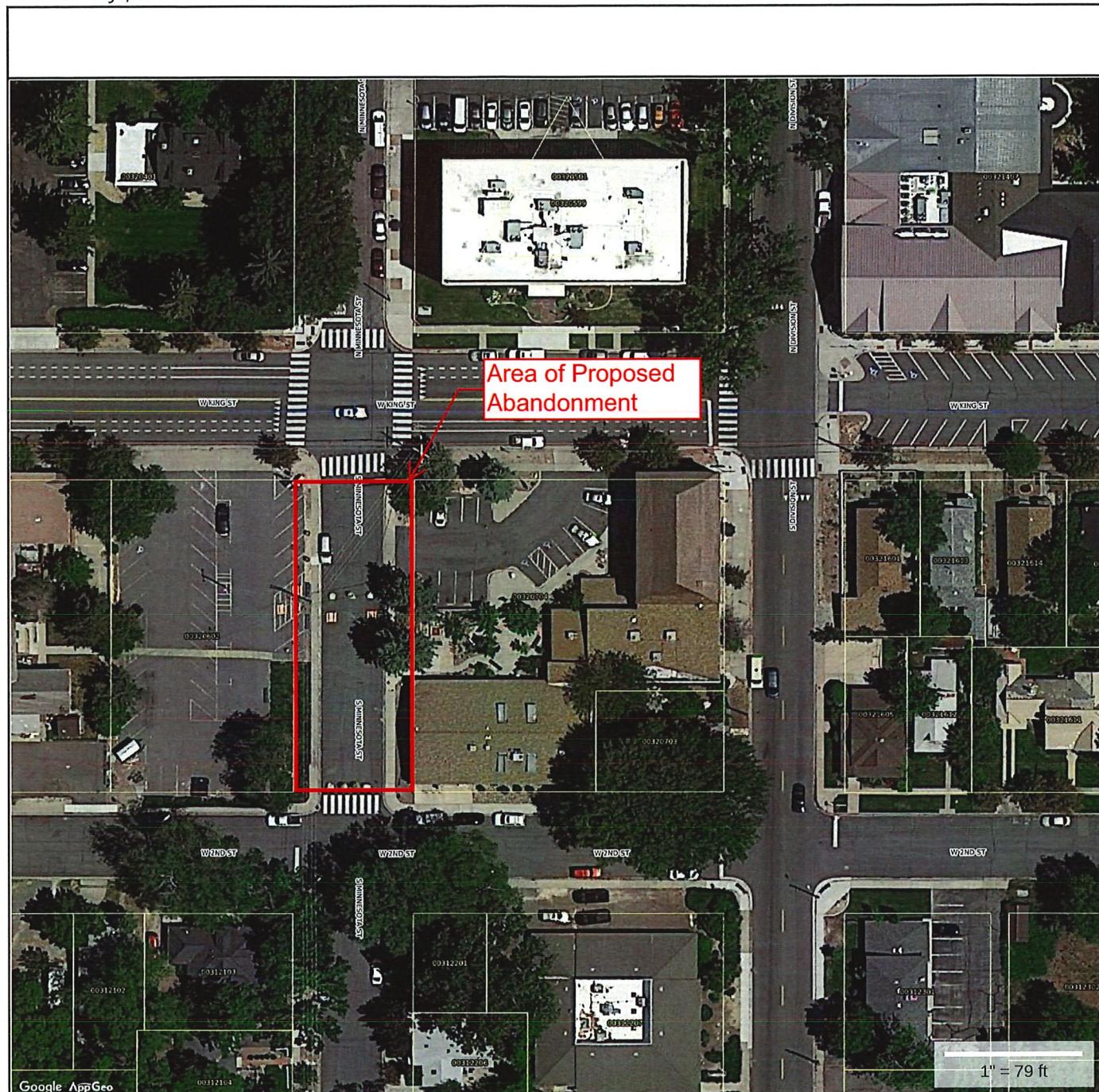
Comment: Please see the memorandum from the City Engineer for additional comments.

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

Stephanie A. Hicks, AICP, CFM
Real Property Manager
Carson City Public Works Department



[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.

Geometry updated 11/17/2018
Data updated 11/17/2018

JN.9838.000

EXHIBIT "A"
S. MINNESOTA STREET ABANDONMENT

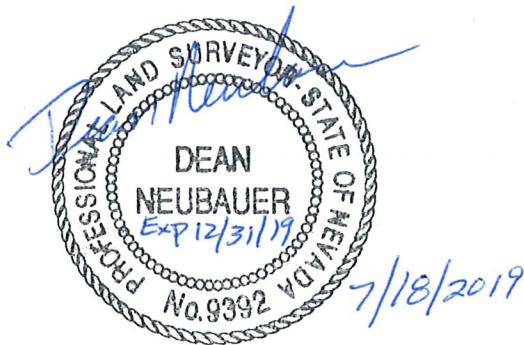
A portion of South Minnesota Street in the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 17 of Township 15 North, Range 20 East, M. D. M. Minnesota Street as shown on the Sears, Thompson and Sears Subdivision of Carson City, Recorded April 25, 1963 as File No. 60864, Map No. 186, in the office of the County Recorder of Carson City County, Nevada, being more particularly described as follows:

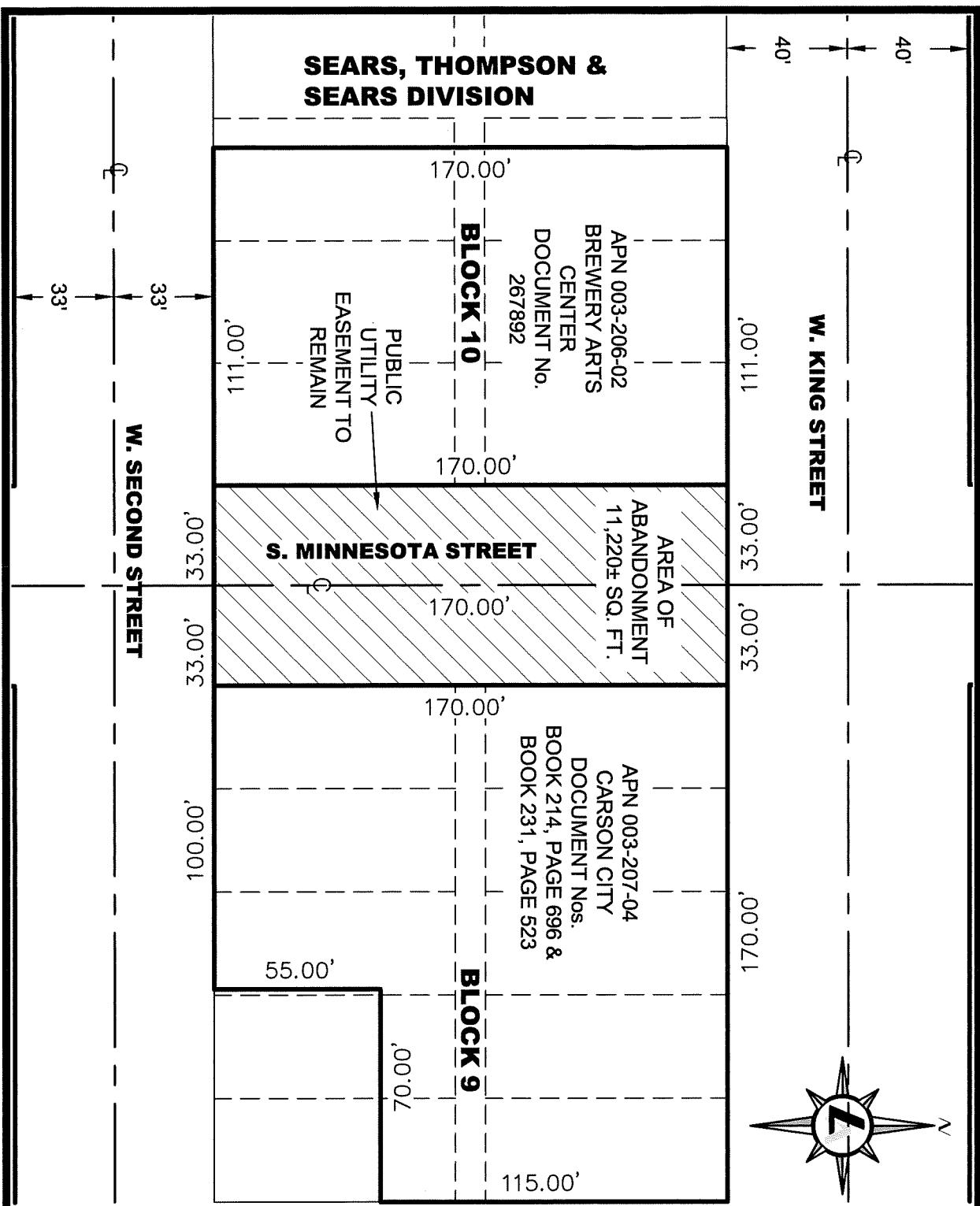
The Sixty-Six (66') foot wide Minnesota Street from a line between the Northeast corner of Block 10 to the Northwest corner of Block 9 southerly to a line between the Southeast corner of Block 10 to the Southwest corner of Block 9.

The above described area contains 11,220 Square Feet +/-.

An Easement for Public Utilities will remain across the above described area of Abandonment.

Prepared by
Lumos & Associates, Inc.
Dean Neubauer, PLS 9392
308 N. Curry Street, Suite 200
Carson City, NV 89703





LUMOS
& ASSOCIATES 
308 N. CURRY ST.,
SUITE 200
CARSON CITY, NV 89703
TEL (775) 883-7077

EXHIBIT "B"
ABANDONMENT
SOUTH MINNESOTA STREET
PORTION OF SEC. 17, T.15 N., R.20 E., MDM

Date: 07/2019
Scale: 1" = 50'
Job No: 9838.000

JN.9838.000

**LEGAL DESCRIPTION
ABANDONMENT RESULTANT APN 003-206-02**

The land referred to herein is situated in the State of Nevada, County of Carson City, described as follows:

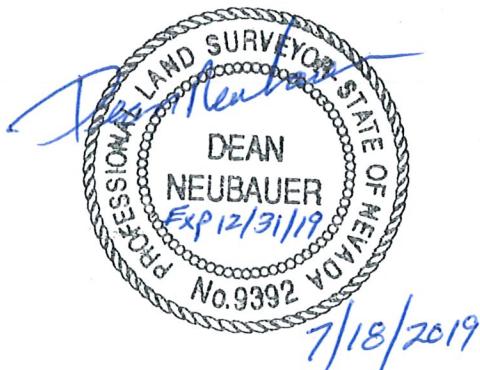
That portion of Block 10 of the Sears, Thompson and Sears Subdivision, files in the office of the County Recorder of Carson City being more particularly described in instrument recorded December 30, 1992 as File No. 1138487 Official Record of Carson City, Nevada.

INCLUDING THEREETO The westerly half of Minnesota Street adjacent to the easterly line of Block 10, of the Sears, Thompson and Sears Division in Carson City, Nevada.

Resultant Parcel containing 24,480 square feet more or less

The above information has been compiled from record information and I assume no responsibility for the existence of the monuments or for correctness of other information shown on or copied from record information

Prepared by
Lumos & Associates, Inc.
Dean Neubauer, PLS 9392
308 N. Curry Street, Suite 200
Carson City, NV 89703



**LEGAL DESCRIPTION
ABANDONMENT RESULTANT APN 003-207-04**

All that certain lot, piece or parcel of land situated in Carson City, State of Nevada, described as follows:

All of Lots 1, 2, 3, 4, 5, 6, 7, and 8, and the North Twenty-Five feet (25 ft.) of Lots 9 and 10, all in Block 9 of Sears, Thompson and Sears Division, Carson City, Nevada, together with that certain parcel of land located in the aforesaid Block 9 of said Sears, Thompson and Sears Division of Carson City, Nevada which parcel is particularly described as follows, to wit:

Beginning at a point on the easterly line of Block 9, Sears, Thompson and Sears Division to Carson City, Nevada, which point is southerly Eightty Feet (80 ft.) from the northeast corner of said Block 9; running thence Southerly along the said easterly line of said block 9, a distance of Ten Feet (10 ft.); Thence, a right angle westerly, One Hundred Seventy Feet (170 ft.), more or less, to the westerly line of said Block 9; thence northerly along said westerly line, Ten Feet (10 ft.); thence, at a right angle easterly, One Hundred Seventy Feet (170 ft.), more or less, to the point of beginning; said parcel being shown on the Original Plat of said Sears, Thompson and Sears Division to Carson City, as an alley Ten Feet (10 ft.) in width, running easterly and westerly through said Block 9.

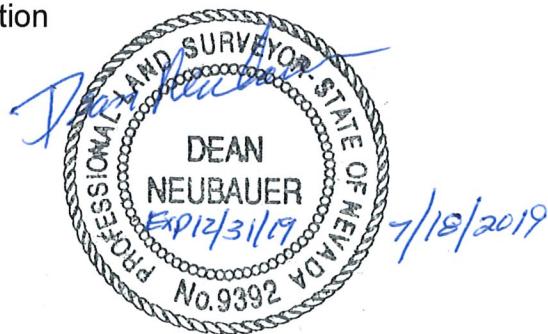
EXCEPTING THEREFROM The easterly two (2) feet of the southerly fifty-five (55) feet of Lot 8, Block 9, of Sears, Thompson and Sears Division in Carson City, Nevada. Described in Quitclaim Deed recorded May 25, 1978, in Book 231 on Page 523.

INCLUDING THERETO The easterly half of Minnesota Street adjacent to the westerly line of Block 9, of the Sears, Thompson and Sears Division in Carson City, Nevada.

Resultant Parcel containing 30,660 square feet more or less

The above information has been compiled from record information and I assume no responsibility for the existence of the monuments or for correctness of other information shown on or copied from record information

Prepared by
Lumos & Associates, Inc.
Dean Neubauer, PLS 9392
308 N. Curry Street, Suite 200
Carson City, NV 89703





CARSON CITY NEVADA
Consolidated Municipality and State Capital
PUBLIC WORKS
MEMORANDUM

TO: Hope Sullivan, Planning Manager

CC: Stephanie Hicks, Real Property Manager

FROM: Dan Stucky, City Engineer 

SUBJECT: Request for Abandonment of Public Road Right-of-Way for a Portion of S. Minnesota Street

DATE: July 24, 2019

Thank you for the opportunity to review the request to abandon a 66-foot wide public road right-of-way (ROW) on S. Minnesota Street between W. King Street and W. 2nd Street adjacent to the Brewery Arts Center (APN 003-207-04) and a parking lot owned by the Brewery Arts Center (APN 003-206-02). Carson City Public Works does support this request for abandonment. However, it is requested that this application be heard by the Board of Supervisors concurrently with a request to quitclaim deed APN 003-207-04 from Carson City to the Brewery Arts Center.

Because there are existing Carson City utilities within the right-of-way, the City will require that a public utility easement be retained over the entire width of the abandoned area. Additionally, any proposed future improvements to the abandoned roadway cannot inhibit flood surface flows or stormwater drainage.

Please be advised that the area of abandonment will revert equally to the adjacent parcels, APN 003-207-04 and APN 003-206-02.

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

LOCATED AT: A portion of N. Minnesota Street between W. 2nd Street and W. King Street

(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
Signature	Print Name	Company	Date
Signature	Print Name	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.

	Brandon Thompson	Charter Spectrum	8-2-2019
Signature	Print Name	Company	Date
Signature	Print Name	Company	Date
Signature	Print Name	Company	Date

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

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

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: A portion of N. Minnesota Street between W. 2nd Street and W. King Street
5.

(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>Brian Harlin</u> Signature	<u>Brian Harlin</u> Print Name	<u>AT&T</u> Company	<u>7-11-19</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
-----------	------------	---------	------

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: A portion of N. Minnesota Street between W. 2nd Street and W. King Street
S.

(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
Signature	Print Name	Company	Date
Signature	Print Name	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.

Amanda Marcucci Amanda Marcucci Southwest Gas Corp 7/23/19
Signature Print Name Company Date

Signature	Print Name	Company	Date
Signature	Print Name	Company	Date

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

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

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: A portion of N. Minnesota Street between W. 2nd Street and W. King Street

(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
Signature	Print Name	Company	Date
Signature	Print Name	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.

 MATT GANGERICH
Signature Print Name NV ENERGY Company 7-16-01 Date

Signature	Print Name	Company	Date
Signature	Print Name	Company	Date

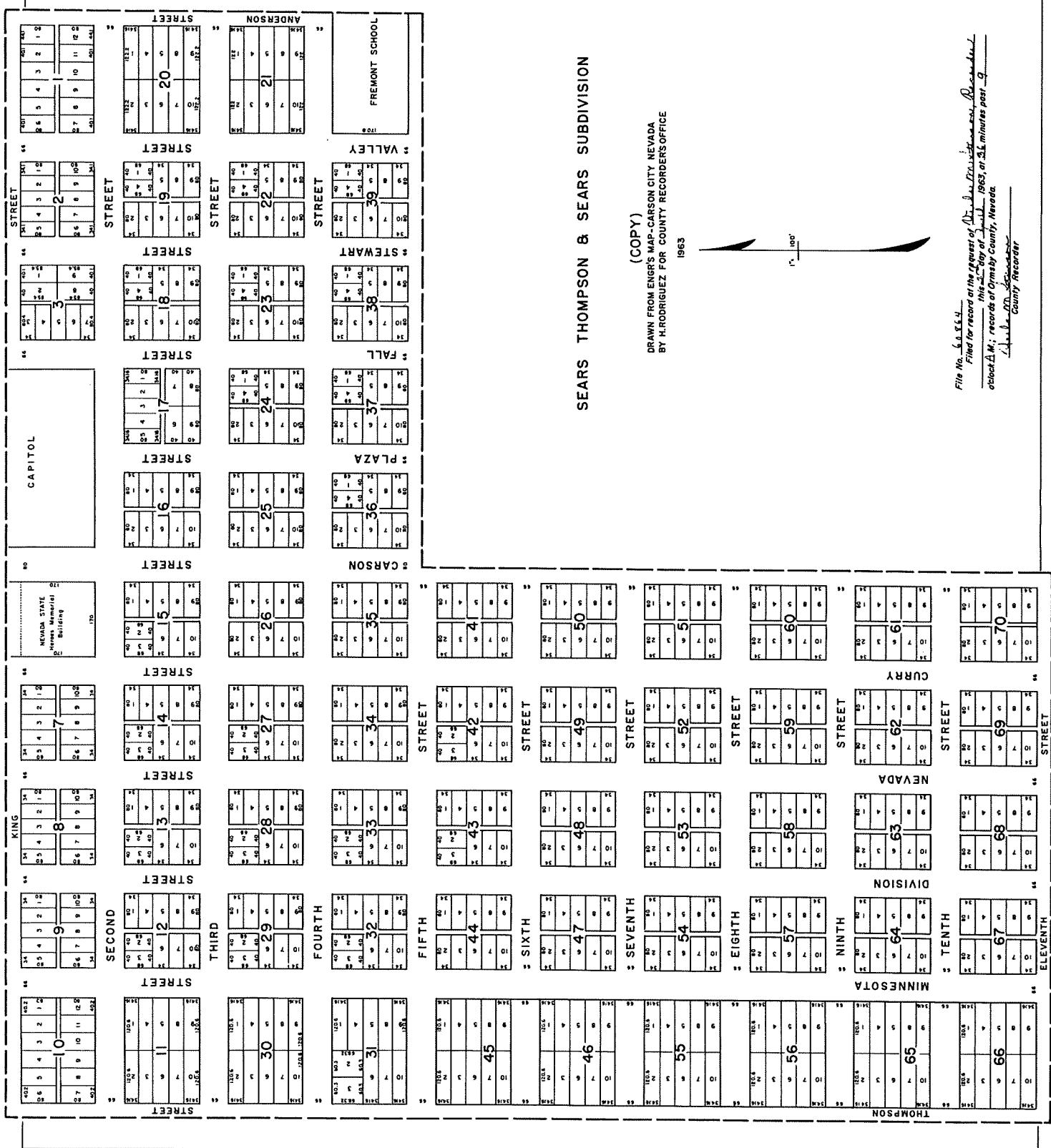
3. OTHER: (Please type in a statement which applies to your situation): _____

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

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



File No. 64854
Filed for record at the request of (1) John Thompson, Plaintiff, John Sears, Plaintiff, Ormsby County, Nevada, Plaintiff
at the Ormsby County, Nevada, Clerk of the Court
on the 1st day of August, 1963, at 10:00 a.m.
Attest: John Thompson, Plaintiff
John Sears, Plaintiff
Ormsby County, Nevada, Clerk of the Court
County Recorder