



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: October 3, 2019

Staff Contact: Hope Sullivan, AICP, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a request for an Order of Abandonment for an abandonment of a public right-of-way known as a portion of Pinto Street located east of Saliman Road, and located south of 411 North Saliman Road. (Hope Sullivan, hsullivan@carson.org)

Staff Summary: The applicant is seeking to abandon three sections of unimproved right-of-way and easements known as Pinto Street, an area approximately 50 feet wide by 488 feet long. The area is comprised of a 25 foot wide access easement with a 10 foot wide roadway easement superimposed on it, and a 25 foot City owned right-of-way. If approved, the entire right-of-way area would be abandoned. The Board of Supervisors is authorized to abandon the right-of-way.

Agenda Action: Formal Action / Motion

Time Requested: 10 Minutes

Proposed Motion

I move to approve an Order of Abandonment for AB-19-046 based on the findings and subject to the conditions of approval recommended by the Planning Commission.

Board's Strategic Goal

Sustainable Infrastructure

Previous Action

At its meeting of May 29, 2019, the Planning Commission recommended approval of AB-19-046 by a vote of 7-0, subject to the conditions of approval in the staff report to the Planning Commission.

Background/Issues & Analysis

Please see attached staff report to the Planning Commission for further explanation and additional information.

Applicable Statute, Code, Policy, Rule or Regulation

NRS 278.480 and CCMC Title 17.15

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

1. Modify the Conditions of Approval.
2. Deny the application.
3. Refer back to staff and the Planning Commission for further review.

Attachments:

[AB-19-046 Pinto St Order.pdf](#)

[AB-19-046 Pinto St PC Staff Report.pdf](#)

[AB-19-046 Pinto St Application.pdf](#)

Board Action Taken:

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

(Vote Recorded By)

APNs: **010-041-77**
010-041-79

TITLE OF DOCUMENT:

**Abandonment public right-of-way
AB-19-046
Adjacent to RD Lompa LLC
Adjacent to Corp of the Presiding Bishop
Adjacent to south of 411 North Saliman Road
Adjacent to east of Saliman Road
Known as Pinto Street**

WHEN RECORDED MAIL TO:

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

APN(s): 010-041-77 and 010-041-79

AN ORDER ABANDONING ENTIRELY A PUBLIC RIGHT-OF-WAY AND EASEMENTS KNOWN AS A PORTION OF PINTO STREET, IN THREE SECTIONS OF UNIMPROVED RIGHT-OF-WAY AND EASEMENTS: A 25-FOOT WIDE ACCESS EASEMENT WITH A 10-FOOT WIDE ROADWAY EASEMENT SUPERIMPOSED ON IT, AS WELL AS A 25-FOOT CARSON CITY OWNED RIGHT-OF-WAY SOUTH OF 411 N. SALIMAN ROAD, EAST OF SALIMAN ROAD ROADWAY, AND RUNNING WEST TO EAST, BEING APPROXIMATELY 50 FEET WIDE BY 488 FEET LONG, APPROXIMATELY 24,433 SQUARE FEET, MORE OR LESS, LOCATED EASTERLY OF THE RIGHT-OF-WAY OF SALIMAN ROAD AND SOUTH OF ASSESSOR'S PARCEL NUMBER 010-041-79 AND ADJACENT TO AND WITHIN ASSESSOR'S PARCEL NUMBER 010-041-77. IT WAS CREATED BY PARCEL MAP 678 FOR EVA LOMPA WHICH PRODUCED TWO PARCELS AND CREATED THE PINTO STREET RIGHT-OF-WAY. THE RIGHT-OF-WAY WAS TAKEN FROM THE LARGER PARCEL SOUTH OF THE RIGHT-OF-WAY, PARCEL D ON THE MAP, AND SHOWN AS 25 FEET WIDE. THIS MAP ALSO CREATED A 10-FOOT WIDE ACCESS AND PUBLIC UTILITY EASEMENT SOUTH OF THE RIGHT-OF-WAY. PARCEL MAP 975 FOR EVA LOMPA CREATED A 25-FOOT WIDE ACCESS EASEMENT TO THE SOUTH OF THE RIGHT-OF-WAY, OVER THE EXISTING 10-FOOT ACCESS AND PUBLIC UTILITY EASEMENT. OVERLAPPING PUBLIC UTILITY EASEMENTS AND ELECTRIC EASEMENTS WERE ALSO CREATED VIA MAP 974 AND DOCUMENTS 30389 AND 68780. THESE WERE SUBSEQUENTLY SHOWN ON MAP 2926. THE PARCEL IS LOCATED WITHIN A PORTION OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.B.M., CARSON CITY, STATE OF NEVADA, ON PROPERTIES LOCATED ADJACENT TO 411 NORTH SALIMAN ROAD, AND EAST OF SALIMAN ROAD, ASSESSOR'S PARCEL NUMBERS 010-041-77 AND 010-041-79, IN CARSON CITY, NEVADA.

WHEREAS, on April 10, 2019, Odyssey Engineering, Inc. duly filed a written application seeking vacation and abandonment of a portion of Pinto Street in three sections of unimproved right-of-way and easements; a 25-foot wide access easement with a 10-foot wide roadway easement superimposed on it, as well as a 25-foot Carson City owned right-of-way, south of 411 N. Saliman Road, east of Saliman Road roadway and running west to east, being approximately 50 feet wide

by 488 feet long, approximately 24,433 square feet, more or less, located south of 411 North Saliman Road, east of Saliman Road roadway and running west to east, within a portion of the Northwest 1/4 of Section 16, Township 15 North, Range 20 East M.D.B.M, Carson City, Nevada, adjacent to APN(s) 010-041-77 and 010-041-79, 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 May 29, 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, access easement and roadway 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 May 29, 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 pursuant to the provisions of NRS 278.480, which among its provisions, requires a written order to be prepared and recorded in the office of the Carson City Recorder; and

WHEREAS, the vacation and abandonment of the right-of-way is more particularly described on the attached Exhibit "A" of written description of the 25-foot wide access easement abandonment, Exhibit "B" of written description of the 10-foot wide roadway easement abandonment, Exhibit "C" of written description of the Pinto Street abandonment, with maps for Exhibit "A" shown as the Exhibits "A-1" and "A-2", maps for Exhibit "B" shown as Exhibits "B-1" and "B-2", maps for

Exhibit C shown as Exhibits "C-1" and "C-2", resultant parcels are described on Exhibit "D" and shown on map Exhibit "D-1", and the attached utility statements are shown as Exhibit(s) "E".

NOW, THEREFORE, the Board of Supervisors hereby orders:

1. That the above-described right-of-way and easements are 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's, will be protected by easements. The abandonment is subject to reserving easements for utility companies and/or Carson City, as requested.

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

ROBERT L. CROWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

EXHIBIT A
LAND DESCRIPTION FOR
25' WIDE ACCESS EASEMENT ABANDONMENT

All that certain real property situate within a portion of the Northwest One-Quarter (NW 1/4) of Section Sixteen (16), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Base Meridian, Carson City, State of Nevada, being a 25 foot wide access easement granted and shown on Parcel Map No. 974, recorded June 27, 1983, in Book 4, on Page 974, and being further depicted within Parcel A1 as shown on Parcel Map No. 2926, recorded October 6, 2017, in Book 10, on Page 2926, both plats being Official Records of Carson City, Nevada, and being more particularly described as follows:

BEGINNING at the northwest corner of said Parcel A1, said point also being coincident with the easterly right of way of North Saliman Road as shown on said Parcel Map No. 2926;

THENCE easterly coincident with the northerly line of said Parcel A1, South 89°49'41" East, 487.69 feet (South 89°51'26" East, 487.34 per said Parcel Map No. 974);

THENCE southerly departing said northerly line, South 00°10'19" West, 25.00 feet;

THENCE North 89°49'41" West, 487.69 feet to a point coincident with the westerly line of aforesaid Parcel A1;

THENCE northerly coincident with said westerly line, North 00°10'19" East, 25.00 feet to the **POINT OF BEGINNING** and end of this description.

Containing 12,192 square feet of land, more or less.

RESERVING THEREFROM: (I) a 5 foot wide Electric Easement, parallel with North Saliman Road, as described within Document No. 30389, recorded December 10, 1973, in Book 150, Page 493. (II) a 7.5 foot wide Public Utility Easement, parallel with North Saliman Road, as shown on Parcel Map No. 974, recorded June 27, 1983, in Book 4 of Maps, Page 974. (III) a 17.5 foot wide Electric, parallel with North Saliman Road, as described within Document No. 68780, recorded March 29, 1988. (IV) a 25 foot wide Public Utility Easement, parallel with North Saliman Road, as described within Document No. 68780, recorded March 29, 1988. All said documents being Official Records of Carson City, Nevada.

SEE EXHIBIT'S A-1 and A-2 attached hereto and made a part hereof.

BASIS OF BEARINGS for this description is based on the Nevada State Plane Coordinate System of 1983, West Zone, NAD 83/94.

Prepared By:

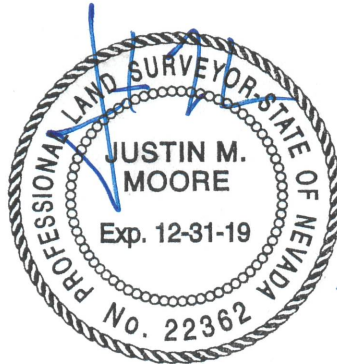
ODYSSEY ENGINEERING, INC.

Justin M. Moore, P.L.S.

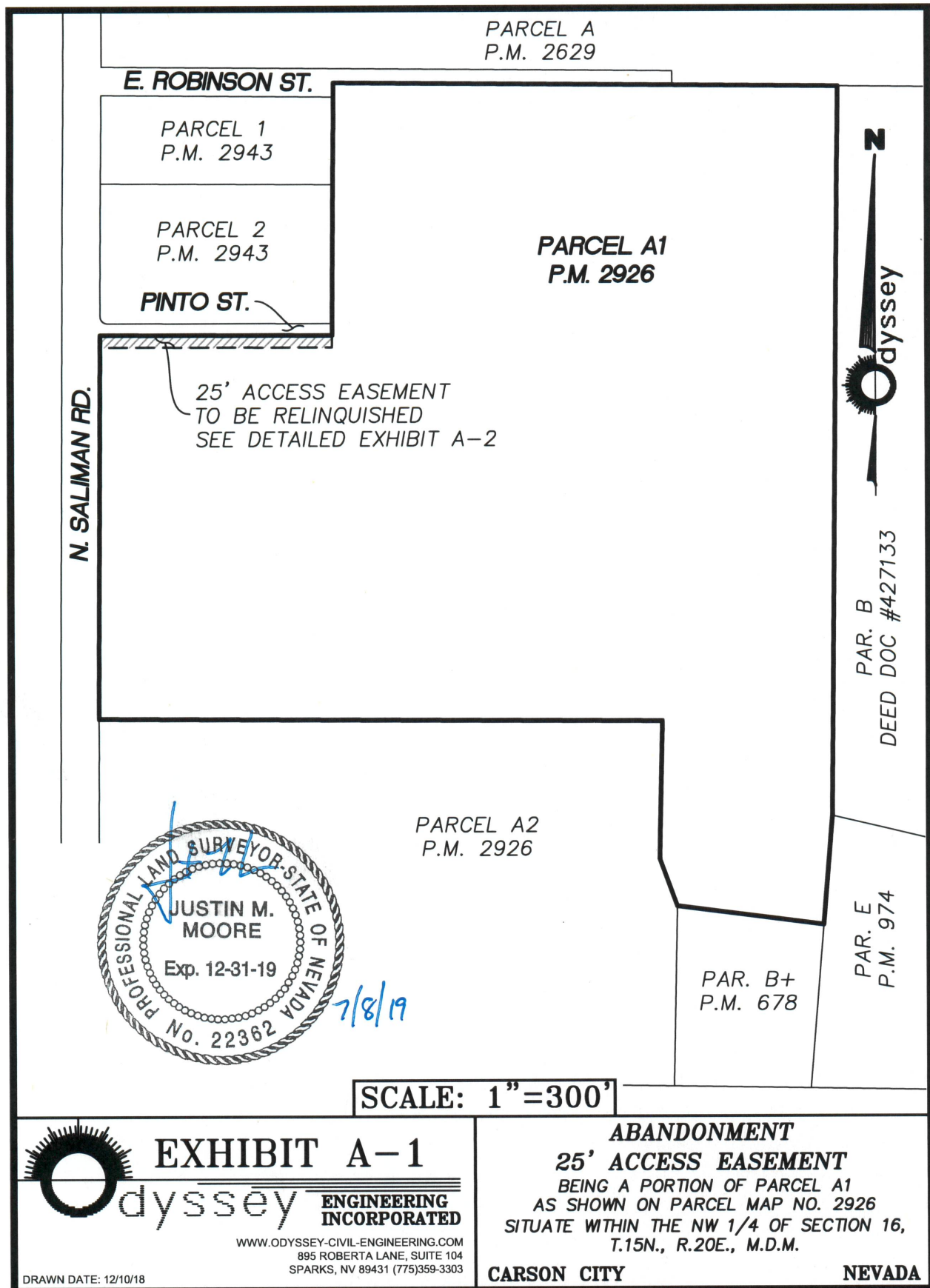
Nevada Certificate No. 22362

895 Roberta Lane, Suite 104,

Sparks, NV 89431



7/8/19



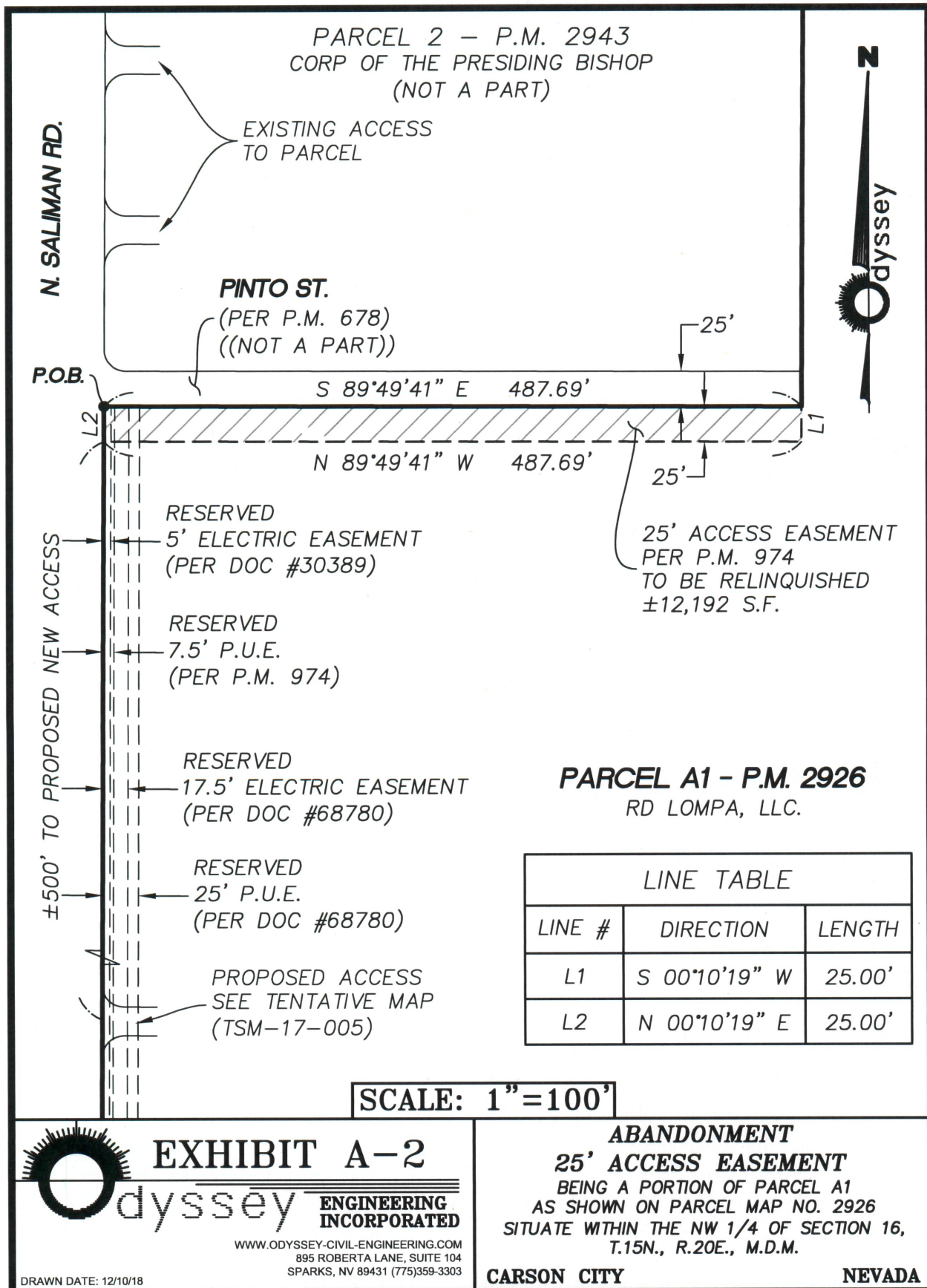


EXHIBIT B
LAND DESCRIPTION FOR
10' WIDE ROADWAY EASEMENT ABANDONMENT

All that certain real property situate within a portion of the Northwest One-Quarter (NW 1/4) of Section Sixteen (16), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Base Meridian, Carson City, State of Nevada, being a 10 foot wide roadway and public utility easement granted and shown on Parcel Map No. 678, recorded August 21, 1978, in Book 3 of Maps, on Page 678, as File No. 82033, and being further depicted within Parcel A1 as shown on Parcel Map No. 2926, recorded October 6, 2017, in Book 10, on Page 2926, both plats being Official Records of Carson City, Nevada, and being more particularly described as follows:

BEGINNING at the northwest corner of said Parcel A1, said point also being coincident with the easterly right of way of North Saliman Road as shown on said Parcel Map No. 2926;

THENCE easterly coincident with the northerly line of said Parcel A1, South 89°49'41" East, 487.69 feet (South 89°51'26" East, 487.34 per said Parcel Map No. 678);

THENCE southerly departing said northerly line, South 00°10'19" West, 10.00 feet;

THENCE North 89°49'41" West, 487.69 feet to a point coincident with the westerly line of aforesaid Parcel A1;

THENCE northerly coincident with said westerly line, North 00°10'19" East, 10.00 feet to the **POINT OF BEGINNING** and end of this description.

Containing 4,877 square feet of land, more or less.

RESERVING THEREFROM: (I) a 5 foot wide Electric Easement, parallel with North Saliman Road, as described within Document No. 30389, recorded December 10, 1973, in Book 150, Page 493. (II) a 7.5 foot wide Public Utility Easement, parallel with North Saliman Road, as shown on Parcel Map No. 974, recorded June 27, 1983, in Book 4 of Maps, Page 974. (III) a 17.5 foot wide Electric, parallel with North Saliman Road, as described within Document No. 68780, recorded March 29, 1988. (IV) a 25 foot wide Public Utility Easement, parallel with North Saliman Road, as described within Document No. 68780, recorded March 29, 1988. All said documents being Official Records of Carson City, Nevada.

SEE EXHIBIT'S B-1 and B-2 attached hereto and made a part hereof.

BASIS OF BEARINGS for this description is based on the Nevada State Plane Coordinate System of 1983, West Zone, NAD 83/94.

Prepared By:

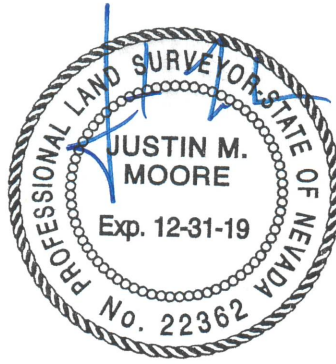
ODYSSEY ENGINEERING, INC.

Justin M. Moore, P.L.S.

Nevada Certificate No. 22362

895 Roberta Lane, Suite 104,

Sparks, NV 89431



7/8/19

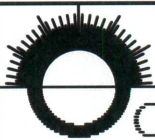
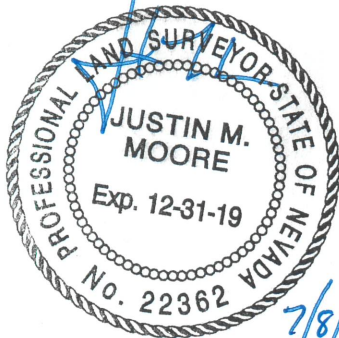
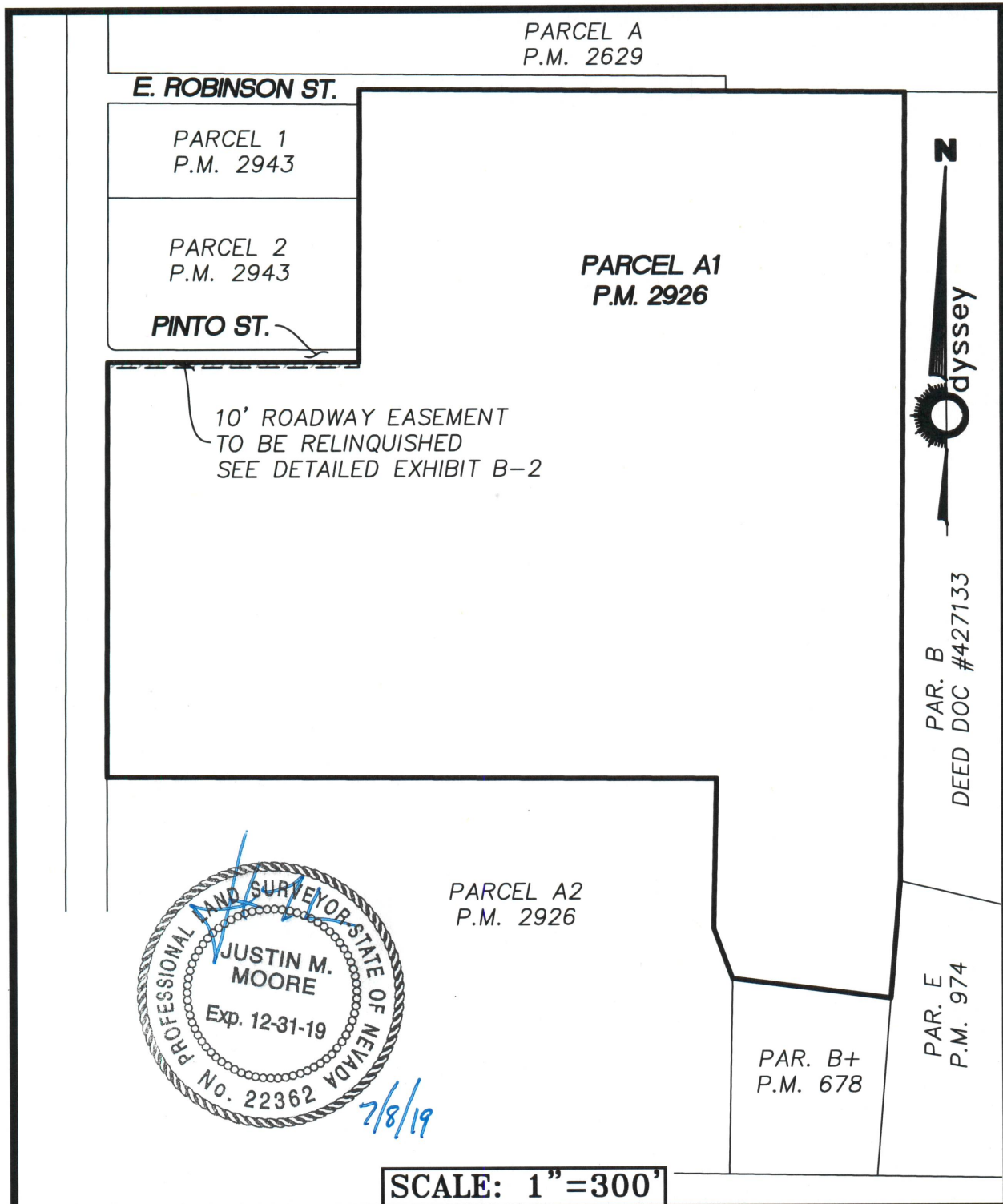


EXHIBIT B-1

odyssey

**ENGINEERING
INCORPORATED**

WWW.ODYSSEY-CIVIL-ENGINEERING.COM
895 ROBERTA LANE, SUITE 104
SPARKS, NV 89431 (775)359-3303

DRAWN DATE: 12/10/18

ABANDONMENT
10' ROADWAY EASEMENT
BEING A PORTION OF PARCEL A1
AS SHOWN ON PARCEL MAP NO. 2926
SITUATE WITHIN THE NW 1/4 OF SECTION 16,
T.15N., R.20E., M.D.M.

CARSON CITY NEVADA

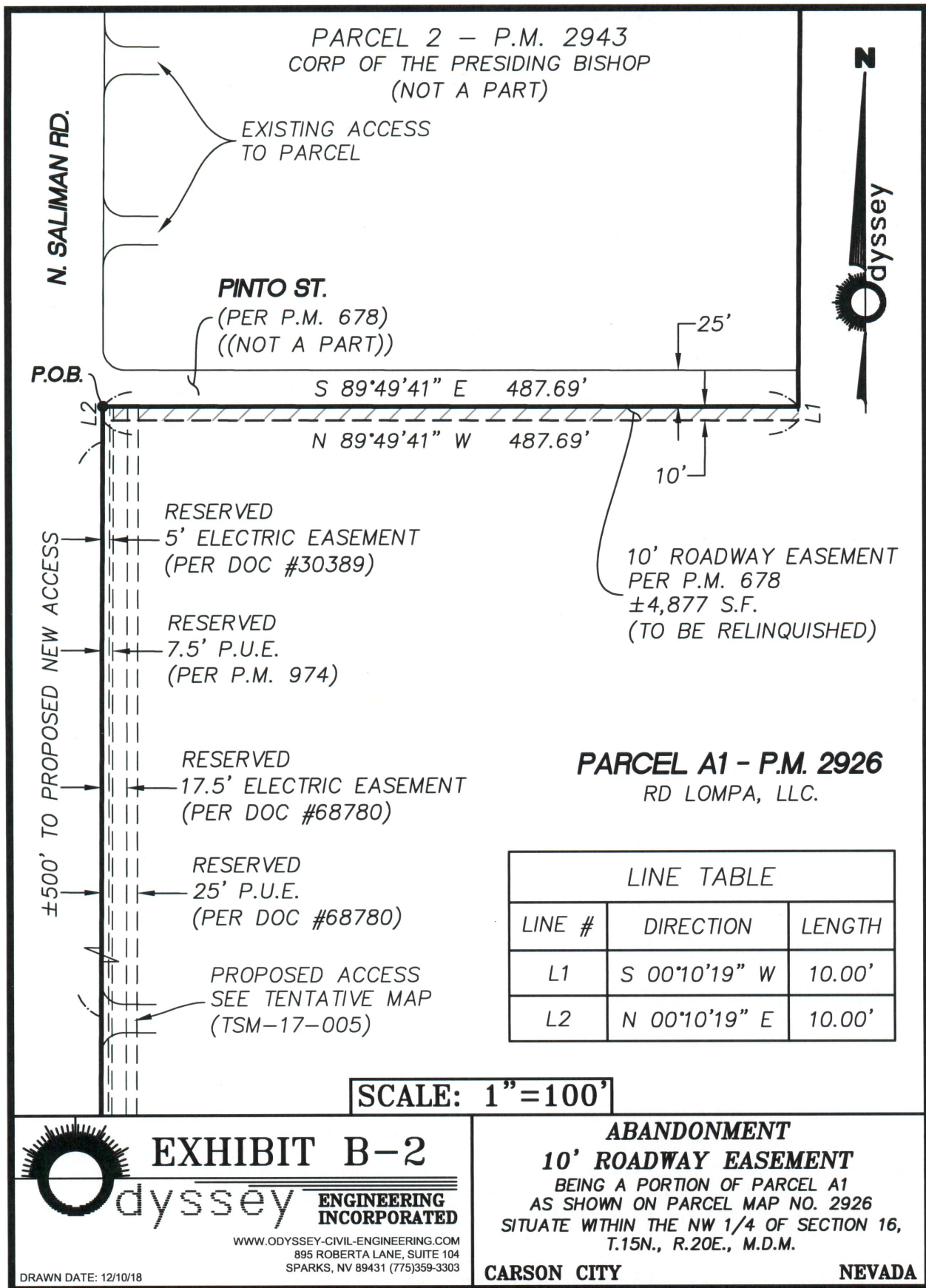


EXHIBIT C
LAND DESCRIPTION FOR
PINTO STREET ABANDONMENT

All that certain real property situate within a portion of the Northwest One-Quarter (NW 1/4) of Section Sixteen (16), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Base Meridian, Carson City, State of Nevada, being a 25 foot wide right of way dedication, designated as Pinto Street as shown on Parcel Map No. 678, recorded August 21, 1978, in Book 3 of Maps, on Page 678, as File No. 82033, and being accepted for dedication per Dedication Document recorded August 31, 1978, in Book 238 of Official Records, on Page 517, both documents being Official Records of Carson City, Nevada, and being more particularly described as follows:

BEGINNING at the southwest corner of said Pinto Street as shown on said Parcel Map No. 678;

THENCE northerly coincident with the easterly right of way of Saliman Road, as shown on said Parcel Map No. 678, North 00°20'52" East, 40.05 feet (North 00°19'46" East per said Parcel Map No. 678) to the beginning of a non-tangent curve to the left, concave northeasterly, having a 15.00 foot radius, from which a radial line bears South 89°38'29" East to the radius point;

THENCE southeasterly coincident with the northerly right of way of aforesaid Pinto Street, 23.61 feet along the arc of said curve, through a central angle of 90°11'12" to a point of tangency;

THENCE easterly coincident with said northerly right of way, South 89°49'41" East, 472.65 feet (North 89°51'26" East, 472.29 feet per aforesaid Parcel Map No. 678) to the northeast corner of aforesaid Pinto Street;

THENCE southerly coincident with the easterly right of way of said Pinto Street, South 00°21'31" West, 25.00 feet (South 00°19'46" East per said Parcel Map No. 678) to the southeast corner of said Pinto Street;

THENCE westerly coincident with the southerly line of said Pinto Street, North 89°49'41" West, 487.69 feet (South 89°51'26" West, 487.34 feet per said Parcel Map No. 678) to the **POINT OF BEGINNING** and end of this description.

Containing 12,241 square feet of land, more or less.

RESERVING THEREFROM: (I) a 5 foot wide Electric Easement, parallel with North Saliman Road, as described within Document No. 30389, recorded December 10, 1973, in Book 150, Page 493. (II) a 7.5 foot wide Public Utility Easement, parallel with North Saliman Road, as shown on Parcel Map No. 974, recorded June 27, 1983, in Book 4 of Maps, Page 974. (III) a 17.5 foot wide Electric, parallel with North Saliman Road, as described within Document No. 68780, recorded March 29, 1988. (IV) a 25 foot wide Public Utility Easement, parallel with North Saliman Road, as described within Document No. 68780, recorded March 29, 1988. All said documents being Official Records of Carson City, Nevada.

SEE EXHIBIT'S C-1 and C-2 attached hereto and made a part hereof.

BASIS OF BEARINGS for this description is based on the Nevada State Plane Coordinate System of 1983, West Zone, NAD 83/94.

Prepared By:

ODYSSEY ENGINEERING, INC.
Justin M. Moore, P.L.S.
Nevada Certificate No. 22362
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Sparks, NV 89431



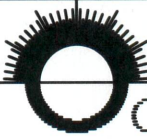
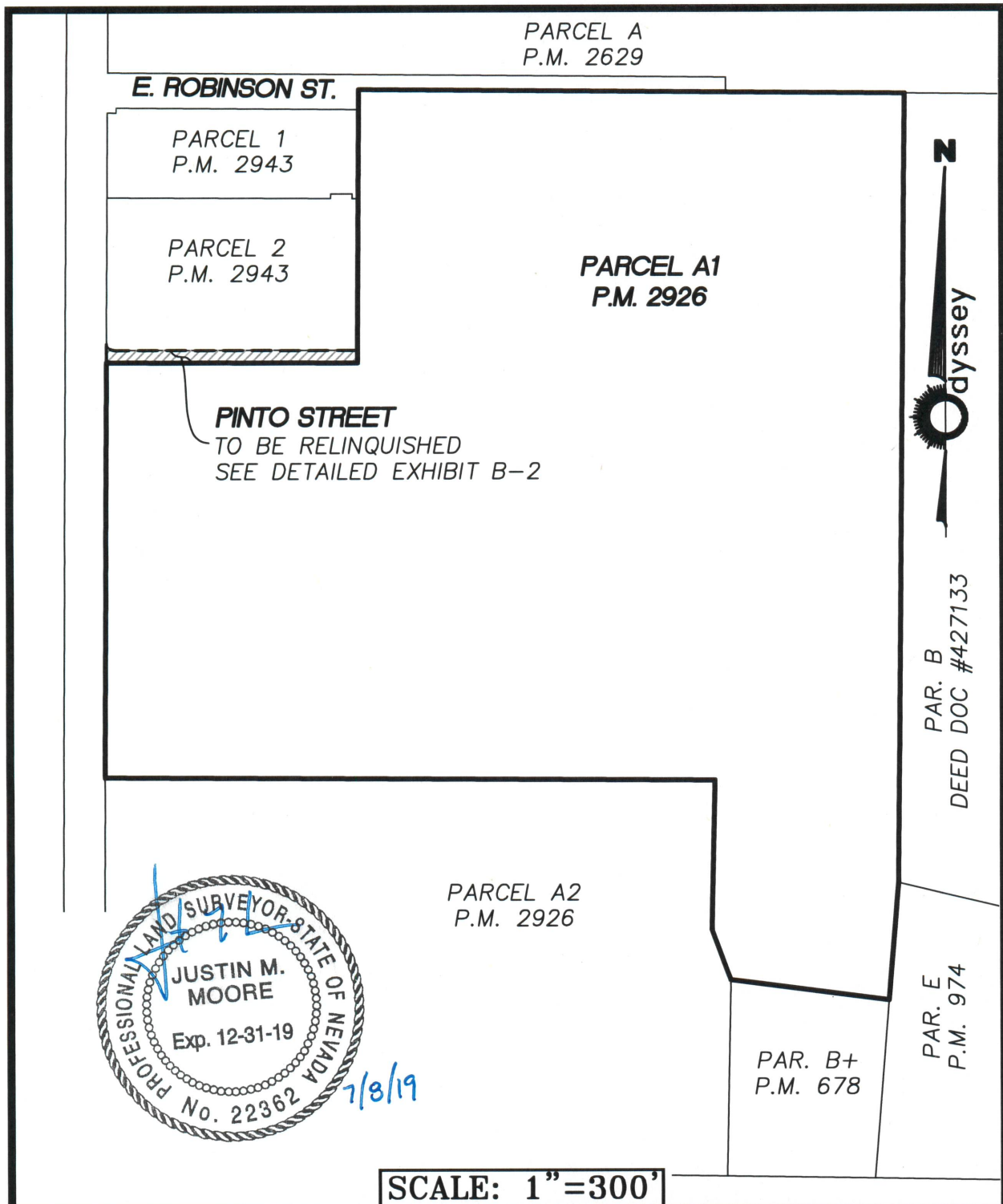


EXHIBIT C-1

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SPARKS, NV 89431 (775)359-3303

DRAWN DATE: 2/12/19

ABANDONMENT

25' DEDICATED PINTO STREET
BEING ALL OF PINTO STREET AS OFFERED FOR
DEDICATION ON PARCEL MAP NO. 678
SITUATE WITHIN THE NW 1/4 OF SECTION 16,
T.15N., R.20E., M.D.M.

CARSON CITY

NEVADA

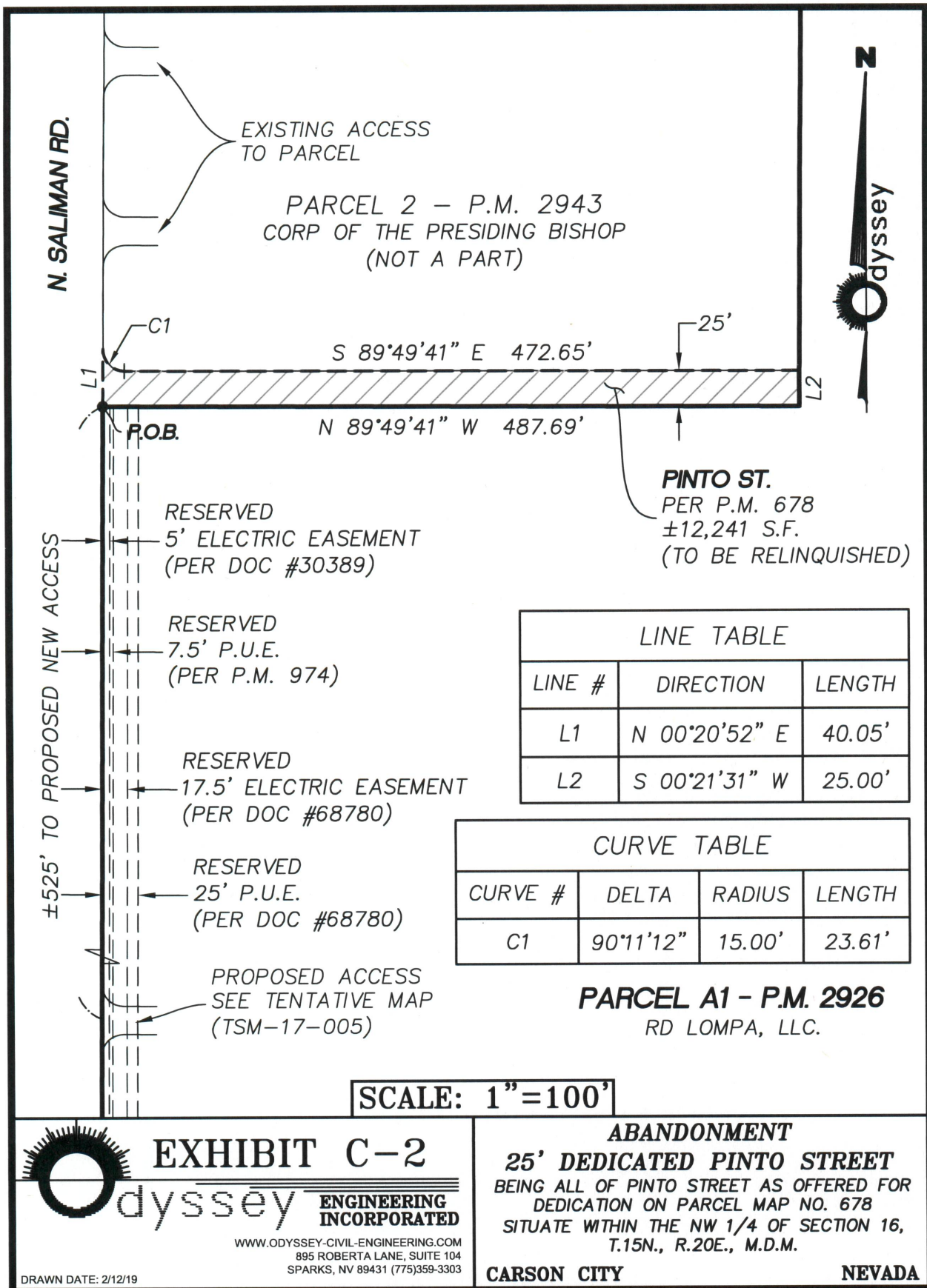


EXHIBIT D
LAND DESCRIPTION OF
RESULTANT PARCEL

All that certain real property situate within a portion of the West One-Half (W 1/2) of Section Sixteen (16), Township Fifteen (15) North, Range Twenty (20) East, Mount Diablo Base Meridian, Carson City, State of Nevada, and being all of Parcel A1 as shown on Parcel Map No. 2926, recorded October 6, 2017, in Book 10, Page 2926, as File No. 479250, and all of that certain 25 foot wide right of way dedication, designated as Pinto Street as shown on Parcel Map No. 678, recorded August 21, 1978, in Book 3 of Maps, Page 678, as File No. 82033, both plats being Official Records of Carson City, Nevada, and being more particularly described as follows:

BEGINNING at the southwest corner of said Parcel A1;

THENCE northerly coincident with the easterly right of way of N. Saliman Road as shown on said Parcel Map No's 678 and 2926, North 00°20'52" East, 847.02 feet (North 00°19'46" East per said Parcel Map No. 678) to the beginning of a non-tangent curve to the left, concave northeasterly, having a 15.00 foot radius, from which a radial line bears South 89°38'29" East to the radius point;

THENCE southeasterly departing said easterly right of way and coincident with the northerly right of way of aforesaid Pinto Street, 23.61 feet along the arc of said curve, through a central angle of 90°11'12" to a point of tangency;

THENCE easterly coincident with said northerly right of way, South 89°49'41" East, 472.65 feet (North 89°51'26" East, 472.29 feet per aforesaid Parcel Map No. 678) to the northeast corner of aforesaid Pinto Street;

THENCE northerly departing said northerly right of way and coincident with the boundary of the aforesaid Parcel A1 the following nine (9) course and distances:

- 1) North 00°21'31" East, 479.73 feet (North 00°19'46" East per aforesaid Parcel Map No. 678);
- 2) North 00°33'19" East, 30.00 feet (North 00°19'46" East per said Parcel Map No. 678) to the north-northwest corner of aforesaid Parcel A1;
- 3) South 89°26'41" East, 1,060.15 feet to the northeast corner of said Parcel A1;
- 4) South 00°33'19" West, 1,533.35 feet to an angle point on the easterly line of said Parcel A1;
- 5) South 04°42'30" West, 229.86 feet to the southeast corner of said Parcel A1;
- 6) North 82°41'58" West, 310.46 feet to the south-southwest corner of said Parcel A1;
- 7) North 20°10'18" West, 106.05 feet to an angle point on the southerly line of said Parcel A1;
- 8) North 01°14'12" East, 286.31 feet to an angle point on the southerly line of said Parcel A1;

- 9) North 89°39'08" West, 1184.10 feet to the **POINT OF BEGINNING** and end of this description.

Containing 45.16 acres of land, more or less.

SEE EXHIBIT'S D-1 and D-2 attached hereto and made a part hereof.

BASIS OF BEARINGS for this description is based on the Nevada State Plane Coordinate System of 1983, West Zone, NAD 83/94.

Prepared By:

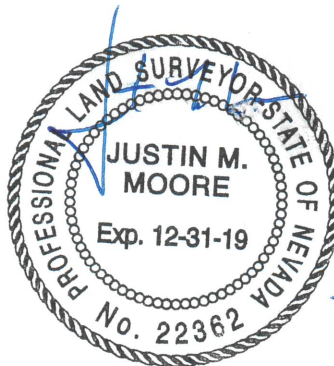
ODYSSEY ENGINEERING, INC.

Justin M. Moore, P.L.S.

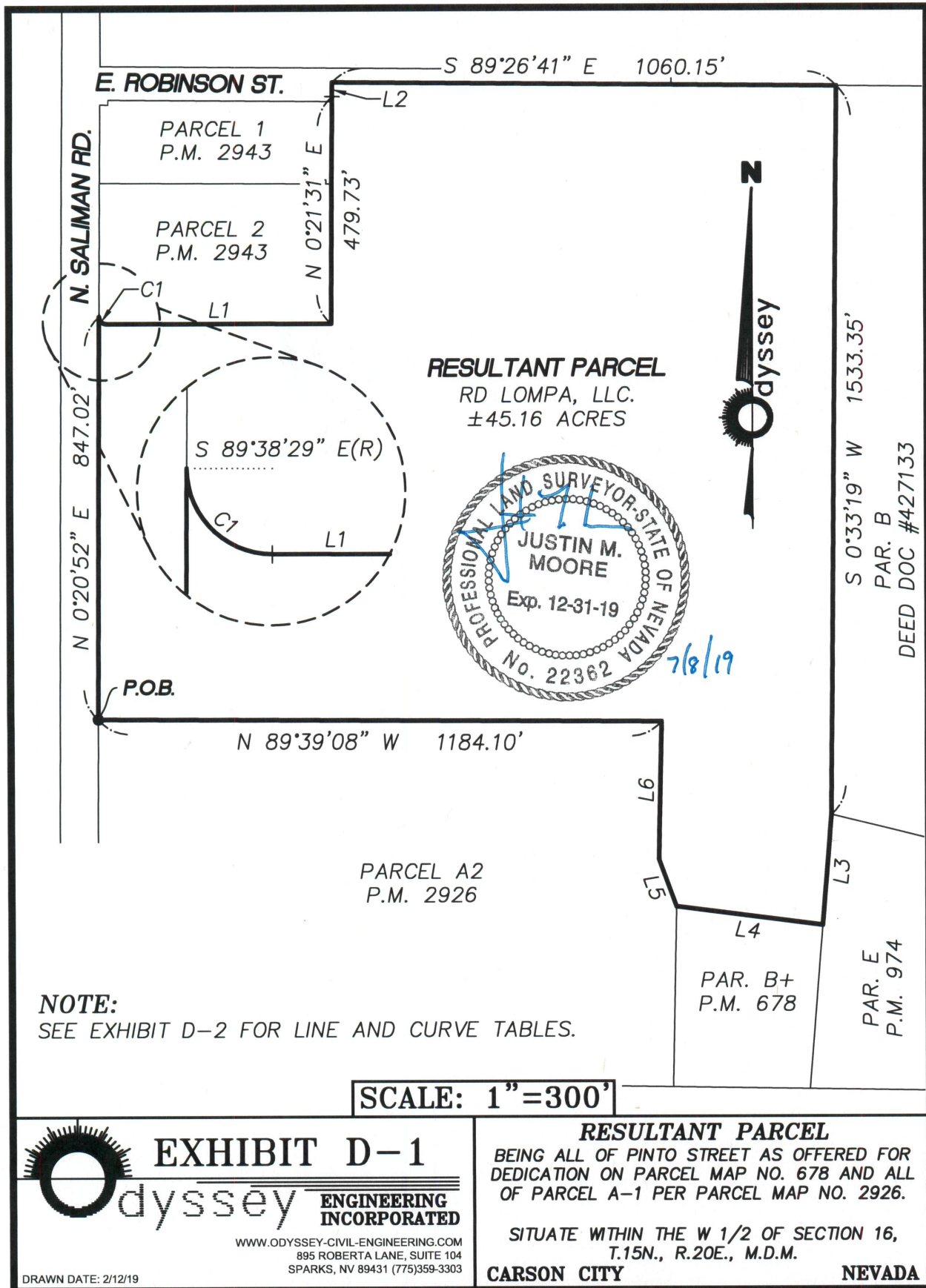
Nevada Certificate No. 22362

895 Roberta Lane, Suite 104,

Sparks, NV 89431



2/8/19



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S 89°49'41" E	472.65'
L2	N 00°33'19" E	30.00'
L3	S 04°42'30" W	229.86'
L4	N 82°41'58" W	310.46'
L5	N 20°10'18" W	106.05'
L6	N 01°14'12" E	286.31'

CURVE TABLE			
CURVE #	DELTA	RADIUS	LENGTH
C1	90°11'12"	15.00'	23.61'

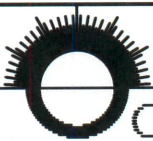
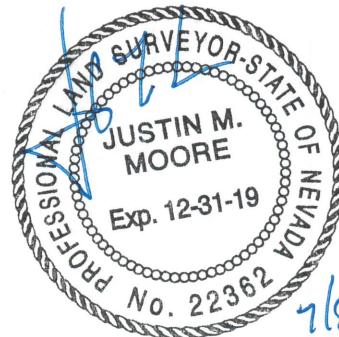


EXHIBIT D-2

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895 ROBERTA LANE, SUITE 104
SPARKS, NV 89431 (775)359-3303

DRAWN DATE: 2/12/19

RESULTANT PARCEL

BEING ALL OF PINTO STREET AS OFFERED FOR
DEDICATION ON PARCEL MAP NO. 678 AND ALL
OF PARCEL A-1 PER PARCEL MAP NO. 2926.

SITUATE WITHIN THE W 1/2 OF SECTION 16,
T.15N., R.20E., M.D.M.

CARSON CITY

NEVADA

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

A.P.N.: 010-041-77 Being that certain 25' dedicated right of way, commonly known as Pinto Street and a
 LOCATED AT: 10' roadway easement per Parcel Map No. 678, and a 25' access easement per Parcel Map No. 974/975

(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>Amanda Marucci</u>	<u>Amanda Marucci</u>	<u>Southwest Gas</u>	<u>2/28/19</u>
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)

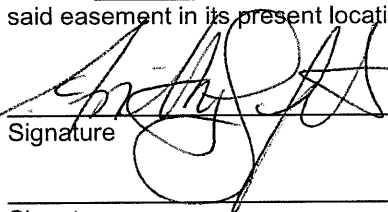
Southwest Gas Corporation
 AT&T Nevada

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

A.P.N.: 010-041-77 Being that certain 25' dedicated right of way, commonly known as Pinto Street and a
 LOCATED AT: 10' roadway easement per Parcel Map No. 678, and a 25' access easement per Parcel Map No. 974/975

(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.

	Anthony Lafante	Charter Comm	3-20-19
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.

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)

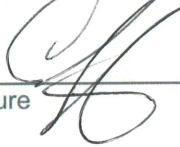
Southwest Gas Corporation
 AT&T Nevada

UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

A.P.N.: 010-041-77 Being that certain 25' dedicated right of way, commonly known as Pinto Street and a
 LOCATED AT: 10' roadway easement per Parcel Map No. 678, and a 25' access easement per Parcel Map No. 974/975

(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 	CLIFF COOPER	NEVADA BELL TELEPHONE CO d/b/a AT&T NEVADA	02/12/2019
_____	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.

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)

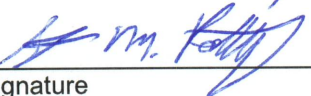
Southwest Gas Corporation
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UTILITY STATEMENTS FOR ABANDONMENT OF PUBLIC RIGHT-OF-WAY

A.P.N.: 010-041-77 Being that certain 25' dedicated right of way, commonly known as Pinto Street and a
 LOCATED AT: 10' roadway easement per Parcel Map No. 678, and a 25' access easement per Parcel Map No. 974/975

(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.

	Stephen Pottay	Carson City	9/20
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
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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 request the utility easements along the East side of Saliman Rd. remain.

	MATT GINGRICH	NV ENERGY	2-13-19
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

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF MAY 29, 2019

FILE NUMBER: AB-19-046

AGENDA ITEM: E.7

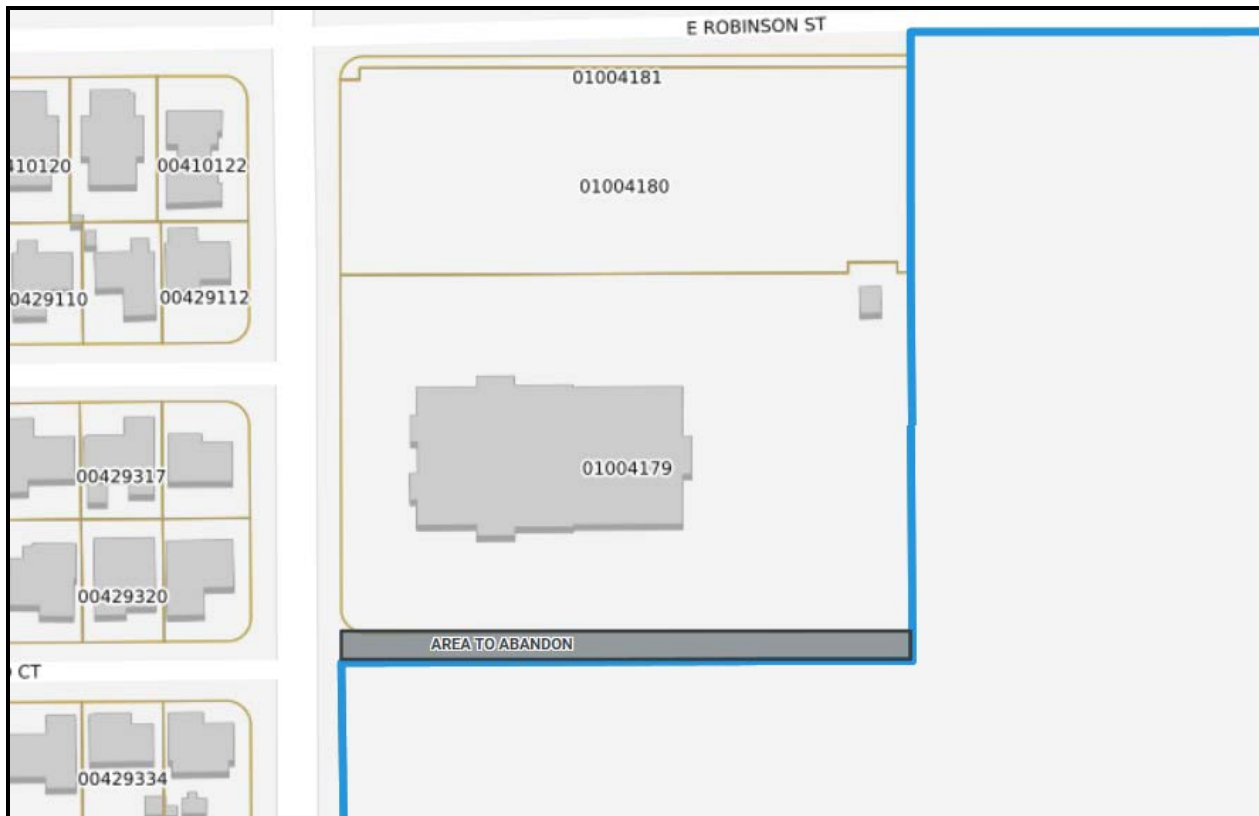
STAFF CONTACT: Kathe Green, Assistant Planner

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a request for an Abandonment of a Public Right-of-Way known as a portion of Pinto Street located east of Saliman Road, and located south of 411 North Saliman Road. (Kathe Green, kgreen@carson.org)

SUMMARY: The applicant is seeking to abandon three sections of unimproved right-of-way and easements known as Pinto Street, an area approximately 50 feet wide by 488 feet long. The area is comprised of a 25 foot wide access easement with a 10 foot wide roadway easement superimposed on it, and a 25 foot City owned right-of-way. If approved, the entire right-of-way area would be abandoned. Per CCMC 17.15, 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.

RECOMMENDED MOTION: "I move to recommend that the Board of Supervisors approve AB-19-046, based on the 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 Supervisor).
3. The land areas abandoned will be reverted to Assessor's Parcel number 010-041-77, as the area to be abandoned originated entirely from this parcel.
4. This item will not be scheduled for review by the Board of Supervisors until the following corrections are received:
 - a. In the first paragraph of Exhibit B the parcel map number is missing and must be added.
 - b. In Exhibit D the line and curve table is missing on the map sheet and must be added.
 - c. The Public Utility Easement (PUE) and Electric easements referenced in Map 2926 (from Map 974 and documents 30389 and 68780) must be retained adjacent to Saliman Road. These must be shown in the exhibits and descriptions.
5. Conditional approval for the requested abandonment shall expire four years after Board of Supervisor 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: Medium Density Residential (MDR) and Mixed Use Residential (MUR)

Adjacent ZONING: Single Family 6,000 (SF6) and Single Family 1 Acre (SF1A)

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

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Single Family 1 Acre (SF1A)/church

SOUTH: Single Family 6,000 (SF6)/vacant

WEST: Single Family 6,000 (SF6)/single family residential

EAST: Single Family 6,000 (SF6)/vacant

PREVIOUS REVIEWS (REGARDING ADJACENT PARCEL 010-041-77, SOUTH OF THE PROPOSED AREA OF ABANDONMENT):

February 22, 2016, TSM-17-005 Blackstone Ranch Phase 1, a 189 single family unit subdivision was recommended for approval by the Planning Commission to the Board of Supervisors.

March 16, 2017, TSM-17-005 Blackstone Ranch Phase 1, a tentative map for a 189 single family unit subdivision was approved by the Board of Supervisors, subject to conditions of approval.

DISCUSSION:

This request is to allow the abandonment of the portion of Pinto Street, located east of Saliman Road, which is in three sections of unimproved right-of-way and easements. It is comprised of a 25 foot wide access easement with a 10 foot wide roadway easement superimposed on it, and a 25 foot wide City owned right-of-way, being an area totaling 50 feet wide and 488 feet long running west to east. The area under review continues east from the eastern side of Saliman Road and is an area of approximately 24,433 square feet, more or less, adjacent to property located south of 411 North Saliman Road and is adjacent to APNs 010-041-77 on the south and 010-041-79 on the north.

The area under review is unimproved and vacant. The research related to the chain of title for this area of proposed abandonment supports that the originating parcel was completely within 010-041-77 (on the south) with no interest coming from parcel 010-041-79 (on the north). Therefore, abandonment of the easements and right-of-way areas are proposed to be reverted in their entirety to parcel 010-041-77 (on the south), rather than half of the area to the parcel to the north and half to the parcel on the south.

NV Energy, Southwest Gas and Charter Communications have indicated they do not have utilities in the public roadway area proposed for abandonment and do not require an easement reservation within the area of abandonment. However, the Engineering Department and NV Energy have requested the continuation of the easements which runs north to south on the eastern side of Saliman Road. A condition of approval states that these easements must be shown on documents for review prior to consideration by the Board of Supervisors of the abandonment of this area.

The documents for the proposed abandonment of the area described as Pinto Street, a total of 50 feet by 488 feet running west to east, starting at the eastern side of Saliman Road and continuing east, have been reviewed by the Carson City Engineering Division. The Engineering Division supports the proposed abandonment, with creation and submission of additional documentation required to complete the abandonment, create the easements and recording of appropriate paperwork, which will be required prior to review by the Board of Supervisors.

Pursuant to NRS 278.480 Vacation or Abandonment of 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 that based on the findings of fact 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-19-046.

The Engineering Division has provided detail regarding the Chain of Title for this location as follows: Parcel 678 for Eva Lompa produced two parcels and created the Pinto Drive right-of-way (to the east of Saliman Road). The right-of-way (under review) was taken from the larger parcel south of the right-of-way, (shown as) parcel D on the map, and shown as 25 feet wide. This map also created a 10 foot wide access and public utility easement (PUE) easement south of the right-of-way.

Parcel map 975 for Eva Lompa created a 25 foot wide access easement to the south of the right-of-way, over the existing 10 foot access and PUE easement.

Overlapping PUE and Electric easements were also created via Map 974 and documents 30389 and 68780. These were subsequently shown on Map 2926.

There are no records indicating that City ever paid for the right-of-way.

It is noted once the public right-of-way property reverts to the adjacent parcel to the south the property owner(s) will be responsible for any increased taxes due on the adjusted (increased) acreage.

PUBLIC COMMENTS: A public notice was sent by certified mail to the adjacent property owners per Nevada Revised States on May 10, 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: The Engineering Division recommends APPROVAL of the proposed abandonment, and recommends the following conditions of approval:

- In the first paragraph of Exhibit B, the parcel map number is missing and must be added.
- In Exhibit D the line and curve table is missing on the map sheet and must be added.
- A PUE and Electric easements referenced in Map 2926 (from Map 974 and documents 30389 and 68780) must be retained adjacent to Saliman Road. These must be shown in the exhibits and descriptions.

RIGHT-OF-WAY ABANDONMENT FINDINGS: In accordance with Carson City Municipal Code Title 17.15.010, 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?

Per the information provided by the applicant, the adjacent property owners will not be damaged by this abandonment application, nor will the public be materially injured by the abandonment. The area under review is an unimproved location.

The public will not be materially injured by the proposed abandonment of the easements and right-of-way areas. There will be no landlocked parcels created as a result of the proposed abandonment.

In addition, there is a public utility and electric easements required in the area being abandoned, adjacent to Saliman Road running north to south, which will need to be created/retained and shown on the submitted plans.

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

There are no records indicating that the City ever paid for the right-of-way. Since Carson City did not pay for the right-of-way, it is staff's conclusion that no charge for the right-of-way 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 Carson City ever paid for the right-of-way in question. Parcel 678 for Eva Lompa produced two parcels and created the Pinto Street right-of-way, an area to the east of Saliman Road. The right-of-way under review was taken from the larger parcel south of the right-of-way, shown as parcel D on the map, and shown as 25 feet wide. 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.

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

There is no parking or improvements of any kind in the area of the proposed abandonment. It is noted that a tentative map has been approved in this vicinity. However, no negative impact to the site or area is anticipated as a result of an approval of the request to abandon this unimproved area of right-of-way.

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

All easements are to be vacated with the exception of the public utility and electric easements which will need to be created/retained along the frontage of Saliman Road, per the condition of approval listed previously. The utility companies have stated they do not have utilities in the area under review, but do want to retain the easements running north to south on the eastern frontage portion of Saliman Road adjacent to the area under review. No other public utility easements are located in the portion of Pinto Street to be abandoned. Nevada Energy, Charter Communication and Southwest Gas have indicated they do not have other utilities in the public roadway area proposed for abandonment and do not want an easement reservation. However, the Carson City Engineering Division has reviewed the submitted documents and states that the easements will need to continue along the eastern side of Saliman Road and will need to be created/retained/reserved and continued along this right-of-way area. The Carson City Engineering Division supports the request to abandon this unimproved area of public right-of-way and easements. The documents to support the abandonment will need to be recorded if the request is 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

Draft Order of Abandonment

Application (AB-19-046)

Carson City Planning Division 108 E. Proctor Street, Carson City, NV 89701 Phone: (775) 887-2180 Email: planning@carson.org	
FILE # AB - 18 - = AB - 19 - 046	
APPLICANT	PHONE #
Odyssey Engineering, Inc.	775-236-0543
MAILING ADDRESS, CITY, STATE, ZIP	
895 Roberta Lane, Suite 104, Sparks, NV, 89431	
EMAIL ADDRESS	
justin@odysseyreno.com	
PROPERTY OWNER	PHONE #
RD Lompa, LLC	775-823-3788
MAILING ADDRESS, CITY, STATE, ZIP	
985 Damonte Ranch Pkwy, Suite 140, Reno, NV, 89521	
EMAIL ADDRESS	
bobbie@ryderhomes.com	
APPLICANT AGENT/REPRESENTATIVE	PHONE #
Justin Moore, PLS	775-236-0543
MAILING ADDRESS, CITY, STATE, ZIP	
895 Roberta Lane, Suite 104, Sparks, NV, 89431	
EMAIL ADDRESS	
justin@odysseyreno.com	
Project's Assessor Parcel Number(s):	Street Address
010-041-77	E. Fifth Street / S. Saliman Road

FOR OFFICE USE ONLY:

CCMC 17.15

RECEIVED

APR 10 2019

ABANDONMENT OF PUBLIC RIGHT-OF-WAY

CARSON CITY
PLANNING DIVISION

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:

Kathe Green

Submission 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:

The requested abandonment consists of a 25 foot wide access easement per Parcel Map No. 974 and further shown on Parcel Map No. 975, a 10 foot wide roadway easement as shown on Parcel Map No. 678, and a 25 foot wide dedicated strip of land named Pinto Street, dedicated to Carson City per Parcel Map No. 678. The entire corridor is a vacant, unimproved strip of land. The applicant intends to construct a residential development that will provide alternate dedicated right of way for access.

PROPERTY OWNER'S AFFIDAVIT

I, **Ned Jay Ryder**, 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.

Signature *[Signature]*

985 Damonte Ranch Pkwy, Suite 140, Reno, NV, 89521

Address

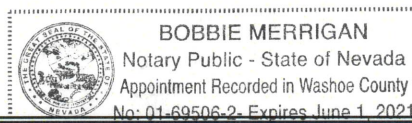
Date 2-14-2019

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

STATE OF NEVADA)
 COUNTY of Washoe)

On February 14, 2019, **Ned Jay Ryder**, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

Notary Public



REASONS FOR PETITIONING FOR ABANDONMENT

The requested abandonment consists of a 10 foot wide roadway easement granted per Parcel Map No 678, a 25 foot wide dedicated strip of land named Pinto Street granted to Carson City per said Parcel Map No. 678, and a 25 foot wide access easement as shown on Parcel Map No. 974.

The applicant intends to construct a residential development on this parcel which provides dedicated public right of way to N. Saliman Road and E. Robinson Street as shown on the approved Tentative Map (TSM-17-005) included within this application.

There is only one adjacent property owner to the north, who is a church, in which they utilize private driveways from N. Saliman Road to access their private property. Furthermore, the church has a 6 foot tall block wall along their southerly boundary line that restricts any potential use.

There will be no material injury to the public as these existing access easement's and dedicated right of way do not offer connectivity to adjacent parcels nor is it currently being utilized by the public.



Carson City Municipal Code Section 17.15.010

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

ANSWER: No, currently the 50 foot strip of land is vacant, unimproved, and existing fences prevent the access of the public and adjacent property owners from any use and enjoyment. RD Lompa, LLC., has submitted a Tentative Map to Carson City (TSM-17-005) which depicts future dedicated roadways, sidewalk improvements, and traffic/pedestrian safety controls.

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

ANSWER: This abandonment application consists of two separate access easements and one dedicated right of way. (i) 25 foot wide access easement granted per Parcel Map No. 974 and further shown on Parcel Map No. 975, (ii) 10 foot wide roadway easement as granted per Parcel Map No. 678, and (iii) 25 foot wide strip of land, designated as Pinto Street and offered for dedication to Carson City per Parcel Map No. 678, and further accepted for dedication by Carson City within Document No. 82033, recorded August 31, 1978, in Book 3, Page 678, Official Records of Carson City. All stated easements and right of ways as part of this abandonment are contiguous and in total comprise of a strip of land being 50 feet in width and approximately 488 feet in length (+/-24,433 square feet).

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

ANSWER: Within our abandonment application there are two access easements we are requesting to be abandoned. These easements were granted 41 years ago and as of today they have not been improved, utilized, nor offer connectivity to any adjacent parcels. The dedicated roadway of Pinto Street and the two access easements per Parcel Map No's 678 and 974 should be considered irrelevant and any future plans that were associated with this extension of Pinto are no longer appropriate.

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

ANSWER: Currently and historically the public does not and has not benefitted from the existing easements and half width Pinto Street. This offer of abandonment would ultimately benefit the public by residential improvements that offer traffic and pedestrian safety controls as depicted within the Carson City approved Tentative Map (TSM-17-005). This abandonment would also give Carson City Public Works an opportunity to address and eliminate a looming dedication that will most likely never be improved.

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

ANSWER: Does not apply to this application

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

ANSWER: Currently there no public utilities that would be affected by this abandonment. Existing public utility easements that run in a northerly/southerly direction along N. Saliman Road will remain. Additional easements maybe granted within the recordation of the Final Tract Map, but at this time the applicate requests that no new easement restrictions be placed on, over or across the requested abandonment area.

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

ANSWER: Yes, this application for Public Right of Way Abandonment is per the request of this board. Nevada Revised Statue provides for the applicant to relinquish easements on the Final Tract Map. It is by the request of Carson City Public Works that we are filing this abandonment by separate document.

STATEMENT OF JUSTIFICATION FOR ABANDONMENT

This request for abandonment consists of: (i) 25 foot wide access easement granted per Parcel Map No. 974 and further shown on Parcel Map No. 975, (ii) 10 foot wide roadway easement as granted per Parcel Map No. 678, and (iii) 25 foot wide strip of land, designated as Pinto Street and offered for dedication to Carson City per Parcel Map No. 678, and further accepted for dedication by Carson City within Document No. 82033, recorded August 31, 1978, in Book 3, Page 678, Official Records of Carson City. All stated easements and right of ways as part of this abandonment are contiguous and in total comprise of a strip of land being 50 feet in width and approximately 488 feet in length (+/-24,433 square feet).

The presumed intent of these easements and right of way are to offer access off N. Saliman Road as an extension of Pinto Street, however construction of the roadway and total acceptance of the full width dedication never materialized. Currently this 50 foot strip of land is vacant, unimproved, and existing fences prevent the access of the public and adjacent property owners from any use and enjoyment.

There is only one adjacent property owner to the north, which is a church, and they utilize private driveways to access N. Saliman Road a public thoroughfare. The church also has a 6 foot tall, block wall around the perimeter of their property restricting themselves from any current or future use of this potential access.

There will be zero material injury to the public nor adjacent land owners as these access easements and dedicated right of way do not offer connectivity to any adjacent parcels, nor public services. RD Lompa, LLC., has submitted to Carson City a Tentative Map (TSM-17-005), which has been approved and provided within this application, which offers ingress/egress through public right of way to N. Saliman Road as well as E. Robinson Street. This will be a benefit to the public as this residential project will offer improved roadways and sidewalks, traffic and pedestrian safety controls.



CARSON CITY NEVADA

37

Consolidated Municipality and State Capital PUBLIC WORKS MEMORANDUM

TO: Ken Anderson, P.E., Odyssey Engineering Incorporated

CC: Hope Sullivan, Planning Manager and Stephanie Hicks, Real Property Manager

FROM: Dan Stucky, City Engineer

SUBJECT: Request for Abandonment of Access Easement, Roadway Easement, and Public Right-of-Way for Pinto Street

DATE: April 3, 2019

Thank you for the opportunity to review your request to abandon a 25-foot access easement, 10-foot roadway easement and 25-foot public right-of-way (ROW) of Pinto Street adjacent to the Blackstone Ranch- Phase 1A Development (APN 010-041-77) and APN 010-041-79.

Carson City Public Works does support this request for abandonment and there are no existing Carson City utilities within the right-of-way and easements to be abandoned. The Pinto Street ROW is currently unimproved and does not provide any access or connectivity to adjacent parcels, nor will it be needed to accommodate future access, as the Blackstone Ranch- Phase 1A Development has designed other means of access with their development. However, please be advised that the area of abandonment will revert, in its entirety, to APN 010-041-77 and be subject to property tax in the future.