

302
[CC]

Control Section: CC-04
Route: US-395 (FRCC01 frontage road)
Project: MG-395-1(006)
E.A.: 71366
Ptn. of Parcels: U-050-CC-007.513 and U-050-CC-007.537
Road Transfer No.: RT 16-02A2
Surplus Parcel: U-395-CC-000.159 RT1

**RESOLUTION CONSENTING TO RELINQUISHMENT
AND LAND TRANSFER AGREEMENT**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish a portion of FRCC01 frontage road along the east side of US-395 lying within Carson City, State of Nevada, extending from approximate Highway Engineer's Station "XN" 614+75.09 P.O.T., 0.096 miles south of Clear Creek Avenue (formerly known as Lupin Drive) to approximate Highway Engineer's Station "XN" 629+59.61 P.O.T. at Arthur Street, a distance of approximately 1,485 feet, said right-of-way is delineated and identified as Parcel U-395-CC-000.159 RT1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, the Carson City Board of Supervisors desires that the aforesaid portion of said highway be relinquished to Carson City; and

WHEREAS, Carson City has requested the relinquishment of aforesaid portion of highway for the purpose of a transportation facility; and

WHEREAS, Carson City has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of FRCC01 frontage road together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way.

NOW THEREFORE be it resolved that the Carson City Board of Supervisors does in consideration of the actions of the Department as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to Carson City, that portion of FRCC01 frontage road along the east side of US-395 lying within Carson City, State of Nevada, extending from approximate Highway Engineer's Station "XN" 614+75.09 P.O.T., 0.096 miles south of Clear Creek Avenue (formerly known as Lupin Drive) to approximate Highway Engineer's Station "XN" 629+59.61 P.O.T. at Arthur Street, a distance of approximately 1,485 feet, said right-of-way is delineated and identified as Parcel U-395-CC-000.159 RT1 on-EXHIBIT "A"

attached hereto and made a part hereof.

The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this 29th day of October, 2018

REVIEWED AND RECOMMENDED BY:

J. D. Connell
Board of Supervisors Chairperson

REVIEWED AND RECOMMENDED BY:

Jessie S. Riggins
for Jessie S. Riggins
Chief Right-of-Way Agent

APPROVED FOR LEGALITY AND FORM:

D. M.
Carson City District Attorney

APPROVED AS TO LEGALITY AND FORM:

D. M. 10-25-2018
Deputy Attorney General

ATTEST:

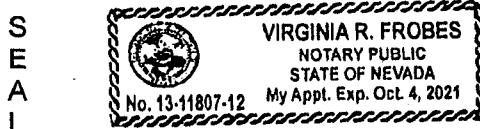
Susan M. McWethy
Clerk-Recorder

S
T
A
T
E

S
E
A
L

STATE OF NEVADA
CARSON CITY

On this 29th day of October, 2018, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, Cole Mortensen personally known (or proved) to me to be the Assistant Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.



STATE OF NEVADA acting by and through its
Department of Transportation

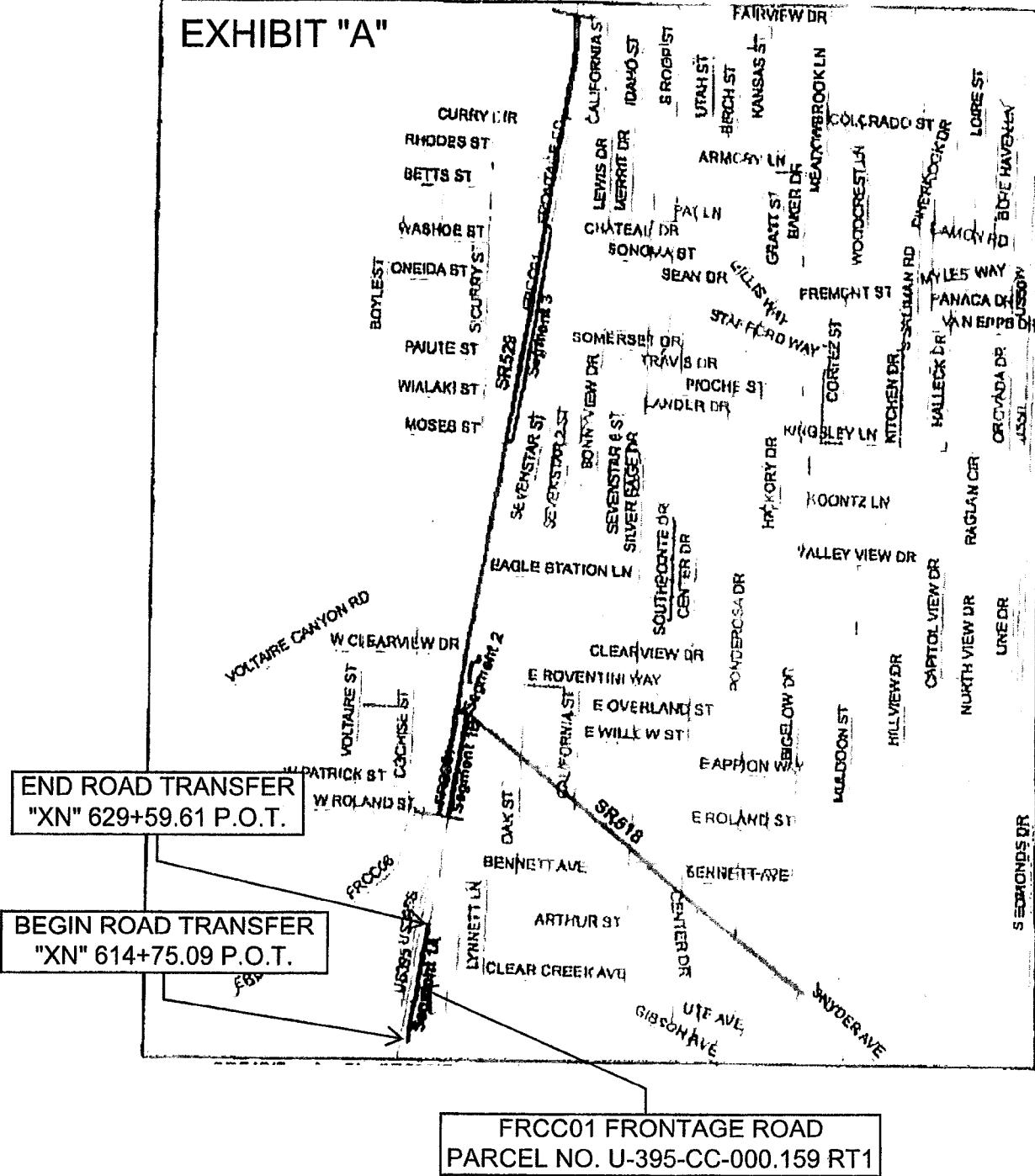
Cole Mortensen
for Director

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

V. R. F.

Carson City /NDOT Road Transfer

EXHIBIT "A"



GOES WITH CC RESOLUTION 2018-R-32

RECORDED AT THE
REQUEST OF

APN 121A

APN _____

APN _____

2018 NOV 21 AM 10:13
490176

FILE NO. _____
SUSAN MERRIWETHER
CARSON CITY RECORDER

FFFC _____ DEP _____

CONFORMED COPY
AND NOT BEEN COMPARED
... IN THE RECORDER

FOR RECORDER'S USE ONLY

Resolution of Relinquishment of a Portion of
TITLE OF DOCUMENT
State Highway Right-of-Way

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain personal information of any person or persons. (NRS 239B.030)

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain personal information of a person or persons as required by law. State specific law: _____

D. Callahan
Signature

Diana Callahan
Print Name & Title
Staff Specialist

WHEN RECORDED MAIL TO:

Nevada Dept. of Transportation
Right-of-Way Division

1263 S. Stewart St.
Carson City, NV 89712

301

Control Section: CC-04
Route: US-395 FRCC01 (frontage road)
Project: MG-395-1(006)
E.A.: 71366
Ptn. of Parcels: U-050-CC-007.513
Road Transfer No.: RT 16-02A2
Surplus Parcel: U-395-CC-000.159 RT1

AFTER RECORDING RETURN TO:
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
ATTN: STAFF SPECIALIST, PM
1263 S. STEWART ST.
CARSON CITY, NV 89712

LEGAL DESCRIPTION PREPARED BY:
JEFFREY J. HENKELMAN, P.L.S.
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

**RESOLUTION OF RELINQUISHMENT
OF A PORTION OF STATE HIGHWAY RIGHT-OF-WAY**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds a fee simple interest in that certain right-of-way for a portion of FRCC01 frontage road along the east side of US-395, extending from approximate Highway Engineer's Station "XN" 614+75 P.O.T. to approximate Highway Engineer's Station "XN" 629+60 P.O.T. ; and

WHEREAS, said right-of-way is delineated and identified as Parcel U-395-CC-000.159 RT1 on EXHIBITS "A" through "C", inclusive attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to cities and counties any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its

needs; and

WHEREAS, said right-of-way is of no further contemplated use by the Department due to that portion of FRCC01 frontage road along the east side of US-395 being in excess of its needs; and

WHEREAS, Carson City has requested the relinquishment of aforesaid portion of highway for the purpose of a transportation facility; and

WHEREAS, the Carson City Board of Supervisors has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of FRCC01 frontage road along the east side of US-395 together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way; and

WHEREAS, Carson City entered into an agreement with the Department on October 29, 2018, to accept the hereinafter described designated frontage road as a part of the Carson City street system; and

WHEREAS, the Board of Supervisors of Carson City, State of Nevada, consented by resolution passed and adopted on October 18, 2018, to the Department relinquishing the aforesaid portion of said frontage road to Carson City; and

WHEREAS, NRS 408.527 provides that the Department of Transportation may relinquish any portion of a state highway which has been superseded by relocation or which the Department determines exceeds its needs after the Department and the city or county have entered into an agreement and the city or county legislative body has adopted a resolution consenting thereto.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcel U-395-CC-000.159 RT1 on EXHIBITS "A" through "C" inclusive, attached hereto and made a

part hereof, is hereby relinquished to Carson City, State of Nevada. Said right-of-way is described as follows:

Situate, lying and being in Carson City, State of Nevada, and more particularly described as being a portion of the east half of the southeast quarter of Section 31, T. 15 N., R. 20 E., M.D.M., and further described as being a parcel of land, varying in width, from approximate Highway Engineer's Station "XN" 614+75 P.O.T. to approximate Highway Engineer's Station "XN" 629+60 P.O.T.

EXCEPTING THEREFROM any and all water rights appurtenant to said parcel.

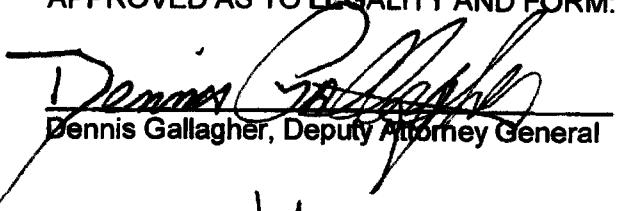
SUBJECT TO any and all existing easements whether of record or not.

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/86 DATUM, West Zone as determined by the State of Nevada, Department of Transportation.

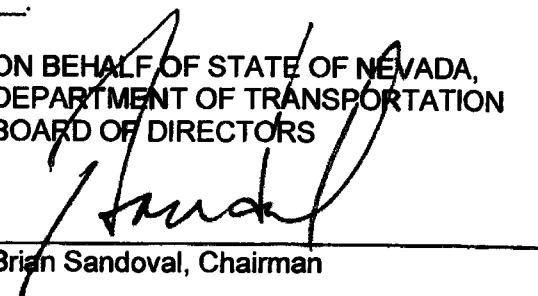
It is the intent of the Department to relinquish to Carson City all of the Department's right, title and interest in and to the aforesaid described right-of-way as shown on EXHIBITS "A" through "C", inclusive, attached hereto and made a part hereof.

DATED this 2nd day of November, 2014.

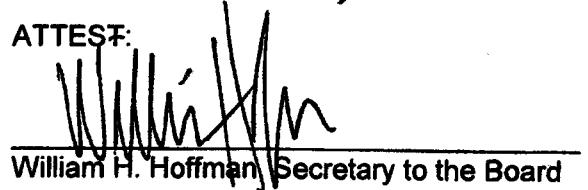
APPROVED AS TO LEGALITY AND FORM:


Dennis Gallagher, Deputy Attorney General

ON BEHALF OF STATE OF NEVADA,
DEPARTMENT OF TRANSPORTATION
BOARD OF DIRECTORS


Brian Sandoval, Chairman

ATTEST:


William H. Hoffman, Secretary to the Board