

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF APRIL 27, 2022

FILE NUMBER: AB-2022-0086

AGENDA ITEM: 6.B

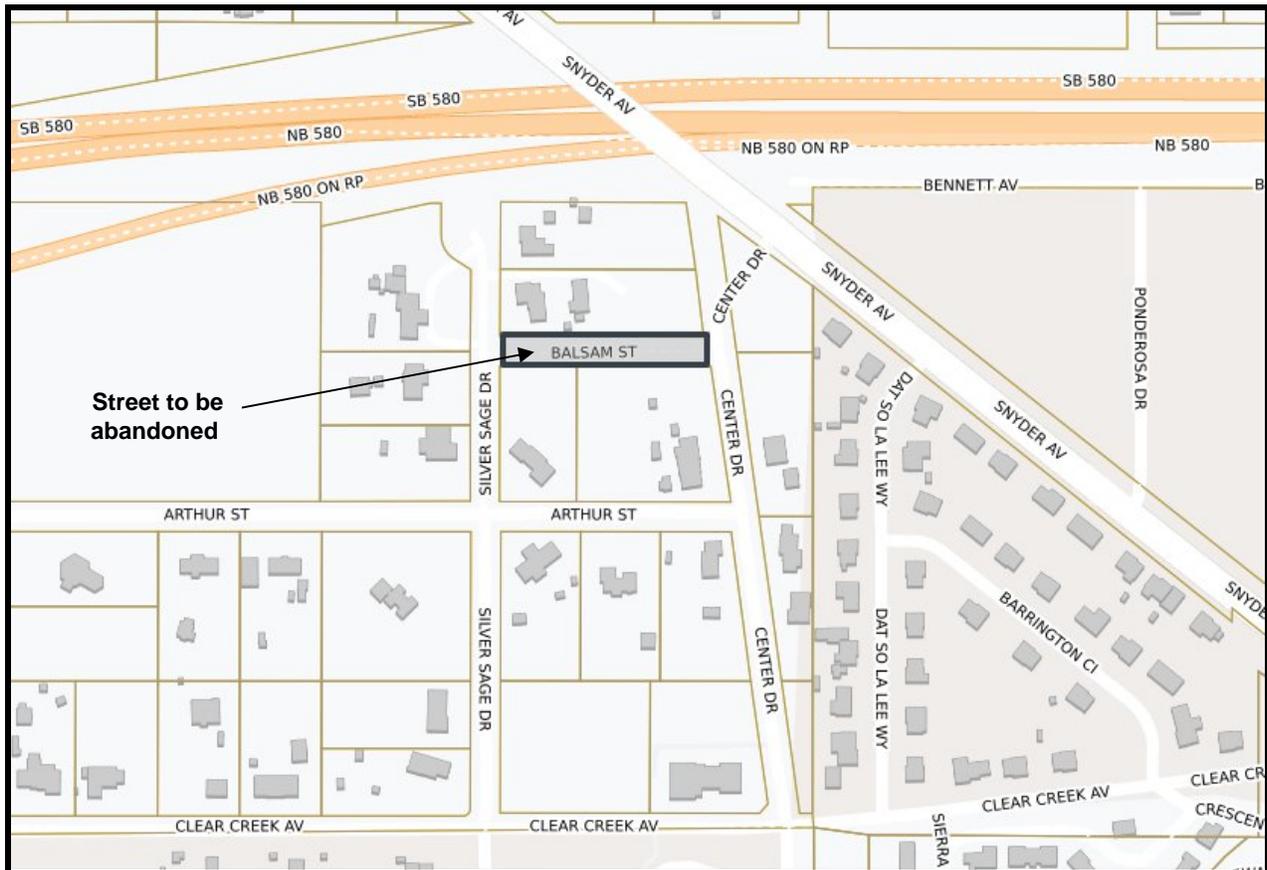
STAFF CONTACT: Lena Reseck, Assistant Planner

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a request for the abandonment of a public right-of-way (Balsam Street) totaling approximately 60 feet, abutting the properties located at 5179 Silver Sage Drive, APN 009-232-03, 5229 Silver Sage Drive, APN 009-233-01, and 5290 Center Drive, APN 009-233-02. (Lena Reseck, lreseck@carson.org)

STAFF SUMMARY: Balsam Street was dedicated to the public per Parcel Map 1717 on September 18, 1989. Balsam Street was never constructed. If approved, the entire 60-foot-wide portion of Balsam Street will be abandoned and this area will be absorbed into the abutting parcels. Per Chapter 17.15 of the Carson City Municipal Code ("CCMC"), 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 the abandonment of Balsam Street, 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 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 consideration. This Notice of Decision will be mailed to the applicant for signature after approval by the Board of Supervisors.
3. Conditional approval for the requested abandonment shall expire one year after Board of Supervisors approval of the original application unless an extension of time has been granted by the Board of Supervisors.
4. The land area abandoned shall be reverted to adjacent parcels, as the area to be abandoned originated entirely from these parcels.

LEGAL REQUIREMENTS: Nevada Revised Statutes (NRS) 278.480 (Vacation or Abandonment of Streets, Easements or Maps; Reversion of Divided Land) and Carson City Municipal Code (CCMC) Title 17 Division of Land, Subdivision of Land, Chapter 17.15 Abandonment of Right-of-Way.

Adjacent MASTER PLAN DESIGNATION: Low Density Residential

Adjacent ZONING: Single Family One 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 One Acre
SOUTH: Single Family One Acre
EAST: Single Family One Acre
WEST: Single Family One Acre

DISCUSSION:

The request is to allow the abandonment of Balsam Street, adjacent to the properties located at 5179 Silver Sage Drive, APN 009-232-03, 5229 Silver Sage Drive, APN 009-233-01, and 5290 Center Drive, APN 009-233-02. The street to be abandoned is 60 feet wide.

BLM patent Book 93 Page 529 File Number 47050 included right-of-way not to exceed 33 feet in width. Subsequently, Parcel Map 1717 was recorded creating a 60 foot right-of-way (Balsam Street). The right-of-way was dedicated to the public per Parcel Map 1717, recorded on September 18, 1989. The area under review was never developed. The abandonment of this right-of-way area is proposed to be reverted in its entirety to the abutting parcels.

CCMC 17.15 identifies the approval process for abandonment of rights-of-way. The Planning Commission reviews the abandonment and makes recommendation to the Board. The Board has the authority to approve the abandonment. Per NRS 278.480 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.

PUBLIC COMMENTS: A public notice was sent by certified mail to the abutting property owners per Nevada Revised Statutes on April 13, 2022. At the writing of this report, there have been no public comments received regarding 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.

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 Development Engineering Division recommends APPROVAL of the proposed abandonment.

CONDITIONS OF APPROVAL:

- The abandonment exhibit must be updated to show the areas, in square feet, to be abandoned.
- The exhibits must be updated to include a legend, or the corners must be labelled.
- The exhibits must be updated to include the basis of bearing from map 1717.
- The distances along the north-south boundaries of the new parcels on the south side of Balsam appear to be incorrect. Please address and correct, if necessary. The legal descriptions may need to be corrected as well.

DISCUSSION: The Development 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?
BLM patent Book 93 Page 529 File Number 47050 included right-of-way not to exceed 33 feet in width. Subsequently, Parcel Map 1717 was recorded creating a 60 foot right-of-way (Balsam Street). There are no records indicating that the City ever paid for the right of way.
2. Will the abandonment result in material injury to the public?
No, the section of right-of-way currently has no utilities and has not been improved for access.

CCMC 18.02.080(5)(c) - Traffic/Pedestrians

Local intersections: Balsam St intersects Silver Sage Dr and Center Dr. Both streets are local streets.

Will it create any landlock parcels: No, there are no properties currently using Balsam St to access their properties. All surrounding properties currently have access to either Silver Sage Dr or Center Dr.

Adjacent Streets On-Street Parking: There is no paved on-street parking.

Proposed and/or necessary improvements: None.

3. What is the history regarding the street being dedicated or not?
BLM patent Book 93 Page 529 File Number 47050 included right-of-way not to exceed 33 feet in width. Subsequently, Parcel Map 1717 was recorded creating a 60 foot right-of-way (Balsam Street). There are no records indicating that the City ever paid for the right of way.
4. What should the reasonable consideration be if the street was not dedicated?

Development Engineering has no comment on this finding.

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

Development Engineering has no comment on this finding.

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

On-street parking is not available on this right-of-way.

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

Public utility easements (PUE) and a private access easement must be created as shown in the descriptions and exhibits.

CCMC 18.02.080(5)(d) - Public Services

Sanitary Sewer: The closet sewer main is approximately 930 feet south (Clear Creek Ave). This project does not impact that sewer main.

Water: The existing water main is 12-inch PVC to the west (Silver Sage Dr) and 8-inch PVC to the east (Center Dr). This project does not impact either water main.

Storm Drain: The existing storm drain is 15-inch reinforced concrete pipe to the west (Center Dr) which drains to a larger NDOT basin at 5050 Ponderosa Dr. This abandonment does not impact the storm drain infrastructure. Balsam St is located in Zone X (unshaded) so no special flood mitigation is required.

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

Please see above.

RIGHT-OF-WAY ABANDONMENT FINDINGS: In accordance with CCMC 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?

The abandonment will not result in material injury to the public. This request is to allow for the abandonment of Balsam Street abutting APNs 009-232-03, 009-233-01, and 009-233-02. The area to be abandoned is 60 feet wide by approximately 418.69 feet long totaling approximately 24,873 square feet. The right-of-way was never constructed. The abandonment of this right-of-way is proposed to be absorbed into the abutting parcels. The right-of-way currently has no utilities.

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

BLM patent Book 93 Page 529 File Number 47050 included right-of-way not to exceed 33 feet in width. Subsequently, Parcel Map 1717 was recorded on September 18, 1989 for Roy and Karen Fogel creating a 60 foot right-of-way (Balsam Street). This road was offered for dedication but never officially accepted by the City. There are no improvements to the road at this time.

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

The right-of-way was offered for dedication by Parcel Map 1717 for Roy and Karen Fogel. There is no indication that Carson City ever officially accepted the right-of-way in question. It is recommended there should 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?

It is recommended there be no charge for this abandonment. The road was never improved or used for access. The abandonment is proposed to be reverted back to the adjacent parcels.

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

The area of abandonment does not provide for any parking or access to the adjacent parcels. Therefore, no negative impact is anticipated as a result of an approval of the abandonment.

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

There are no public utilities located on Balsam Street that are to be abandoned. Therefore, there is no need to reserve, continue, or vacate utility easements.

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 required by CCMC 18.02.105.9.

Attachments:

Draft Order of Abandonment
Application (AB-2022-0086)

APN(s): 009-232-03, 009-233-01, and 009-233-02

AN ORDER ABANDONING THE ENTIRETY OF BALSAM STREET TOTALING APPROXIMATELY 0.57 ACRES ALONG THE EASTERLY SIDE OF SILVER SAGE DRIVE AND THE WESTERLY SIDE OF CENTER DRIVE, ADJACENT TO PROPERTIES LOCATED AT 5179 SILVER SAGE DRIVE, 5229 SILVER SAGE DRIVE, AND 5290 CENTER DRIVE, CARSON CITY, NV, APNS 009-232-03, 009-233-01, AND 009-233-02.

WHEREAS, on February 22, 2022, Todd Enke with Resource Concepts, Inc. duly filed a written application seeking vacation and abandonment of a Public Right-of-Way in its entirety, totaling approximately 0.57 acres; 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 April 27, 2022. 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 May 19, 2022, 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 entire right-of-way is more particularly described on the attached Exhibit A and depicted in attached Exhibit A-1, resultant parcels are described on attached Exhibits B and depicted in attached Exhibit B-1.

NOW, THEREFORE, the Board of Supervisors hereby orders:

1. That the above-described access easement and right-of-way 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 ___th day of _____, 2022, by the Carson City Board of Supervisors.

LORI BAGWELL, MAYOR

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

**EXHIBIT A
DESCRIPTION
60' ABANDONMENT OF BALSAM STREET
(Affecting A.P.N. 9-232-03, 9-233-01 & 9-233-02)**

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

The entire sixty feet (60') of Balsam Street to be abandoned located within a portion of Section 32, Township 15 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Beginning at the southwest corner of Parcel B as shown on the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989 as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada, and said southwest corner falling at a point of intersect of the easterly right-of-way line of Silver Sage Drive and the northerly right-of-way line of Balsam Street;

thence along said northerly right-of-way line of Balsam Street, South 89°55'34" East, 410.42 feet to a point being the southeast corner of said Parcel B and also being a point that intersects with the westerly right-of-way line of Center Drive;

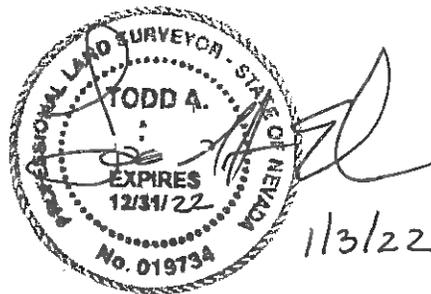
thence along said westerly right-of-way line of Center Drive, South 07°54'22" East, 60.59 feet to a point that intersects with the southerly right-of-way line of Balsam Street;

thence along said southerly right-of-way line of Balsam Street, North 89°55'34" West, 418.69 feet to a point that intersects with said easterly right-of-way line of Silver Sage Drive;

thence along said easterly right-of-way line of Silver Sage Drive, North 00°04'01" West, 60.00 feet to the **Point of Beginning**, containing 24,873 square feet, more or less.

The Basis of Bearings for this description is identical to the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989 as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada.

Prepared by:
Todd A. Enke, P.L.S. 19734
Resource Concepts, Inc.
340 N. Minnesota Street
Carson City, NV 89703



**EXHIBIT B
DESCRIPTION
RESULTANT PARCEL
(A.P.N. 9-232-03)**

All that real property situate within a portion of Section 32, Township 15 North, Range 20 East, Mount Diablo Meridian, Carson City, State of Nevada, more particularly described as follows:

Beginning at the northwest corner of Parcel B as shown on the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada;

thence South 89°55'34" East, 391.88 feet to a point falling on the westerly right-of-way line of Center Drive;

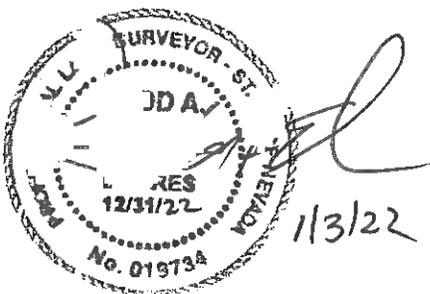
thence along said westerly right-of-way line of Center Drive South 07°54'22" East, 166.29 feet;

thence North 89°55'34" West, 414.56 feet to a point falling on the easterly right-of-way of Silver Sage Drive;

thence along said easterly right-of-way line of Silver Sage Drive, North 00°04'01" West, 164.68 feet to the **Point of Beginning**, containing 1.52 acres (66,401 square feet), more or less.

The Basis of Bearings for this description is identical to the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada.

Prepared by:
Todd A. Enke, P.L.S. 19734
Resource Concepts, Inc.
340 N. Minnesota Street
Carson City, NV 89703



**EXHIBIT B
DESCRIPTION
RESULTANT PARCEL
(A.P.N. 9-233-01)**

All that real property situate within a portion of Section 32, Township 15 North, Range 20 East, Mount Diablo Meridian, Carson City, State of Nevada, more particularly described as follows:

Commencing from the southwest corner of Parcel B as shown on the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada;

thence along the easterly right-of-way line of Silver Sage Drive, South 00°04'01" East, 60.00 feet to the **Point of Beginning**:

thence South 89°55'34" East, 154.00 feet;

thence South 00°03'23" East, 298.44 feet to a point on the northerly right-of-way line of Arthur Street;

thence along said northerly right-of-way line of Arthur Street, North 89°55'20" West, 153.94 feet to a point that intersects the said easterly right-of-way line of Silver Sage Drive;

thence along said easterly right-of-way line of Silver Sage Drive, North 00°04'01" West, 298.43 feet to the **Point of Beginning**, containing 1.05 acres (45,951 square feet), more or less.

The Basis of Bearings for this description is identical to the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada.

Prepared by:
Todd A. Enke, P.L.S. 19734
Resource Concepts, Inc.
340 N. Minnesota Street
Carson City, NV 89703



**EXHIBIT B
DESCRIPTION
RESULTANT PARCEL
(A.P. N9-233-02)**

All that real property situate within a portion of Section 32, Township 15 North, Range 20 East, Mount Diablo Meridian, Carson City, State of Nevada, more particularly described as follows:

Commencing from the southeast corner of Parcel B as shown on the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada;

thence along the westerly right-of-way line of Center Drive, South 07°54'22" East, 60.59 feet to the **Point of Beginning**:

thence continuing along said westerly right-of-way line of Center Drive, South 07°54'22" East, 301.38 feet to a point that intersects with the northerly right-of-way line of Arthur Street;

thence along said northerly right-of-way line of Arthur Street, North 89°55'20" West, 301.72 feet;

thence North 00°03'23" West, 298.44 feet;

thence South 89°55'34" East, 260.56 feet to the **Point of Beginning**, containing 1.93 acres (83,906 square feet), more or less.

The Basis of Bearings for this description is identical to the Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, as File No. 90517 and Map No. 1717 in the office of Recorder, Carson City, Nevada.

Prepared by:
Todd A. Enke, P.L.S. 19734
Resource Concepts, Inc.
340 N. Minnesota Street
Carson City, NV 89703

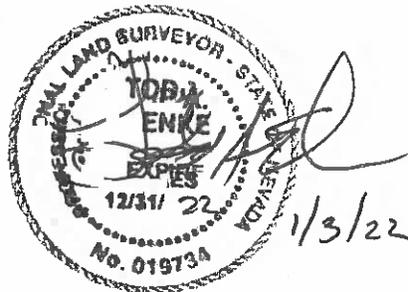
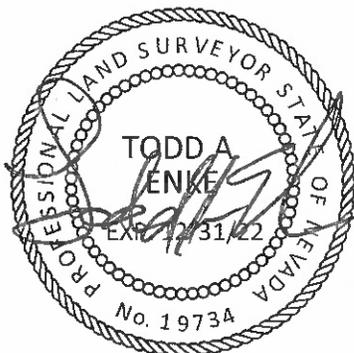


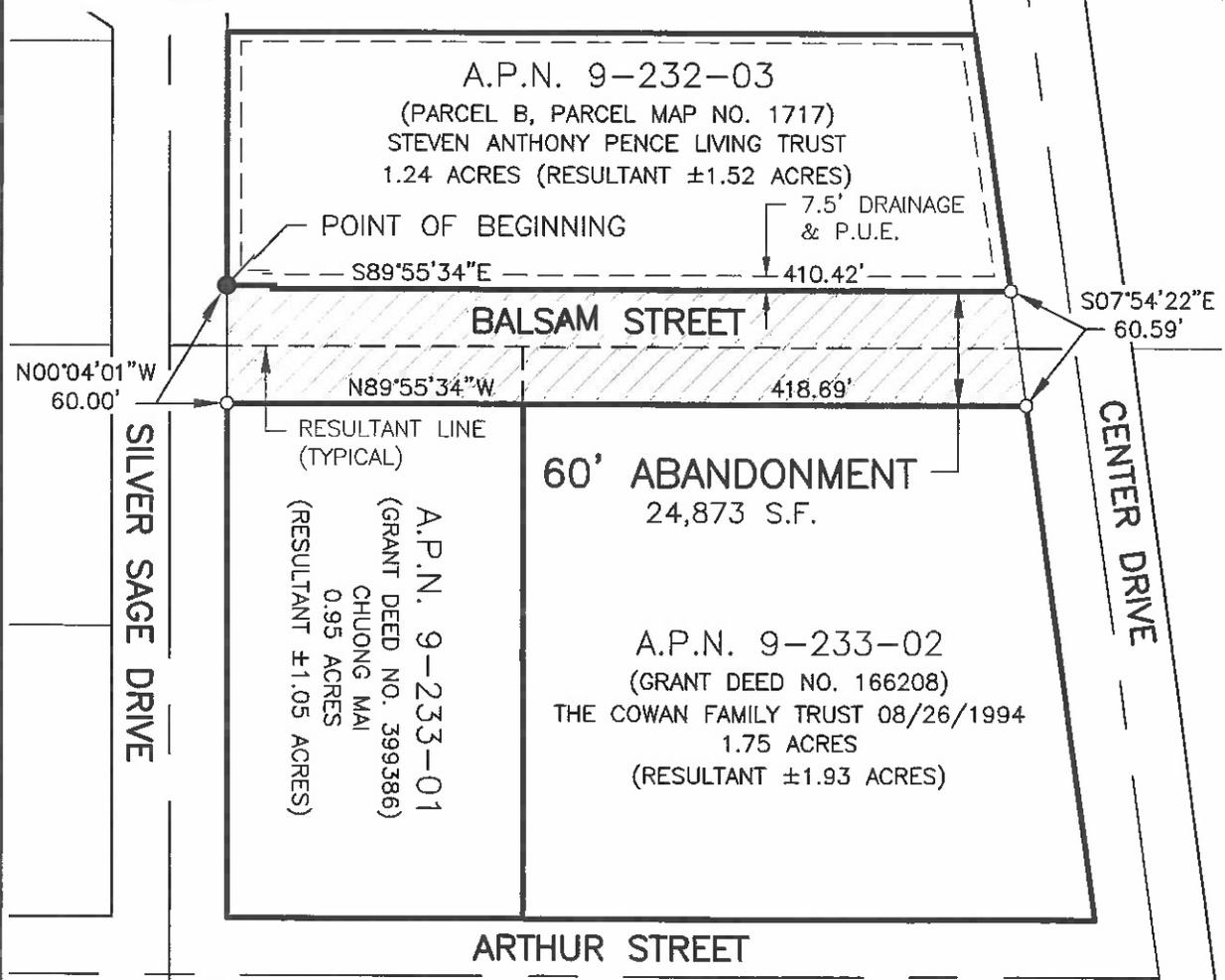
EXHIBIT A-1
ABANDONMENT OF BALSAM STREET
AFFECTING A.P.N. 9-232-03, 9-233-01, & 9-233-02
PORTION OF SECTION 32, T.15N., R.20E., M.D.M.



1/3/22 A.P.N. 9-232-02

US HIGHWAY 395 / 580

SNYDER AVENUE



SCALE: 1" = 100'

11-29-2021

20-283
 21-341
 21-347

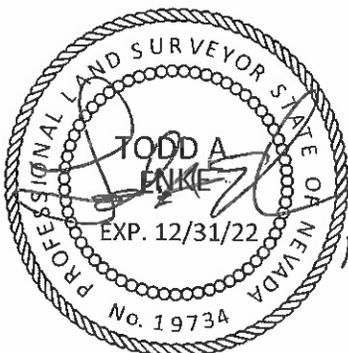


EXHIBIT B-1

RESULTANTS FROM ABANDONMENT

A.P.N. 9-232-03, 9-233-01, & 9-233-02

PORTION OF SECTION 32, T.15N., R.20E., M.D.M.



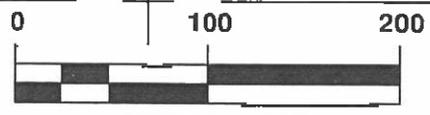
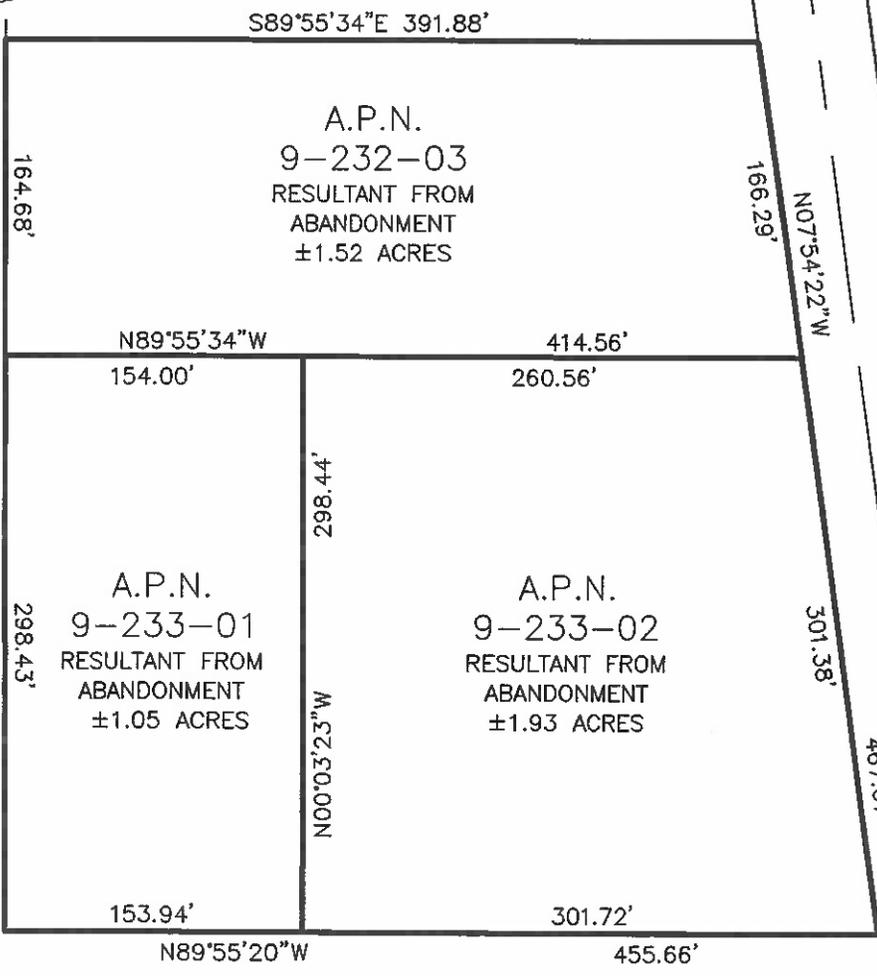
US HIGHWAY 395 / 580

SNYDER AVENUE

SILVER SAGE DRIVE

CENTER DRIVE

ARTHUR STREET



SCALE: 1"=100'

11-17-2021

20-283
 21-341
 21-347



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

FILE # AB-2021-0448

ABANDONMENT OF PUBLIC RIGHT-OF-WAY

APPLICANT Steven Pence **PHONE #** (661) 816-1935

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

MAILING ADDRESS, CITY, STATE, ZIP
5179 Silver Sage Dr., Carson City, NV 89701

- 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

EMAIL ADDRESS
stevenapence@yahoo.com

PROPERTY OWNER Steven Anthony Pence Living Trust **PHONE #**

CD or USB DRIVE with complete application in PDF

MAILING ADDRESS, CITY, STATE, ZIP
5179 Silver Sage Dr., Carson City, NV 89701

EMAIL ADDRESS
stevenapence@yahoo.com

Application Reviewed and Received By:

APPLICANT AGENT/REPRESENTATIVE Todd Enke **PHONE #** 775-883-1600

MAILING ADDRESS, CITY, STATE, ZIP
340 N. Minnesota St., Carson City, NV 89703

EMAIL ADDRESS
todd@rci-nv.com

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):
9-232-03

Street Address
5179 Silver Sage Drive, Carson City, Nevada 89701

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

Proposed abandonment of the north one-half of Balsam Street. Balsam Street was never constructed and no access available to adjoining parcels. Subject parcel has access from Silver Sage Drive.

PROPERTY OWNER'S AFFIDAVIT

I, Steven Pence, 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

5179 Silver Sage Drive, Carson City, Nevada 89701
Address

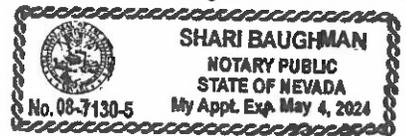
Dec 7, 2021
Date

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

STATE OF NEVADA)
COUNTY OF CARSON CITY)

On December 7, 2021, STEVEN PENCE, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

[Signature]
Notary Public



Carson City Planning Division 108 E. Proctor Street, Carson City, NV 89701 Phone: (775) 887-2180 Email: planning@carson.org	
FILE #	
APPLICANT Chuong Mai	PHONE # 530-957-4970
MAILING ADDRESS, CITY, STATE, ZIP 2839 Gardner Ln., Carson City, NV 89706	
EMAIL ADDRESS chuongmai2013@yahoo.com	
PROPERTY OWNER Chuong Mai	PHONE # 530-957-4970
MAILING ADDRESS, CITY, STATE, ZIP 2839 Gardner Ln., Carson City, NV 89706	
EMAIL ADDRESS chuongmai2013@yahoo.com	
APPLICANT AGENT/REPRESENTATIVE Todd Enke	PHONE # 775-883-1600
MAILING ADDRESS, CITY, STATE, ZIP 340 N. Minnesota St., Carson City, NV 89703	
EMAIL ADDRESS todd@rci-nv.com	
Project's Assessor Parcel Number(s): 9-233-01	Street Address 5229 Silver Sage Drive, Carson City, Nevada 89701

FOR OFFICE USE ONLY:

CCMC 17.15

ABANDONMENT 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:

Submission 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.

Briefly describe the proposed right-of-way abandonment. If you are abandoning an access, explain how the parcel will be accessed:
 Proposed abandonment of a portion of the south one-half of Balsam Street. Balsam Street was never constructed and no access available to adjoining parcels. Subject parcel has access from Silver Sage Drive.

PROPERTY OWNER'S AFFIDAVIT

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

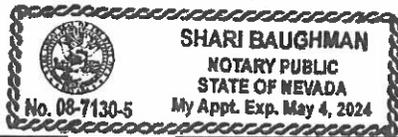
Signature: [Signature] Address: 5229 Silver Sage Dr., Carson City, NV 89701 Date: 12/09/2021

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

STATE OF NEVADA)
COUNTY OF CARSON CITY)

On DECEMBER 9, 2021, CHUONG MAI, personally appeared before me, a notary public, personally known (or proved) to me to be the person whose name is subscribed to the foregoing document and who acknowledged to me that he/she executed the foregoing document.

[Signature]
Notary Public





CARSON CITY OFFICE
 340 N. Minnesota St.
 Carson City, NV 89703-4152
 Ph: 775 / 883-1600
 Fax: 775 / 883-1656

Engineering • Surveying • Water Rights
 Resource & Environmental Services

www.rci-nv.com

DATE: December 10, 2021
TO: Carson City Planning Division
FROM: Jerit Shuman, L.S.I.T.
RCI PROJECT: Balsam Street Abandonment
SUBJECT: Public Right-of-Way Abandonment Project Description / Justification Statement

PROJECT DESCRIPTION

A proposed abandonment of Balsam Street (60' right-of-way) between Center Drive and Silver Sage Drive. Adjacent to A.P.N. 9-232-03, 9-233-01 and 9-233-02. Balsam Street was dedicated to the public per Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, in Book 6 at Page 1717 in the office of Recorder, Carson City, Nevada and as further stated in the Owners Certificate of that map. A.P.N. 9-232-03 and A.P.N. 9-233-01 currently has access from Silver Sage Drive and A.P.N. 9-233-02 currently has access from Center Drive. There is no access to Balsam Street from these subject parcels. Balsam Street was never constructed, and the public would not be affected by this abandonment and not be injured.

JUSTIFICATION STATEMENT (CCMC SECTION 17.15.010)

- ✓ Will the abandonment result in material injury to the public?
The abandonment will not result in material injury to the public because Balsam Street was never materialized.
- ✓ What is the history regarding the street being dedicated or not?
Balsam Street was dedicated to the public per Parcel Map for Roy M. Fogel and Karen V. Fogel, filed for record September 18, 1989, in Book 6 at Page 1717 in the office of Recorder, Carson City, Nevada.
- ✓ What should the reasonable consideration be if the street was not dedicated?
The street was never constructed and the public never used it as a thoroughfare.
- ✓ If an abandonment has a public benefit, how much of the public benefit should be offset against the determination of reasonable consideration?
Street was never constructed or benefited by the public. No offset needed.

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✓ What is the applicability of the parking value analysis applied to this request?
N/A (street never constructed or used by public)

✓ Should utilities easements be reserved, continued or vacated?
Utilities easements should be reserved along the right-of-way of Silver Sage Drive and Center Drive and vacated along the right-of-way of Balsam Street.

✓ Are any conditions of approval by the board of supervisors or recommendations by the planning commission or staff included?
The proposed abandonment has no conditions of approval or recommendations.