



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** June 16, 2022

Staff Contact: Jennifer Budge, CPRP, Parks and Recreation Director

Agenda Title: For Possible Action: Discussion and possible action regarding a proposed grant of a non-exclusive easement ("Easement") from Carson City to Sierra Pacific Power, a Nevada corporation, d/b/a NV Energy ("Utility") at no cost to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for the distribution of electricity ("Facilities") located on Carson City property with Assessor Parcel Number 008-531-08 ("Property"). (Nick Wentworth, NWentworth@carson.org; Robert Nellis, RNellis@carson.org).

Staff Summary: Staff requested that Utility install a transformer and meter on the Property for future City projects that will require electricity at the Carson City Rifle and Pistol Range. The Easement grants Utility the right to ingress and egress and to construct, install, remove, clear, cut or trim any obstruction or material (including but not limited to trees, vegetation and structures) from the surface or subsurface of the Easement area as Utility may deem necessary for the safe and proper use and maintenance of the Facilities in the Easement.

Agenda Action: Formal Action / Motion **Time Requested:** Consent

Proposed Motion

I move to approve, and authorize the Mayor to sign, the Easement as presented.

Board's Strategic Goal

Sustainable Infrastructure

Previous Action

November 18, 2021: The Board of Supervisors accepted a subgrant award from the Nevada Department of Wildlife ("NDOW") in the amount of \$137,476.80, with a \$15,275.20 cash match required from Quality-of-Life funds, retroactive to July 1, 2021, for improvements to the Carson City Rifle and Pistol Range and authorized the Director of the Carson City Parks, Recreation and Open Space Department ("Director") to sign all documents related to the grant on behalf of the City.

Background/Issues & Analysis

The Facilities will be installed in accordance with a Line Extension Agreement entered into between the City and the Utility. The Utility had the Easement location surveyed and the City will grant a 10-foot-wide Easement to accommodate the Facilities and necessary access for maintenance.

If approved, this easement will allow for utility improvements to service the Carson City Rifle and Pistol Range. The new electrical service will initially support a payment kiosk but may serve other future improvements on the Property consistent with the Carson City Parks and Recreation Master Plan. The Easement is being granted to the Utility at no cost since the Facilities are for the benefit of the Property and future City Projects.

Exhibits: Location Map and Grant of Easement

Applicable Statute, Code, Policy, Rule or Regulation

NRS 244.270

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: Quality of Life Fund, Rifle Range Kiosk Grant G504621001

Is it currently budgeted? Yes

Explanation of Fiscal Impact: Total project costs pursuant to a Line Extension Agreement with the Utility are \$18,493. However, this easement is being granted to the Utility at no cost. The line extension agreement is funded through a previously accepted grant from the Nevada Department of Wildlife for improvements, with a 10% local match from Quality-of-Life Capital Funds.

Alternatives

Do not approve the grant of easement and/or provide alternate direction to staff.

Attachments:

[NVE Rifle Range Easement CC GOE.V3.pdf](#)

Board Action Taken:

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

(Vote Recorded By)

APN(s): 008-531-08

WHEN RECORDED MAIL TO:

Land Resources
NV Energy
P.O. Box 10100 MS S4B20
Reno, NV 89520

Carson City Public Works
ATTN: Robert Nellis
3505 Butti Way
Carson City, NV 89701

GRANT OF EASEMENT

CARSON CITY, NEVADA, a consolidated municipality and political subdivision of the State of Nevada, (“**Grantor**”), for and in consideration of the mutual covenants contained herein and other good and valuable consideration – receipt of which is hereby acknowledged – and on behalf of itself and its successors and assigns, grants and conveys to Sierra Pacific Power Company, a Nevada corporation, d/b/a NV Energy (“**Grantee**”) and its successors and assigns a perpetual right and easement:

1. to construct, operate, add to, modify, maintain and remove communication facilities and electric line systems for the distribution of electricity underground, consisting of cables, conduit, duct banks, manholes, vaults, transformers (aboveground or underground), service boxes/meter panels (aboveground or underground), cabinets (aboveground or underground), bollards (aboveground), and other equipment, fixtures, apparatus, and improvements (“**Utility Facilities**”) upon, over, under and through the property legally described in Exhibit A attached hereto and by this reference made a part of this Grant of Easement (“**Easement Area**”);
2. for ingress and egress to, from, over and across the Easement Area for the allowed purposes defined in numbered paragraph 1 of this document and for all other activities permitted by this agreement;
3. to remove, clear, cut or trim any obstruction or material (including trees, other vegetation and structures) from the surface or subsurface of the Easement Area as Grantee may deem necessary or advisable for the safe and proper use and maintenance of the Utility Facilities in the Easement Area.

Grantee will be responsible for any damages, proximately caused by Grantee negligently constructing, operating, adding to, maintaining, or removing the Utility Facilities, to any tangible, personal property or improvements owned by Grantor on the date Grantor signs the Grant of Easement. However, this paragraph does not apply to, and Grantee is not responsible for, any damages caused when Grantee exercises its rights under numbered paragraph 3 above.

APN(s): 008-531-08

RW#0923-2021

Proj. #3007483983

Project Name: E-4000 FLINT RD-FP-COMM-E-CARSON CITY PARKS, RECREATION AND OPEN SPACE
GOE_DIST (Rev. 8/2016)

Grantor covenants for the benefit of Grantee, its successors and assigns, that no building, structure or other real property improvements will be constructed or placed on or within the Easement Area without the prior written consent of Grantee, such structures and improvements to include, but not be limited to, drainage, trees, bridges, and signage. Grantee and Grantor must document Grantee's consent by both signing Grantee's standard, recordable use agreement. Grantor retains, for its benefit, the right to maintain, use and otherwise landscape the Easement Area for its own purposes; provided, however, that all such purposes and uses do not interfere with Grantee's rights herein and are in all respects consistent with the Grantee's rights herein, Grantee's electrical practices, and the National Electrical Safety Code.

To the fullest extent permitted by law, Grantor and Grantee waive any right each may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this Grant of Easement. Grantor and Grantee further waive any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

[signature page follows]

APN(s): 008-531-08

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GOE_DIST (Rev. 8/2016)



W.O. 3007483983
CARSON CITY
APN: 008-531-08

EXHIBIT "A"
EASEMENT

A portion of the Southeast quarter of the Northeast quarter of Section 12, Township 15 North, Range 20 East, M.D.M., Carson City, Nevada; recorded as Patent Number 1234015 on November 1, 1963, Official Records of Carson City, Nevada, more particularly described as:

An easement, 10 feet in width, lying 5 feet on each side of the following described centerline:

COMMENCING at the Southwest Corner of said Southeast quarter of the Northeast quarter of Section 12;

THENCE along the West line of said quarter-quarter Section, North 0°26'15" East, 215.61 feet to the POINT OF BEGINNING;

THENCE leaving said west line, South 58°45'45" East, 323.28 feet;

THENCE South 32°33'39" East, 58.98 feet to the South line of said quarter-quarter Section being the TERMINUS OF THIS DESCRIPTION.

Said Easement contains 3,820 square feet more or less.

See Exhibit "A-1" attached hereto and made a part thereof.

The Basis of Bearings for this Exhibit is the west line of said Southeast quarter of the Northeast quarter of Section 12 being North 0°26'15" East.

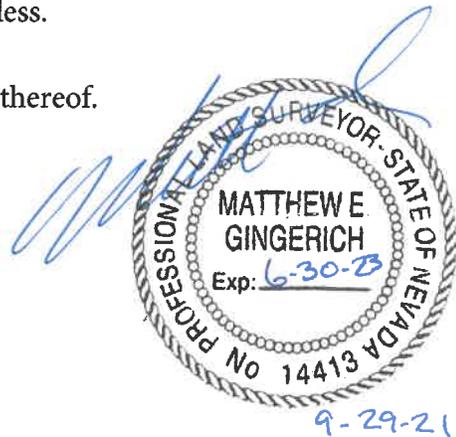
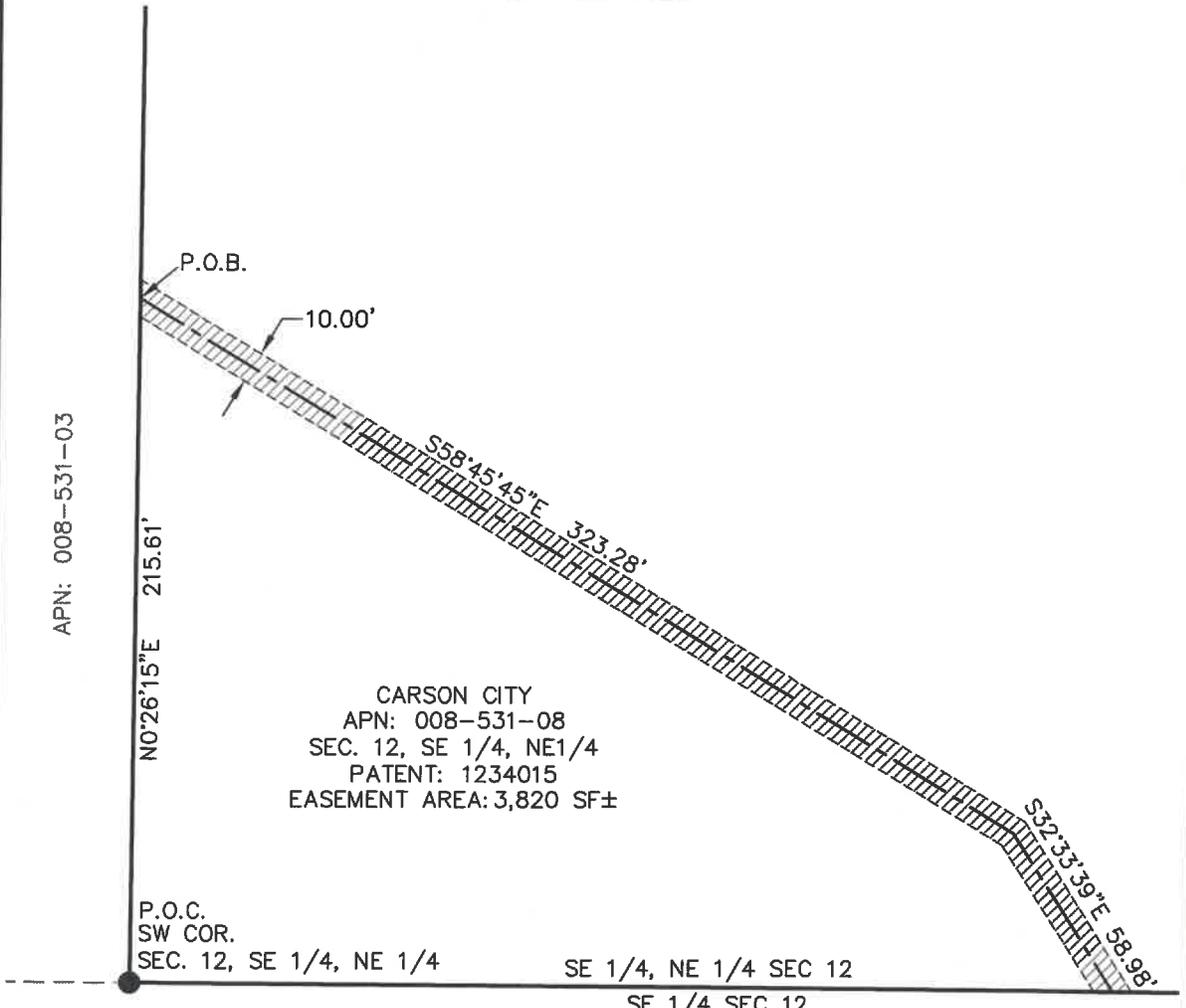


EXHIBIT A-1



CARSON CITY
 APN: 008-531-08
 SEC. 12, SE 1/4, NE1/4
 PATENT: 1234015
 EASEMENT AREA: 3,820 SF±

P.O.C.
 SW COR.
 SEC. 12, SE 1/4, NE 1/4

SE 1/4, NE 1/4 SEC 12
 SE 1/4 SEC 12

N



APN: 008-531-09



6100 NEIL RD.
 RENO, NV 89511
 775-834-4011

EXHIBIT MAP

EASEMENT

CARSON CITY
 APN: 008-531-08

SECT. 12, T. 15 N., R. 20 E., M.D.M.
 CARSON CITY NEVADA

9/2021

1 OF 1

SCALE: 1" = 60'

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