

Item # 4-30

**City of Carson City
Agenda Report**

Date Submitted: 07/08/08

Agenda Date Requested: 07/17/08
Time Requested: Consent

To: Mayor and Supervisors
From: Parks and Recreation Department

Subject Title: Action to approve a Grant of Easement Option for Public Trail between Alpha Homes, LLC. and Carson City; containing 21,908 square feet ± from APN #10-191-21; and authorize the Mayor to sign the Grant of Easement Option document.

Staff Summary: Parks and Recreation staff is requesting that the Board of Supervisors accept this Grant of Easement Option for Public Trail between Alpha Homes, LLC and Carson City for the construction and maintenance of a regional equestrian and pedestrian trail system, over and across certain real property, and is properly shown on Exhibit A and B of the easement.

Type of Action Requested:

- Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to approve a Grant of Easement Option for Public Trail between Alpha Homes, LLC. and Carson City; containing 21,908 square feet ± from APN #10-191-21; and authorize the Mayor to sign the Grant of Easement Option document.

Explanation for Recommended Board Action: See Staff Summary.

Applicable Statute, Code, Policy, Rule or Regulation: N/A

Fiscal Impact: N/A.

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Deny the dedication or 2) Refer to staff for further review.

Supporting Material: Executed Grant of Easement Option for Public Trail form, Exhibit A & B - Legal Description and Map

Prepared By: Eva Chwalisz, Management Assistant

Reviewed By: 
(Jeff Sharp, P.E., City Engineer)

Date: 7/2/08

Concurrences:

Walter Sullivan
(D.S. Director)

Date: 7/07/08

[Signature]
(City Manager)

Date: 7/8/08

[Signature]
(District Attorney)

Date: 7-8-08

[Signature]
(Parks & Rec. Director)

Date: 7-8-08

Board Action Taken:

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

(Vote Recorded By)

APN 10-191-21

TITLE OF DOCUMENT: Grant of Easement Option for Public Trail
between Alpha Homes, LLC and Carson City

WHEN RECORDED MAIL TO:

Alpha Homes, LLC

2989 Hwy 50 East

Carson City, NV 89701

GRANT OF EASEMENT OPTION FOR PUBLIC TRAIL

THIS GRANT OF EASEMENT OPTION by and between ALPHA HOMES, LLC., (Grantors), and the CITY OF CARSON CITY, a political subdivision of the State of Nevada, (Grantee),:

WITNESSETH:

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt is hereby acknowledged, Grantors hereby grant to Grantee AN EASEMENT OPTION to create a non-exclusive permanent easement and right-of-way for the construction and maintenance of a regional equestrian and pedestrian trail system. Together with the perpetual right to enter upon said land to construct, reconstruct, maintain and repair said trail.

This said OPTION shall be for TWENTY YEARS (20) for the Grantee to perfect the regional trail in this area and obtain the necessary equivalent easements on adjacent property to the North and South of this said easement in the City of Carson City.

The City of Carson City shall have 20 years from the Date first mentioned above, to exercise their OPTION and declare this option a permanent easement. The City of Carson City, must notify the then owners of each parcel in writing 120 days before enacting and taking possession of the easement. If the City of Carson City does not exercise their option on or before the expiration date in Twenty (20) years then the Option, Easement, and Easement Option shall become null and void and all Rights and Interest hereby given to the City of Carson City shall revert to the then property owner which shall then be entitled to the full rights, title and enjoyment of the easement property in the same manner as fee simple as first granted on their entire parcel.

Until such time as the City of Carson City, first notifies each parcel owner of their intent to exercise their option, each parcel owner shall have the use and full enjoyment of the easement property, including, but not limited to fencing and landscaping, but shall be prohibited from building any permanent structures on the easement property.

Upon exercise of the Easement Option, the City of Carson City shall be responsible for the construction and maintenance of the regional trail, including, but not limited to, new fencing separating the new trail from the balance of the homeowners parcel. (Each Lot owner shall be provided a gated access to the trail system, if desired at the initial construction time.) The City of Carson City will maintain such insurance as necessary, and other remedies afforded like easements within the City, to hold the then owners of each parcel harmless and

void of recourse by any person or persons using the regional trail for any manner.

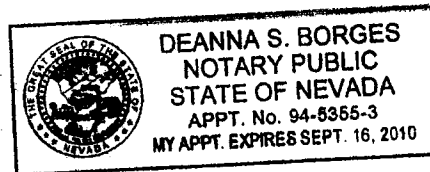
This Easement Option hereby granted is situate in the NW ¼ of the NW ¼ of Section 33, Township 15 North, Range 20 East, M.D.B. & M., City of Carson City, State of Nevada, more particularly described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND SHOWN ON THE MAP ATTACHED HERETO AS EXHIBIT "B".

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year of Board of Supervisors Approval below.

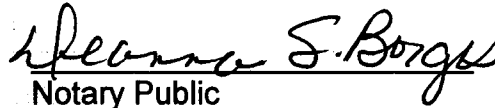
ALPHA HOMES, LLC:


Patricia Hon, Managing Member



STATE OF Nevada)
COUNTY OF Carson)

This instrument was acknowledged before me on this 2nd day of July, 2008 by Patricia Hon.


Notary Public

BOARD OF SUPERVISORS APPROVAL

This grant of easement option is approved and accepted by the Carson City

Board of Supervisors on this _____ day of _____, 2008.

MARV TEIXEIRA, Mayor

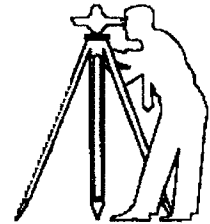
ATTEST:

ALAN GLOVER, Clerk-Recorder



HADDAN ENGINEERING, INC.

CIVIL ENGINEERING, SURVEYING & CONSULTING



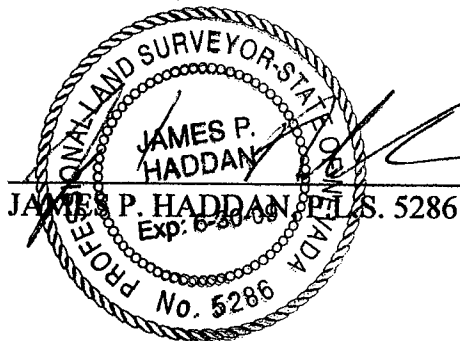
"A" EXHIBIT "X"

LEGAL DESCRIPTION FOR 30-FOOT GRANT OF EASEMENT OPTION, BEING A PORTION OF APN 10-191-21, FOR ALPHA HOMES, LLC, BEING A PORTION OF THE NW¼ NW¼ SECTION 33, T.15N., R.20E., M.D.B. & M., CARSON CITY, NEVADA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 33, T.15N., R.20E., M.D.B. & M.; THENCE S. 53° 04' 56" E., 1097.61 FEET; THENCE S. 89° 59' 46" E., 370.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE ON A CURVE TO THE RIGHT WITH RADIUS OF 2325.00 FEET, CENTRAL ANGLE OF 17° 58' 11" AND ARC LENGTH OF 729.19 FEET (CHORD BEARS S. 24° 38' 20" W.); THENCE N. 89° 56' 36" W., 36.11 FEET; THENCE ON A CURVE TO THE LEFT WITH RADIUS OF 2295.00 FEET, CENTRAL ANGLE OF 18° 15' 29" AND ARC LENGTH OF 731.34 FEET (CHORD BEARS N. 24° 59' 35" E.); THENCE S. 89° 59' 46" E., 31.17 FEET TO THE **TRUE POINT OF BEGINNING**, AS SHOWN ON THE ATTACHED MAP EXHIBIT "B," WHICH IS MADE A PART HEREOF.

CONTAINING 21,908 SQUARE FEET MORE OR LESS.

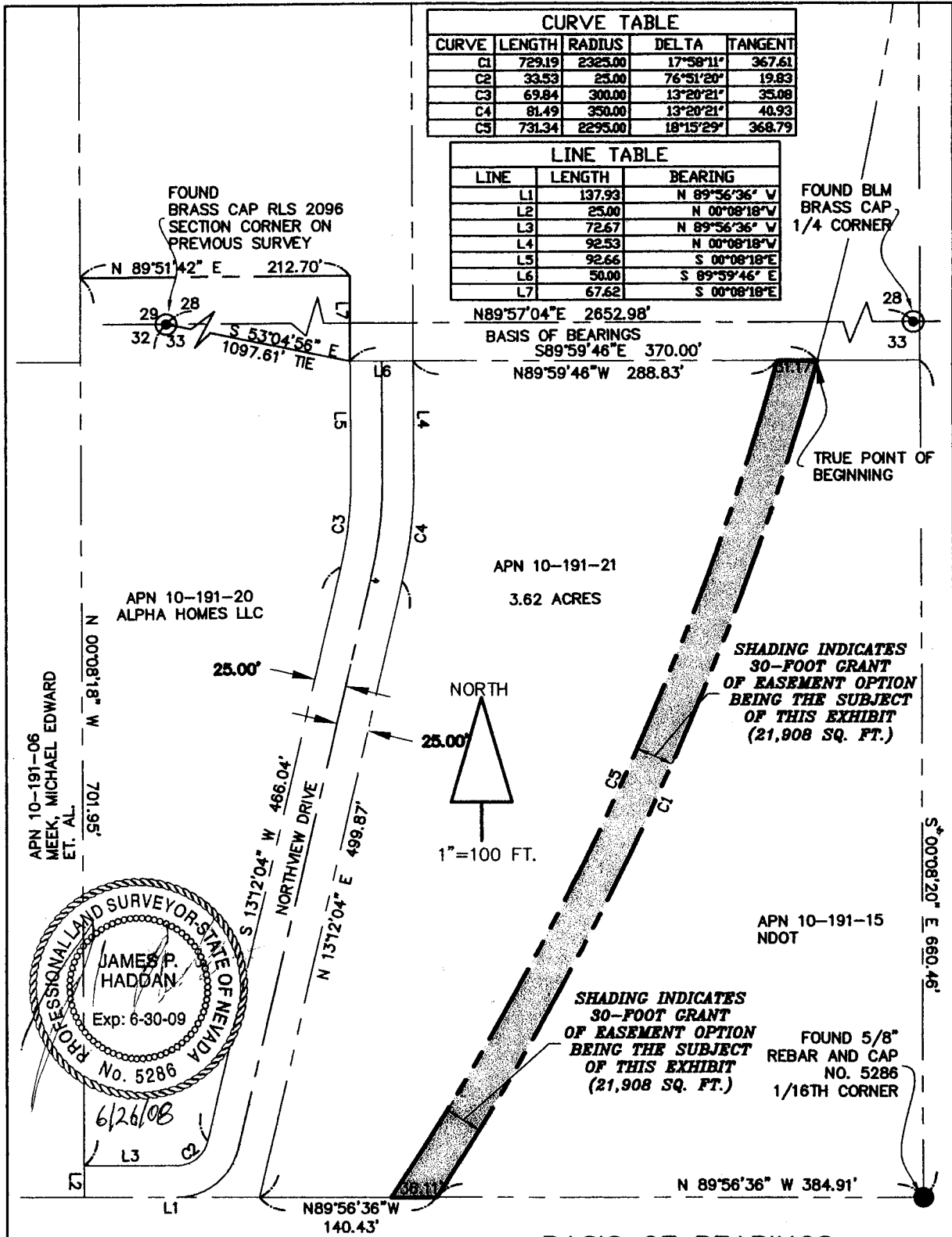
BASIS OF BEARINGS: THE NORTH LINE OF THE NW¼ SECTION 33, T.15N., R.20E., M.D.B. & M., PER A PARCEL MAP FILED AS PLAT NO. 1593, CARSON CITY RECORDS.



[Signature]
6/28/08
DATE

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	TANGENT
C1	729.19	2325.00	17°58'11"	367.61
C2	33.53	25.00	76°51'20"	19.83
C3	69.84	300.00	13°20'21"	35.08
C4	81.49	350.00	13°20'21"	40.93
C5	731.34	2295.00	18°15'29"	368.79

LINE TABLE		
LINE	LENGTH	BEARING
L1	137.93	N 89°56'36" W
L2	25.00	N 00°08'18" W
L3	72.67	N 89°56'36" W
L4	92.53	N 00°08'18" W
L5	92.66	S 00°08'18" E
L6	50.00	S 89°59'46" E
L7	67.62	S 00°08'18" E



MAP EXHIBIT "B" 6-25-08

MAP TO SUPPORT LEGAL DESCRIPTION FOR 30-FOOT GRANT OF EASEMENT OPTION BEING A PORTION OF APN 10-191-21, CARSON CITY NEVADA FOR

ALPHA HOMES LLC

BEING A PORTION OF THE NW 1/4 NW 1/4 SECTION 33 T.15N.R.20E., M.D.B.&M.

BASIS OF BEARINGS:
 THE NORTH LINE OF THE NW 1/4 SECTION 33 PER A PARCEL MAP FILED AS PLAT No. 1593. CARSON CITY RECORDS.

- REFERENCE DOCUMENTS:**
1. A PARCEL MAP FILED AS PLAT No. 540. CARSON CITY RECORDS.
 2. A PARCEL MAP FILED AS PLAT No. 631. CARSON CITY RECORDS.
 3. A PARCEL MAP FILED AS PLAT No. 1346. CARSON CITY RECORDS.
 4. A PARCEL MAP FILED AS PLAT No. 1593. CARSON CITY RECORDS.
 5. A BOUNDARY LINE ADJUSTMENT MAP RECORDED AS PLAT NO. 2680 CARSON CITY RECORDS.
 6. ROADWAY DEDICATIONS RECORDED AS DOCUMENT NOS. 379417 AND 379418 CARSON CITY RECORDS.

HE HADDAN ENGINEERING

P.O. BOX 2300 DAYTON, NEVADA 89403 (775)883-6595

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