

Item # 9-ZB

**City of Carson City  
Agenda Report**

**Date Submitted:** April 13, 2010

**Agenda Date Requested:** May 6, 2010

**Time Requested:** Consent

**To:** Mayor and Board of Supervisors

**From:** Public Works

**Subject Title:** Action to approve Dedication of Land for Public Right of Way Purposes from property owner James J. Weninger to Carson City for 58,580 square feet from APN 009-821-01, for a portion of Center Drive. (Jeff Sharp)

**Staff Summary:** This portion of Center Drive located immediately adjacent to the Douglas County line was offered for dedication on parcel map 2499 with creation of the adjacent lots in July of 2003. The developer at the time failed to follow up with the necessary paperwork to request acceptance of the roadway dedication by the Board of Supervisors. The remainder parcel area following dedication of Center Drive will be 1.00 acres which is consistent with the zoning and size of adjacent lots.

**Type of Action Requested:**

- |  |  |
|--|--|
| <input type="checkbox"/> Resolution                      | <input type="checkbox"/> Ordinance       |
| <input checked="" type="checkbox"/> Formal Action/Motion | <input type="checkbox"/> Other (Specify) |

**Does This Action Require A Business Impact Statement:**  Yes  No

**Recommended Board Action:** I move to approve Dedication of Land for Public Right of Way Purposes from property owner James J. Weninger to Carson City for 58,580 square feet from APN 009-821-01, for a portion of Center Drive.

**Explanation for Recommended Board Action:** This portion of Center Drive functions as a public street, but is currently located entirely on the adjacent undeveloped residential parcel. The intent when the parcels were created in 2003 was to dedicate Center Drive to the City.

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

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

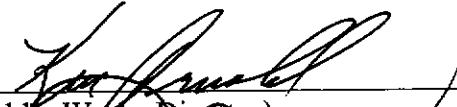

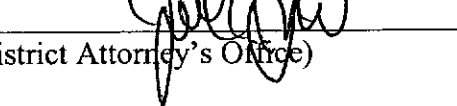
**Funding Source:** N/A

**Alternatives:** 1) Deny the dedication

**Supporting Material:** 1) Dedication Form

- 2) Exhibit A – Legal Description
- 3) Exhibit B - Map

**Prepared By:** Jeff Sharp – City Engineer

**Reviewed By:**  Date: 4/27/10  
(Public Works Director)  
 Date: 4/27/10  
(City Manager)  
 Date: 4/27/10  
(District Attorney's Office)

**Board Action Taken:**

Motion: _____		Aye/Nay
	1) _____	_____
	2) _____	_____
	3) _____	_____
	4) _____	_____
	5) _____	_____

\_\_\_\_\_  
(Vote Recorded By)

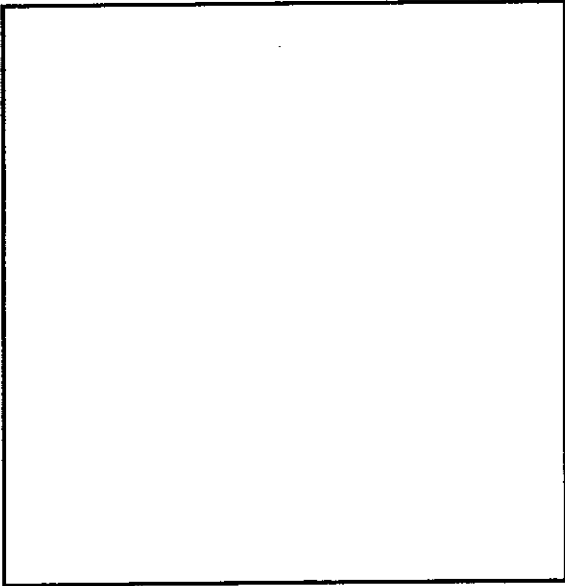
**DEDICATION OF LAND FOR PUBLIC RIGHT  
OF WAY PURPOSES**

APN#: 009-821-01

FROM: JAMES J. WENINGER

TO: CARSON CITY NEVADA

A PORTION OF THE SE 1/4, SEC. 5, T. 14, N., R. 20E., M. D. M.



I, THE UNDERSIGNED, HEREBY DEDICATE IN FEE TO CARSON CITY, A CONSOLIDATED MUNICIPALITY OF THE STATE OF NEVADA, for public purposes, lands owned by me or in which I have vested interest, particularly described as follows, to wit:

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

TOGETHER WITH, the tenements, hereditaments, appurtenances, reversions, remainders, rents, issues and profits thereof unto the said GRANTEE and to its assigns, forever.

THE UNDERSIGNED, in consideration of one dollar and other good and valuable consideration, does hereby relieve Carson City of all further obligations or claims on this account of the location, grade, maintenance or construction of the proposed public improvement.

TAXES shall be prorated and abated in accordance with Section 361.484 N.R.S.

IN WITNESS WHEREOF: I have hereunto set my hand, this 12<sup>th</sup> day of April, 2010.

*James J. Weninger*

Signature

JAMES J. WENINGER / OWNER

Printed Name and Title

STATE OF NEVADA)  
CARSON CITY ) ss

On April 12<sup>th</sup>, 2010, personally appeared before me James J. Weninger  
\_\_\_\_\_, who acknowledged that HE ~~SHE~~ executed the above instrument.

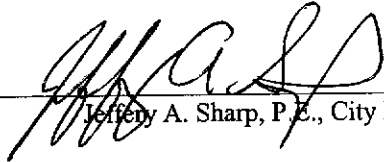


*Karen L. White*

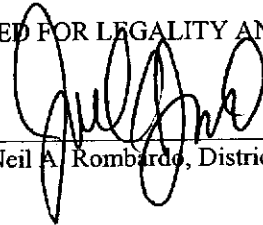
Notary Public

CITY:

REVIEWED AND RECOMMENDED BY:

  
\_\_\_\_\_  
Jeffery A. Sharp, P.E., City Engineer      4/12/10  
Date

APPROVED FOR LEGALITY AND FORM:

  
\_\_\_\_\_  
Neil A. Rombardo, District Attorney      4/22/10  
Date

APPROVED:

\_\_\_\_\_  
Robert Crowell, Mayor      Date

ATTEST:

\_\_\_\_\_  
Alan Glover, Clerk-Recorder      Date



*Land Information Solutions*

## **TRI STATE SURVEYING, LTD.**

425 E. Long Street  
Carson City, Nevada 89706  
Telephone (775) 887-9911 ♦ FAX (775) 887-9915  
Toll Free: 1-800-411-3752

JN 09050.01.CM  
Task 020

### **EXHIBIT "A"**

#### **TO SUPPORT THE DEDICATION OF A ROADWAY KNOWN AS CENTER DRIVE**

All that certain real property situate within a portion of the southeast one-quarter (SE ¼) of Section 5, Township 14 North, Range 20 East, M.D.M., Carson City, Nevada, being a portion of Parcel 7A-1, as shown on that certain Parcel Map for Desert Peak Development, LLC, recorded on July 23, 2003 as Map Number 2499, Official Records of Carson City, Nevada, being more particularly described as follows:

**BEGINNING** at a point on the westerly line of said Parcel 7A-1, said point bearing North 01°11'35" East, a distance of 949.31 feet from the south ¼ corner of said Section 5;

**THENCE** along said westerly line, North 01°11'35" East, a distance of 98.14 feet;

**THENCE** South 29°26'11" East, a distance of 1210.10 feet to a point on the southerly line of said Section 5;

**THENCE** along said southerly line, North 89°22'49" West, a distance of 77.77 feet;

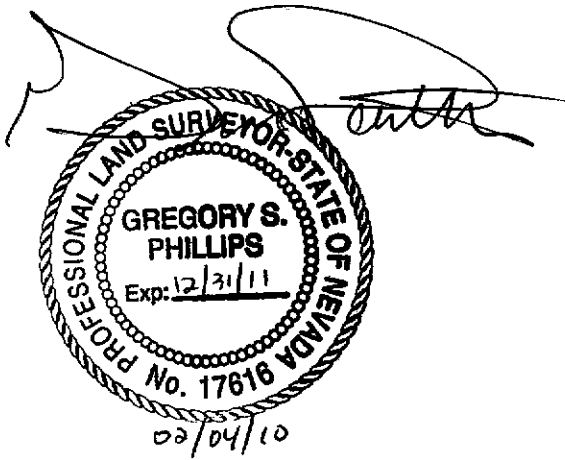
**THENCE** North 19°05'19" West, a distance of 96.37 feet;

**THENCE** North 29°26'11" West, a distance of 991.90 feet to the **POINT OF BEGINNING** and the end of this description.

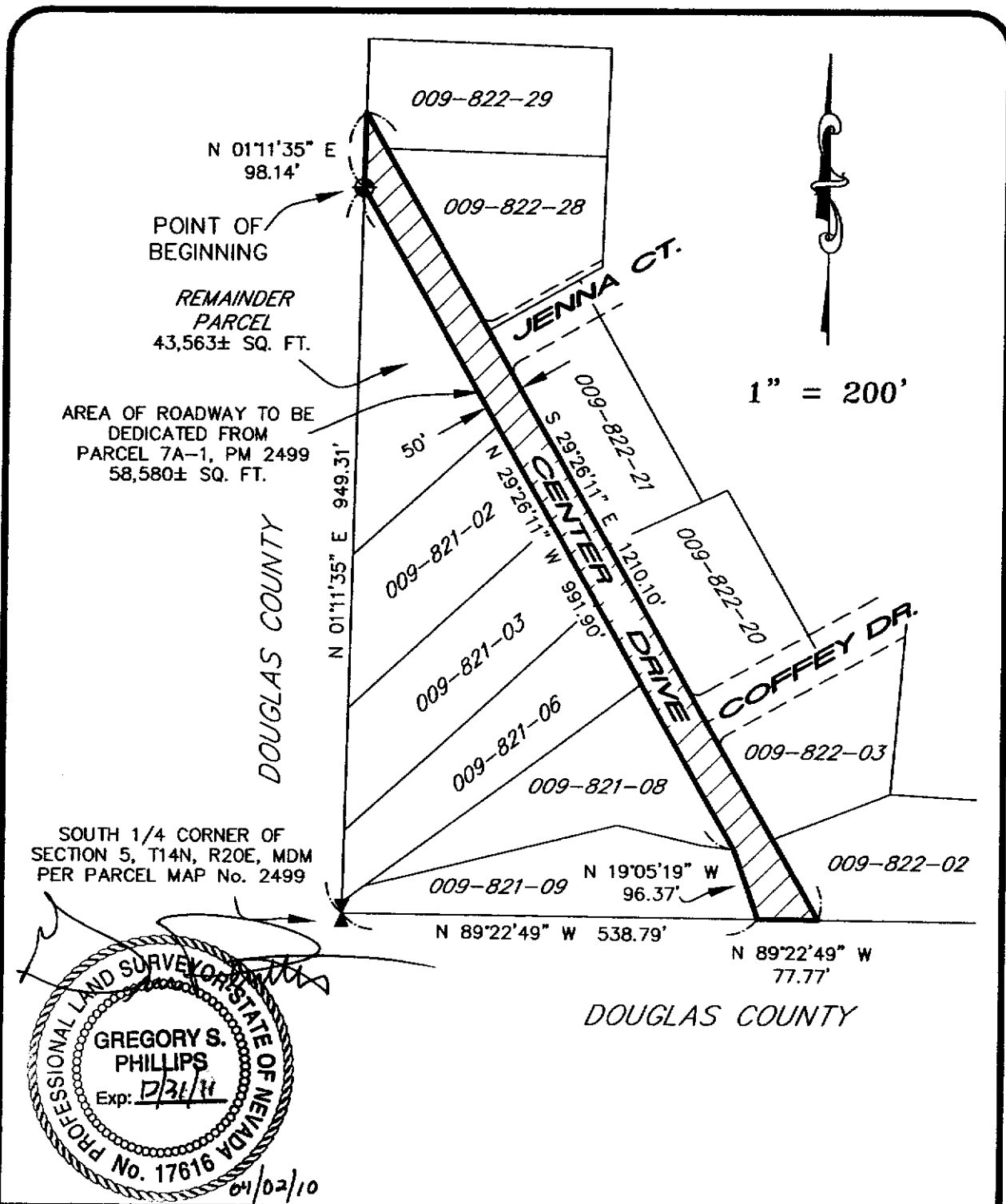
Contains 58,580 Square Feet, more or less.

The Basis of Bearings for this description is identical to said Parcel Map for Desert Peak Development, LLC, recorded on July 23, 2003 as Map Number 2499, Official Records of Carson City, Nevada. All dimensions in this exhibit were taken from said map.

Prepared by Tri State Surveying, Ltd.



Gregory S. Phillips, PLS  
Nevada Certificate No. 17616



**EXHIBIT "B"**

TO ACCOMPANY A ROADWAY DEDICATION  
A PORTION OF PARCEL 7A-1  
PER PARCEL MAP No. 2499  
CURRENT A.P.N. 009-821-01  
A POR. OF SEC 5, T14N, R20E, M.D.M.  
CARSON CITY, NV



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Land Information Solutions

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TASK 020