# Hem#19

### City of Carson City Agenda Report

Date Submitted: October 22, 2010 Agenda Date Requested: November 4, 2010 Time Requested: 15 Minutes To: Mayor and Supervisors From: Parks and Recreation Department Subject Title: Action to approve Resolution No. 2010-, a resolution accepting a 39.02 acre donation of real estate from the Vidler Water Company for lands located east of Hells Bells Road, APN's 10-681-02 and 10-681-01. (Juan F. Guzman) Staff Summary: The Vidler Water Company, through its President, Dorothy A. Timian-Palmer, and Vice President, Steve Hartman, wish to gift to Carson City 39 acres of land located within the flood plain of the Carson River and Eagle Valley Creek. These lands are very important for floodway, habitat, and passive recreation. The Carson City Municipal Code, Chapter 13.06 and the Nevada Revised Statues provide for the acceptance of land donations. Type of Action Requested: (check one) (\_\_) Resolution (\_\_) Ordinance (X) Formal Action/Motion ( ) Other (Specify) Does This Action Require A Business Impact Statement: (\_\_) Yes (X) No Recommended Board Action: I move to approve Resolution No. 2010-\_\_\_\_\_, a resolution accepting a 39.02 acre donation of real estate from the Vidler Water Company for lands located east of Hells Bells Road, APN's 10-681-02 and 10-681-01. Explanation for Recommended Board Action: Section 13.06 of the Carson City Municipal Code provides that the Board of Supervisors may accept lands for open space by resolution and upon the recommendation of the Open Space Advisory Committee. Applicable Statue, Code, Policy, Rule or Regulation: C.C.M.C. 13.06.010 / N.R.S. 244.270 Fiscal Impact: None to accept the lands. There will be a reduction of faxes paid for vacant property (\$3,908.20 Fiscal Year 2010) and maintenance costs.

**Explanation of Impact**: There will be a reduction of taxes and maintenance cost of trails, fences,

and noxious weeds.

Funding Sou	rce: Open Space accounts	
Alternatives:	Not to accept the donation.	
• Gift Deed	n No. 2010 ce Evaluation Form	
Prepared By:	:	Date: / /
Reviewed By:	: Noger Moellendori, Parks & Recreation Dire	Date: 10/34/10
	Lawrence A. Werner, City Manager	Date: 10/26/10
	District, Attorney's Office) / /	Date 10/26/0
	Finance Department	/o 26 / W Date: _ / _/_
Board Action	Taken:	
Motion:	1:	Aye/Nay
	2:	
(Vote Re	ecorded By)	

### RESOLUTION NO. 2010-\_\_\_\_

A RESOLUTION OF THE CARSON CITY BOARD OF SUPERVISORS ACCEPTING A 39-ACRE DONATION OF REAL ESTATE FROM THE VIDLER WATER COMPANY FOR LAND LOCATED EAST OF HELLS BELLS ROAD AT THE CARSON RIVER, ASSESSOR PARCEL NUMBERS 10-681-01 AND 10-681-02.

WHEREAS, Carson City Municipal Code, Chapter 13.06, establishes that it is the objective of the Open Space Program to promote quality of life for citizens of Carson City through the management, preservation, and protection of the quality of the natural environment which has given Carson City much of its character; and

WHEREAS, Carson City continues to grow, open spaces should be provided and woven into the fabric of the City; and

WHEREAS, Carson City Municipal Code, Section 13.06.010, provides that Carson City encourages residents of this community and other concerned persons or parties to donate certain lands or funds for use in the Open Space Program; and

WHEREAS, the Board of Supervisors may, by resolution, accept properties not acquired with Open Space funds into the Open Space Program after a recommendation from the Open Space Advisory Committee; and

WHEREAS, the Open Space Advisory Committee recommends the acceptance of approximately 39 acres of vacant land located east of Hells Bells Road at the Carson River, APN's 10-681-01 and 10-681-02; and

WHEREAS, the Open Space Advisory Committee voted by a majority to recommend to the Board of Supervisors the acceptance of this donation of lands located in an Open Space Priority Area as designated by the Open Space Master Plan; and

WHEREAS, the staff of the Open Space Advisory Committee has exercised due diligence in processing the attached gift deed; and

WHEREAS, the gift deed has been received and reviewed by the office of the District

1 2

1	Attorney and the Op	en Space Advi	sory Committee s	staff; and
2	WHEREAS,	, no flaws have	been ascertained	that will impede the positive
3	recommendation of	the acceptance	of this gift by the	Board of Supervisors.
4	NOW, THEI	REFORE, the E	Board of Supervise	ors hereby resolves to accept the land
5	donated and express	es our gratitude	e on behalf of the	residents of Carson City to Dorothy
6	Timian-Palmer, Pres	sident of the Vi	dler Water Comp	any, and Stephen Hartman, Vice President
7	of the Vidler Water	Company, for t	he gift to Carson	City of the approximately 39 acres of land
8	known as Assessor I	Parcel Numbers	s 10-681-01 and 1	0-681-02, and the construction of the trail
9	linking Morgan Mill	Trail to the no	rth and Riverviev	v Park to the south for the passive
10	recreation of generat	tions to come.		
11				
12	Adopted this	day o	of	, 2010.
13				
14		AYES:	Supervisors	
15				
16				
17				
18				
19		NAYES:	Supervisors	
20				
21		ABSTAIN:	Supervisors	
22		ABSENT:	Supervisors	
23				
24				Robert A. Crowell, Mayor
25				
26	ATTEST:			
27				
28	Alan Glover, Clerk-F	Recorder		

WHEN RECORDED RETURN TO: VIDLER WATER COMPANY 3480 G.S. RICHARDS BLVD, #101 CARSON CITY, NEVADA 89703

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#### **GIFT DEED**

This GIFT DEED is made this 137 day of October 2010, by and between VIDLER WATER COMPANY, a Nevada corporation of 3480 G.S. Richards Blvd., #101, Carson City, Nevada 89703, hereinafter referred to as **GRANTOR**, and CARSON CITY, a Consolidated Municipality under the provisions of the Nevada Revised Statutes of Carson City, Nevada, **GRANTEE** 

GRANTOR, out of love and affection for the GRANTEE, does by these presents, quitclaim to GRANTEE and to GRANTEE'S successor and assigns forever, all of GRANTOR'S right, title and interest in and to that certain real property located and situate in Carson City, state of Nevada and more particularly described on EXHIBIT "A", attached hereto and incorporated herein by this reference as if fully set forth herein for purposes of open space protection on the Exhibit "A" real property.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversions, remainder and remainders, rents, issues and profits thereof, subject to the retained and existing public utility easements in favor of GRANTOR and GRANTEE.

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto the said GRANTEE and to the GRANTEE'S heirs, successors and assigns forever.

IN WITNESS WHEREOF, the GRANTORS have executed this gift deed on the day and year first above written.

# **GRANTOR**

VIDLER WATER COMPANY, A Nevada corporation

By: Doutes. dunalen	
Dorothy A. Timian-Palmer	
President	
State of Nevada ) )ss: Carson City )	
On Oct. 13 2010, there personally appeared before me, a notary public Dorothy Timian-Palmer, known to me to be the President of Vidler Water Company who subscribed to the foregoing Gift Deed and who acknowledged to me that she executed the foregoing Deed as President of the Corporation.	)
Darielle Bettrolg Notary Public	
DANIELLE BETTRIDGE S NO.99-59300-5 My Appt. Exp. Nov. 4, 2011	

# EXHIBIT A

Parcel 1 of the Parcel Map completed for Vidler Water Company recorded as Document #383668 in the Official Records of the Recorder, Carson City, Nevada.

APH 10-581-85

Graham property (Carson R. n. of Riverview Park)

# APPENDIX

#### A.1 OPEN SPACE EVALUATION FORM

Table A. Physical Characteristics

For each parcel, select the highest value for each physical feature. If none apply, leave blank.

Physical Feature	Defining Authorities	Characteristics (check if present or applicable)	Value	
Wildlife habitats/	US Fish & Wildlife Service, Nev. Div. Of	Contains habitat or corridor for threatened or endangered (T&E) species	Very High	
corridors	Wildlife, or documented scientific observation	Contains high value habitat for non-T&E species Contains migration corridor Observed presence of wildlife or fish	High Medium Medium Moderate	
Natural communities	US Army Corps of Eng. Or competent	Has healthy, sustainable riparian area Presence of mature canopy trees, shrubs	High Medium	_ ا
	specialist, such as the Nevada Natural Heritage Program	Majority of parcel with healthy native grasses Contains jurisdictional (ACOE) wetlands	Moderate	2
Landform/ scenic quality	Committee, staff, consultants	Open water (lakes, ponds, river, stream) Contains ridge or promontory w/ long views Contains a valley that provides enclosure/privacy	(High) High Medium	3
Visibility	Committee, staff, consultants	☐ Visible from major roads ☐ Visible only from local roads ☐ Visible primarily from adjacent residences	High Medium (Low)	
Size	Committee	☐ Larger than 40 acres ☐ 20 to 40 acres ☐ 10 to 20 acres	High Medium Low	4
Accessibility	Committee, staff, consultants	Significant portions can be opened to public  Limited portions opened to public use	High Medium	3
Historic/ cultural	State Historic Preservation Office,	Known or high potential archaeological resource  Historic designation (national, state or local) Significant local cultural feature (physical landmark, working farm, unique structure, etc.)	(High) Medium Moderate	
Water protection	CC Public Works	<ul> <li>□ Within 5 year well protection zone</li> <li>□ Within 10 year well protection zone</li> <li>□ Contains high-infiltration soils within watershed protection area</li> </ul>	High High Medium	
Flood hazard	Federal Emergency Management Agency	Is within FEMA-designated 100 year floodplain  Is within area of known flooding	(Low) (Medium)	
Prime farmland	U.S. Department of Agriculture	☐ Is land of statewide agricultural importance (irrigated farmland)	High	

APN 10-581-05

Graham property

#### Table B. Prioritizing Factors

This part of the evaluation assumes that some form of acquisition is necessary to protect the parcel(s) that will not be protected by existing City, State or Federal regulation (wetlands, flood plain, easements, etc.)

For each parcel check the most appropriate priority factor for each category below.

		Priority
Category	Definition (check if present)	
Uniqueness of	One of few remaining examples of at least one characteristic	rugu
habitat type	in Table A	T
	☐ Habitat or physical setting is relatively rare in Carson City	Low
Ease of	Landowner motivated to sell at less cost than market value	High _ Donatio
acquisition	Can be acquired with terms (options, payment structure,	Medium
•	trade, etc.) favorable to the City	
	Cost are not greater than appraised value, terms are not	Low
	unfavorable	
Potential to	☐ Likely, significant participation of non-City funding	High
share cost	partners	
Datas C C C C C	Likely participation from other funding sources	Medium
	Likely significant participation from other City departments	Low
Urgency	Development is imminent	High
Olgonoy	☐ For sale (acquisition/development likely	Medium
	Private negotiation, not on open market	Low
Is a significant	Located within an Open Space priority area	(High)
part of Open	Parcel is designated on current Open Space master plan	Medium
Space plan?	Adjacent to, or can be linked to other Open Space parcel,	Medium
Space plan:	trail or park	
Citizen support	☐ Has City-wide citizen support/advocacy	High
Citizen support	☐ Has local citizen support	Medium
	No significant opposition	Low

Observed various bird species including California quail and a great heron, wild horses, and decr.

BLM, with river frontage. Some noxious weeds present.

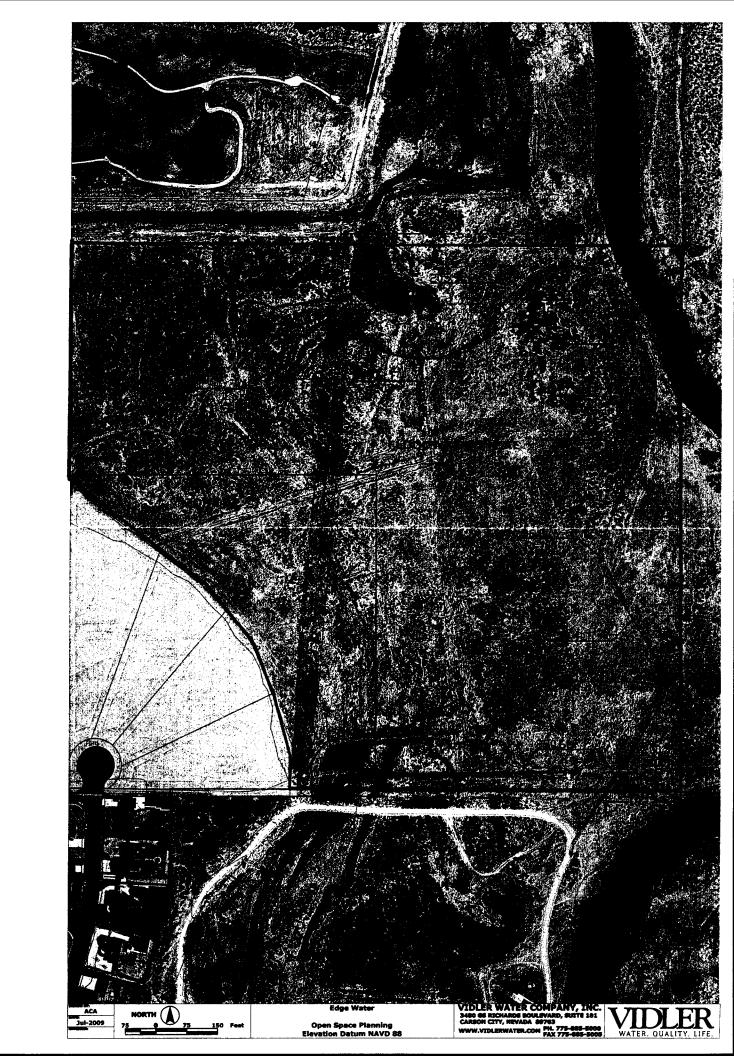
- 3 Contains unobstructed views of the River corridor.
- DEntire parcel is 38 ac including a house, garage, and other structures. There may be opportunity to split the parcel and preserve the open space

Values.

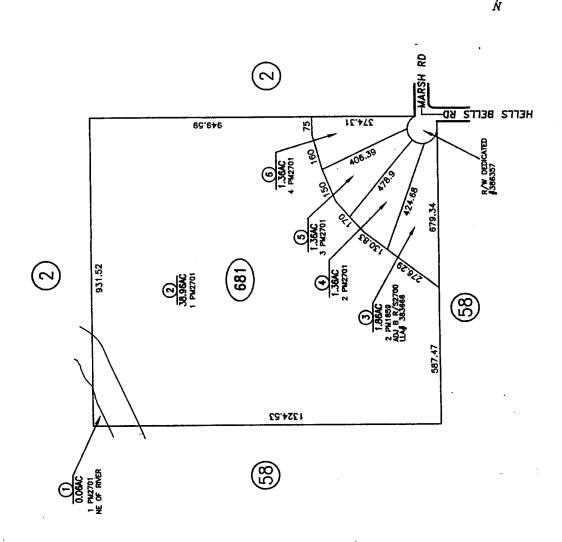
Carson City Open Space Plan

B) Acquisition would provide connectivity between Trail

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& M. PORTION OF THE NW1/4 SECTION 14, T.15 N., R.20 E., M.D.B.





NOTE
SOME PHYSICS CELIFICATION FERCEM MAY NOT
BE PRESENTED IN TRAVE, CAS. SHAPE, OR LOCATION
OUR TO DIGGRESSIVANCES BETTRED! LOT LINES.

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