

**City of Carson City
Agenda Report**

Date Submitted: October 26, 2010

Agenda Date Requested: November 16, 2010
Time Requested: Consent Agenda

To: Mayor and Supervisors

From: Public Works

Subject Title: Action to approve the Non-Exclusive Temporary and Permanent Easements for a Pedestrian Pathway between the Nevada Division of State Lands, for and on behalf of the Department of Corrections and the Nevada Army National Guard (Grantors) and Carson City, which will allow Carson City to construct and maintain the Fairview Drive Pedestrian Pathway, which is on Grantor's property, and concurrently construct the North/South Water Transmission Main Phase II Project. *(Robert Fellows)*

Staff Summary: The Non-Exclusive Temporary and Permanent Easements are to provide Carson City the access necessary to construct and maintain the Fairview Drive Pedestrian Pathway and concurrently construct the North/South Water Transmission Main Phase II Project in Fairview right-of-way. Carson City intends to install a 24-inch Transmission Main and construct a 12-foot pedestrian pathway along the alignment of the east side of Fairview Drive between E. Fifth Street and Edmonds Drive. The easement for the pathway allows the water main to be constructed with limited interference to traffic on Fairview.

Type of Action Requested: (check one)

Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to approve the Non-Exclusive Temporary and Permanent Easements for a Pedestrian Pathway between the Nevada Division of State Lands, for and on behalf of the Department of Corrections and the Nevada Army National Guard (Grantors) and Carson City, which will allow Carson City to construct and maintain the Fairview Drive Pedestrian Pathway, which is on Grantor's property, and concurrently construct the North/South Water Transmission Main Phase II Project. *(Robert Fellows)*

Explanation for Recommended Board Action: The primary purpose of this easement is to allow the water main to be constructed with limited interference to traffic on Fairview.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 408

Fiscal Impact: No fiscal impact.

Explanation of Impact: N/A

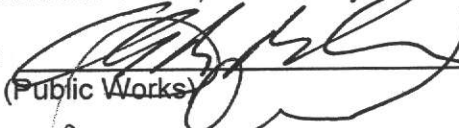

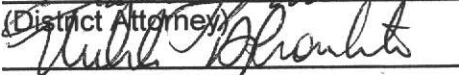
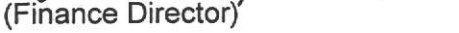
Funding Source: N/A

Alternatives: Provide other direction pursuant to Board Action.

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Supporting Material: Non-Exclusive Temporary and Permanent Easements.

Prepared By: Robert Fellows, Senior Project Manager.

Reviewed By:  Date: 11/8/10
(Public Works)
 Date: 11/8/10
(City Manager)
 Date: 11/8/10
(District Attorney)
 Date: 11/8/10
(Finance Director)

Board Action Taken:

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

(Vote Recorded By)

LEO DROZDOFF
Acting Director

Department of Conservation
and Natural Resources

JAMES R. LAWRENCE
Administrator

JIM GIBBONS
Governor



State Land Office
State Land Use Planning Agency
Nevada Tahoe Resource Team
Conservation Bond Program -Q1

Address Reply to

Division of State Lands
901 S. Stewart St. Suite 5003
Carson City, Nevada 89701-5246
Phone (775) 684-2720
Fax (775) 684-2721
Web www.lands.nv.gov

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Division of State Lands

September 14, 2010

CARSON CITY PUBLIC WORKS DEPARTMENT
ATTN: ROBB FELLOWS
3505 BUTTI WAY
CARSON CITY NV 89701

RE: Pedestrian Pathway @ Fairview Drive

Dear Robb:

Enclosed please find an original and duplicate original non-exclusive temporary and permanent easements for the above referenced pedestrian pathway. It is understood Carson City Public Works intends to construct a waterline within their right-of-way along the east side of Fairview Drive between E. Fifth Street and Edmonds Drive. Concurrently, they intend to construct and install a 12' pedestrian pathway along with necessary slope excavation to create sufficient sight distance to provide adequate separation from the roadway to ensure pedestrian safety. They will extend storm drainage facilities by relocating existing surface drainage to underground facilities.

A temporary construction easement and permanent easement documents were selected as the appropriate authorizations for this project. The consideration fee for this project was waived due to NRS 322.140 (1), promoting public health and safety and the direct benefit to the State's property.

Please review and sign the attached original and duplicate original for both the temporary and permanent easements. Upon signing, please submit to the Carson City Recorder's office to have the duplicate originals conformed and the originals recorded. Once recorded, please return all copies to my attention at the above referenced address.

If you have any questions, please do not hesitate to contact me at (775)684-2729 or via email at dmckay@lands.nv.gov.

Thank you,



Deann McKay
State Land Agent II



NG 23 & PRIS 1/DMM/ 3632
CARSON CITY
APN(s): 010-052-02, 010-052-03
and 010-072-02, 010-034-02

Recording Requested by and Return to:
Division of State Lands
901 S. Stewart St., Suite 5003
Carson City, NV 89701

NON-EXCLUSIVE TEMPORARY CONSTRUCTION EASEMENT
CARSON CITY PUBLIC WORKS DEPARTMENT
PEDESTRIAN PATHWAY

This Non-Exclusive Temporary Construction Easement made and entered into this 20th day of AUGUST, 2010, by and between the STATE OF NEVADA, acting by and through the DIVISION OF STATE LANDS and the State Land Registrar, for and on behalf of the DEPARTMENT OF CORRECTIONS AND THE NEVADA ARMY NATIONAL GUARD hereinafter referred to as GRANTORS and the CARSON CITY PUBLIC WORKS, hereinafter referred to as GRANTEE.

WHEREAS, the GRANTOR is the owner of Carson City Assessor Parcel Numbers: 010-052-02, 010-052-03, 010-072-02 and 010-034-02 which said parcels are managed by the Department of Corrections and the Nevada Army National Guard; and

DUPLICATE ORIGINAL