

**Carson City Board of Supervisors
Agenda Report**

Date Submitted: August 1, 2013

Agenda Date Requested: August 15, 2013

Time Requested: Consent

To: Mayor and Supervisors

From: Public Works

Subject Title: For Possible Action: To approve and authorize the Mayor to sign a Grant of Easement by the City (grantor) to Sierra Pacific Power Company, d/b/a NV Energy (grantee) for electrical distribution facilities and access to the top of Lone Mountain for purposes of providing power to current and future telecommunications sites. (Jeff Sharp)

Staff Summary: The City recently entered into a lease agreement with AT&T for a telecommunications site atop Lone Mountain on City property, APN's 002-073-01, 002-101-01 and 002-101-81. The proposed grant of easement allows for installation and maintenance of electrical distribution facilities to serve the AT&T site as well as future telecommunications sites by the City or other permitted vendors.

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 and authorize the Mayor to sign a Grant of Easement by the City (grantor) to Sierra Pacific Power Company, d/b/a NV Energy (grantee) for electrical distribution facilities and access to the top of Lone Mountain for purposes of providing power to current and future telecommunications sites.

Explanation for Recommended Board Action: Refer to staff summary above.

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

Fiscal Impact: None

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: Do not approve the Grant of Easement.

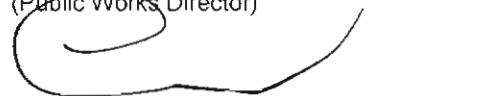
Supporting Material: Grant of Easement document including Exhibits "A" through "D" showing legal descriptions and exhibit maps for the proposed easement areas.

Prepared By: Jeff Sharp, City Engineer




Reviewed By: 
(Public Works Director)

Date: 8-6-13


(City Manager)

Date: 8/6/13


(Finance Director)

Date: 8/6/13


(District Attorney)

Date: 8/6/13

Board Action Taken:

Motion: _____

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

(Vote Recorded By)

APN: 002-073-01, 002-101-01 & 002-101-81

WHEN RECORDED MAIL TO:

Property Services Department
NV Energy
P.O. Box 10100
Reno, NV 89520

GRANT OF EASEMENT

CARSON CITY, A CONSOLIDATED MUNICIPALITY OF THE STATE OF NEVADA ("**Grantor**") for One Dollar (\$1.00) and other and good valuable consideration, receipt of which is hereby acknowledged, grants and conveys to SIERRA PACIFIC POWER COMPANY, a Nevada corporation, d/b/a NV Energy ("**Grantee**"), its successors and assigns, a perpetual right and easement:

1. to construct, operate, add to, modify, maintain and remove aboveground and/or underground communication facilities and electric line systems for the distribution and transmission of electricity, consisting of poles, other structures, wires, cables, conduit, duct banks, manholes, vaults, transformers, service boxes/meter panels, cabinets, bollards, anchors, guys, and other equipment, fixtures, apparatus, and improvements ("**Utility Facilities**") upon, over, under and through the property described in Exhibit "A" and depicted in Exhibit "B" hereto and by this reference made a part of this Grant of Easement ("**Utility Easement Area**");
2. for the unrestricted passage of vehicles and pedestrians within, on, over and across the property described in Exhibit "C" and depicted in Exhibit "D" ("**Access Easement Area**") and the "Utility Easement Area."
3. for ingress of vehicles and pedestrians to and the egress of vehicles and pedestrians from the "Utility Easement Area" and "Access Easement Area;" and
4. 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 electric line systems and communication 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 and located on the Easement Area 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 4 above.

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 Utility Easement Area without the prior written consent of Grantee, such structures and improvements to include, but not limited to drainage, trees, bridges and signage. Grantee and Grantor must document Grantee's consent by both signing

APN: 002-073-01, 002-101-01, 002-101-81

RW# DS26559

Proj. #3000061466

Project Name: 1044 Beverly Dr. – AT&T Mobility

Reference Document: 279519 & 88066

GOE

Grantee's standard recordable use agreement. Grantor retains for its benefit, the right to maintain, use and otherwise landscape the Utility 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.

GRANTOR:

CARSON CITY, A CONSOLIDATED MUNICIPALITY OF THE STATE OF NEVADA

By: _____

Title: _____

STATE OF NEVADA
COUNTY OF CARSON CITY

This instrument was acknowledged before me on _____, 2013 by _____ as
_____ of Carson City, Nevada.

Signature of Notarial Officer

Notary Seal area →

APN: 002-073-01, 002-101-01, 002-101-81
RW# DS26559
Proj. #3000061466
Project Name: 1044 Beverly Dr. – AT&T Mobility
Reference Document: 279519 & 88066
GOE

EXHIBIT "A"
LEGAL DESCRIPTION
(UTILITY EASEMENT)

TWO STRIP OF LAND 10.00 FEET WIDE, LYING WITHIN A PORTION OF SECTION 8, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.M., IN THE CITY OF CARSON CITY, COUNTY OF CARSON CITY, STATE OF NEVADA, ALL IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING 5.00 ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

STRIP NO. 1

COMMENCING AT THE CENTER OF SAID SECTION, ALSO BEING ON A POINT ON THE WESTERLY LINE OF PARCEL 3A, AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 9, PAGE 2446, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THENCE ALONG THE WESTERLY LIE OF SAID PARCEL 3A S00°43'15"W, 209.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE LEAVING SAID WESTERN LINE N71°49'51"W 353.27 FEET TO THE POINT OF BEGINNING; THENCE N21°53'57"E, 7.79 FEET; THENCE S68°06'03"E, 25.71 FEET; THENCE N62°14'10"E, 10.92 FEET; THENCE N19°56'21"E, 85.83 FEET; THENCE N15°04'44"E, 42.60 FEET; THENCE N26°00'53"E, 23.87 FEET; THENCE N31°39'25"E, 71.59 FEET; THENCE N32°37'49"E, 44.24 FEET; THENCE N44°09'28"E, 26.74 FEET; THENCE N49°29'57"E, 39.98 FEET; THENCE N55°32'25"E, 62.39 FEET; THENCE N69°44'52"E, 55.46 FEET; THENCE N76°48'18"E, 54.27 FEET; THENCE S89°01'36"E, 15.14 FEET; THENCE S46°40'33"E, 10.34 FEET; THENCE S15°22'32"E, 20.24 FEET; THENCE S01°00'56"E, 5.70 FEET; THENCE S03°40'48"E, 65.79 FEET; THENCE S02°31'22"W, 55.18 FEET; THENCE S08°01'05"E, 29.55 FEET; THENCE S15°10'04"E, 12.22 FEET; THENCE S20°14'25"E, 50.10 FEET; THENCE S01°36'35"E, 56.08 FEET; THENCE S02°50'46"W, 43.97 FEET ; THENCE S11°31'31"W, 24.96 FEET; THENCE N90°00'00"W, 5.90 FEET TO THE END OF SAID STRIP.

STRIP NO. 2

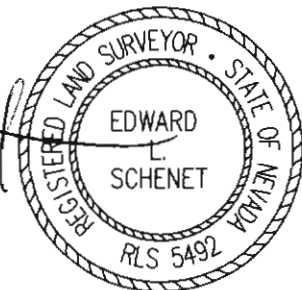
COMMENCING AT THE CENTER OF SAID SECTION, ALSO BEING ON A POINT ON THE WESTERLY LINE OF PARCEL 3A, AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 9, PAGE 2446, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THENCE ALONG THE WESTERLY LIE OF SAID PARCEL 3A S00°43'15"W, 209.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE LEAVING SAID WESTERN LINE N53°21'17"W, 329.79 FEET TO THE POINT OF BEGINNING; THENCE N88°23'39"W, 44.42 FEET TO THE END OF SAID STRIP.

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION:

Edward L. Schenet

EDWARD L. SCHENET,
RLS 5492



SHEET 1 OF 2

CAL VADA

SURVEYING, INC.

411 JENKS CIRCLE, SUITE 205, CORONA, CA. 92880

Los Angeles • Denver

PHONE: 951-280-9960

FAX: 951-280-9746

Job No. 13241

Date: 07/10/13

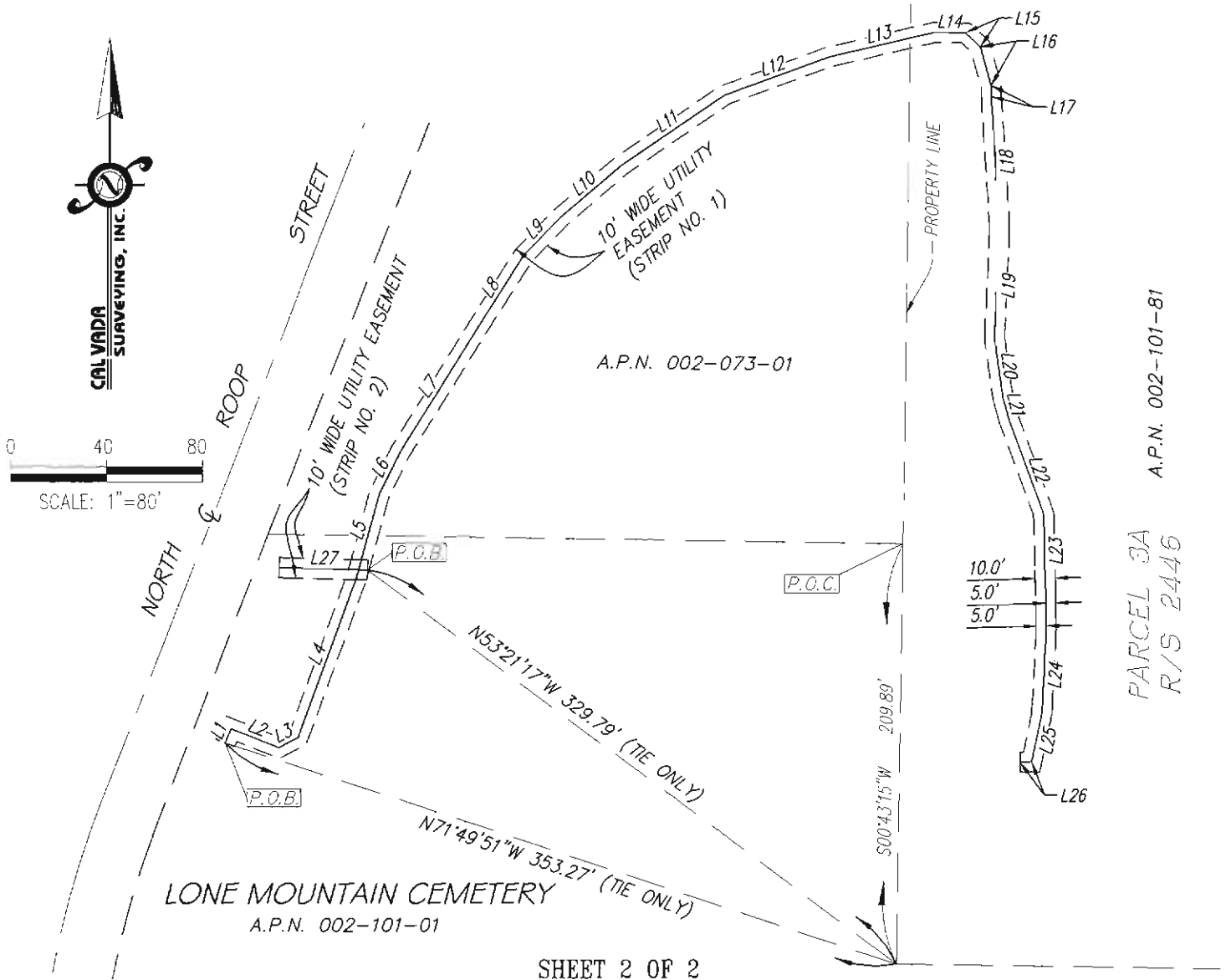
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EXHIBIT "B"
SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	N21°53'57"E	7.79'
L2	S68°06'03"E	25.71'
L3	N62°14'10"E	10.92'
L4	N19°56'21"E	85.83'
L5	N15°04'44"E	42.60'
L6	N26°00'53"E	23.87'
L7	N31°39'25"E	71.59'
L8	N32°37'49"E	44.24'
L9	N44°09'28"E	26.74'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L10	N49°29'57"E	39.98'
L11	N55°32'25"E	62.39'
L12	N69°44'52"E	55.46'
L13	N76°48'18"E	54.27'
L14	S89°01'36"E	15.14'
L15	S46°40'33"E	10.34'
L16	S15°22'32"E	20.24'
L17	S01°00'56"E	5.70'
L18	S03°40'48"E	65.79'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L19	S02°31'22"W	55.18'
L20	S08°01'05"E	29.55'
L21	S15°10'04"E	12.22'
L22	S20°14'25"E	50.10'
L23	S01°36'35"E	56.08'
L24	S02°50'46"W	43.97'
L25	S11°31'31"W	24.96'
L26	N90°00'00"W	5.90'
L27	N88°23'39"W	44.42'



SHEET 2 OF 2

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Job No. 13241
 Date: 07/10/13

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EXHIBIT "C"
LEGAL DESCRIPTION
(ACCESS EASEMENT)

A STRIP OF LAND 12.00 FEET WIDE LYING WITHIN A PORTION OF SECTION 8, TOWNSHIP 15 NORTH, RANGE 20 EAST, M.D.M., IN THE CITY OF CARSON CITY, COUNTY OF CARSON CITY, STATE OF NEVADA, ALL IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, LYING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE CENTER OF SAID SECTION, ALSO BEING ON A POINT ON THE WESTERLY LINE OF PARCEL 3A, AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 9, PAGE 2446, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 3A $S00^{\circ}43'15''W$, 209.89 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE LEAVING SAID WESTERN LINE $S84^{\circ}57'01''W$, 380.25 FEET TO THE POINT OF BEGINNING; THENCE $N27^{\circ}21'39''E$, 96.32 FEET; THENCE $N45^{\circ}07'55''E$, 26.69 FEET; THENCE $N17^{\circ}57'06''E$, 20.93 FEET; THENCE $N20^{\circ}00'34''E$, 54.90 FEET; THENCE $N17^{\circ}17'32''E$, 40.38 FEET; THENCE $N18^{\circ}01'19''E$, 50.41 FEET; THENCE $N23^{\circ}15'27''E$, 13.27 FEET; THENCE $N27^{\circ}10'16''E$, 40.84 FEET; THENCE $N32^{\circ}13'15''E$, 42.78 FEET; THENCE $N32^{\circ}36'35''E$, 43.11 FEET; THENCE $N44^{\circ}19'35''E$, 42.96 FEET; THENCE $N48^{\circ}40'20''E$, 42.77 FEET; THENCE $N54^{\circ}20'43''E$, 45.05 FEET; THENCE $N70^{\circ}14'30''E$, 35.52 FEET; THENCE $N72^{\circ}44'43''E$, 42.39 FEET; THENCE $N79^{\circ}25'13''E$, 42.02 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 21.20 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF $97^{\circ}22'45''$ AND AN ARC LENGTH OF 36.03 FEET; THENCE $S03^{\circ}12'02''E$, 34.48 FEET; THENCE $S01^{\circ}44'47''E$, 39.00 FEET; THENCE $S00^{\circ}12'36''E$, 43.51 FEET; THENCE $S02^{\circ}42'02''E$, 43.66 FEET; THENCE $S20^{\circ}36'13''E$, 43.64 FEET; THENCE $S15^{\circ}59'15''E$, 44.18 FEET; THENCE $S05^{\circ}30'39''W$, 83.86 FEET; THENCE $N90^{\circ}00'00''W$, 28.56 FEET; THENCE $S00^{\circ}00'00''E$, 6.00 FEET TO THE END OF SAID STRIP.

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION:



EDWARD L. SCHENET,
RLS 5492



SHEET 1 OF 2

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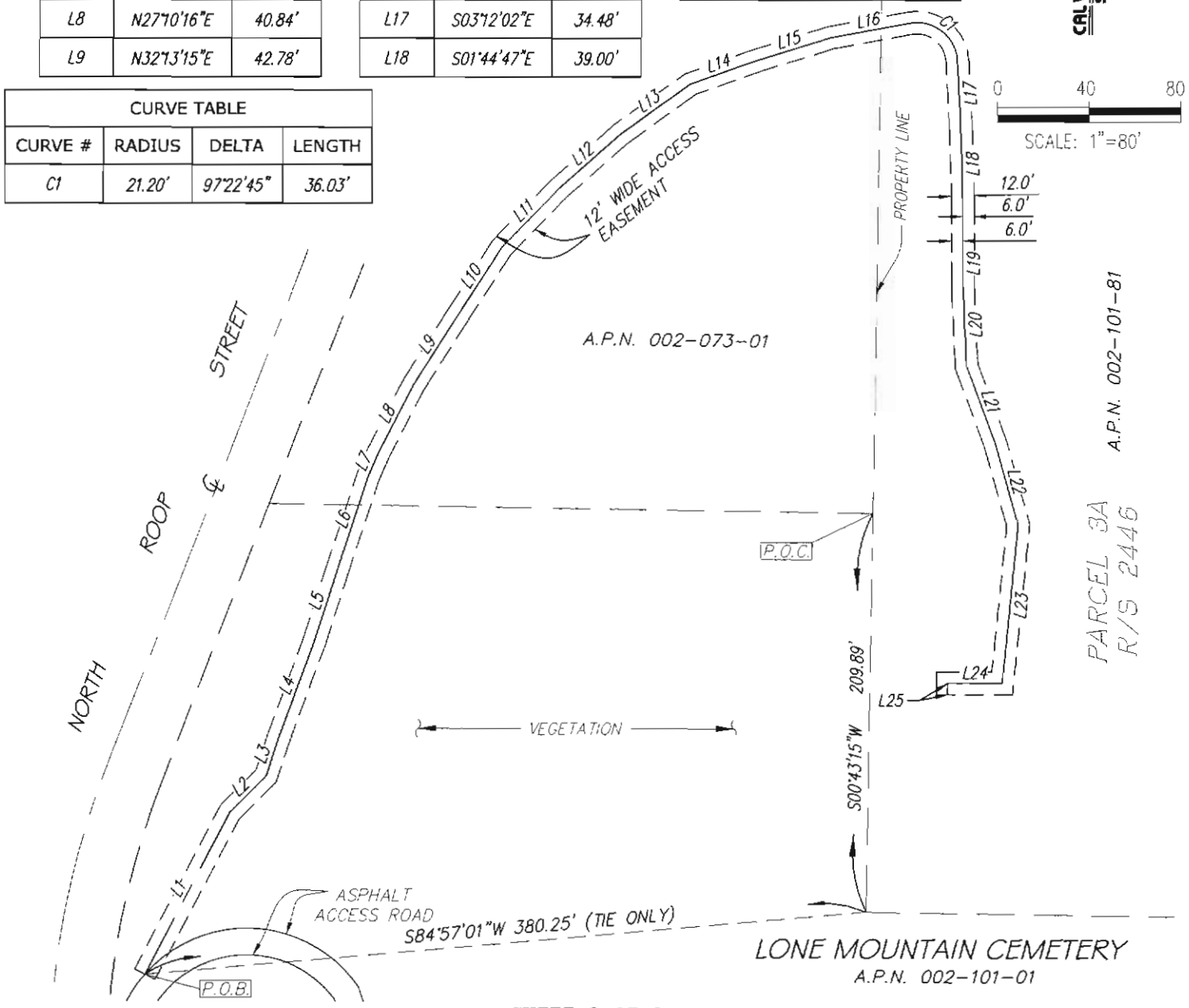
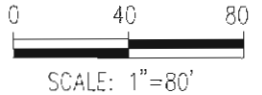
EXHIBIT "D"
 SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

LINE TABLE		
LINE#	DIRECTION	LENGTH
L1	N27°21'39"E	96.32'
L2	N45°07'55"E	26.69'
L3	N17°57'06"E	20.93'
L4	N20°00'34"E	54.90'
L5	N17°17'32"E	40.38'
L6	N18°01'19"E	50.41'
L7	N23°15'27"E	13.27'
L8	N27°10'16"E	40.84'
L9	N32°13'15"E	42.78'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L10	N32°36'35"E	43.11'
L11	N44°19'35"E	42.96'
L12	N48°40'20"E	42.77'
L13	N54°20'43"E	45.05'
L14	N70°14'30"E	35.52'
L15	N72°44'43"E	42.39'
L16	N79°25'13"E	42.02'
L17	S03°12'02"E	34.48'
L18	S01°44'47"E	39.00'

LINE TABLE		
LINE#	DIRECTION	LENGTH
L19	S00°12'36"E	43.51'
L20	S02°42'02"E	43.66'
L21	S20°36'13"E	43.64'
L22	S15°59'15"E	44.18'
L23	S05°30'39"W	83.86'
L24	N90°00'00"W	28.56'
L25	S00°00'00"E	6.00'

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	21.20'	97°22'45"	36.03'



SHEET 2 OF 2

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