City of Carson City Agenda Report

Date Submitted: March 8, 2011	Agenda Date Requested: Time Requested:	March 17, 2011 Consent		
To: Mayor and Supervisors				
From: Parks and Recreation Department - Open	Space Division			
Subject Title : Action to follow the recommendation of the Open Space Advisory Committee to authorize the Mayor to sign a "deed of correction" pertaining to the Vidler Water Company's 39-acre parcel donation for APN's 10-681-01 and 10-681-02 to Carson City. (Juan F. Guzman)				
Staff Summary : This deed of correction will serve of lands only, not including water rights that are to				
Type of Action Requested: (check one) () Resolution () Ordinance (_X) Formal Action/Motion () Other (Spec	eify)			
Does This Action Require A Business Impact St	eatement: (_) Yes (<u>X</u>) N	lo		
Recommended Board Action : I move to follow the recommendation of the Open Space Advisory Committee to authorize the Mayor to sign a "deed of correction" pertaining to the Vidler Water Company's 39-acre parcel donation for APN's 10-681-01 and 10-681-02 to Carson City.				
Explanation for Recommended Board Action : The Nevada Revised Statutes require that water rights be separated from a real estate property deed whenever they are not being conveyed with the land. It was the intention of the Vidler Water Company and Carson City to transfer a 39-acre portion of the "Reds Ranch" located at the eastern terminus of Hells Bells Road to Carson City but not the water rights. With the recordation of this deed, the record will be clear as to the intentions of Vidler and Carson City to transfer land but not water rights.				
Applicable Statue, Code, Policy, Rule or Regula Nevada Revised Statutes 111.167 Carson City Municipal Code 13.06 Open Space	tion:			
Fiscal Impact: Minimal				
Explanation of Impact : The cost of producing the Company. There is no charge for recordation of a				
Funding Source: N/A				
Alternatives: N/A				
Supporting Material: Deed or Correction				
Prepared By: Juan F. Guzman, Open Space Mana	Date: 3 /9/1 (

Reviewed By	Roger Moellendorf,	Parks & Recreati	ion Director	Date: 3 /9/1/
	Lawrence A. Werner			Date: 3/5/11
	District Attorney's	In		Date: 3 /9 ///
	Finance Department	Bronl	ti	Date: 3/9/1/
	ľ			
Board Action	Taken:			
Motion:		1:		Aye/Nay
		2:		
(Vote Ro	ecorded By)			

WHEN RECORDED RETURN TO: VIDLER WATER COMPANY, INC. 3480 GS Richards Blvd., Ste 101 Carson City, NV 89703

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AMENDED AND CORRECTED GIFT DEED

This AMENDED AND CORRECTED GIFT DEED is made this ____ day of 2011, by and between VIDLER WATER COMPANY, INC. a Nevada corporation of 3480 G.S. Richards Blvd., #101, Carson City, Nevada 89703, hereinafter referred to as VIDLER, and CARSON CITY, a Consolidated Municipality under the provisions of the Nevada Revised Statutes of Carson City, Nevada, hereinafter referred to as CITY.

VIDLER, out of love and affection for the CITY, did on October 13, 2010 by and through Document 406194, recorded in the Official Records of Carson City, Nevada, quitclaim to CITY and to CITY'S successor and assigns forever, all of VIDLER'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 **VIDLER** and **CITY**.

INADVERTENTLY and not in accord with the intent of either VIDLER or CITY the Original Gift Deed did not expressly reserve VIDLER'S water rights appurtenant to the thirty-nine and two tenths (39.02) acres EXHIBIT "A" property conveyed to CITY.

BY EXECUTION OF THIS Amended and Corrected Gift Deed VIDLER and CITY do hereby confirm, acknowledge and agree that no appurtenant water rights to the EXHIBIT "A" property was intended to be conveyed and this joint Amended and

Corrected Gift Deed verifies that no water rights were transferred with the Original Gift Deed of October 13, 2010. **VIDLER** and **CITY** confirm that only the **EXHIBIT "A"** real property comprised of 39.02 acres was gifted to **CITY** with all water rights appurtenant thereto reserved to **VIDLER**.

IN WITNESS WHEREOF, the CITY and VIDLER have executed this Amended and Corrected Gift Deed on the day and year first above written.

CITY CARSON CITY A consolidated municipality	VIDLER Vidler Water Company, Inc. A Nevada corporation			
By: Robert Crowell Mayor	By: During Junian flux Dorothy A. Timian-Palmer President			
State of Nevada))ss: Carson City)				
who subscribed to the foregoing Amende aclassical paniette fractification of the foregoing Amende aclassical paniette fractification of the foregoing Amende aclassical paniette fractification of the foregoing Amende aclassical paniette fraction of the foregoing account	d and Corrected Gift Deed and who			
On2011, there personally appeared before me, a notary public, Robert Crowell, known to me to be the Mayor of Carson City, who subscribed to the foregoing Amended and Corrected Gift Deed and who acknowledged to me that he executed the foregoing document in his capacity.				
Notar	v Public			

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.