

Item # 4-3B

City of Carson City
Agenda Report

Date Submitted: 11/28/ 2006

Agenda Date Requested: 12/07/2006

Time Requested: Consent

To: Mayor and Supervisors
From: P.W. - Development Engineering

Subject Title: Action to approve and authorize the Mayor to sign the Release and Cancellation of an Ordinance No. 1996-1 and Development Agreement between Carson City and Richard K. Langson, Carson City, Nevada; regarding formerly Assesor's Parcel Number 08-123-07 located on Hot Springs Road, Carson City, Nevada.

Staff Summary: Staff is requesting that the Board of Supervisors rescind and cancel an Ordinance No. 1996-1 and Development Agreement between Richard K. Langson and Carson City.

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 the Release and Cancellation of an Ordinance No. 1996-1 and Development Agreement between Carson City and Richard K. Langson, Carson City, Nevada; regarding previously Assesor's Parcel Number 08-123-07 located on Hot Springs Road, Carson City, Nevada.

Explanation for recommended Board Action: The requirements set forth in an Ordinance No. 1996-1 and Development Agreement no longer apply; therefore, we will record the *Development Agreement Release and Cancellation* to void the original *Development Agreement*.

Applicable Status, Code, Policy, Rule or Regulation: The Carson City Municipal Code 17.08 and Nevada Revised Statutes 278.0205.

Fiscal Impact: None

Funding Source: N/A

Explanation of Impact: N/A

Alternatives: None

Supporting Materials: Recorded Ordinance No. 1996-1 and Development Agreement and Development Agreement Release and Cancellation

Prepared By: Eva Chwalisz, Management Assistant

Reviewed By: [Signature]
(Deputy City Engineer)

Date: 11/20/06

Concurrences: [Signature]
(Department Head)

Date: 11/28/06

[Signature]
(City Manager)

Date: 11/28/06

[Signature]
(District Attorney)

Date: 11/28/06

Board Action Taken:

Motion: _____

- 1) _____
- 2) _____

Aye/Nay

(Vote Recorded By)

DEVELOPMENT AGREEMENT RELEASE AND CANCELLATION

CARSON CITY, NEVADA

PROJECT: Development Agreement between Carson City and Richard K. Langson regarding formerly assessor's parcel number 08-123-07, located at Hot Springs Road, Carson City, Nevada.

RECORDING INFORMATION: Document #183881 Recorded on January 15, 1996

This document confirms that all of the requirements set forth in the Development Agreement referenced above no longer apply and will not be pursued at this time.

Accordingly, the CITY hereby approves the above-referenced Development Agreement for release. Both the CITY and the BUILDER or the heirs, executors, administrators, successors and assigns consent to the cancellation of the Development Agreement. In addition, the CITY and the BUILDER or the heirs, executors, administrators, successors and assigns agree that this release and cancellation shall be recorded in accordance with Section 17.08.020 of the Carson City Municipal Code and Nevada Revised Statute 278.0205.

CITY:

APPROVED AS TO FORM:

Marv Teixeira, Mayor

District Attorney's Office

ATTEST:

Alan Glover, Clerk/Recorder

1 EXHIBIT "A"

2 DEVELOPMENT AGREEMENT

3 Assessor's Parcel No. 08-123-07

4 Hot Springs Road

5 Carson City, Nevada

6 THIS AGREEMENT, dated this 7th day of December, 1995
7 between Richard K. Langson hereinafter referred to as "DEVELOPER",
8 and CARSON CITY, NEVADA, a municipal corporation, hereinafter
9 referred to as "CITY"

10 WITNESSETH:

11 WHEREAS, the DEVELOPER desires to record a parcel map to
12 divide the above referenced parcel into four parcels; and

13 WHEREAS, roadway and roadside improvements (curb and gutter,
14 sidewalk, and tie-in pavement) have not been completed within the
15 street right-of-way abutting the south side of the parcel; and

16 NOW, THEREFORE, the parties of this Agreement, in
17 consideration of the provisions herein contained and other good
18 and valuable consideration, do hereby agree as follows:

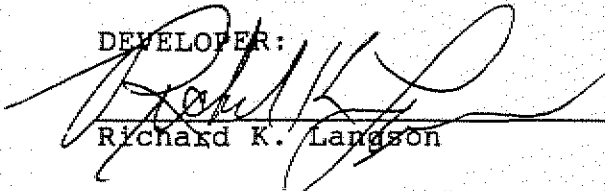
- 19 1. DEVELOPER is responsible for all required curb & gutter,
20 sidewalk, and one-half street pavement improvements along
21 the Hot Springs Road frontage of this property as a
22 parcel map condition.
- 23 2. DEVELOPER and City agree that improvements in Item 1 above
24 refer to the full improvements for a sixty foot (60') wide
25 arterial street right-of-way, but is limited to the north
26 one-half of the street along the entire frontage of Hot
27 Springs Road adjacent to the parcel.
- 28 3. SUBDIVIDER shall construct the roadway and roadside

1 regulations as are in effect during the work referenced
2 herein.

3 6. This Agreement will bind the heirs, executors,
4 administrators, successors, and assigns of the respective
5 parties.

6 IN WITNESS WHEREOF, the parties hereto have caused this
7 Agreement to be executed as of the day and year first above
8 written.

9 DEVELOPER:

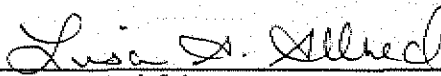
10 
11 Richard K. Langson

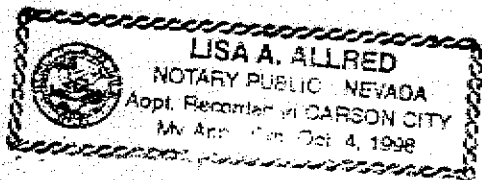
12 STATE OF NEVADA,

13 COUNTY OF CARSON CITY,

14 On this 7th day of December, 1995

15 Personally appeared before me, a Notary Public in and for said
16 County and State, Richard K. Langson, who acknowledged to me
17 that he executed the above instrument.


18 
19 Notary Public




21 CITY:

22 
23 Marv Teixeira, Mayor

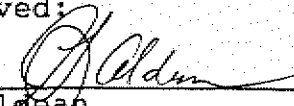
24 ATTEST:

25 
26 Alan Glover, Clerk-Recorder

27 Approved as to Form:

28 
29 Paul Lipparelli
30 Deputy District Attorney

Approved:


Jay Aldean
Public Works Director