



Planning Commission Staff Report

Meeting Date: February 2, 2016

Subject: Abandonment Case Number AB15-007
Applicant(s): Gary and Rachel Bullock
Agenda Item Number: 9B
Summary: To allow the abandonment and relocation of a 25-foot wide access easement.
Recommendation: Approval with Conditions
Prepared by: Kelly Mullin, Planner
Washoe County Community Services Department
Division of Planning and Development
Phone: 775.328.3608
E-Mail: kmullin@washoecounty.us

Description

Abandonment Case Number AB15-007 (Gary and Rachel Bullock) – Hearing, discussion, and possible action to approve the abandonment and relocation of an existing 25-foot-wide access easement in order to adjust the allowable building area on two of the four subject parcels served by the easement. If approved, the abandoned portion of the easement would be abandoned to Gary and Rachel Bullock.

- Applicant / Property Owner: Gary and Rachel Bullock, 5990 Pembroke Drive, Reno, NV 89502
- Location: 5990, 6000, 6010 and 6020 Pembroke Drive, approximately 6/10 of a mile east of its intersection with South McCarran Boulevard.
- Assessor's Parcel Numbers: 021-140-23, 021-140-24, 021-140-25, 021-140-26
- Parcel Sizes: ±2.64, ±1.03, ±1.07, and ±1.13 acres
- Master Plan Category: Rural
- Regulatory Zone: General Rural
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows / Washoe Valley
- Development Code: Article 806, *Vacations and Abandonment of Easements or Streets*
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 21, T19N, R20E, MDM, Washoe County, NV

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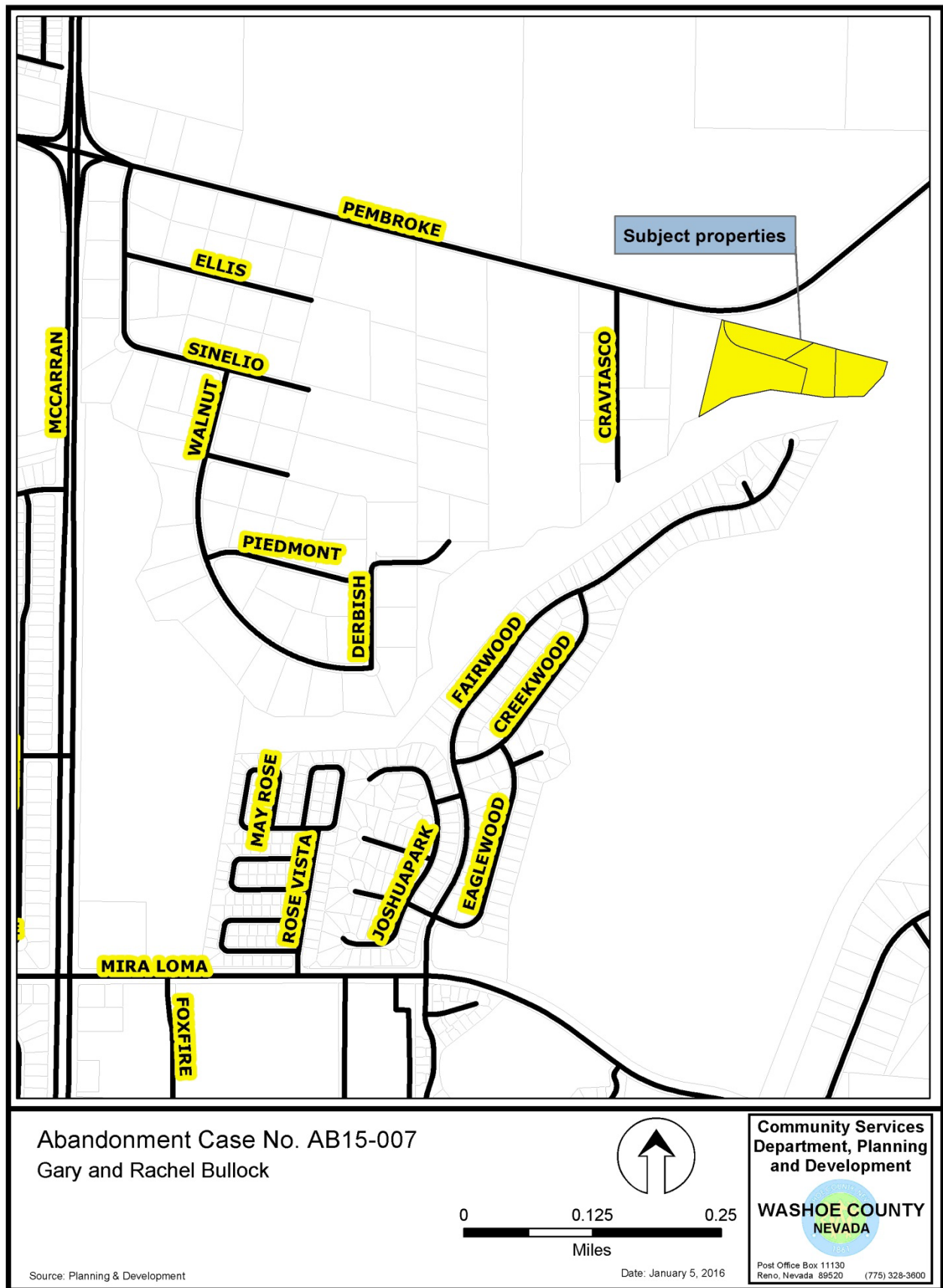
Abandonment Definition

The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the Abandonment, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed prior to the recordation of the Resolution and Order of Abandonment.

The Resolution and Order of Abandonment is the legal record that is prepared by the Engineering and Capital Projects Division and is recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements required by the Conditions of Approval. These items are submitted by the applicant's surveyor. When the Engineering and Capital Projects Division is satisfied that all conditions of approval have been met, then that Division will record the Resolution and Order of Abandonment with the County Recorder. The abandonment is complete upon the recordation of the Resolution and Order of Abandonment with the County Recorder.

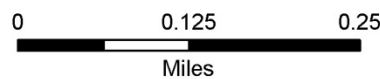
The Conditions of Approval for Abandonment Case Number AB15-007 are attached to this staff report and will be included with the Action Order if granted approval.

- All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.



Abandonment Case No. AB15-007
Gary and Rachel Bullock

Source: Planning & Development



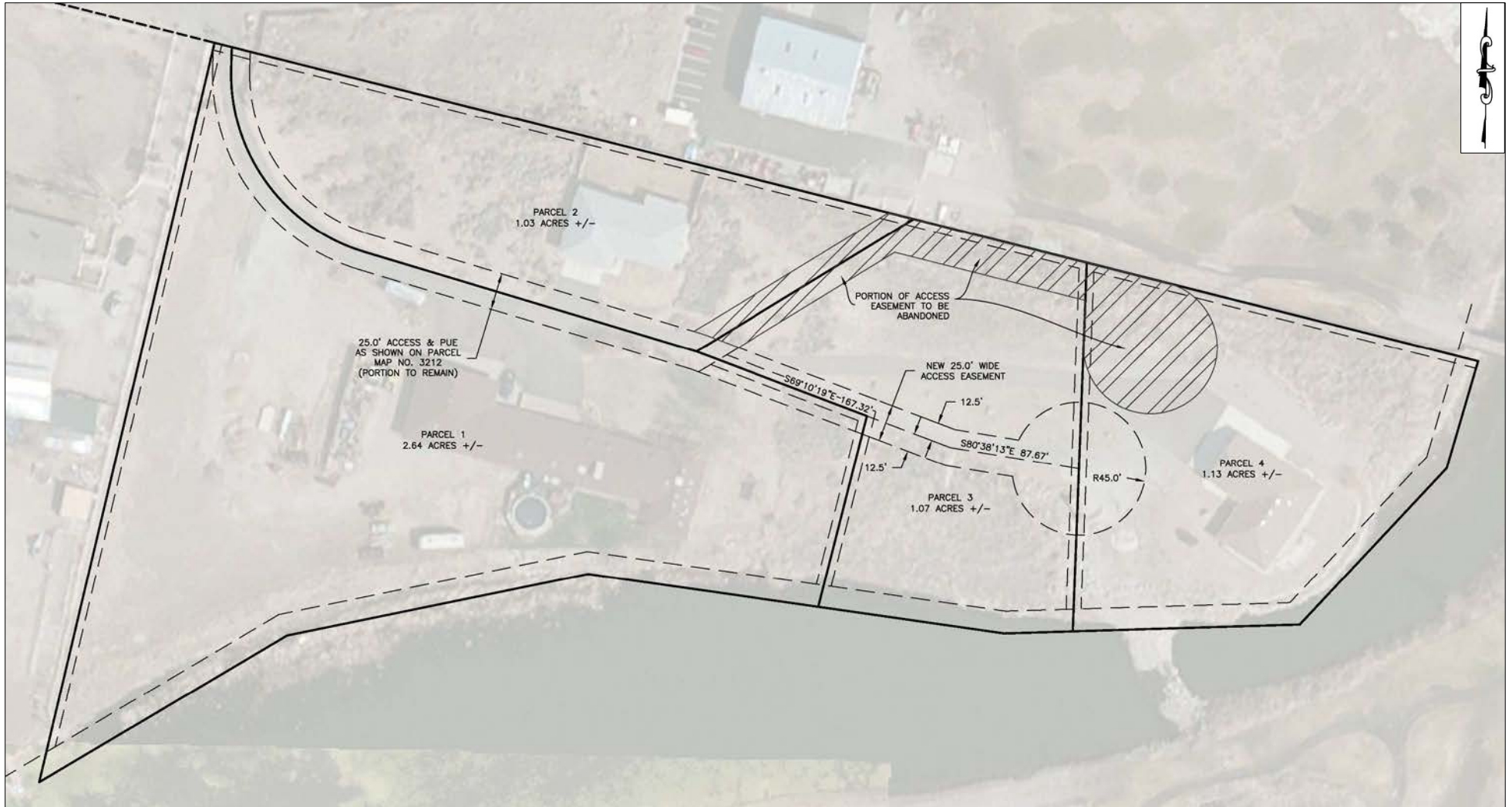
Date: January 5, 2016

Community Services
Department, Planning
and Development

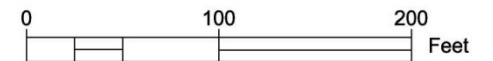


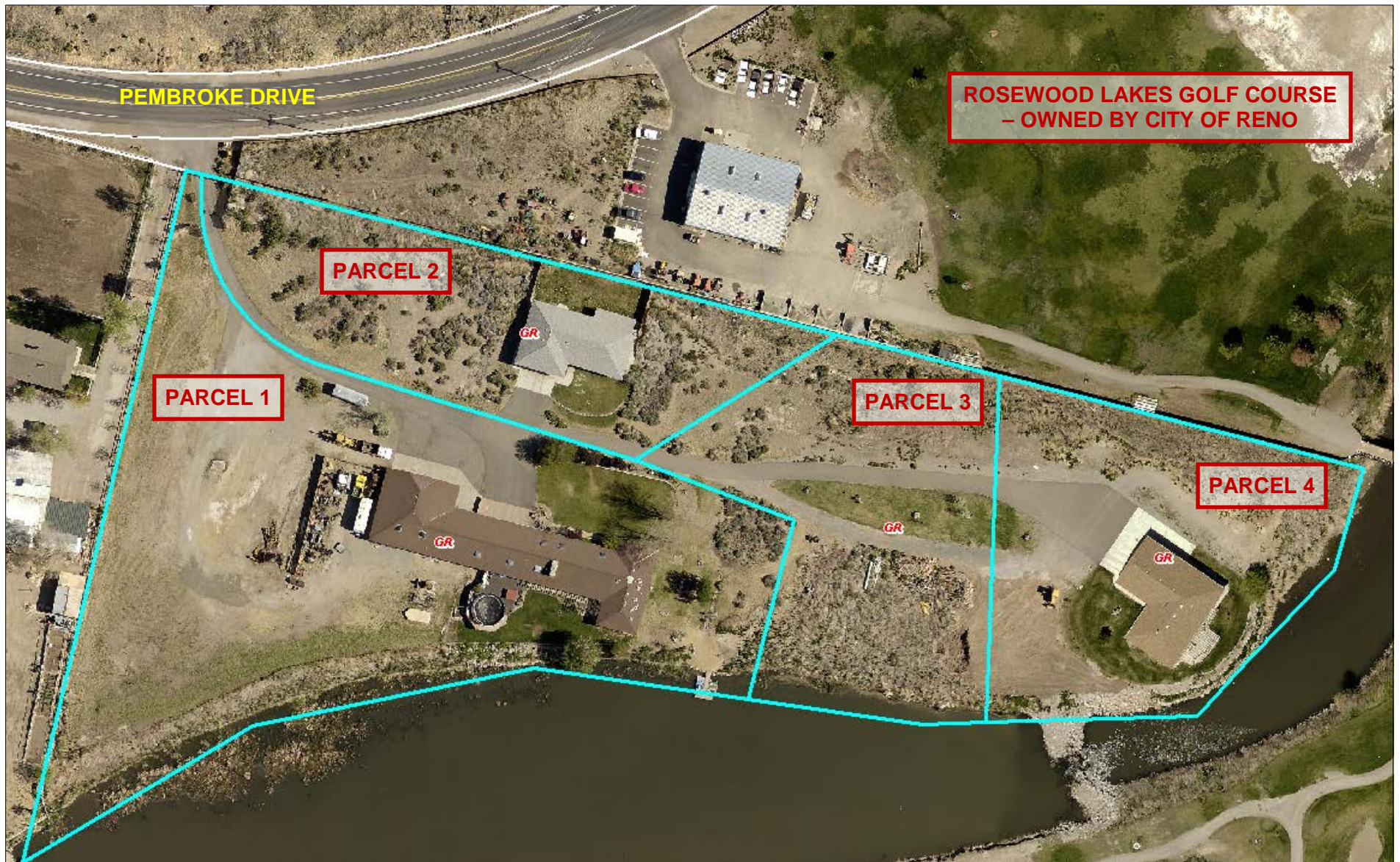
Post Office Box 11130
Reno, Nevada 89520 (775) 328-3600

Vicinity Map



Site Plan





Aerial Photograph
(subject properties outlined in blue)

Project Evaluation

The applicants, Gary and Rachel Bullock, are the owners of parcels #1-4 shown on the site plan and aerial photograph visible on the previous two pages of this staff report. These four parcels are the only properties served by the access easement that is the subject of this abandonment request. The project application indicates this abandonment and easement relocation is being sought to improve the allowable building area for parcels 2 and 3.

North of the proposed abandonment is the Rosewood Lakes Golf Course, which is owned by the City of Reno. The portion of the property immediately north of the proposed abandonment contains a maintenance building for the golf course. A solid wall separates the golf course from the subject properties, and access to the maintenance building is directly off Pembroke Drive. Therefore, the proposed abandonment is not anticipated to affect access for the City of Reno's property to the north.



A solid wall separates the property to the north from the subject parcels.

No other properties are expected to be affected by the proposed abandonment and easement relocation.

The portion of the access easement proposed to be abandoned is not currently developed as an access road; however, a portion of the proposed location for the relocated easement has already been graded and currently serves as a means of access to Parcel 4 (APN 021-140-26).

No public utility easements are proposed to be abandoned as part of this request. Only the access portion of the easement is proposed to be adjusted.

An important question from the abandonment application concerns "ownership" of the easements in question. Nominally at least, the County is not the owner. On the other hand, the County did have a hand in the easements' creation in the sense that they were added in connection with the tentative mapping process used to create the lots originally. To the extent that the County does not own the easements, it cannot abandon them. Therefore, if this request is approved, it in effect will be a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners of these two parcels. However, nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment would not affect those interests

and the property owners applying for the abandonment would be responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Development Suitability

The subject site is relatively flat and is adjacent to the Boynton Slough. All four parcels are located within a 100-year flood hazard area, as identified by the Southeast Truckee Meadows Area Plan's Development Suitability Map. Parcels 1, 2 and 4 are developed with single family residences. Parcel 3 is currently vacant and does not contain any structures.

The parcel map that was recorded for these properties in 1997 depicts an 8" well in the northeastern corner of Parcel 1, under where the new easement is proposed to be located. The Washoe County Health District has indicated that the well must be abandoned in order for the easement to be placed in the proposed location. Alternatively, the new easement alignment would need to be adjusted so that there are at least five feet between the well and the new access easement.

The Health District has also indicated that a ten-foot setback is required between the proposed access easement and any individual onsite sewage disposal system, including repair fields. In addition, the Health District has noted that because the proposed new easement would bisect Parcel 3, there is the possibility that its placement would "adversely affect the ability to develop" that parcel and "limit the possible locations for the placement of [an onsite sewage disposal system]." As a result, staff recommends that if this request is approved, a condition of approval be included to prohibit the new easement from being used as a finding for hardship if a request for a variance were to be submitted in the future for Parcel 3 (APN 021-140-25) (See Exhibit A, Condition 1(b)).

South Truckee Meadows/Washoe Valley Citizen Advisory Board (STM/WV CAB)

Pursuant to Article 806, Vacations and Abandonments of Easements and Streets, proposals for abandonments or vacations are not required to be noticed to Citizen Advisory Boards.

Public Notice

Abandonments require that affected property owners be notified by certified mail. There is no minimum number of property owners that need to be notified. The applicant and two adjacent property owners were provided with notice.

A legal notice is also required to be posted in a local newspaper. A legal notice was published in the Reno Gazette-Journal on Friday, Jan. 22, 2016.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
 - Engineering and Capital Projects
 - Planning and Development
- Washoe County Health District
 - Vector-Borne Diseases
 - Environmental Health Services
 - Emergency Medical Services
- Truckee Meadows Fire Protection District
- Regional Transportation Commission

- Washoe-Storey Conservation District
- Truckee Meadows Water Authority
- AT&T
- NV Energy

Four of the above-listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided below. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if the Planning Commission approves the requested abandonment.

- Washoe County Planning and Development provided conditions regarding substantial conformance and a restriction prohibiting the use of the new easement location as a hardship finding if a variance were ever sought to develop Parcel 3.

Contact: Kelly Mullin, 775.328.3608, kmullin@washoecounty.us

- Washoe County Engineering and Capital Projects offered technical conditions related to retaining or relocating easements and recordation of the proper documents.

Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- Washoe County Health District – Environmental Health Services provided conditions regarding individual onsite sewage disposal systems, onsite wells and the locations of both in relation to the proposed new easement.

Contact: James English, 775.328.2610 jenglish@washoecounty.us

- Washoe County Health District - Emergency Medical Services provided comments regarding the clarity of residential address markings.

Contact: Christina Conti, 775.326.6042 cconti@washoecounty.us

The Regional Transportation Commission indicated they reviewed the proposal and have no conditions or objections.

Staff Comment on Required Findings

Washoe County Code Section 110.806.20 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan.

Staff Comments: The proposed abandonments and easement re-locations do not affect any standards of either the Master Plan or the Southeast Truckee Meadows Area Plan.

2. No Detriment. The abandonment or vacation does not result in a material injury to the public.

Staff Comments: The request was submitted to all relevant agencies and departments for review. Proposed conditions of approval are included with the staff report as Exhibit A. The City of Reno-owned property to the north has direct access from Pembroke Drive

and is separated from the subject properties by a solid block wall. No other property owners are anticipated to be affected by the proposed easement abandonment and relocation.

3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Staff Comments: The applicant is only proposing to abandon the access portion of the easement as indicated on the project plans. The existing public utility easements will continue to exist in their current locations.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Abandonment Case Number AB15-007 is being recommended for approval with conditions. Staff offers the following motion for the Commission's consideration.

Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Abandonment Case Number AB15-007 for Gary and Rachel Bullock, having made all three findings in accordance with Washoe County Code Section 110.806.20:

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan; and
2. No Detriment. The abandonment or vacation does not result in a material injury to the public; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s), unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Development Division within 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s).

xc: Applicant/Property Owner: Gary and Rachel Bullock, 5990 Pembroke Drive, Reno, NV 89502

Representative: Rubicon Design Group, Attn: Derek Wilson, 100 California Avenue, Suite 202, Reno, NV 89509



Conditions of Approval

Abandonment Case Number: AB15-007

The project approved under Abandonment Case Number AB15-007 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on February 2, 2016. Conditions of Approval are requirements placed by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Unless otherwise specified, all conditions related to the approval of this Abandonment shall be met prior to recordation of the Resolution and Order of Abandonment. Prior to recordation of the Resolution and Order of Abandonment, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Community Services Department – Planning and Development Division.

Compliance with the conditions of approval related to this Abandonment is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agency.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development

1. The following conditions are requirements of the Community Services Department – Planning and Development Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Kelly Mullin, 775.328.3608, kmullin@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action.
- b. Should a request for a variance for building, well or septic setbacks be submitted in the future for Parcel 3 (APN 021-140-25), the location of the new access easement shall not be used as a finding for hardship. Prior to recordation of the Order of Abandonment, the applicant shall record a deed restriction to this effect. The language for the deed restriction shall be provided by Washoe County Planning and Development, in coordination with the Washoe County Health District.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Community Services Department – Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- a. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the Engineering Division for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for area of abandonment, and any new easements that may be required. The Engineering Division shall determine compliance with this condition.
- b. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- c. Retention of all drainage easements or relocation of all drainage easements to the satisfaction of and at no expense to Washoe County as well as any drainage facilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements.
- d. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

Washoe County Health District

3. The following conditions are requirements of the Washoe County Health District – Environmental Health Services Division, which shall be responsible for determining compliance with these conditions.

Contact Name – James English, 775.328.2610, jenglish@washoecounty.us

- a. The proposed easement is located over an eight inch well on the property. The well must be abandoned for the easement to be located as proposed as a well may not be located within five feet of an easement. The Division has no record of the well being abandoned on the property and it is noted Truckee Meadows Water Authority (TMWA) has service to the neighboring properties and therefore if the well is not currently in use, the Division would not allow the well to be equipped.
 - b. The Division notes creation/relocation of the proposed easement may adversely affect the ability to develop APN 021-140-25 as the proposed easement will bisect the parcel and limit the possible locations for the placement of the Individual Sewage Disposal System (ISDS).
 - c. All existing ISDS including the repair fields must meet a minimum ten foot setback from the proposed easement.
 - d. All future or proposed ISDS are required to meet the recorded Washoe County Health District regulations at the time of project submittal.
4. The following condition is a requirement of the Washoe County Health District – Emergency Medical Services, which shall be responsible for determining compliance with this condition.

Contact Name – Christina Conti, 775.326.6042 cconti@washoecounty.us

- a. Any residential units located on Parcels 1-4 shall have house numbers clearly marked on both the curb and the dwellings so that residents can be quickly located by public safety agencies.

*** End of Conditions ***

**WASHOE COUNTY
HEALTH DISTRICT**

ENHANCING QUALITY OF LIFE

January 7, 2016

Roger Pelham, MPA, Sr. Planner
 Washoe County Community Services
 Planning and Development Division
 PO Box 11130
 Reno, NV 89520-0027

RE: Abandonment Case Number AB15-007: Gary and Rachel Bullock; 6000 Pembroke Drive,
 Reno NV 89502; APN's: 021-140-24 & 021-140-25

Dear Mr. Pelham:

The Washoe County Health District, Environmental Health Services Division (Division) Engineering and Vector have reviewed the above referenced project. The subject parcels are served by community water and individual onsite sewage disposal systems (ISDS). The Division has the following comments regarding the application:

1. The proposed easement is located over an eight inch well on the property. The well must be abandoned for the easement to be located as proposed as a well may not be located within five feet of an easement. The Division has no record of the well being abandoned on the property and it is noted TMWA has service to the neighboring properties and therefore if the well is not currently in use, the Division would not allow the well to be equipped.
2. The Division notes creation/relocation of the proposed easement may adversely affect the ability to develop APN 021-140-25 as the proposed easement will bisect the parcel and limit the possible locations for the placement of the ISDS.
3. All existing ISDS including the repair fields must meet a minimum ten foot setback from the proposed easement.
4. All future or proposed ISDS are required to meet the recorded Washoe County Health District regulations at the time of project submittal.
5. After having reviewed the request, the Vector-Borne Diseases Program has no requirements or detail designs to be added to the building plans.

If you have any questions regarding the foregoing, please call Jim English at 328-2610 or Jim Shaffer 785-4599 regarding engineering or vector comments, respectively.

Sincerely,

James English
 Environmental Health Specialists Supervisor
 Environmental Health Services

J.L. Shaffer
 Program Coordinator/Planner
 Vector-Borne Diseases Program
 Environmental Health Services

JE/JS:/je

cc: File - Washoe County Health District

ec: Rubicon Design Group: dwilson@rubicondesigngroup.com

ENVIRONMENTAL HEALTH SERVICES

1001 East Ninth Street | P.O. Box 11130 | Reno, Nevada 89520

775-328-2434 | Fax: 775-328-6176 | washoecounty.us/health

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AB15-007
EXHIBIT B



Public Health
 Prevent. Promote. Protect.

WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

December 29, 2015

Katy Stark
Washoe County Community Services Department
1001 E. Ninth Street, Bldg. A
Reno, NV 89512

Dear Ms. Stark:

I received your email dated December 24, 2015, requesting a review of the Agency Review Memo III regarding the abandonment case for Pembroke Drive (Item 2).

Based on the submitted documentation, it is anticipated that there will be minimal impacts concerning EMS responses to the relocated access easement serving four residential parcels. Additionally, it is not anticipated that there will be impacts concerning access to healthcare services and facilities. Should you need a complete Environmental Impact Assessment, please contact the Washoe County Health District's Division of Environment Health Services at (775) 328-2434.

Advanced Life Support (ALS) fire services are provided by Truckee Meadows Fire Protection District and ALS ambulance services are provided by REMSA through a Franchise agreement with the Washoe County Health District. For the proposed location, REMSA's Franchise response requirement for life-threatening calls is 8 minutes and 59 seconds for 90 percent of calls.

There are multiple hospitals within proximity to the Pembroke site, should residents require such services. Renown Regional Medical Center is approximately 4.9 miles away from the residential site. There are also several other acute care hospitals and healthcare resources available in Washoe County.

I recommend that the four residential units have the house numbers clearly marked on the curb and the dwellings so the residents can be quickly located by public safety agencies. Additionally, please ensure that all dwellings will meet ADA requirements, as appropriate.

Please feel free to contact me if you have any questions.

Sincerely,



Christina Conti
EMS Program Manager
cconti@washoecounty.us
(775) 326-6042





WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

EXHIBIT D

INTEROFFICE MEMORANDUM

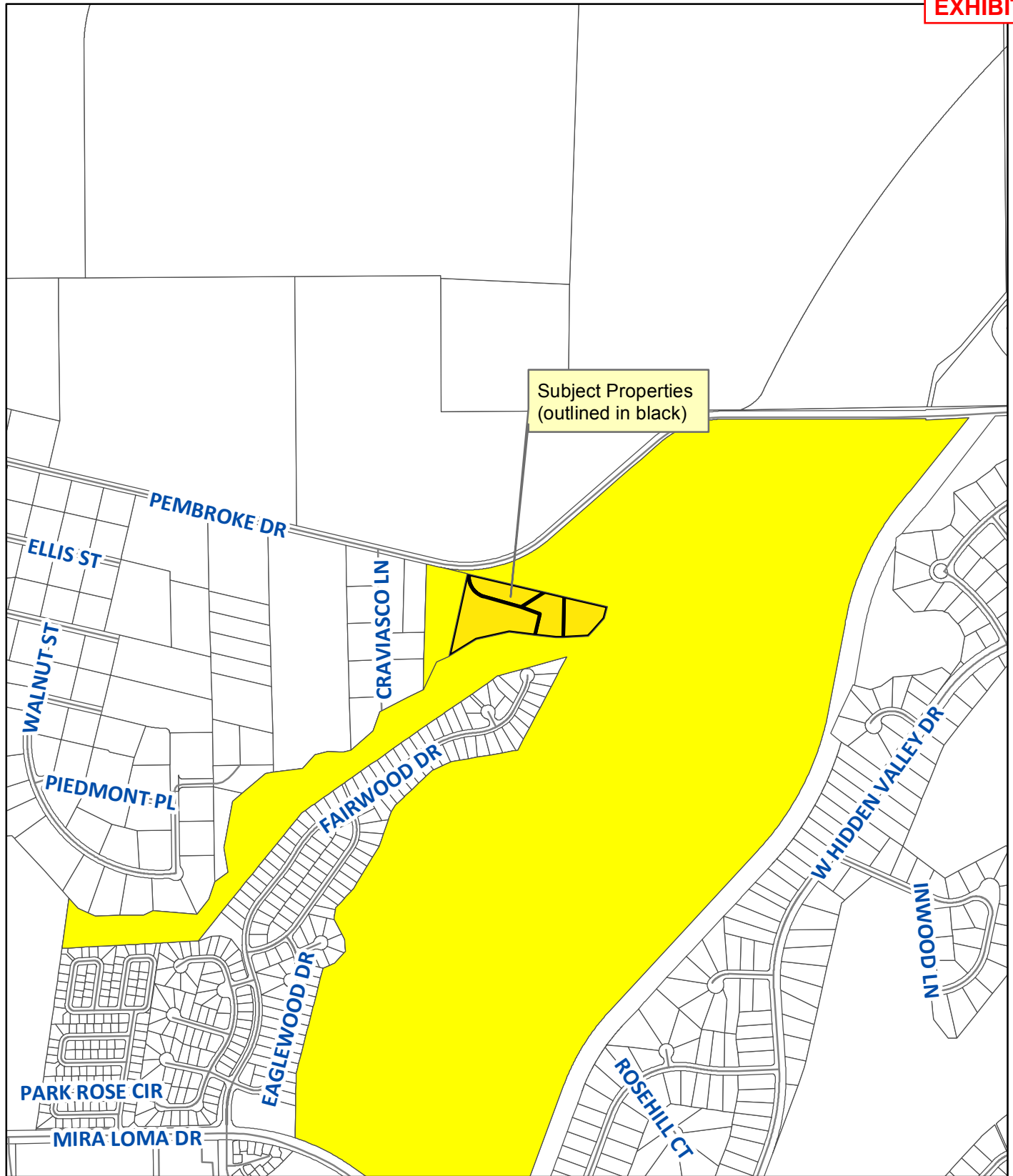
DATE: January 04, 2016
TO: Roger Pelham, Planning and Development Division
FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division
SUBJECT: **AB15-007**
APN 021-140-24 & 25
BULLOCK EASEMENT ABANDONMENT

I have reviewed the referenced abandonment and recommend the following conditions:

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions to the Engineering Division for review and approval. The legal descriptions shall be prepared by a registered professional and shall be for area of abandonment, and any new easements that may be required. The Engineering Division shall determine compliance with this condition.
2. Retention of all public utility easements or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
3. Retention of all drainage easements or relocation of all drainage easements to the satisfaction of and at no expense to Washoe County as well as any drainage facilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements.
4. The applicant shall comply with conditions necessary to effect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

LRV/Irv

AB15-007
EXHIBIT D

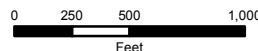
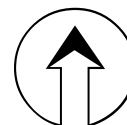


Public Notice Map

Abandonment Case No. AB15-007
(Gary and Rachel Bullock)

6 affected parcels selected
(3 property owners)

Source: Planning and Development Division



Date: January 11, 2016

Community Services
Department



Post Office Box 11130
Reno, Nevada 89520 (775) 328-3600

6000 PEMBROKE DRIVE ABANDONMENT APPLICATION



Prepared by:



December 15, 2015

6000 PEMBROKE DRIVE ABANDONMENT

Prepared for:

Gary and Rachel Bullock

5990 Pembroke Drive

Reno, NV

Prepared by:

Rubicon Design Group, LLC

100 California Avenue, Suite 202

Reno, Nevada 89509

(775) 425-4800

December 15, 2015

6000 PEMBROKE DRIVE ABANDONMENT

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Appendices:

- Washoe County Abandonment Application
- Owner Affidavits
- Applicant Affidavits
- Property Tax proof of payment
- Title Report

6000 PEMBROKE DRIVE - ABANDONMENT

Introduction

This application includes the following request:

- An abandonment application in order to relocate (abandon and replace) an access easement serving four residential parcels.

Project Location

The project is located at 6000 Pembroke Drive, roughly 550 feet east of the intersection with Craviasco Lane. The two parcels affected by the relocation total 1.1 acres and are AP #'s 021-140-24 and -25). The properties are zoned General Rural (GR) and are used as single family housing. Surrounding uses include residential to the west and south and open space/public facility to the north and east. Figure 1 (below) depicts the project location.



Figure 1 – Vicinity Map

6000 PEMBROKE DRIVE - ABANDONMENT

Project Summary

The 6000 Pembroke site and three adjoining parcels are all served by a single access easement. This request is to relocate the easement in order to make more coherent and reasonable building envelopes for the two central parcels (APNs 021-140-24, -25). Currently, the access easement follows the property line between these two parcels as it turns north, before continuing east to parcel 021-140-26.

This configuration creates two property frontages on parcel -24, because the easement runs along its south border then along its east border. Both of these frontages are subject to a front yard setback, in this case 30'. By relocating the easement, to run in a more continuous line from west to east, the front setback (from the easement) is also relocated, creating a more standard, and more favorable, potential building footprint for both lots.

Figure 2 (below) provides an aerial view of the property, including the existing and proposed easement locations.

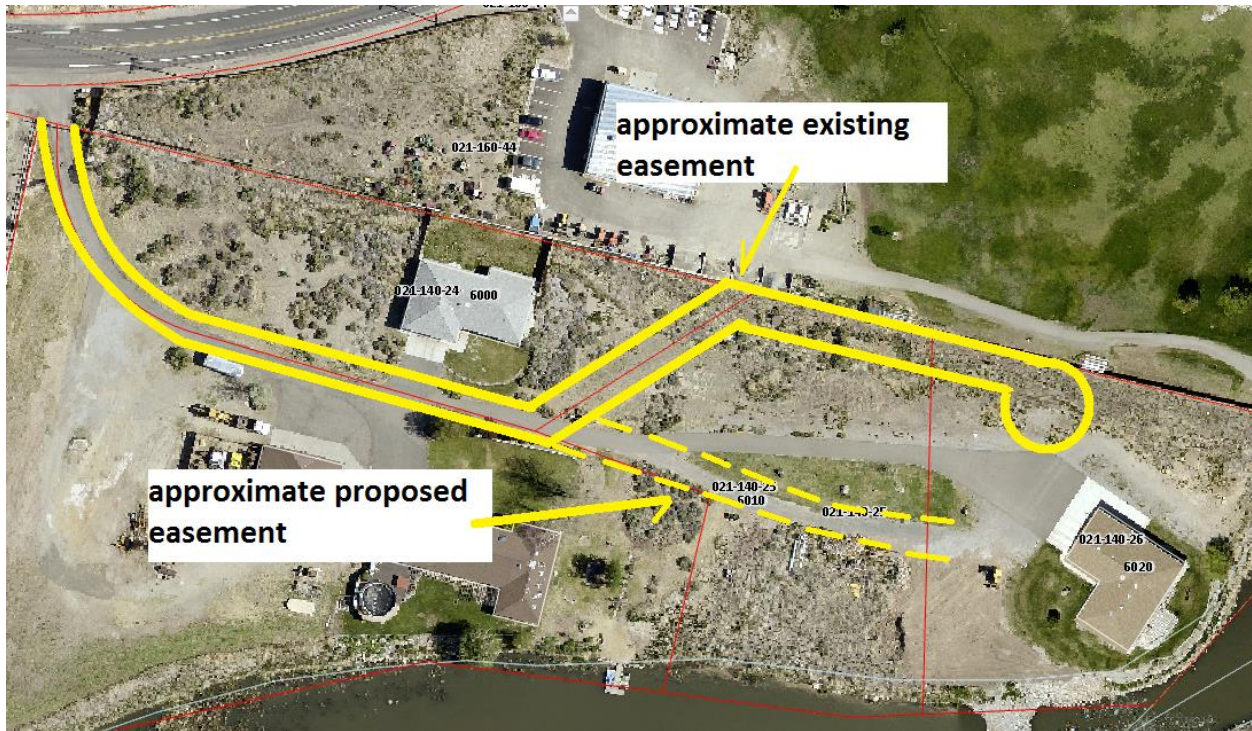


Figure 2 – Aerial View

6000 PEMBROKE DRIVE - ABANDONMENT

Impacts

There are effectively no impacts from the proposed change. No new traffic, noise, or other adverse changes will occur. The intensity of use of the area will not change in that each parcel will continue to be zoned for a single family house. No new uses will be introduced with this change.

Access to each parcel will be maintained with this change, as will the use of a single shared driveway from Pembroke Drive.

The four parcels served by the easement are under common ownership. These owners are the only people affected by this change.

Zoning Code

The parcels in question are zoned General Rural (GR). This zoning classification is apparently a holdover from an earlier period, prior to the small lot configuration seen now. This GR designation is non-conforming due to the lot size. The minimum GR lot size is 40 acres and these lots are roughly 1-2 acres.

Washoe County Planning procedure, when faced with non-conforming lots, is to apply the zoning code that would apply, if the conforming zoning classification was in place. In this case, the lots would qualify for the Low Density Suburban (LDS) classification. This is logical as the GR standards for 40-acre lots are not appropriate for suburban developments.

The LDS Zone standards include 30' front and 12' side setbacks (Washoe County Development Code Section 110.406.05). So development of the affected parcels would still include generous setbacks of 30' along property fronts (this standard is, in fact, identical to the GR front setback).

Building Envelope

The proposed change would affect the potential building envelope on the parcels. Figure 3 on the following page shows the rough building envelope for parcel -25, which is currently vacant. As seen in the exhibit, this envelope is more than sufficient to develop the parcel in the manner of the adjacent parcels.

6000 PEMBROKE DRIVE - ABANDONMENT

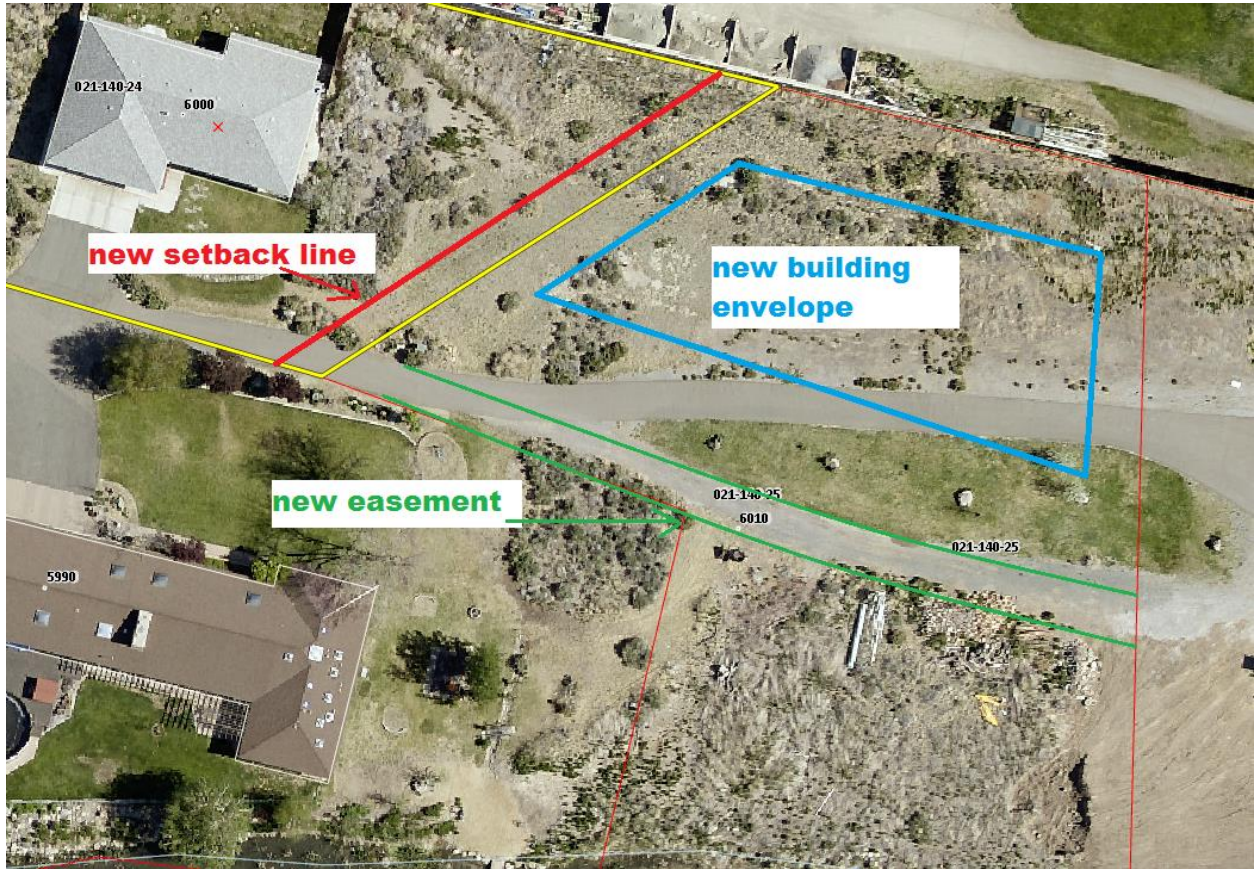


Figure 3 – Building Envelope with Relocated Easement

6000 PEMBROKE DRIVE - ABANDONMENT

Abandonment Findings

Section 110.806.20 of the Washoe County Development Code includes findings that must be made by the Planning Commission in order to approve an abandonment. These findings are listed below and are addressed in **bold face** type.

(a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the applicable area plans;

The proposed abandonment has no impact on the goals of the Master Plan. Access to all parcels is maintained, no new parcels are being created, and the affected properties will remain in a use (single family housing) that is compatible with the area.

(b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and

The abandonment will have no impact on the public. The overall existing access pattern, including the shared single driveway, will remain as is. The 4 properties served by the easement are under common ownership and will remain that way with this project.

(c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

No public utility easement are to be abandoned. The easement in question is an access easement and it will be relocated.

Washoe County Development Code Section 110.806.00

Washoe County Development Code section 110.806 defines the procedures for processing an abandonment. This code section, in its entirety, is *included below in italics*, with **explanations/responses in bold**.

Purpose. The purpose of this article, Article 806, Vacations and Abandonments of Easements or Streets, is to provide for the vacation or abandonment of easements or streets.

Section 110.806.05 Requirements for Application. Applications for the vacation or abandonment of a street or easement owned by the County, or a government patent easement, may be initiated by the Board of County Commissioners, Planning Commission, the Director of Community Development or an owner of real property abutting an easement or public street right-of-way through an application to the Department of Community Development or as part of a tentative subdivision map application if the abandonment or vacation application is related to the tentative map proposal. If the application for the

6000 PEMBROKE DRIVE - ABANDONMENT

vacation or abandonment of an easement or street is included as part of a tentative subdivision application, the noticing of the tentative subdivision map application shall include a description of the street or easement to be vacated or abandoned. No application shall be processed when the information necessary to review and decide upon it is deemed to be incomplete by the Director of Community Development.

Application materials are included. The easement is not part of a tentative subdivision application.

Section 110.806.10 Supplemental Guidelines, Standards and Criteria. In addition to the standards and findings set forth in the Development Code, the Director of Community Development may prepare supplemental guidelines for the submission of applications and minimum standards and criteria for approval of applications.

This application has addressed all applicable standards.

Section 110.806.15 Review Procedures of Planning Commission. The Planning Commission shall review applications for abandonments and vacations in accordance with the provisions of this section. (a) General Provisions. The Planning Commission shall conduct a public hearing for the purpose of receiving evidence relative to the application. The evidence shall be reviewed to determine if the application is consistent with existing policies, standards and required findings.

The applicant will participate in the required hearing.

(b) Time Period for Hearing and Action. The Planning Commission shall hold a public hearing on the application for vacation or abandonment of an easement or street not less than 10 business days after the newspaper notice as required below is first published.

No action required by applicant.

(c) Notice of Planning Commission Hearing.

(1) Notice of Vacation or Abandonment, Only. Notice of a vacation or abandonment application to be heard by the Planning Commission shall be given by mailing to each owner of property abutting or connected to the proposed vacation or abandonment a notice of the proposed vacation or abandonment application through a delivery method that does not require signature of receipt of the notice by the abutting property owner, but does confirm delivery of the notice to the abutting property owner. Mailing of the notice shall occur at least 10 business days prior to the date of the Planning Commission's public hearing. Furthermore, a notice shall be published at least once in a newspaper of general circulation in the County not less than 10 business days prior to the date of the Planning Commission's public hearing.

No action required by applicant.

(2) Notice of Vacation or Abandonment Combined with Tentative Subdivision Map Application. If the vacation or abandonment application is part of a tentative subdivision map application, the notice of the proposed vacation or abandonment shall be contained in the notice for the tentative subdivision map,

6000 PEMBROKE DRIVE - ABANDONMENT

and each owner of property abutting or connected to the proposed vacation or abandonment shall be provided notice of the combined proposed vacation or abandonment and tentative subdivision notice pursuant to the requirements of subsection (1). Notice shall be published at least once in a newspaper of general circulation in the County pursuant to the requirements of subsection (1).

No action required by applicant.

(3) Notice of Public Utility and Community Antenna Television Company. Each public utility as defined in NRS 360.815 and each community antenna television company as defined in NRS 711.030 serving the area in which an easement or street is proposed to be abandoned shall receive a notice no later than 10 business days prior to the date of the Planning Commission's public hearing on the application. Accompanying the application shall be a request that the public utility and/or community antenna television company indicate in writing whether that entity wishes to have an easement for its purposes provided.

No action required by applicant.

(d) Action by the Planning Commission. Except as provided in Section 110.806.40, if, upon public hearing, the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Planning Commission may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. Notwithstanding the final decision of the Planning Commission, if a public utility and/or community antenna television company requests an easement for its purposes pursuant to the notice provided in subsection (c)(3), an easement in favor of the public utility and/or community antenna television company shall be provided and the County shall ensure recordation of same.

The applicant will adhere to any conditions that may be applied and agreed to at a hearing.

Section 110.806.35 Appeals to Board of County Commissioners.

(a) An appeal of the Planning Commission's decision regarding a vacation or abandonment of an easement or street may be appealed to the Board of County Commissioners following the procedure set out in WCC 110.912.20 of the Development Code.

No action required by applicant.

(b) Except as provided in Section 110.806.40, if, upon public hearing on the appeal of the Planning Commission's final action on an abandonment or vacation of an easement or street, the Board is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The Board may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. The action of the Board of County Commissioners shall be final for the purposes of judicial review. Notwithstanding the final decision of the Board of County Commissioners, if a public utility and/or community antenna television company requests an easement for its purposes pursuant to the notice provided in subsection 110.806.15(c)(3), an easement in favor of the public utility and/or community antenna television company shall be provided and the County shall

6000 PEMBROKE DRIVE - ABANDONMENT

ensure recordation of same.

The applicant will adhere to any conditions that may be applied and agreed to at a hearing.

Section 110.806.40 Utility or Community Antenna Television Company Easement. If a public utility or community antenna television company has an easement over the property, the Planning Commission or the Board, after a hearing on the appeal of the Planning Commission final action, shall provide in its order for the continuation of that easement.

Not applicable.

Section 110.806.45 Legal Description. The applicant shall submit to the Engineering Division, a legal description for the area of the vacation or abandonment prepared by a Nevada Professional Land Surveyor, prior to publication of the order of vacation or abandonment, to the satisfaction of the Engineering Division.

A legal description is included in this application.

Section 110.806.50 Recordation. The order must be recorded in the Office of the County Recorder if all the conditions of the order have been fulfilled and, upon the recordation, title to the street or easement reverts to the abutting property owners in the approximate proportion that the property was dedicated by the abutting property owners or their predecessors in interest.

The applicant will act as required in order to record documents.

Section 110.806.55 Sale of Vacated Portion. In the event of a partial vacation of a street where the vacated portion is separated from the property from which it was acquired by the unvacated portion of it, the Board may sell the vacated portion upon such terms and conditions as it deems desirable and in the best interests of the County. If the Board sells the vacated portion, it shall afford the right of first refusal to each abutting property owner as to that part of the vacated portion which abuts his/her property, but no action may be taken by the Board to force the owner to purchase the portion and that portion may not be sold to any person other than the owner if the sale would result in a complete loss of access to a street from the abutting property.

Not applicable.

Section 110.806.60 Payments. If the street was acquired by dedication from the abutting property owners or their predecessors in interest, no payment is required for title to the proportionate part of the street reverted to each abutting property owner. If the street was not acquired by dedication, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may make its order conditional upon payment by the abutting property owners for their proportionate part of the street of such consideration as the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines to be reasonable. If the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, determines that the vacation has

6000 PEMBROKE DRIVE - ABANDONMENT

a public benefit, it may apply the benefit as an offset against any determination of reasonable consideration which did not take into account the public benefit.

Not applicable.

Section 110.806.65 Light and Air. Any easement for light and air adjacent to any vacated street is vacated upon the vacation of the street.

Not applicable.

Section 110.806.70 Reservations. In any vacation or abandonment of any street or portion of it, the Planning Commission or Board, after a hearing on an appeal of the Planning Commission's final action, may reserve and except therefrom any easements, rights, or interests therein which it deems desirable for the use of the County or any public utility. The abandonment or vacation of a government patent easement pursuant to this section addresses only the County's interest in the subject easement and cannot be relied upon for purposes of clearing title to the property.

It is unlikely that the easement will present any value to the County as it serves 4 small privately-owned parcels. No other property is logically accessed from this site.

Section 110.806.75 Consistency with Plan. No procedures or approvals that are provided for in this article may be in contravention to the Master Plan.

This request has no impact on Master Plan policies or implementation.

Section 110.806.80 Reapplication. When an application for a vacation or abandonment of an easement or street has been denied, a subsequent application for the same easement or street right-of-way shall not be submitted for the next six (6) consecutive months commencing from the date of the final action by the Planning Commission or Board of County Commissioners, whichever is later.

No action required by applicant.

Community Services Department
Planning and Development
ABANDONMENT APPLICATION



Community Services Department
Planning and Development
1001 E. Ninth St., Bldg A
Reno, NV 89520

Telephone: 775.328.3600

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name:			
Project Description:			
Project Address:			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets AND area locator):			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application:			
Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
For Office Use Only			
Date Received: Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Abandonment Application Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to vacations and abandonments may be found in Article 806, Vacations and Abandonments of Easements or Streets.

1. What is the abandonment being requested?

2. On which map or document (please include with application) is the easement or right-of-way first referenced?

3. What is the proposed use for the vacated area?

4. What replacement easements are proposed for any to be abandoned?

--

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

--

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

Washoe County Treasurer
Tammi Davis

Washoe County Treasurer
P.O. Box 30039, Reno, NV 89520-3039
ph: (775) 328-2510 fax: (775) 328-2500

Bill Detail

[Back to Account Detail](#)

[Change of Address](#)

[Print this Page](#)

Washoe County Parcel Information

Parcel ID	Status	Last Update
02114024	Active	12/12/2015 2:10:02 AM
Current Owner: BULLOCK FAMILY TRUST, GARY & RACHEL 5990 PEMBROKE DR RENO, NV 89502		SITUS: 6000 PEMBROKE DR WCTY NV
Taxing District 4000	Geo CD:	
Legal Description		
Township 19 Section Range 20 SubdivisionName _UNSPECIFIED Lot 2 Block		

Installments

Period	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	8/17/2015	2015	\$0.00	\$0.00	\$0.00	\$0.00
INST 2	10/5/2015	2015	\$0.00	\$0.00	\$0.00	\$0.00
INST 3	1/4/2016	2015	\$611.11	\$0.00	\$0.00	\$611.11
INST 4	3/7/2016	2015	\$611.10	\$0.00	\$0.00	\$611.10
Total Due:			\$1,222.21	\$0.00	\$0.00	\$1,222.21

Tax Detail

	Gross Tax	Credit	Net Tax
Remediation	\$14.34	\$0.00	\$14.34
State of Nevada	\$128.30	(\$0.05)	\$128.25
Truckee Meadows Fire Dist	\$407.54	(\$0.16)	\$407.38
Washoe County	\$1,050.32	(\$0.41)	\$1,049.91
Washoe County Sc	\$859.23	(\$0.34)	\$858.89
Water District	\$10.00	\$0.00	\$10.00
Truckee Mdw Ungr Water	\$0.48	\$0.00	\$0.48
Total Tax	\$2,470.21	(\$0.96)	\$2,469.25

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2015	211583	B15.118040	\$611.11	10/8/2015
2015	211583	B15.73499	\$635.93	8/25/2015

Pay By Check

**AMOUNT ABOVE WILL
POPULATE AFTER PAYMENT
TYPE IS SELECTED**

Please make checks payable to:
**WASHOE COUNTY
TREASURER**

Mailing Address:
P.O. Box 30039
Reno, NV 89520-3039

Overnight Address:
1001 E. Ninth St., Ste D140
Reno, NV 89512-2845

Change of Address

All requests for a mailing address change must be submitted in writing, including a signature (unless using the online form).

Please mail your request to: Washoe County Treasurer
P O Box 30039
Reno, NV 89520-3039

Or fax your request to:
(775) 328-2500

Or [click here](#) to submit online form

The Washoe County Treasurer's Office makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation. If you have any questions, please contact us at (775) 328-2510 or tax@washoecounty.us

This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.

Washoe County Treasurer
Tammi Davis

Washoe County Treasurer
P.O. Box 30039, Reno, NV 89520-3039
ph: (775) 328-2510 fax: (775) 328-2500

Bill Detail

[Back to Account Detail](#)

[Change of Address](#)

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Washoe County Parcel Information

Parcel ID	Status	Last Update
02114025	Active	12/12/2015 2:10:02 AM
Current Owner: BULLOCK FAMILY TRUST, GARY & RACHEL 5990 PEMBROKE DR RENO, NV 89502		SITUS: 6010 PEMBROKE DR WCTY NV
Taxing District 4000	Geo CD:	
Legal Description		
Township 19 Section Lot 3 Block Range 20 SubdivisionName _UNSPECIFIED		

Installments

Period	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	8/17/2015	2015	\$0.00	\$0.00	\$0.00	\$0.00
INST 2	10/5/2015	2015	\$0.00	\$0.00	\$0.00	\$0.00
INST 3	1/4/2016	2015	\$159.96	\$0.00	\$0.00	\$159.96
INST 4	3/7/2016	2015	\$159.96	\$0.00	\$0.00	\$159.96
Total Due:			\$319.92	\$0.00	\$0.00	\$319.92

Tax Detail

	Gross Tax	Credit	Net Tax
State of Nevada	\$34.28	(\$0.71)	\$33.57
Truckee Meadows Fire Dist	\$108.90	(\$2.27)	\$106.63
Washoe County	\$280.67	(\$5.83)	\$274.84
Washoe County Sc	\$229.60	(\$4.78)	\$224.82
Water District	\$10.00	\$0.00	\$10.00
Truckee Mdw Ungr Water	\$0.13	\$0.00	\$0.13
Total Tax	\$663.58	(\$13.59)	\$649.99

Payment History

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2015	211321	B15.118041	\$159.97	10/8/2015
2015	211321	B15.73500	\$170.10	8/25/2015

Pay By Check

AMOUNT ABOVE WILL POPULATE AFTER PAYMENT TYPE IS SELECTED

Please make checks payable to:
WASHOE COUNTY TREASURER

Mailing Address:
P.O. Box 30039
Reno, NV 89520-3039

Overnight Address:
1001 E. Ninth St., Ste D140
Reno, NV 89512-2845

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This site is best viewed using Google Chrome, Internet Explorer 11, Mozilla Firefox or Safari.

Property Owner Affidavit

Applicant Name: Gary Bullock

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
COUNTY OF WASHOE)

I, Gary Bullock
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of the Department of Community Development staff.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): _____

Printed Name Gary Bullock

Signed Gary Bullock

Address _____

Subscribed and sworn to before me this 10 day of Nov, 2015.

(Notary Stamp)

Washoe County, NV
Notary Public in and for said county and state

My commission expires: 5-4-15



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of recorded document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: Rachel Bullock

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
COUNTY OF WASHOE)

I, Rachel Bullock (please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Development.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s):

Printed Name Rachel Bullock

Signed Rachel Bullock

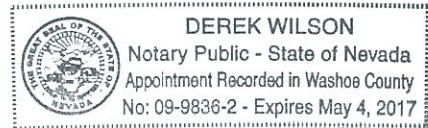
Address 5990 Pembroke Dr. Reno, Nevada 89502

Subscribed and sworn to before me this 10 day of Nov 2015.

(Notary Stamp)

Washoe County, NV Notary Public in and for said county and state

My commission expires: 5/1/2017



*Owner refers to the following: (Please mark appropriate box.)

- Owner (checked)
Corporate Officer/Partner
Power of Attorney
Owner Agent
Property Agent
Letter from Government Agency with Stewardship

AREA OF ABANDONMENT

Portions of the 25' access & PUE shown on Parcel Map 3212 filed as Doc. No. 2099475 in the Office of the County Recorder, Washoe County, Nevada on May 7, 1997. Said portions being more particularly described as follows:

That portion of said easement along the line common to Parcels 2 & 3 as shown on said Parcel Map 3212 excepting therefrom any portion within the southerly 12.5' of said Parcels 2 & 3.

All of said easement lying within Parcels 3 & 4 as shown on said Parcel Map 3212.

Prepared by:

Jon B. Loder, PLS

Cornerstone Land Surveying

1570 Linda Way, Sparks, NV 89431

(775)786-1441

RELOCATED EASEMENT

A 25' wide access easement across portions of Parcels 1, 3, and 4 as shown on Parcel Map 3212 filed as Doc. No. 2099475 in the Office of the County Recorder, Washoe County, Nevada on May 7, 1997. Said easement being more particularly described as follows:

12.5' each side of the following described line:

Beginning at the southeasterly corner of Parcel 2 according to said Parcel Map 3212;

Thence along the northerly line and projection thereof of said Parcel 1 S.69°10'19"E., 167.32';

Thence S.80°38'13"E., 87.67' to the easterly line of said Parcel 3 and point of terminus for this line. Sidelines of this easement to be extended or shortened to meet said easterly line.

TOGETHER WITH a 45' radius circle centered on said point of terminus.

The Basis of Bearing for this description is the North American Datum of 1983/94 (HARN) Nevada West Zone.

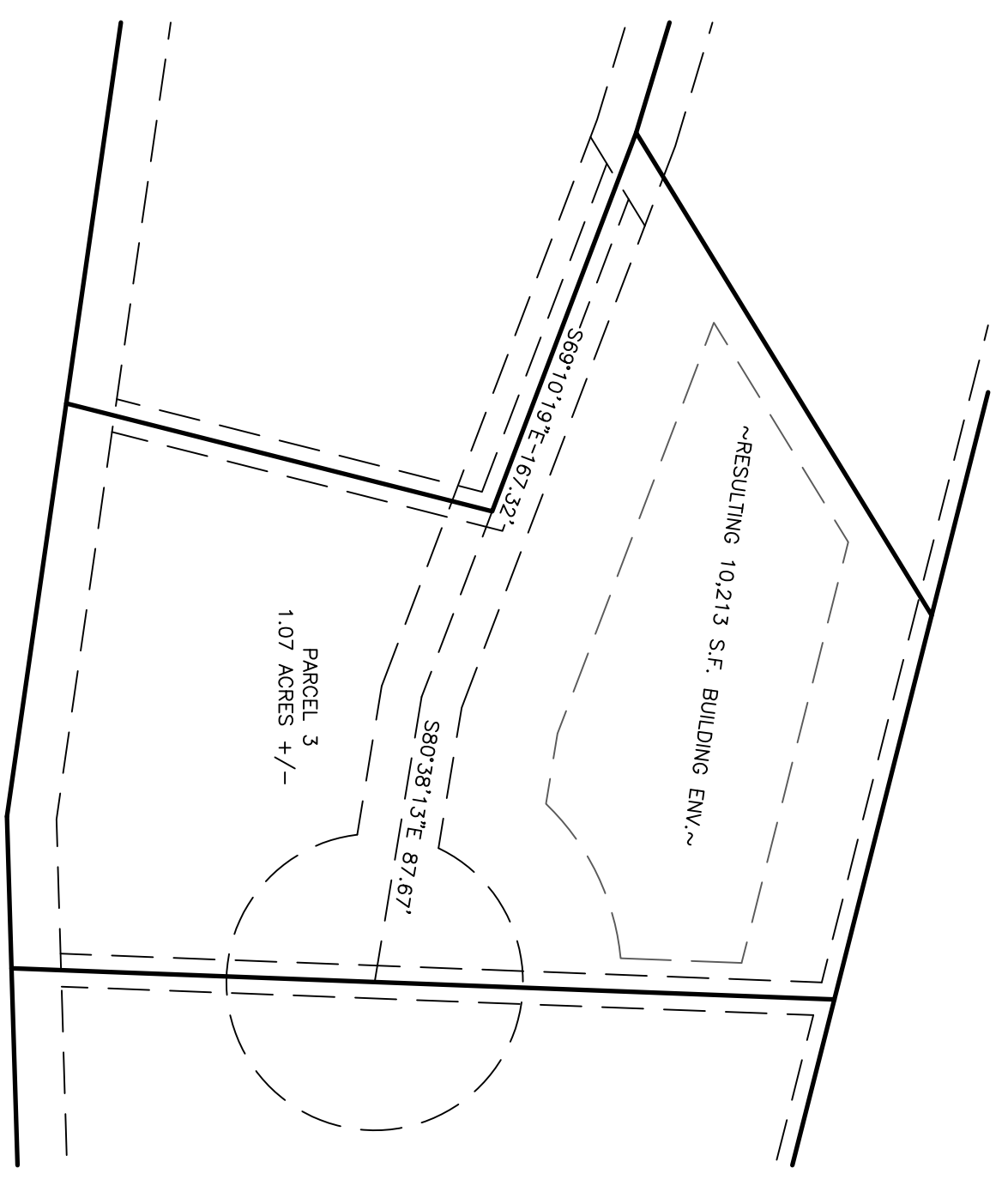
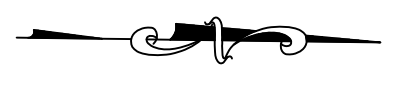
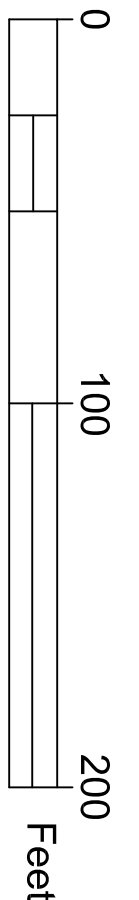
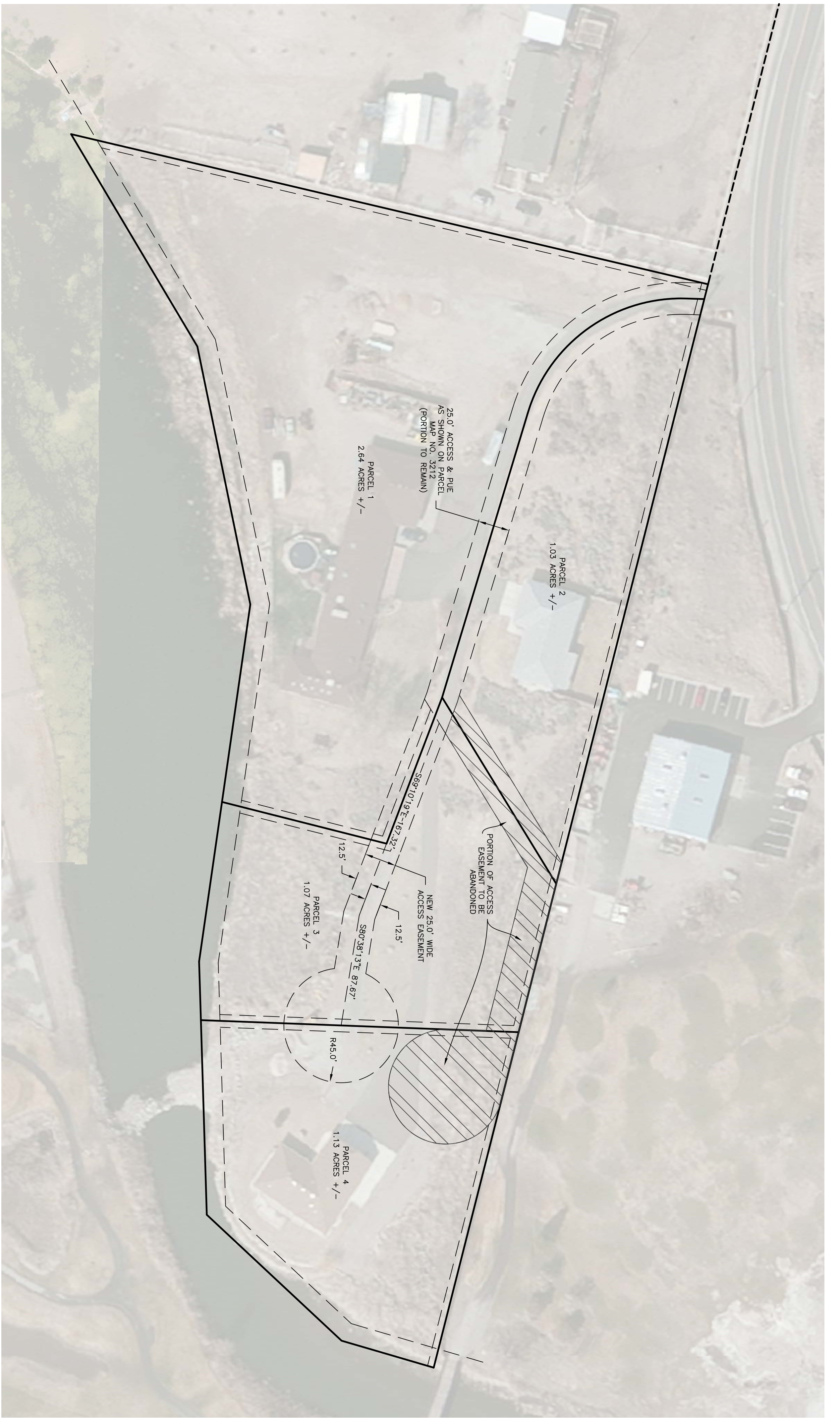
Prepared by:

Jon B. Loder, PLS

Cornerstone Land Surveying

1570 Linda Way, Sparks, NV 89431

(775)786-1441



RESULTING BUILDING ENVELOPE FOR PARCEL 3

REV.	DATE	DESCRIPTION	BY	APP'D

RELOCATION OF PORTION OF ACCESS EASEMENT
 AS SHOWN ON PARCEL MAP 3212, DOC. NO. 2099475, 05/20/1997
 5990, 6000, 6010 & 6020 PEMBROKE DRIVE
 WASHOE COUNTY, NEVADA

SCALE 1"=50'
DATE DECEMBER 15, 2015
DRAWING FILE 1987_001_ESMT_01.DWG



1570 LINDA WAY
 SPARKS, NV 89431
 (775)786-1441