



# Planning Commission Staff Report

Meeting Date: April 4, 2017

Subject: Abandonment Case Number WAB17-0001  
Applicants: Stacy & Lesa Ettinger; Jeffrey Church  
**Agenda Item Number: 9B**  
Summary: Request to allow the abandonment of three 33-foot-wide government patent access and utility easements and one 33-foot-wide government patent access easement.  
**Recommendation: Partial Approval with Conditions**  
Prepared by: Kelly Mullin, Planner  
Washoe County Community Services Department  
Planning and Development Division  
775.328.3608  
[kmullin@washoecounty.us](mailto:kmullin@washoecounty.us)

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## Description

**Abandonment Case Number WAB17-0001 (Ettinger/Church)** – Hearing, discussion, and possible action to approve, partially approve or deny the abandonment of three 33-foot-wide government patent access and utility easements along the northern, eastern and southern property lines of 15520 Fawn Lane; and one 33-foot-wide government patent access easement along the southern property line of 15500 Fawn Lane, for the benefit of the applicants.

- Applicant/Property Owner: Stacy and Lesa Ettinger
- Applicant/Property Owner: Jeffrey Church
- Location: 15500 and 15520 Fawn Lane, approximately ½ mile south of Fawn Lane's intersection with Mt. Rose Highway
- Assessor's Parcel Numbers: 150-232-08 and 150-232-09
- Parcel Sizes: ±1.50-acres (APN: 150-232-08) and ±1.496-acres (APN: 150-232-09)
- Master Plan Category: Suburban Residential (both parcels)
- Regulatory Zone: Low Density Suburban (both parcels)
- Area Plan: Forest
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Article 806, *Vacations and Abandonments of Easements or Streets*
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 36, T18N, R19E, MDM, Washoe County, NV

**Staff Report Contents**

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**Exhibit Contents**

Conditions of Approval ..... Exhibit A  
Agency Review Comments ..... Exhibit B  
Public Notice Map ..... Exhibit C  
Project Application (<http://bit.ly/2n4VDaU>)..... Exhibit D

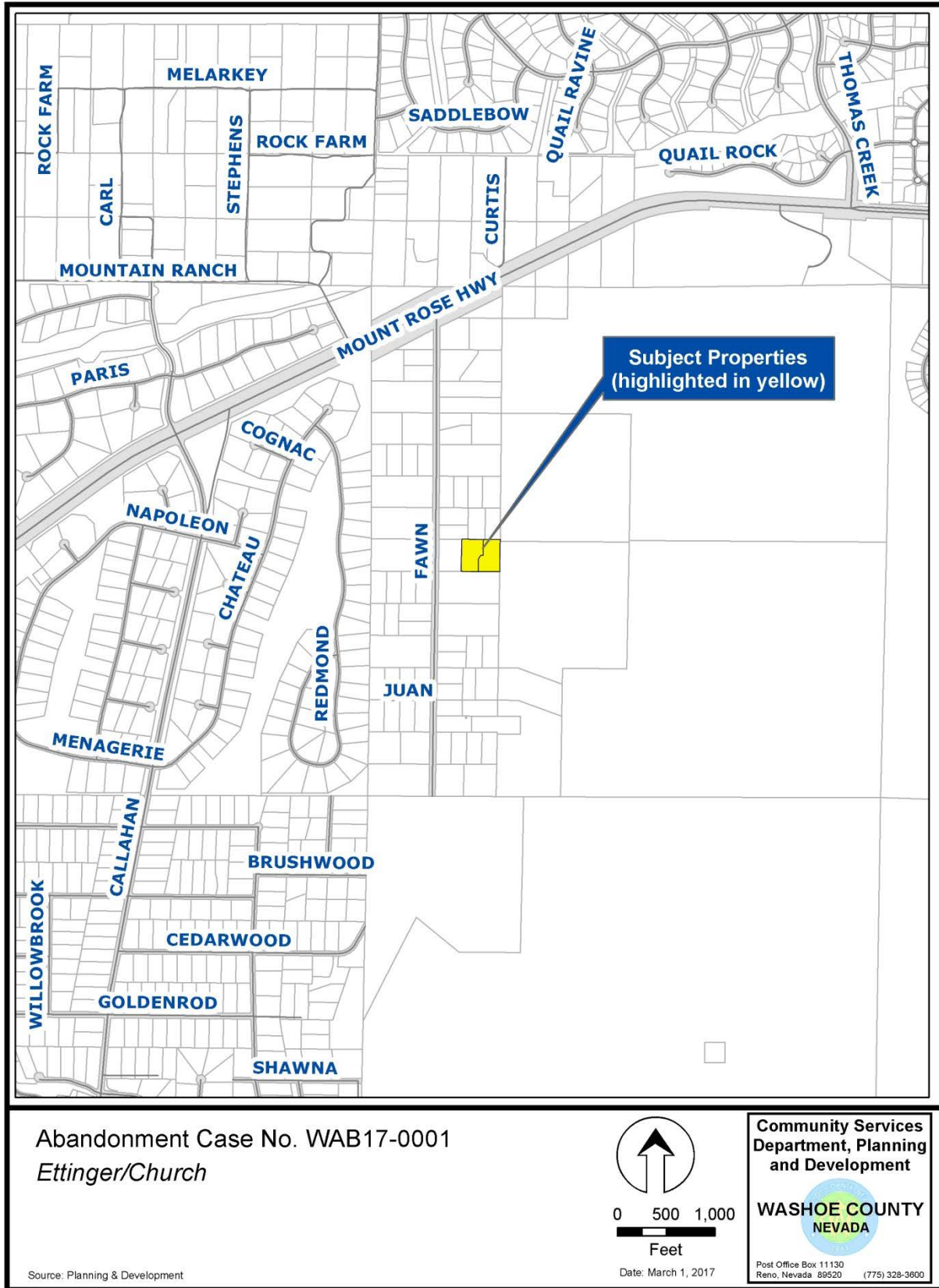
**Abandonment Definition**

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.

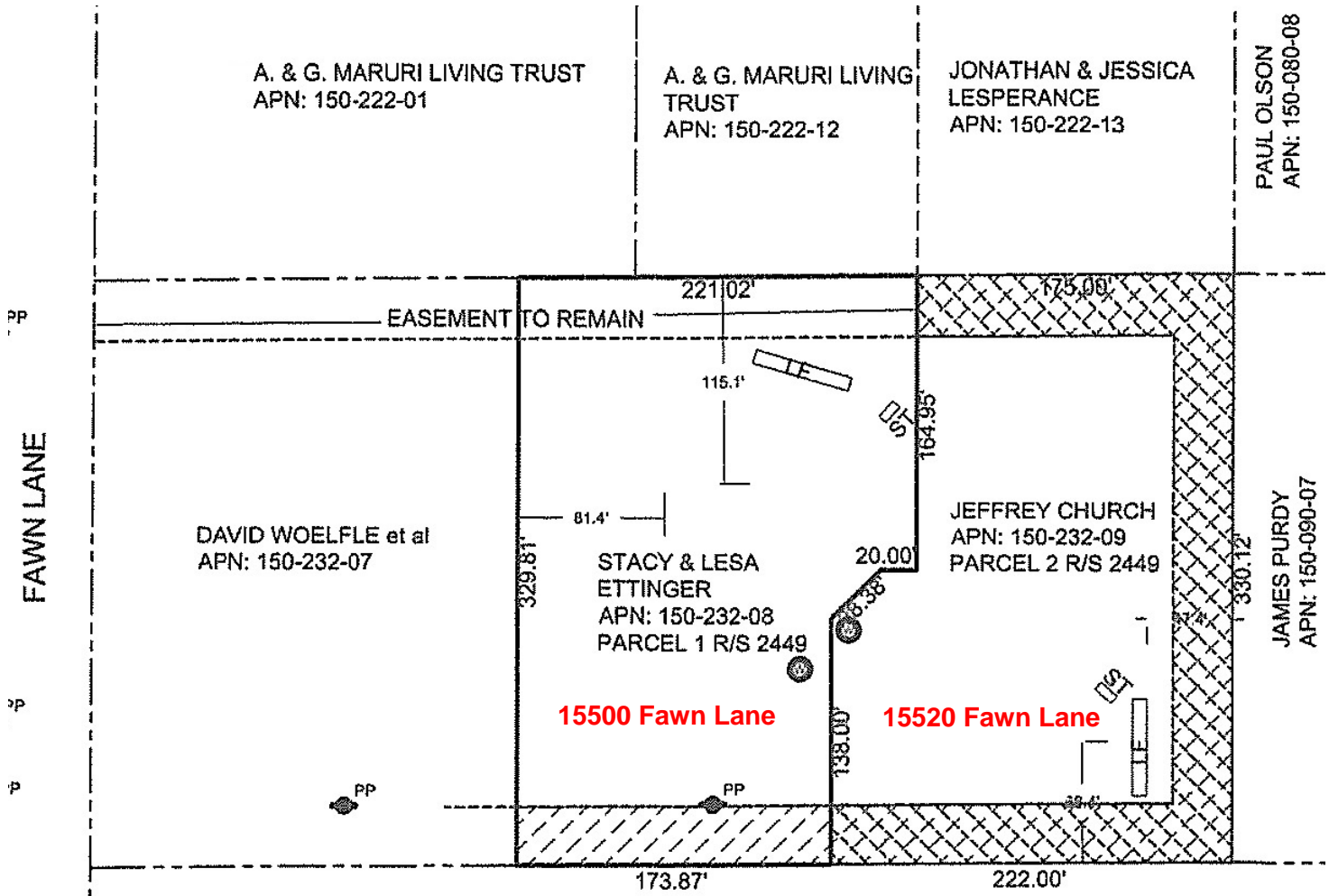
The Resolution and Order of Abandonment is the legal record prepared by the Engineering and Capital Projects Division and recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements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

The Conditions of Approval for Abandonment Case Number WAB17-0001 is 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.



**Vicinity Map**



NOTE: ALL BUILDINGS TO REMAIN

LEMAIRE FAMILY TRUST  
APN: 150-232-06

### LEGEND

- ⊙ WELL
- LF LEACH FIELD
- ST SEPTIC TANK
- PP ● POWER POLE



33' ROADWAY EASEMENT PER DOC. 347026, RECORDED NOV. 3, 1961 ABANDONED HEREON  
 33' ROADWAY & PUBLIC UTILITY EASEMENT PER DOC. 347026 ABANDONED HEREON

APN ASSESSOR PARCEL #  
 R/S RECORD OF SURVEY MAP

### Site Plan



## **Project Evaluation**

The applicants are seeking to abandon three 33-foot-wide government patent access and utility easements along the northern, eastern and southern property lines of 15520 Fawn Lane; and one 33-foot-wide government patent access easement along the southern property line of 15500 Fawn Lane. These requests are shown on the exhibit on page 5 of this staff report. (View the full application online at <http://bit.ly/2n4VDaU>.)

The subject properties are each developed with a single-family residence and several accessory structures. As these are government tract homesites, there are 33-foot-wide government patent easements that border several of the property lines of these parcels, as well as those properties located to the north and south.

As shown in the aerial photo below, the properties to the north and south are developed and have established access via Fawn Lane and/or via the access easements abutting the northern edge of the subject site. To the east, however, are undeveloped properties that have the potential to be further subdivided.

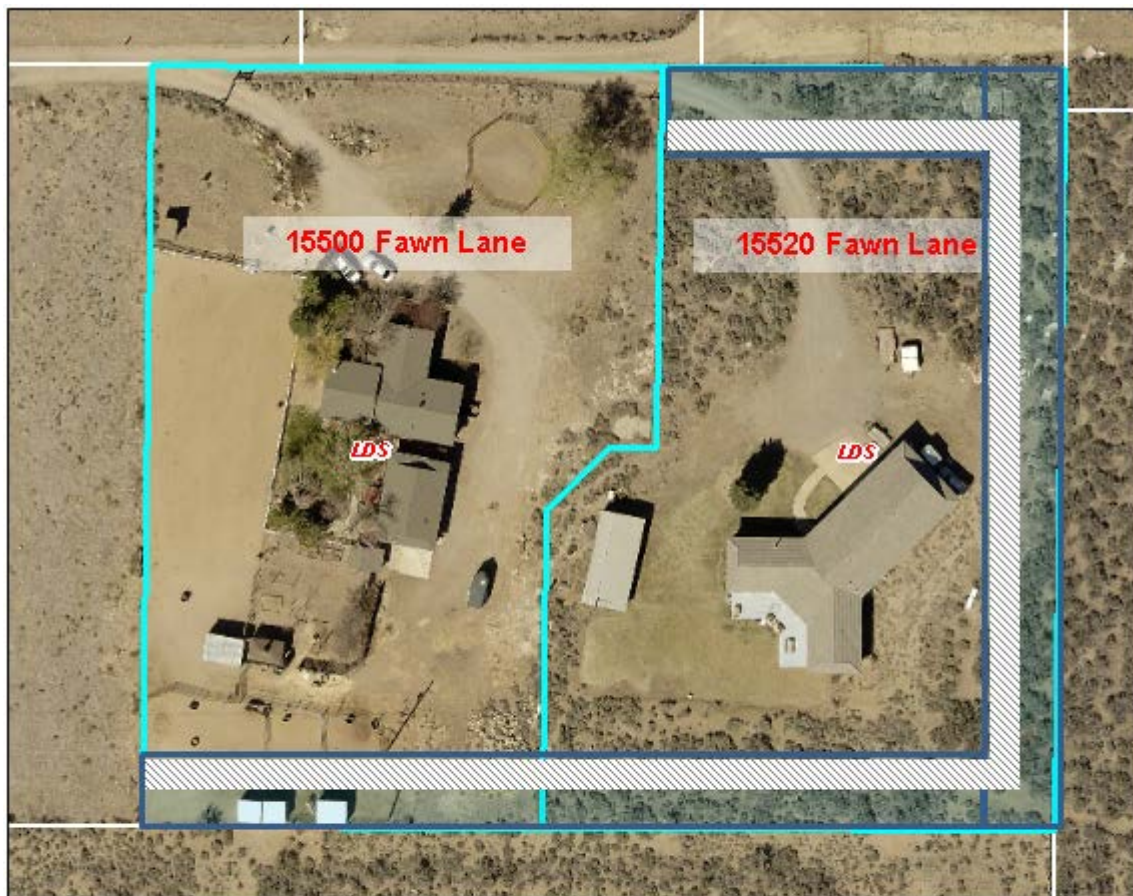


*Photo: The two subject parcels are outlined in blue.*

The property to the northeast is ±40-acres in size with a regulatory zone of Medium Density Rural, which would potentially allow for up to four lots on the property. The property southeast of the subject site is ±40.35-acres in size with regulatory zones of Low Density Suburban (±11.25-acres) and General Rural (±28.92-acres), which would potentially allow ±11 lots. Neither of these adjacent properties have been subdivided or developed, and paved access does not exist to either of these parcels.

Due to the possibility that the existing access easements over the subject properties may be necessary later to provide access to the adjacent parcels, staff is recommending a partial approval of the abandonment request, subject to the proposed conditions attached to this staff report as Exhibit A. As shown in the diagram below, staff supports abandoning the inner 13-feet of the access and utility easement areas at 15520 Fawn Lane, leaving 20-foot-wide access and utility easements in place along the northern, eastern and southern property lines. Staff also supports abandoning the inside 13-feet of the southern access easement at 15500 Fawn Lane.

The easements along the borders of 15520 Fawn Lane are largely covered in sagebrush and other native vegetation. The access easement along the southern portion of 15500 Fawn Lane has been cleared of most vegetation, and the property owner has indicated that the structures visible below along the southern property line are no longer present. A power line and several power poles also traverse the southern easement at 15500 Fawn Lane, for which the full utility easement is proposed to remain.



- KEY**
- Approximate area requested to be abandoned (33-foot-wide)**
  - Approximate area that staff recommends for abandonment (13-foot-wide)**



**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. No comments have been received from the public regarding this request.

**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 Division
  - Planning and Development Division
  - Regional Parks and Open Spaces
  - Utilities
- Washoe County Health District
  - Environmental Health Services Division
  - Emergency Medical Services Program
- Truckee Meadows Fire Protection District
- Washoe County Sheriff's Office
- Regional Transportation Commission
- Washoe-Storey Conservation District
- U.S. Forest Service
- AT&T
- NV Energy
- Truckee Meadows Water Authority
- Paiute Pipeline Company
- Charter Communications

Several 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. 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 the width of easements to remain, structures located within access easements and substantial conformance.

**Contact: Kelly Mullin, 775.328.3608, [kmullin@washoecounty.us](mailto:kmullin@washoecounty.us)**

- Washoe County Engineering and Capital Projects will require that 20-foot-wide access easements be maintained, and provided conditions related to utility easements and the abandonment process.

**Contact: Kimble Corbridge, 775.328.2054, [kcorbridge@washoecounty.us](mailto:kcorbridge@washoecounty.us)**

- Truckee Meadows Fire Protection District included a condition requiring that access to residences be provided and maintained.

**Contact: Amy Ray, 775.326.6005, [aray@tmfpd.us](mailto:aray@tmfpd.us)**

The Regional Transportation Commission and the Washoe County Health District indicated they reviewed the proposal and have no comments.



### **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 Forest Area Plan.

*Staff Comments: The proposed abandonments do not affect any policies, action programs, standards or maps of either the Master Plan or the Forest 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. Although the easements proposed to be abandoned are not currently in use as developed access, there is the possibility that they may be needed to access the properties to the east in the future. In order to not shift the responsibility of providing access completely to the adjacent property owners to the north and south, County staff supports a partial abandonment only. Assuming that property owners to the north and south may also wish to abandon portions of their government patent easements in the future, leaving 20-foot-wide easements in place now will allow for sufficient access widths later.*

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: Staff's recommendation is that utility easements are retained within any portion of the access easements that are retained. This is in addition to the 33-foot-wide utility easement that the owner of 15500 Fawn Lane proposes to retain. In order to abandon the remainder of the utility easements, the applicant must obtain approvals from the appropriate public utilities, relinquishing their interest in the existing easements. A condition of approval has been included requiring that the relocation of any such easements be to the satisfaction of Washoe County and affected public utility agencies.*

### **Recommendation**

Those agencies which reviewed the application recommended conditions in support of partial approval of the project. Therefore, after a thorough analysis and review, Abandonment Case Number WAB17-0001 is being recommended for partial approval, subject to the conditions attached as Exhibit A. 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 WAB17-0001 for Ettinger/Church, subject to the conditions of approval included as Exhibit A for this matter, 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 Forest 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 Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of 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 applicants.

xc: Applicant/Owner: Stacy and Lesa Ettinger, 15500 Fawn Lane, Reno, NV 89511

Applicant/Owner: Jeffrey Church, 15520 Fawn Lane, Reno, NV 89511

Consultant: Alpine Land Surveyors, Attn: Mike Miller, 7395 Gravel Court, Reno, NV 89502



# Conditions of Approval

Abandonment Case Number: WAB17-0001

The proposal approved under Abandonment Case Number WAB17-0001 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on April 4, 2017. Conditions of Approval are requirements placed on a permit or development 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 and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

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 Division**

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](mailto:kmullin@washoecounty.us)**

- a. At least a 20-foot-wide access and utility easement shall remain adjacent to all outside property lines where access and utility easements currently exist. As proposed by the applicant, the 33-foot-wide utility easement shall remain in place along the southern property line of 15500 Fawn Lane.
- b. Any permanent structures located within access easement areas not abandoned shall be re-located prior to recordation of the Resolution and Order of Abandonment.
- c. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action.

**Washoe County Engineering and Capital Projects Division**

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 – Kimble Corbridge, 775.328.2054, [kcorbridge@washoecounty.us](mailto:kcorbridge@washoecounty.us)**

- a. The proposed abandonment would eliminate potential access to 5 surrounding properties; therefore, at least a 20-foot-wide access easement shall remain adjacent to all outside property lines.
- b. 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.
- c. 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.
- 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.

**Truckee Meadows Fire Protection District**

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

**Contact Name – Amy Ray, 775.326.6005, [tray@tmfpd.us](mailto:tray@tmfpd.us)**



Washoe County Conditions of Approval

- a. Access to all residences shall be provided and maintained.

\*\*\* End of Conditions \*\*\*

**From:** [Corbridge, Kimble](#)  
**To:** [Mullin, Kelly](#)  
**Cc:** [Smith, Dwayne E.](#); [Vesely, Leo](#); [Corbridge, Kimble](#); [Gump, Mike](#)  
**Subject:** WAB17-0001 (Ettinger/Church)  
**Date:** Thursday, February 23, 2017 11:24:45 AM  
**Attachments:** [February Agency Review Memo III.PDF](#)  
[image002.png](#)

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[https://www.washoecounty.us/csd/planning\\_and\\_development/applications/files-planning-development/comm\\_dist\\_two/2017/files/WAB17-0001\\_ap.pdf](https://www.washoecounty.us/csd/planning_and_development/applications/files-planning-development/comm_dist_two/2017/files/WAB17-0001_ap.pdf)

Kelly,

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

1. The proposed abandonment would eliminate potential access to 5 surrounding properties, therefore recommend at least a 20 foot access easement remain adjacent to all outside property lines.
  
2. 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.
  
3. 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.
  
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.

Thx,  
Kimble

[Kimble O. Corbridge, P.E., CFM](#)  
Washoe County Community Services Department  
[KCorbridge@washoecounty.us](mailto:KCorbridge@washoecounty.us) | o 775.328.2041 | f 775.328.3699 | 1001 E. Ninth St., A-255,  
Reno, NV 89512

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Amy Ray  
*Fire Marshal*



Tim Leighton  
*Division Chief*

Charles A. Moore  
*Fire Chief*

March 3, 2017

Washoe County Community Services Department  
1001 East Ninth Street  
Reno, NV 89512

Re: Abandonment Case WAB17-0001 (Ettinger/Church)

The Truckee Meadows Fire Protection District (TMFPD) will approve the above permit with the following conditions:

- Access to all residents shall be provided and maintained.

Please contact me with any questions at (775) 326-6005.

Thank you,

Amy Ray  
Fire Marshal

**TRUCKEE MEADOWS FIRE PROTECTION DISTRICT**

1001 E. Ninth St. Bldg D 2nd Floor • Reno, Nevada 89512 • PO Box 11130 • Reno, Nevada 89520  
*Office 775.326.6000 Fax 775.326.6003*

**WAB17-0001  
EXHIBIT B**

# WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

March 8, 2017

Kelly Mullin, Planner  
Washoe County Community Services  
Planning and Development Division  
PO Box 11130  
Reno, NV 89520-0027

RE: Ettinger/Church; APN 150-232-09  
Abandonment; WAB17-0001

Dear Ms. Mullin:

The Washoe County Health District, Environmental Health Services Division (WCHD) has reviewed the above referenced project. Approval by the WCHD is subject to the following conditions:

1. The WCHD has no objections to the approval of the Abandonment as proposed. Both parcels have existing septic system and onsite domestic wells.

If you have any questions or would like clarification regarding the foregoing, please contact Wes Rubio, Senior Environmental Health Specialist at [wrubio@washoecounty.us](mailto:wrubio@washoecounty.us) regarding all Health District comments.

Sincerely,



Bob Sack, Division Director  
Environmental Health Services Division  
Washoe County Health District

BS:wr

Cc: File - Washoe County Health District





**REGIONAL TRANSPORTATION COMMISSION**

*Metropolitan Planning • Public Transportation & Operations • Engineering & Construction*

Metropolitan Planning Organization of Washoe County, Nevada

February 23, 2017

FR: Chrono/PL 183-17

Ms. Kelly Mullin, Planner  
Community Services Department  
Washoe County  
P.O. Box 11130  
Reno, NV 89520

**RE: WAB17-0001 (Ettinger/Church)**

Dear Ms. Mullin,

We have reviewed the above application and have no comments at this time.

Thank you for the opportunity to comment on this application. Please feel free to contact me at 775-332-0174 or email me at [rkapuler@rtcwashoe.com](mailto:rkapuler@rtcwashoe.com) if you have any questions or comments.

Sincerely,

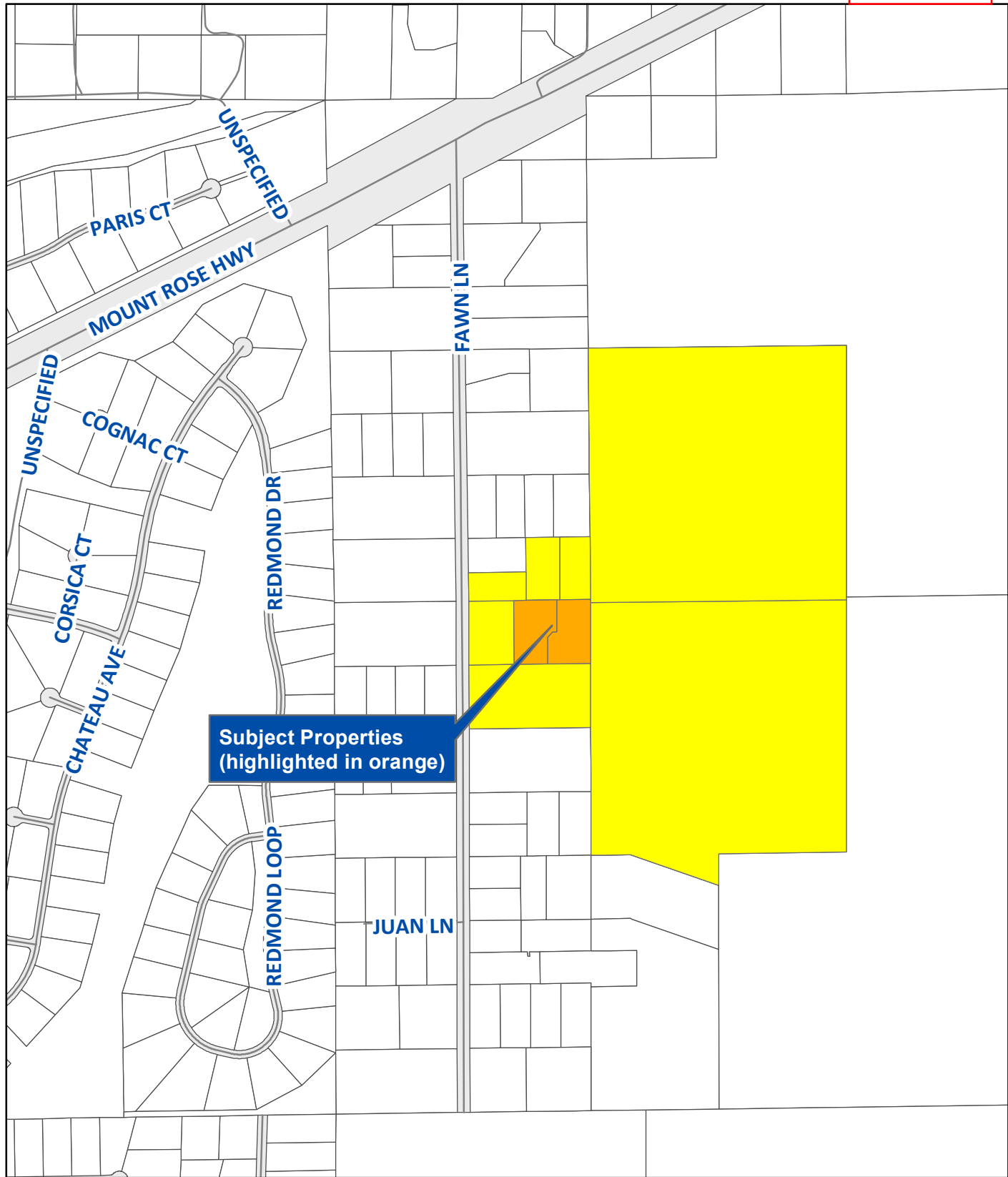
A handwritten signature in cursive script that reads "Rebecca Kapuler".

Rebecca Kapuler  
Planner

RK/jm

Copies: Bill Whitney, Washoe County Community Services  
Jae Pullen, Nevada Department of Transportation, District II  
Daniel Doenges, Regional Transportation Commission  
Tina Wu, Regional Transportation Commission  
Julie Masterpool, Regional Transportation Commission  
David Jickling, Regional Transportation Commission

/Washoe County no comment 03032017



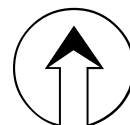
Subject Properties  
(highlighted in orange)

Public Notice Map

Abandonment Case WAB17-0001  
(Ettinger/Church)

*Provided with notice: 8 owners  
of 9 affected or abutting parcels.*

Source: Planning and Development Division



Date: February 20, 2017

Community Services  
Department



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

WAB17-0001

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.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <i>Fawn Lane Abandonment</i>			
Project Description: <i>Abandon portions of a roadway &amp; public utility easement across APNs 150-232-08 and 150-232-09 created by Patent. BLM Patent No. 1223630.</i>			
Project Address: <i>15500 &amp; 15520 Fawn Lane, Washoe County</i>			
Project Area (acres or square feet): <i>3.00 Ac.</i>			
Project Location (with point of reference to major cross streets AND area locator): <i>Lots lie east of Fawn Lane, between Juan Lane and Mt. Rose highway, approximately 2345 feet south of the centerline of Mt. Rose Highway</i>			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
<i>150-232-08</i>	<i>65,496 s.f.</i>		
<i>150-232-09</i>	<i>65,147 s.f.</i>		
Section(s)/Township/Range:			
Indicate any previous Washoe County approvals associated with this application: Case No.(s):			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: <i>Stacy B. &amp; Lesa M. Ettinger</i>		Name: <i>Alpine Land Surveyors</i>	
Address: <i>15500 Fawn Lane</i>		Address: <i>7395 Gravel Ct.</i>	
<i>Reno, NV</i>	Zip: <i>89511</i>	<i>Reno, NV</i>	Zip: <i>89502</i>
Phone: <i>775-328-2246</i>	Fax: <i>-</i>	Phone: <i>775-636-8650</i>	Fax:
Email: <i>SEttinger@washoe-county.nv.us</i>		Email: <i>mike@alpinelandsurveyors.com</i>	
Cell: <i>775-848-0853</i>	Other:	Cell: <i>775-771-1491</i>	Other:
Contact Person: <i>Stacy Ettinger</i>		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted: (other owner)</b>	
Name: <i>Alpine Land Surveyors</i>		Name: <i>Jeffrey Church</i>	
Address: <i>7395 Gravel Ct.</i>		Address: <i>15520 Fawn Lane</i>	
<i>Reno, NV</i>	Zip: <i>89502</i>	<i>Reno, NV</i>	Zip: <i>89511</i>
Phone: <i>775-636-8650</i>	Fax:	Phone: <i>800-554-9519</i>	Fax:
Email: <i>mike@alpinelandsurveyors.com</i>		Email: <i>renocop@earthlink.net</i>	
Cell: <i>775-771-1491</i>	Other:	Cell: <i>-</i>	Other: <i>-</i>
Contact Person: <i>Mike Miller</i>		Contact Person: <i>Jeffrey Church</i>	
<b>For Office Use Only</b>			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	



Property Owner Affidavit

Applicant Name: STACY ETTINGER

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, STACY ETTINGER  
(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): 150-232-08

Printed Name STACY ETTINGER

Signed \_\_\_\_\_

Address 15500 FAWN LANE  
RENO, NV 89511

Subscribed and sworn to before me this  
9 day of Nov, 2016.

(Notary Stamp)

Washoe Nevada Leland Honea  
Notary Public in and for said county and state

My commission expires: 10/1/2017



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

- Owner
- Corporate Officer/Partner (Provide copy of record 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:** Jeffrey Church

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, Jeffrey Church  
(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): 150 232 09

Printed Name Jeffrey Church

Signed [Signature]

Address 1720 Wind Ranch Rd #B  
Reno NV 89521

Subscribed and sworn to before me this 9<sup>TH</sup> day of NOVEMBER, 2016.

(Notary Stamp)

[Signature]  
Notary Public in and for said county and state

My commission expires: NOVEMBER 3, 2018



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

- Owner
- Corporate Officer/Partner (Provide copy of record 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



## 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?

The north, east and south 33' of APN 150-232-09 is to have the roadway and public utility easements abandoned. APN 150-232-08 is requesting that only the roadway easement (not the public utility easement) across the south 33' of the lot be abandoned.

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

Patent from BLM, No. 1223630, issued Oct. 26, 1961.

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

No current plans to improve. This is a large encumbrance on these properties that is not being utilized.

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

None.

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?

No other parcels use these easements. The large parcel to the east, (APN 150-080-08) has other access it currently uses.

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.)

Yes  No

### IMPORTANT

#### NOTICE REGARDING ABANDONMENTS:

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment 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. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not 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, an approved abandonment by the County 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.

**EXHIBIT "A"**

**DESCRIPTION  
FOR**

**ABANDONMENT OF PORTIONS OF ROADWAY AND PUBLIC UTILITY EASEMENTS**

All those portions of roadway and public utility easements situate in the N ½ of the NE ¼ of the NW ¼ of the SW ¼ of Section 36, Township 18N., Range 19E., M.D.M., as contained within U.S.A. Bureau of Land Management Land Patent No. 1223630, issued October 26, 1961, and recorded per Document No. 347026, recorded Nov.3, 1961, Deed Records, Washoe County Nevada. Said easements being further described as lying within Parcels 1 & 2 of Record of Survey Map No. 2449, recorded July 14, 1992, Official Records, Washoe County, Nevada, more particularly described as follows:

**Parcel 1**

All those portions of the public utility and roadway easements granted per the documents referenced above, coincident with the north, east, and south line of Parcel 2, as shown on said Record of Survey Map No. 2449.

**Parcel 2**

All those portions of the roadway easement granted per the documents referenced above, coincident with south line of Parcel 1, as shown on said Record of Survey Map No. 2449.

Said easements to be abandoned are graphically shown on attached Exhibit "A-1", referenced hereon and made a part thereof.

*Michael J. Miller*



Michael J. Miller, P.L.S. 6636

*12-18-2016*



# EXHIBIT "A-1"

A. & G. MARURI LIVING TRUST  
APN: 150-222-01

A. & G. MARURI LIVING TRUST  
APN: 150-222-12

JONATHAN & JESSICA LESPERANCE  
APN: 150-222-13

PAUL OLSON  
APN: 150-080-08

DAVID WOELFLE et al  
APN: 150-232-07

STACY & LESA ETTINGER  
APN: 150-232-08  
PARCEL 1 R/S 2449

JEFFREY CHURCH  
APN: 150-232-09  
PARCEL 2 R/S 2449

JAMES PURDY  
APN: 150-090-07

LEMAIRE FAMILY TRUST  
APN: 150-232-06

SCALE 1"=80'



33' ROADWAY EASEMENT PER DOC. 347026, RECORDED NOV. 3, 1961 ABANDONED HEREON

33' ROADWAY & PUBLIC UTILITY EASEMENT PER XXXXXXXXXX ABANDONED HEREON

APN ASSESSOR PARCEL #

R/S RECORD OF SURVEY MAP

## MAP TO ACCOMPANY DESCRIPTION

FOR

ROADWAY AND PUBLIC UTILITY EASEMENT ABANDONMENT  
LYING WITHIN THE NW 1/4 OF SW 1/4 SECTION 36

T.18N., R. 19E., M.D.M.

WASHOE COUNTY

NEVADA

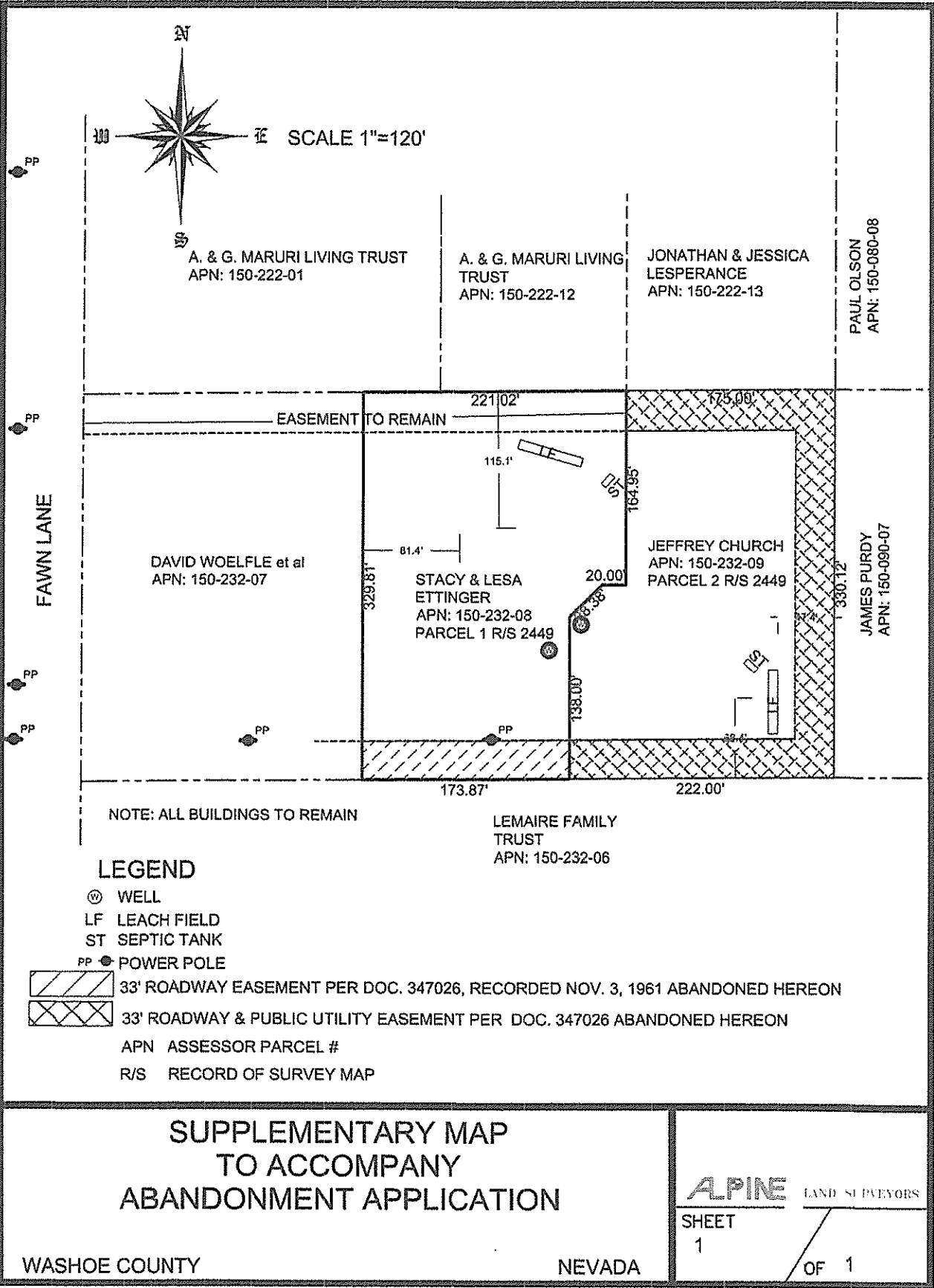
**ALPINE** LAND SURVEYORS

SHEET

1

OF 1





SCALE 1"=120'

A. & G. MARURI LIVING TRUST  
APN: 150-222-01

A. & G. MARURI LIVING TRUST  
APN: 150-222-12

JONATHAN & JESSICA  
LESPERANCE  
APN: 150-222-13

PAUL OLSON  
APN: 150-080-08

FAWN LANE

DAVID WOELFLE et al  
APN: 150-232-07

STACY & LESA  
ETTINGER  
APN: 150-232-08  
PARCEL 1 R/S 2449

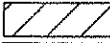

JEFFREY CHURCH  
APN: 150-232-09  
PARCEL 2 R/S 2449

JAMES PURDY  
APN: 150-090-07

LEMAIRE FAMILY  
TRUST  
APN: 150-232-06

NOTE: ALL BUILDINGS TO REMAIN

**LEGEND**

- ⊙ WELL
- LF LEACH FIELD
- ST SEPTIC TANK
- PP ● POWER POLE
-  33' ROADWAY EASEMENT PER DOC. 347026, RECORDED NOV. 3, 1961 ABANDONED HEREON
-  33' ROADWAY & PUBLIC UTILITY EASEMENT PER DOC. 347026 ABANDONED HEREON
- APN ASSESSOR PARCEL #
- R/S RECORD OF SURVEY MAP

**SUPPLEMENTARY MAP  
TO ACCOMPANY  
ABANDONMENT APPLICATION**

WASHOE COUNTY

NEVADA

**ALPINE** LAND SURVEYORS

SHEET  
1 / OF 1





**SUPPLEMENTARY MAP  
TO ACCOMPANY  
ABANDONMENT APPLICATION**

**ALPINE** LAND SURVEYORS

SHEET  
1  
OF 1

WASHOE COUNTY

NEVADA



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

Washoe County Treasurer  
 Tammi Davis

Account Detail

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Washoe County Parcel Information			
Parcel ID	Status	Last Update	
15023209	Active	2/15/2017 2:10:05 AM	
<b>Current Owner:</b> CHURCH, JEFFREY		<b>SITUS:</b> 15520 FAWN LN	
1720 WIND RANCH RD UNIT B RENO, NV 89521			
<b>Taxing District</b> 4000		<b>Geo CD:</b>	
Legal Description			
Section 36 SubdivisionName _UNSPECIFIED Lot 2 Township 18 Range 19 Block			

Tax Bill (Click on desired tax year for due dates and further details)					
Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
2016	\$3,515.26	\$2,671.60	\$0.00	\$0.00	\$878.81
2015	\$3,508.55	\$3,508.55	\$0.00	\$0.00	\$0.00
2014	\$3,399.70	\$3,399.71	\$0.00	\$0.00	\$0.00
2013	\$3,300.66	\$3,300.66	\$0.00	\$0.00	\$0.00
2012	\$3,276.24	\$3,276.24	\$0.00	\$0.00	\$0.00
Total					\$878.81

**Important Payment Information**

- ALERTS:** If your real property taxes are delinquent, the search results displayed may not reflect the correct amount owing. Please contact our office for the current amount due.
- For your convenience, online payment is available on this site. E-check payments are accepted without a fee. However, a service fee does apply for online credit card payments. See [Payment Information](#) for details.

**Pay Online**

Payments will be applied to the oldest charge first.

Select a payment option:

Total Due \$878.81

Partial

[ADD TO CART](#)

**\$0.00**

**Pay By Check**

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

- Payment Information**
- Special Assessment District**
- Instalment Date Information**
- Assessment Information**

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](mailto:tax@washoecounty.us)

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Washoe County Treasurer  
 Tammi Davis

Bill Detail

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Washoe County Parcel Information			
Parcel ID	Status	Last Update	
15023209	Active	2/15/2017 2:10:05 AM	
<b>Current Owner:</b> CHURCH, JEFFREY 1720 WIND RANCH RD UNIT B RENO, NV 89521		<b>SITUS:</b> 15520 FAWN LN	
<b>Taxing District</b> 4000		<b>Geo CD:</b>	
Legal Description			
Section 36 SubdivisionName _UNSPECIFIED Lot 2 Township 18 Range 19 Block			

Installments						
Period	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	8/15/2016	2016	\$0.00	\$0.00	\$0.00	\$0.00
INST 2	10/3/2016	2016	\$0.00	\$0.00	\$0.00	\$0.00
INST 3	1/2/2017	2016	\$0.00	\$0.00	\$0.00	\$0.00
INST 4	3/6/2017	2016	\$878.81	\$0.00	\$0.00	\$878.81
<b>Total Due:</b>			<b>\$878.81</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$878.81</b>

Tax Detail			
	Gross Tax	Credit	Net Tax
<a href="#">State of Nevada</a>	\$209.30	(\$24.89)	\$184.41
<a href="#">Truckee Meadows Fire Dist</a>	\$664.82	(\$79.05)	\$585.77
<a href="#">Washoe County</a>	\$1,713.39	(\$203.73)	\$1,509.66
<a href="#">Washoe County Sc</a>	\$1,401.66	(\$166.68)	\$1,234.98
<a href="#">TRUCKEE MDWS/SUN VALLEY WATER BASIN</a>	\$0.44	\$0.00	\$0.44
<b>Total Tax</b>	<b>\$3,989.61</b>	<b>(\$474.35)</b>	<b>\$3,515.26</b>

Payment History				
Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2016	2016106613	B16.138895	\$878.82	10/24/2016
2016	2016106613	B16.190508	\$878.81	1/6/2017
2016	2016106613	B16.51410	\$878.82	8/16/2016
2016	2016106613	U16.14409	\$35.15	11/9/2016

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Washoe County Treasurer  
 Tammi Davis

Account Detail

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Washoe County Parcel Information		
Parcel ID	Status	Last Update
15023208	Active	2/15/2017 2:10:05 AM
<b>Current Owner:</b> ETTINGER, STACY B & LESA M		<b>SITUS:</b> 15500 FAWN LN
15500 FAWN LN RENO, NV 89511		
<b>Taxing District</b> 4000	<b>Geo CD:</b>	
Legal Description		
Section 36 Township 18 Range 19 SubdivisionName _UNSPECIFIED		

Tax Bill (Click on desired tax year for due dates and further details)					
Tax Year	Net Tax	Total Paid	Penalty/Fees	Interest	Balance Due
2016	\$1,489.52	\$1,117.14	\$0.00	\$0.00	\$372.38
2015	\$1,486.47	\$1,486.47	\$0.00	\$0.00	\$0.00
2014	\$1,443.14	\$1,443.14	\$0.00	\$0.00	\$0.00
2013	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2013	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2013	\$1,401.08	\$1,401.08	\$0.00	\$0.00	\$0.00
2012	\$1,402.52	\$1,402.52	\$0.00	\$0.00	\$0.00
Total					\$372.38

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**Pay Online**

Payments will be applied to the oldest charge first.

Select a payment option:

Total Due \$372.38  
 Partial

[ADD TO CART](#)

**\$0.00**

**Pay By Check**

Please make checks payable to:  
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- Payment Information**
- Special Assessment District**
- Installment Date Information**
- Assessment Information**

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Bill Detail

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<b>Current Owner:</b> ETTINGER, STACY B & LESA M 15500 FAWN LN RENO, NV 89511		<b>SITUS:</b> 15500 FAWN LN
<b>Taxing District</b> 4000	<b>Geo CD:</b>	
Legal Description		
Section 36 Township 18 Range 19 SubdivisionName _UNSPECIFIED		

**Installments**

Period	Due Date	Tax Year	Tax	Penalty/Fee	Interest	Total Due
INST 1	8/15/2016	2016	\$0.00	\$0.00	\$0.00	\$0.00
INST 2	10/3/2016	2016	\$0.00	\$0.00	\$0.00	\$0.00
INST 3	1/2/2017	2016	\$0.00	\$0.00	\$0.00	\$0.00
INST 4	3/6/2017	2016	\$372.38	\$0.00	\$0.00	\$372.38
<b>Total Due:</b>			<b>\$372.38</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$372.38</b>

**Tax Detail**

	Gross Tax	Credit	Net Tax
<a href="#">State of Nevada</a>	\$105.21	(\$27.08)	\$78.13
<a href="#">Truckee Meadows Fire Dist</a>	\$334.18	(\$86.02)	\$248.16
<a href="#">Washoe County</a>	\$861.26	(\$221.69)	\$639.57
<a href="#">Washoe County Sc</a>	\$704.58	(\$181.36)	\$523.22
<a href="#">TRUCKEE MDWS/SUN VALLEY WATER BASIN</a>	\$0.44	\$0.00	\$0.44
<b>Total Tax</b>	<b>\$2,005.67</b>	<b>(\$516.15)</b>	<b>\$1,489.52</b>

**Payment History**

Tax Year	Bill Number	Receipt Number	Amount Paid	Last Paid
2016	2016106226	B16.109313	\$372.38	10/3/2016
2016	2016106226	B16.191233	\$372.38	1/9/2017
2016	2016106226	B16.66586	\$372.38	8/22/2016

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**Overnight Address:**  
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Nevada 052059

# The United States of America,

To all whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Reno, Nevada, has been issued showing that full payment has been made by the claimant

**Robert F. Montgomery**

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Mount Diablo Meridian, Nevada.

T. 18 N., R. 19 E.,

Sec. 36, N½NE¼NW¼SW¼.

The area described contains 5.00 acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the boundaries of said land.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat., 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the TWENTY-SIXTH day of OCTOBER in the year of our Lord one thousand nine hundred and SIXTY-ONE and of the Independence of the United States the one hundred and EIGHTY-SIXTH.

(SEAL)

For the Director, Bureau of Land Management.

By Paul W. Talley  
Chief, Patents Section.

Patent Number 1223630  
122 3630