



Planning Commission Staff Report

Meeting Date: April 5, 2022

Agenda Item: 8A

ABANDONMENT CASE NUMBER: WAB22-0001 (Bailey Government Tract Abandonment)

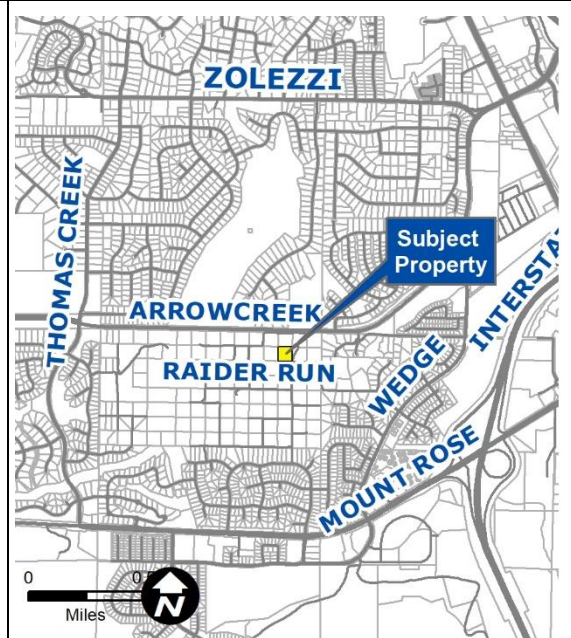
BRIEF SUMMARY OF REQUEST: Abandonment of 33-foot-wide government patent easements for access on the north, south and west property lines and reduction of utility easements on the north, south, and west property lines

STAFF PLANNER: Katy Stark, Planner
Phone Number: 775.328.3618
E-mail: krstark@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion and possible action to approve an abandonment of Washoe County's interest in 33-foot-wide government patent easements on the north, south and west property lines of parcel 142-241-14 and to approve the reduction of 33-foot-wide utility easements to 15 feet on the north and south property lines of the parcel and to 30 feet on the west property line of the parcel.

Applicant/Owner: Page and Olivia Bailey
Location: 0 Whites Creek Lane, Washoe County, NV 89521
APN: 142-241-14
Parcel Size: 2.5 acres
Master Plan: 48% Rural Residential & 52% Rural
Regulatory Zone: 48% High Density Rural (HDR) & 52% General Rural (GR)
Area Plan: Southwest Truckee Meadows
Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
Commission District: 2 – Commissioner Lucey



Vicinity Map

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE 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 Washoe County's abandonment of its interest in the 33-foot-wide government patent easements on the north, south and west property lines of parcel 142-241-14 as indicated in Abandonment Case Number WAB22-0001 for Page and Olivia Bailey, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20.

(Motion with Findings on Page 7)

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Public Notice..... Exhibit C
Project Application Exhibit D

Abandonment Definition

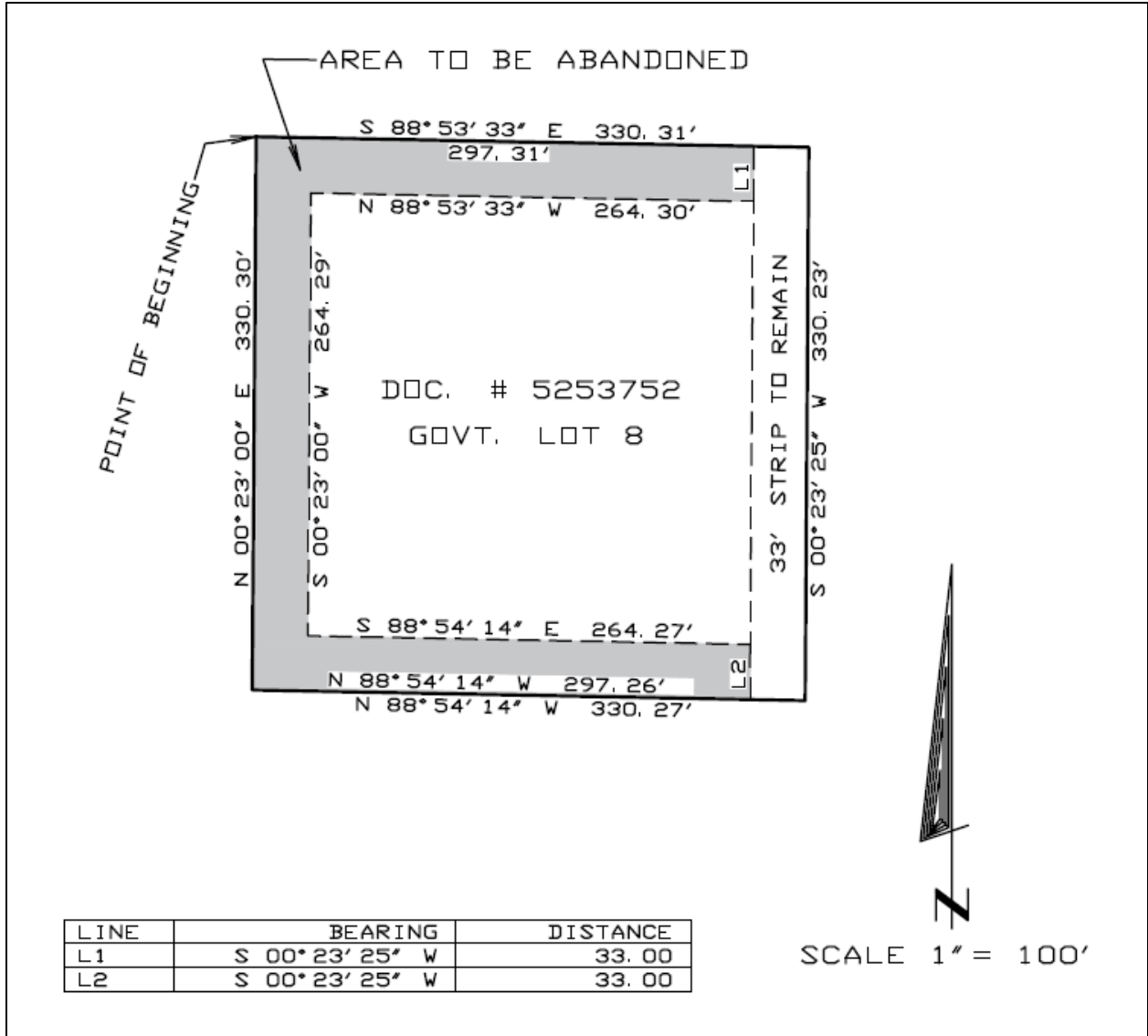
The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the abandonment, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed prior to the recordation 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 which 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, submitted by the applicant's surveyor, that are required by the conditions of approval. When the Engineering and Capital Projects Division is satisfied that all conditions of approval have been met, then the Engineering and Capital Projects 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 WAB22-0001 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.

The subject property has regulatory zones of 48% High Density Rural (HDR) and 52% General Rural (GR). The front and rear yard setbacks are 30 feet, and the side yard setbacks are 15 feet.



Site Plan

Project Evaluation

The applicant is requesting to abandon the 33-foot-wide government patent easements for access on three sides (north, south and west) of the subject property. Like many government home tracts of land, easements were established on all sides of the parcel of land, as it was not known at that time where the most efficient locations for roads might be located. In the intervening decades, roads have been established that provide access to all parcels of land surrounding the subject property. Because roads are now established, the remainder of the access easements are not needed. For this reason, there will be no change to access to or from any of the surrounding properties.



As shown in the image above, the parcels to the north of the subject property have access by means of Whites Creek Lane. The parcels to the west of the subject property have access by means of Whites Creek Lane. The parcels to the south and east of the subject property have access by means of Bihler Road.

The applicant is also requesting to reduce the utility easements on the north and south sides of the subject parcel to 15 feet and to reduce the utility easement on the west side of the parcel to 30 feet. Washoe County Engineering has provided the condition shown below, which is included in the Conditions of Approval (Exhibit A):

“Retention or relocation of all public utility easements is required 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 new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.”

Washoe County only has interest in the roadway portion of the easements. As explained in the condition above, any utility easement elimination or reduction must be addressed separately through all of the utility companies. This process is typically completed via a Quit Claim Deed.

Washoe County Engineering has also required (included in Exhibit A) that the abandonment approval is only for access easements and that any drainage easement rights are expressly reserved.

Southwest Truckee Meadows Area Plan

The subject parcel is located within the Southwest Truckee Meadows Area Plan in the Thomas Creek Suburban Character Management Area. Staff was unable to find any relevant policies related to the abandonment of easements.

Reviewing Agencies

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

Agency	Sent to Review	Responded	Provided Conditions	Contact
Nevada Dept of Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nevada Div. of Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Building & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sophia Kirschenman / skirschenman@washoecounty.gov
Washoe County Water Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Robert Wimer / rwimer@washoecounty.gov
Washoe County Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Sherriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	David Kelly / DAKelly@washoecounty.gov
WCHD- EMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sabrina Brasuell / sbrasuell@washoecounty.gov
Truckee Meadows Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brittany Lemon / blemon@tmfpd.us
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe-Storey Conservation District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jim Shaffer & Bret Tyler / shafferjam51@gmail.com & brettyler2@gmail.com
Nevada Historic Preservation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
AT&T	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bryson Gordon / bg1853@att.com
NV Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TMWA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Staff Comment on Required Findings

WCC 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.

- (a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan.

Staff Comments: The abandonment is consistent with the policies, action programs, standards, and maps of the Master Plan and the Southwest Truckee Meadows Area Plan.

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

Staff Comments: The proposed vacation does not result in material injury to the public. Roads have been established on adjacent, existing easements. All surrounding parcels continue to have access from the parcels to existing roadways. Accordingly, the access easements on the north, west and south property lines are no longer required for a public purpose.

- (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.

Staff Comments: AT&T, NV Energy and Truckee Meadows Water Authority (TMWA) were sent the project description and application for evaluation. Staff only received a response from AT&T, and AT&T indicated no conflict with the proposed abandonment. Washoe County Engineering also reviewed the project and provided a condition reserving drainage easements and a condition explaining the process to retain or relocate public utility easements. These conditions are included in Exhibit A.

Recommendation

After a thorough analysis and review, Abandonment Case Number WAB22-0001 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 Washoe County's abandonment of its interest in the 33-foot-wide government patent easements on the north, south and west property lines of parcel 142-241-14 as indicated in Abandonment Case Number WAB22-0001 for Page and Olivia Bailey, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20:

- (a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan; and
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and
- (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.

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 Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant(s).

Applicant/Owner: Page and Olivia Bailey
E-mail: page.bailey@freeintellectdesign.com

Consultant: Dennis Chapman - Landmark Surveying
E-mail: hbtacpls@gmail.com



Conditions of Approval

Abandonment Case Number WAB22-0001

The project approved under Abandonment Case Number WAB22-0001 shall be carried out in accordance with the conditions of approval granted by the Planning Commission on April 5, 2022. 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 Building 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 Building Division

1. The following conditions are requirements of CSD – Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact Name: Katy Stark, Planner, 775.328.3618, krstark@washoecounty.gov

- a. **The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this abandonment.**
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
- c. Prior to the recordation of the Resolution and Order of Abandonment, the applicant shall submit to the County Engineer for review and approval a description prepared by a registered professional of the offer of dedication to be abandoned and replacement private access.
- d. The applicant shall comply with all conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Washoe County Planning Commission or this conditional abandonment will be null and void.
- e. This Abandonment will be effective upon recordation of the Resolution and Order of Abandonment by the County Recorder.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name: Robert Wimer, P.E., 775.328.2059, rwimer@washoecounty.gov

- a. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the areas of abandonment, any new easements and any easement reservations that are required, to the Engineering and Capital Projects Division for review and approval. Legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
- b. Retention or relocation of all public utility easements is required 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 new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- c. 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.
- d. This Abandonment approval is for access easements only. Any drainage easement rights are hereby expressly reserved.

Truckee Meadows Fire Protection District (TMFPD)

3. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions. Unless otherwise stated, these conditions shall be met prior to the issuance of any building or grading permit or on an ongoing basis (phased development) as determined by TMFPD.

Contact Name: Brittany Lemon, 775.326.6079, blemon@tmfpd.us

- a. This project shall meet and comply with all requirements of currently adopted Truckee Meadows Fire Protection District (TMFPD) fire codes, ordinances, and standards at the

time of construction to include infrastructure for fire apparatus access roads and water supply. <https://tmfpd.us/fire-code/>

*** End of Conditions ***

From: [Kirschenman, Sophia](#)
To: [Stark, Katherine](#)
Subject: Parks Comments Re: WAB22-0001
Date: Thursday, March 3, 2022 3:47:27 PM
Attachments: [Outlook-jstlfuru.png](#)
[Outlook-3h0atj0f.png](#)
[Outlook-nsurjfep.png](#)
[Outlook-q5q54kvz.png](#)
[Outlook-c5k342my.png](#)

Hi Katy,

I've reviewed WAB22-0001 (Bailey Government Tract Abandonment) on behalf of Washoe County Regional Parks and Open Space and have no comments or conditions.

Thank you,



[Sophia Kirschenman](#)

Park Planner | Community Services Department

775.328.3623 | 1001 E. 9th Street, Reno, NV 89512



[My working hours: Monday-Friday 8 am to 5 pm](#)

Please consider the environment before printing this e-mail.



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects

1001 EAST 9TH STREET
RENO, NEVADA 89512
PHONE (775) 328-3600
FAX (775) 328.3699

Date: February 28, 2022

To: Katy Stark, Planner, Planning and Building Division

From: Robert Wimer, P.E., Engineering and Capitol Projects Division

Re: Abandonment Case **WAB22-0001 – Bailey Government Tract Abandonment**
APN 142-241-14

GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The application is for the abandonment of access easements along the northern, southern, and western borders of the subject parcel. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the application prepared by Landmark Surveying. The County Engineer shall determine compliance with all the following conditions of approval.

For questions related to sections below, please see the contact name provided.

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

1. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the areas of abandonment, any new easements and any easement reservations that are required, to the Engineering and Capital Projects Division for review and approval. Legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
2. Retention or relocation of all public utility easements is required 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 new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
3. 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.



INTEGRITY



EFFECTIVE COMMUNICATION



QUALITY PUBLIC SERVICE

WAB22-0001
EXHIBIT B

Subject: Bailey Government Tract Abandonment – WAB22-0001
Date: February 28, 2022
Page: 2

4. This Abandonment approval is for access easements only. Any drainage easement rights are hereby expressly reserved.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059

There are no Drainage related comments.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

There are no Traffic related comments.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no utility related conditions of approval.

WASHOE COUNTY HEALTH DISTRICT

ENHANCING QUALITY OF LIFE

March 2, 2022

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

RE: Bailey Easement Abandonment; 142-241-14
Abandonment ; WAB22-0001

Dear Washoe County Staff:

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

Contact Name – David Kelly

- EHS has no issue with the easement abandonment as proposed.

If you have any questions or would like clarification regarding the foregoing, please contact Dave Kelly, EHS Supervisor at dakelly@washoecounty.us regarding all Health District comments.

Sincerely,



Dave Kelly, REHS
EHS Supervisor
Environmental Health
Washoe County Health District

From: [Program, EMS](#)
To: [Stark, Katherine](#)
Cc: [Program, EMS](#)
Subject: FW: February Agency Review Memo I
Date: Friday, February 25, 2022 9:32:59 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[February Agency Review Memo I.pdf](#)

Good morning,

The EMS Oversight Program has reviewed Abandonment Case Number WAB22-0001 (Bailey Government Tract Abandonment) and does not currently have any questions, comments or concerns regarding this application.

Thank you,

Sabrina.

Sabrina Brasuell

EMS Coordinator | Epidemiology and Public Health Preparedness
Washoe County Health District
sbrasuell@washoecounty.gov | O: (775) 326-6043
1001 E. Ninth St., Bldg. B. Reno, NV 89512

From: Kerfoot, Lacey <LKerfoot@washoecounty.gov>
Sent: Tuesday, February 15, 2022 7:43 AM
To: Rosa, Genine <GRosa@washoecounty.gov>; Restori, Joshua <JRestori@washoecounty.gov>; English, James <JEnglish@washoecounty.gov>; Rubio, Wesley S <WRubio@washoecounty.gov>; Kelly, David A <DAKelly@washoecounty.gov>; Program, EMS <EMSProgram@washoecounty.gov>
Cc: EHS Plan Review <EHSPlanReview@washoecounty.gov>
Subject: February Agency Review Memo I

Good morning,

Please find the attached Agency Review Memo with cases received in February by Washoe County Community Services Department, Planning and Building Division.

You've each been asked to review the applications for the items indicated below. The item descriptions and links to the applications are provided in the memo. **Comments are due February 28, 2022.**

Please remember to send any agency review responses/comments directly to the Planner for the case, rather than replying to me.

~~~~~



Air Quality – **Items 3 and 4**

Environmental Health – **ALL ITEMS**

EMS – **Items 1, 2, 3 and 4**

Regards,



**Lacey Kerfoot**

**Office Support Specialist, Planning & Building Division | Community Services Department**

[lkerfoot@washoecounty.gov](mailto:lkerfoot@washoecounty.gov) | Direct Line: 775.328.3606

**My working hours: Monday-Friday 7:00am to 3:30pm**

Visit us first online: [www.washoecounty.gov/csd](http://www.washoecounty.gov/csd)

Planning Division: 775.328.6100 | [planning@washoecounty.gov](mailto:planning@washoecounty.gov)

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

**From:** [Lemon, Brittany](#)  
**To:** [Stark, Katherine](#)  
**Cc:** [Way, Dale](#)  
**Subject:** WAB22-0001 (Bailey Government Tract Abandonment) Conditions of Approval  
**Date:** Thursday, February 17, 2022 3:04:42 PM  
**Attachments:** [image001.png](#)

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Hi Katy,

“This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply.”

<https://tmfpd.us/fire-code/>.

Thank you.

## **Brittany Lemon**

**Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue**

[blemon@tmfpd.us](mailto:blemon@tmfpd.us) | Office: 775.326.6079 | Cell: 775.379.0584  
3663 Barron Way, Reno, NV 89511



*“Committed to excellence, service, and the protection of life and property in our community”*



Washoe-Storey Conservation District

Bret Tyler Chairmen  
Jim Shaffer Treasurer  
Cathy Canfield Storey app  
Jean Herman Washoe app

1365 Corporate Blvd.  
Reno NV 89502  
775 857-8500 ext. 131  
nevadaconservation.com

February 25, 2022

Washoe County Community Services Department

C/O Katy Stark, Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WAB22-0001 Bailey Government tract Abandonment

Dear Katy,

In reviewing the 33-foot-wide government patent easement, the Conservation District has no comments for this abandonment.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources and any questions call us (775) 750-8272.

Sincerely,

Jim Shaffer

**From:** [GORDON, BRYSON](#)  
**To:** [Stark, Katherine](#)  
**Cc:** [COOPER, CLIFFORD E](#)  
**Subject:** Abandonment Case Number WAB22-0001 (Bailey Government Tract Abandonment)  
**Date:** Tuesday, February 15, 2022 8:50:55 AM  
**Attachments:** [February Agency Review Memo I.pdf](#)

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

AT&T has no conflict with this proposed Abandonment.

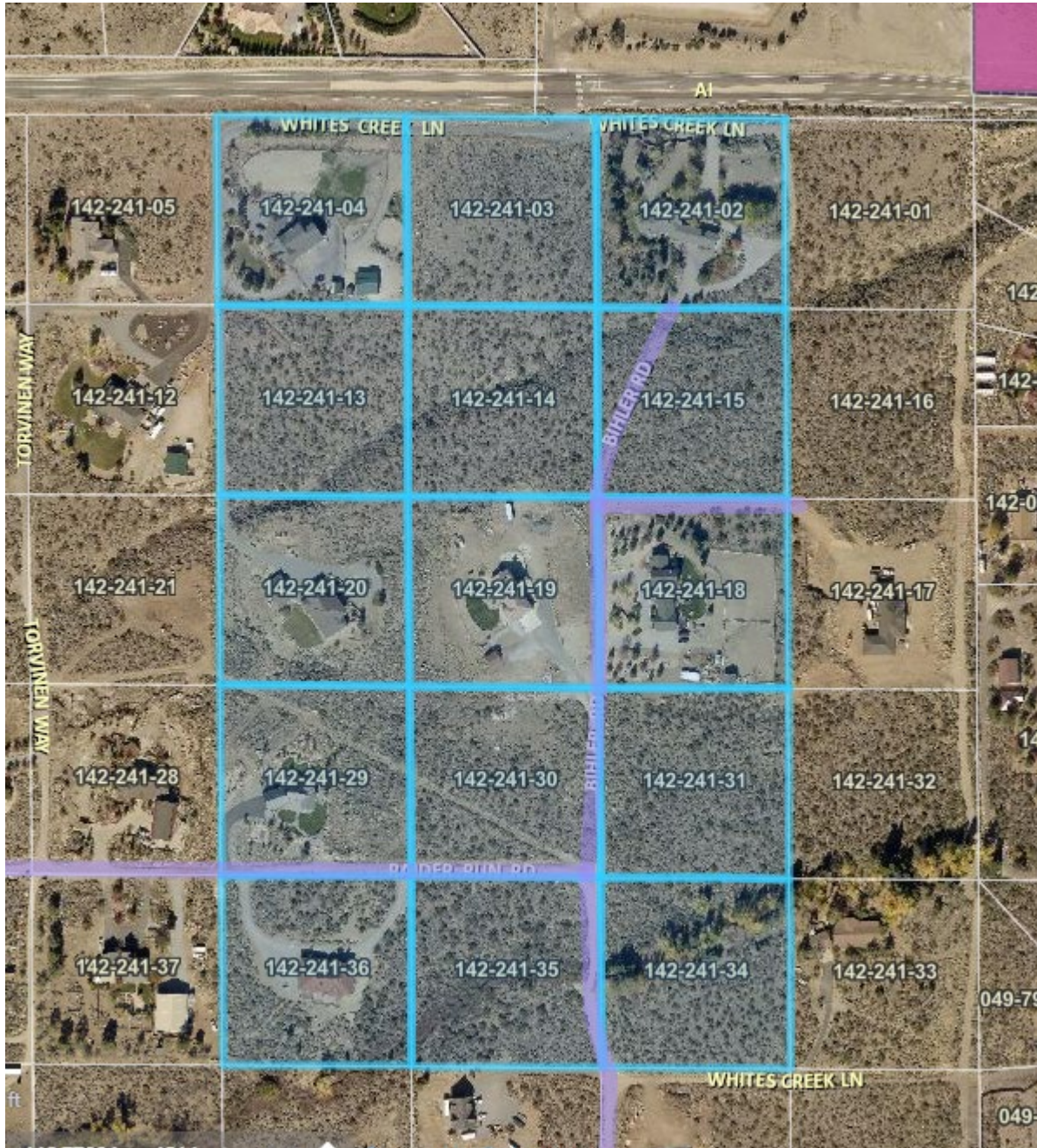
Abandonment Case Number WAB22-0001 (Bailey Government Tract Abandonment)

Thank you,

Bryson Gordon  
MGR OSP PLNG & ENGRG DESIGN  
AT&T NEVADA  
ROW Office: 775-683-5223  
Cell: 775-343-6655  
E-mail: [bg1853@att.com](mailto:bg1853@att.com)

**Public Notice**

WAB22-0001 (Bailey Government Tract Abandonment)



15 parcels

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

|                                                                                                                                                                                                                                                              |                 |                                           |                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------------------------------------|-----------------|
| <b>Project Information</b>                                                                                                                                                                                                                                   |                 | Staff Assigned Case No.: _____            |                 |
| Project Name: <b>Bailey, Easement Abandonment</b>                                                                                                                                                                                                            |                 |                                           |                 |
| Project Description: Access easement abandonment and reduction of utility easement to within HDR setbacks. We would like to abandon obsolete access easements, in order to increase buildable area based on slope and flood zones of Whites Creek channel 2. |                 |                                           |                 |
| Project Address: 0 Whites Creek Lane, Washoe County, NV 89521                                                                                                                                                                                                |                 |                                           |                 |
| Project Area (acres or square feet): 2.5 acres                                                                                                                                                                                                               |                 |                                           |                 |
| Project Location (with point of reference to major cross streets <b>AND</b> area locator):<br><b>S of Arrowcreek Pkwy on Bihler Rd</b>                                                                                                                       |                 |                                           |                 |
| Assessor's Parcel No.(s):                                                                                                                                                                                                                                    | Parcel Acreage: | Assessor's Parcel No.(s):                 | Parcel Acreage: |
| 142-241-14                                                                                                                                                                                                                                                   | 2.5             |                                           |                 |
| Indicate any previous Washoe County approvals associated with this application:<br>Case No.(s).                                                                                                                                                              |                 |                                           |                 |
| <b>Applicant Information</b> (attach additional sheets if necessary)                                                                                                                                                                                         |                 |                                           |                 |
| <b>Property Owner:</b>                                                                                                                                                                                                                                       |                 | <b>Professional Consultant:</b>           |                 |
| Name: Page and Olivia Bailey                                                                                                                                                                                                                                 |                 | Name: Dennis Chapman - Landmark Surveying |                 |
| Address: 1828 Resistol Dr                                                                                                                                                                                                                                    |                 | Address: 2548 Rampart Ter                 |                 |
| Reno, NV                                                                                                                                                                                                                                                     | Zip: 89521      | Reno, NV                                  | Zip: 89519      |
| Phone: 406-579-1853                                                                                                                                                                                                                                          | Fax:            | Phone: 775-324-0904                       | Fax:            |
| Email: page.bailey@freeintellectdesign.com                                                                                                                                                                                                                   |                 | Email: hubtacpls@gmail.com                |                 |
| Cell:                                                                                                                                                                                                                                                        | Other:          | Cell:                                     | Other:          |
| Contact Person: Page Bailey                                                                                                                                                                                                                                  |                 | Contact Person:                           |                 |
| <b>Applicant/Developer:</b>                                                                                                                                                                                                                                  |                 | <b>Other Persons to be Contacted:</b>     |                 |
| Name: Page and Olivia Bailey                                                                                                                                                                                                                                 |                 | Name:                                     |                 |
| Address: 1828 Resistol Dr                                                                                                                                                                                                                                    |                 | Address:                                  |                 |
| Reno, NV                                                                                                                                                                                                                                                     | Zip: 89521      |                                           | Zip:            |
| Phone: 406-579-1853                                                                                                                                                                                                                                          | Fax:            | Phone:                                    | Fax:            |
| Email: page.bailey@freeintellectdesign.com                                                                                                                                                                                                                   |                 | Email:                                    |                 |
| Cell:                                                                                                                                                                                                                                                        | Other:          | Cell:                                     | Other:          |
| Contact Person: Page Bailey                                                                                                                                                                                                                                  |                 | Contact Person:                           |                 |
| <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: Page and Olivia Bailey

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, Page Bailey (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 Building.

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

Assessor Parcel Number(s): 142-241-14

Printed Name Page Bailey

Signed [Signature]

Address 1828 Resistol Drive  
Reno, NV 89521

State of Nevada  
County of Washoe

Subscribed and sworn to before me this 3<sup>rd</sup> day of February, 2022

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

My commission expires: March 10, 2025

(Notary Stamp)



\*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: Page and Olivia Bailey

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, Olivia Bailey (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 Building.

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

Assessor Parcel Number(s): 142-241-14

State of Nevada  
County of Washoe

Printed Name Olivia Bailey

Signed [Signature]

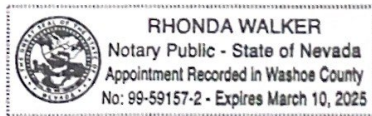
Address 1828 Resistol Drive

Reno, NV 89521

Subscribed and sworn to before me this 3<sup>rd</sup> day of February, 2022

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

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- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
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- 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)

1. What and where is the abandonment that is being requested?

North, South and West access easements described in Exhibit A and shown in Exhibit B

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

Patent 1221182 on July 17, 1961 through a sale by Bureau of Land Management

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

Increase buildable area with Whites Creek drainage through the center of lot

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

Utility easements reduced to standard HDR setbacks. 15ft on sides (N&S) and 30ft on back (W)

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?

Access points to impacted properties already established by other routes. Refer to Exhibit C

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 X |
|-------|--------|

## **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.

Nevada 024297

# 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

**Leota M. Raiford,**  
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. 13 N., R. 20 E.,**

**Sec. 30, Lot 8.**

The area described contains **2.50** 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.

[SEAL]

GIVEN under my hand, in the District of Columbia, the **SEVENTEENTH** day of **JULY** 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.**

For the Director, Bureau of Land Management.

By *W. A. J. [Signature]*  
Chief, Patents Section.

Patent Number 1221182

**WAB22-0001  
EXHIBIT D**

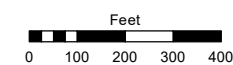
# GOVERNMENT HOMESITES

A POR. OF THE NORTH 1/2 OF SEC. 30

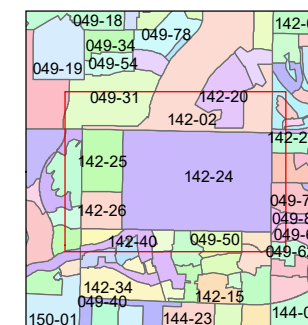
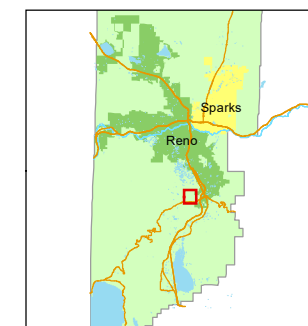
T18N - R20E

STATE OF NEVADA  
**WASHOE COUNTY**  
ASSESSOR'S OFFICE

1001 East Ninth Street, Building D  
Reno, Nevada 89512  
(775) 328-2231



1 inch = 400 feet



created by: NLH 08/05/2009

updated: NLH 11/3/11 JFK 11/2/17

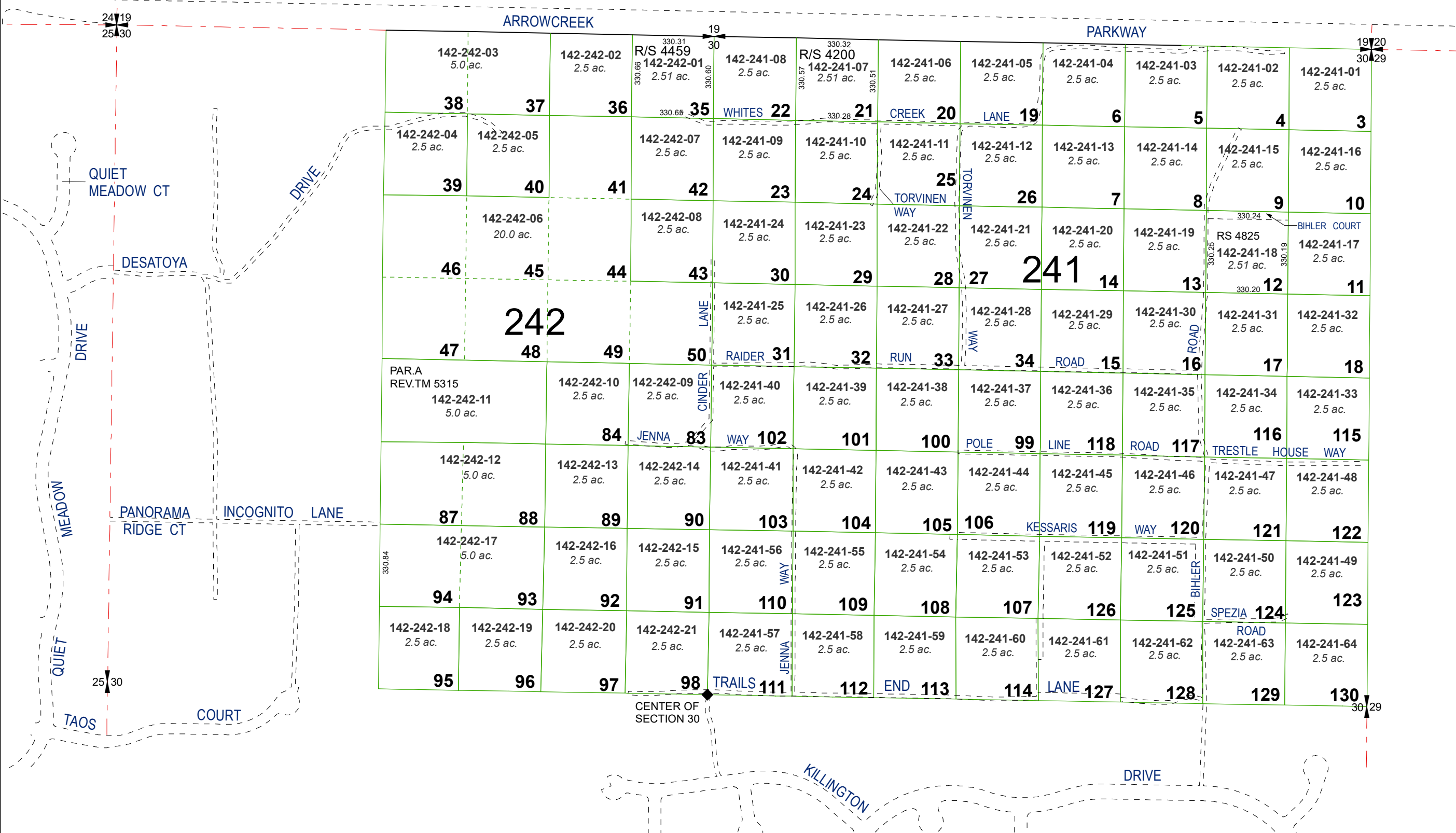
SR 03/20/19 SR 09/28/21

area previously shown on map(s):

049-37, 045-16

NOTE: This map was prepared for the use of the Washoe County Assessor for assessment and illustrative purposes only. It does not represent a survey of the property and is assumed as to the sufficiency of the data delineated hereon.

**WAB22-0001**  
**EXHIBIT D**



## Account Information

**Parcel/Identifier:** 14224114

**Status:** Active

Last Update: 1/31/2022 12:41:59 PM

**Owner:** BAILEY, PAGE J & OLIVIA

**Property Address:** 0 WHITES CREEK  
LN WCTY

## Tax Bills

Add to cart then select cart icon (  ) above to checkout.

Total Due: **\$0.00**

Pay Partial:

## Paid Bills

**2021 | BILL NO.: 2021256568 | PROPERTY TYPE: REAL | NET TAX: \$681.76**

PAID

[Tax Breakdown](#)

**2020 | BILL NO.: 2020429298 | PROPERTY TYPE: REAL | NET TAX: \$639.50**

PAID

[Tax Breakdown](#)

**2019 | BILL NO.: 2019072029 | PROPERTY TYPE: REAL | NET TAX: \$609.04**

PAID

[Tax Breakdown](#)

**2018 | BILL NO.: 2018063190 | PROPERTY TYPE: REAL | NET TAX: \$581.16**

PAID

[Tax Breakdown](#)

**2017 | BILL NO.: 2017072643 | PROPERTY TYPE: REAL | NET TAX: \$557.74**

PAID

[Tax Breakdown](#)

### Attention: Important Information, please be advised:

- 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.
- If payment confirmation is not received, please check the "SPAM" folder in your e-mail account. Add "Payments@Bill2Pay.com" to your safe-senders list in order to ensure that the payment confirmation is routed to your inbox.

EXHIBIT "A"

LEGAL DESCRIPTION FOR THE PURPOSE OF AN ABANDONMENT

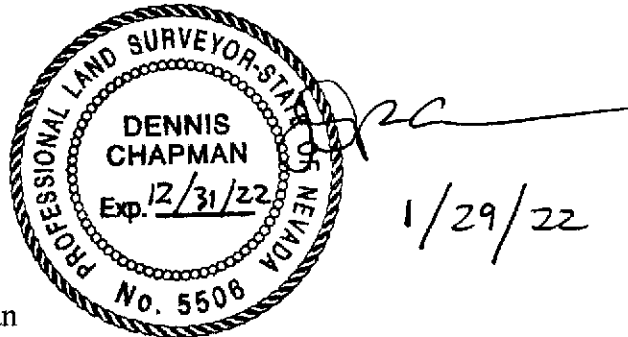
A parcel of land located within the Northeast ¼ of section 30, Township 18 North Range 20 East, M.D.M. described as follows:

Beginning at the Northeast corner of section 30, Township 18 North, Range 20 East, MDM;

thence North 88° 52' 52" West along the North line of said section 30 a distance of 991.05 feet;  
thence South 0° 23' 00" West, 330.30 feet to the point of beginning;  
thence South 88° 53' 33" East, 297.31 feet;  
thence South 0° 23' 25" West, 33.00 feet;  
thence North 88° 53' 33" West, 264.30 feet;  
thence South 0° 23' 00" West, 264.29 feet;  
thence South 88° 54' 14" East, 264.27 feet;  
thence South 0° 23' 25" West, 33.00 feet;  
thence North 88° 54' 14" West, 297.26 feet to the point of beginning.

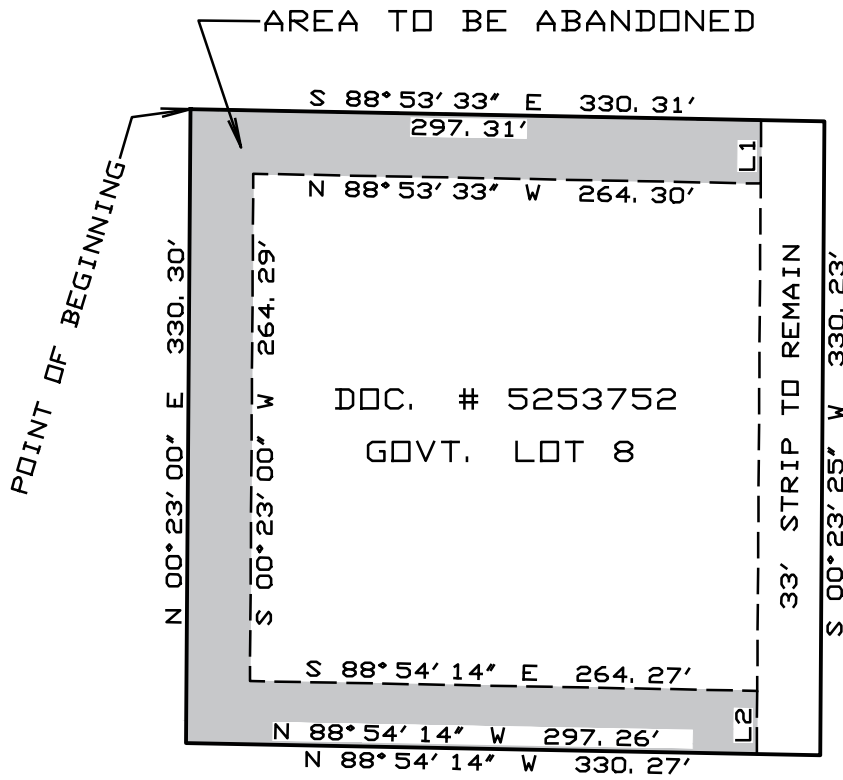
Basis of Bearing for this description is Nevada state plane coordinate system West zone NAD 83/94.

Area of described parcel is 28,342 square feet.



Dennis P. Chapman  
2548 Rampart Terrace  
Reno, Nevada 89519

EXHIBIT "B"



| LINE | BEARING         | DISTANCE |
|------|-----------------|----------|
| L1   | S 00° 23' 25" W | 33.00    |
| L2   | S 00° 23' 25" W | 33.00    |



SCALE 1" = 100'

Exhibit "C"

| APN        | Established access point       |
|------------|--------------------------------|
| 142-241-03 | Whites Creek Lane on N line    |
| 142-241-04 | Whites Creek Lane on N&W lines |
| 142-241-13 | Whites Creek Lane on W line    |
| 142-241-14 | Bihler Road on E line          |
| 142-241-19 | Bihler Road on E line          |
| 142-241-20 | Whites Creek Lane at NW corner |

