

Doc Number: **0825664**

06/19/2013 01:21 PM

OFFICIAL RECORDS

Requested By:  
DC/COMMUNITY DEVELOPMENT

DOUGLAS COUNTY RECORDERS  
Karen Ellison - Recorder

Page: 1 of 6 Fee: \$ 0.00

Bk: 0613 Pg: 5104



Deputy: sg

Assessor's Parcel Number: N/A

Date: JUNE 19, 2013

Recording Requested By:

Name: JEANE COX, COMMUNITY DEVELOPMENT

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Real Property Transfer Tax: \$ N/A

ABANDONMENT: DA 10-004 (#2013.112)

(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

*This cover page must be typed or legibly hand printed.*

FILED

NO. 2013 112

2013 JUN 19 AM 11:47

Recorded at the request of:  
Douglas County, NV  
c/o Community Development Department  
Attn: Brandy McMahan

TED THIRAN  
CLERK  
*[Signature]*

**ABANDONMENT: DA 10-004**

**An Order of Abandonment vacating a 1.79-acre (77,801 square feet) portion of existing Pinenut Road, located within a portion of Sections 10 and 11, Township 12 North, Range 20 East, Mount Diablo Meridian, in Douglas County, Nevada.**

WHEREAS, Douglas County, a political subdivision of the State of Nevada, presently holds a public right-of-way interest for a strip of land for roadway purposes located within a portion of Sections 10 and 11, Township 12 North, Range 20 East, Mount Diablo Meridian, in the County of Douglas, State of Nevada, and as more particularly described and depicted in the attached Legal Description and Road Abandonment Exhibit provided as Exhibit A; and

WHEREAS, Douglas County, pursuant to the provisions of NRS 278.480, may vacate or abandon by formal order any portion of a public roadway; and

WHEREAS, On January 7, 2010, the Board of Commissioners approved a Development Agreement (Ordinance 2009-1302) between Douglas County and Peri Enterprises, LLC regarding the dedication of approximately 6.01 net acres of land for the realignment of Pinenut Road, dedication of approximately 5.8 acres for Muller Parkway, and construction of approximately 3.75 lane miles of public improvements within seven years; and

WHEREAS, On March 2, 2010, the Town of Gardnerville held a public hearing, and did find in favor of a Master Plan and Zoning Map Amendment for Peri Enterprises, LLC, which included discussion of the abandonment of the subject portion of public roadway; and

WHEREAS, On May 6, 2010, the Douglas County Board of Commissioners held a public hearing in conformance with the provisions of NRS 278.240 to take testimony for said abandonment and did find that the release of the aforesaid public roadway was not inconsistent with the Douglas County Master Plan, that the subject public roadway is in excess of the needs of Douglas County, and that the public will not be materially injured by the abandonment; and

NOW THEREFORE, be it ordered by the Board of Douglas County Commissioners, that the aforesaid public roadway and incidents thereto, as described and depicted in the Legal Description and Roadway Abandonment Exhibit provided as Exhibit A, is hereby abandoned subject to the stipulations below.

**THE ABANDONMENT HAS BEEN APPROVED SUBJECT TO AND HAS MET THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO THE RECORDATION OF THIS ORDER OF ABANDONMENT:**

1. The applicant must submit a Site Improvement Permit application with plans for review and approval. The plans must be in conformance with the Douglas County Design Criteria and Improvement Standards (DCDCIS) and shall also include the following project-specific item:
  - The developer shall dedicate additional land and construct a cul-de-sac with fifty-five feet of improved surface for the radius bulb at the easterly terminus of the Pinenut Road area to be abandoned.
2. The applicant must submit a receipt from the East Fork Fire and Paramedic District indicating that the Site Improvement Permit plans have been submitted for review and approval.
3. The applicant must submit for review and approval a Record of Survey showing the following:
  - Pinenut Road right-of-way to be abandoned;
  - Dedicated right-of-way for a cul-de-sac at the easterly terminus of Pinenut Road;
  - An easement with a minimum width of 20-feet for the existing Southwest Gas Corporation facilities; and
  - An access easement with a minimum width of 60 feet for APN 1220-10-701-009, or the parcel shall be consolidated with APN 1220-11-001-040 or 1220-10-701-009.
4. The applicant must record the Record of Survey for the abandonment and a new deed that accurately describes the boundaries of the affected parcels.
5. The applicant must ensure that the abandonment of the public roadway is consistent with sections 278.240 and 278.480 of Nevada Revised Statutes.
6. The applicant must provide evidence that the dedication of public right-of-way and public improvements agreed to in the Development Agreement between Douglas County and Peri Enterprises, LLC (Ordinance 2009-1302) have been completed.
7. The applicant must provide evidence that a public utility easement has been recorded as requested by Southwest Gas Corporation in their letter dated March 4, 2010.
8. The applicant must provide evidence that all utility companies and video service providers serving the affected area approve the abandonment.
9. The applicant must ensure that this abandonment does not impact access to adjacent properties.
10. If any damage to existing roads is caused by the transporting of construction equipment or materials by the applicant or any contractor of the applicant, the applicant must repair the roads to their prior condition upon notification in writing by the Community Development Department.

# EXHIBIT A

## DESCRIPTION PROPOSED PINENUT ROAD ABANDONMENT

1304-003-09  
Rev: 08/22/12  
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All that real property situate in the County of Douglas, State of Nevada, described as follows:

A portion of existing Pinenut Road, located within portions of Sections 10 and 11, Township 12 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

**BEGINNING** at the southeast corner of A.P.N. 25-160-31 as shown on the Record of Survey for BDB Enterprises, LLC filed for record January 22, 1998 in the office of Recorder, Douglas County, Nevada as Document No. 430943, said point falls on the southerly line of said Pinenut Road;

thence along said southerly line of Pinenut Road the following three courses:

Along the arc of curve to the right, having a radius of 390.00 feet, central angle of  $44^{\circ}05'56''$ , arc length of 300.17 feet and chord bearing and distance of North  $66^{\circ}48'19''$  West, 292.82 feet;

North  $44^{\circ}45'21''$  West, 669.96 feet;

Along the arc of a tangent curve to the left, having a radius of 148.25 feet, central angle of  $61^{\circ}53'08''$ , and arc length of 160.13 feet to a point on the easterly line of Muller Parkway as described in that certain Grant Deed filed for record May 12, 2010 in said office of Recorder in Book 510, at Page 2112, as Document No. 763460;

thence along said easterly line of Muller Parkway, North  $45^{\circ}14'39''$  East, 148.39 feet to a point on the northerly line of said Pinenut Road;

thence along said northerly line of Pinenut Road, South  $44^{\circ}45'21''$  East, 806.75 feet;

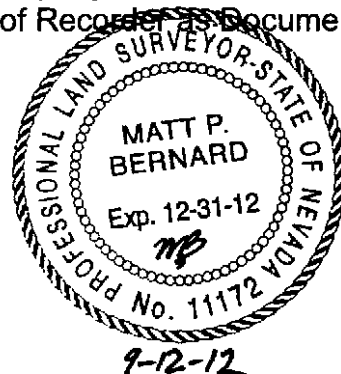
thence continuing along said northerly line of Pinenut Road, along the arc of a tangent curve to the left, having a radius of 320.00 feet, central angle of  $44^{\circ}28'30''$ , and arc length of 248.40 feet;

thence South  $06^{\circ}43'43''$  West, 66.12 feet to the **POINT OF BEGINNING**, containing 77,801 square feet (1.79 acres), more or less.

The Basis of Bearing of this description is South  $44^{\circ}45'21''$  East, the easterly right-of-way line of U.S. Highway 395 as shown on the Record of Survey to Support a Boundary Line Adjustment for Barton Healthcare System, Park Cattle Company & Sierra Nevada SW Enterprises filed for record August 31, 2006 in said office of Recorder as Document No. 683421.

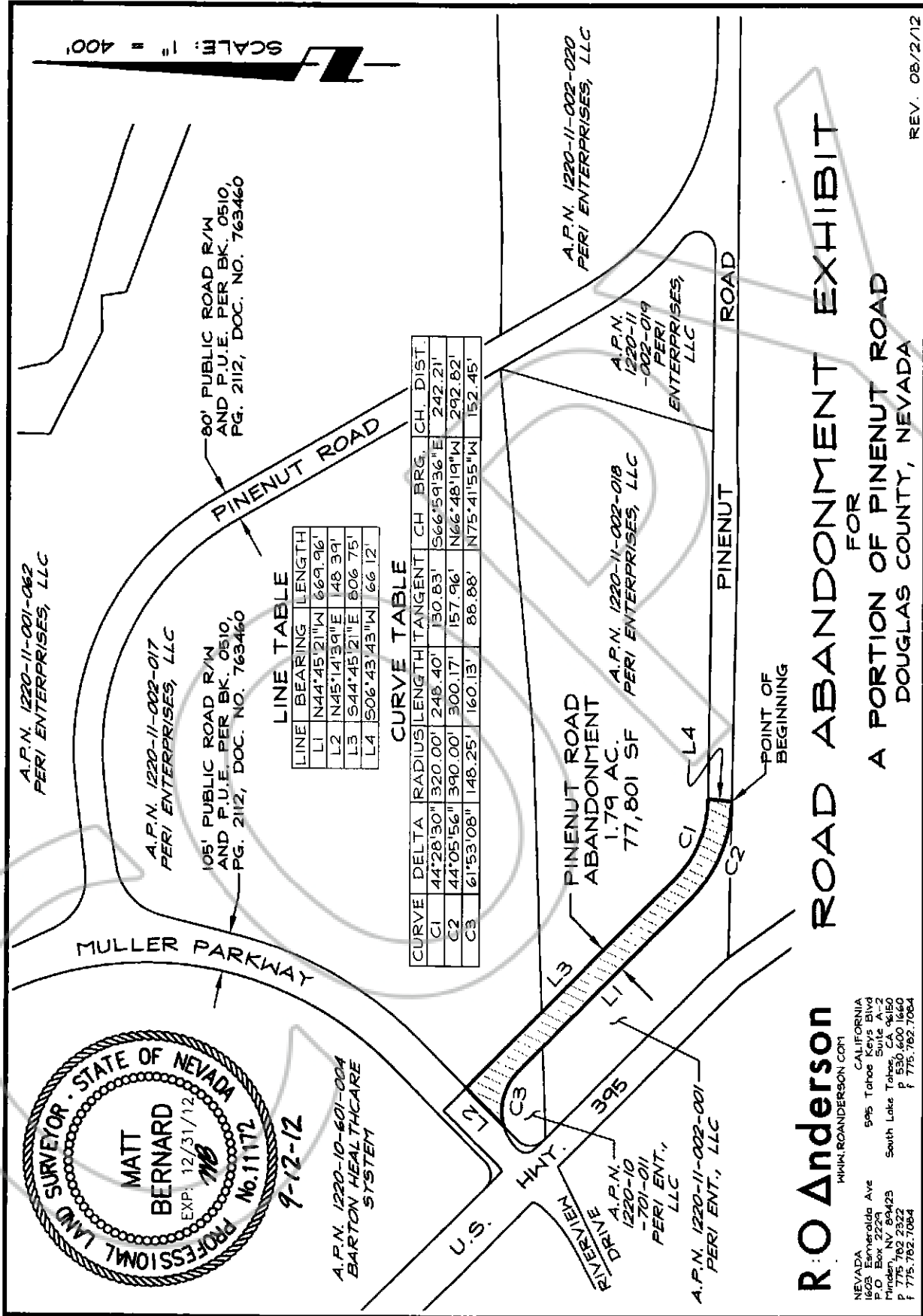
Prepared By: R.O. ANDERSON ENGINEERING, INC.  
P.O. Box 2229  
Minden, Nevada 89423

Y:\Client Files\1304\1304-003\Documents\Legals\1304-003 Pinenut Abandonment.leg.doc



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PG: 5107  
6/19/2013

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9-12-12

A.P.N. 1220-10-601-004  
 BARTON HEALTHCARE  
 SYSTEM

LINE TABLE

LINE	BEARING	LENGTH
L1	N44°45'21"W	669.96'
L2	N45°14'39"E	148.39'
L3	S44°45'21"E	806.75'
L4	S06°43'43"W	66.12'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CH. BRG.	CH. DIST.
C1	44°28'30"	320.00'	248.40'	130.83'	S66°59'36"E	242.21'
C2	44°05'56"	390.00'	300.17'	157.96'	N66°48'19"W	292.82'
C3	61°53'08"	148.25'	160.13'	88.88'	N75°41'55"W	152.45'

# R O Anderson ROAD ABANDONMENT EXHIBIT

FOR  
 A PORTION OF PINENUT ROAD  
 DOUGLAS COUNTY, NEVADA

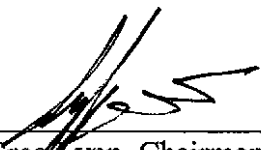
NEVADA  
 1603 Emerald Ave  
 P.O. Box 229  
 Minden, NV 89423  
 P 775.762.2322  
 F 775.762.7064

CALIFORNIA  
 595 Tahoe Keys Blvd  
 Suite A-2  
 South Lake Tahoe, CA 96150  
 P 530.600.1660  
 F 775.762.7064

MINI, ROANDERSON COPY

REV. 08/2/12

DATED the 18th day of June 2013.

  
\_\_\_\_\_  
Greg Lynn, Chairman  
Board of County Commissioners

STATE OF NEVADA        )  
                                  )ss.  
                                  )

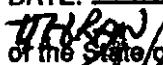

On the 18th day of June, 2013, Greg Lynn, Chairman of the Douglas County Board of Commissioners, personally appeared before me, Ted Thran, Douglas County Clerk-Treasurer, and acknowledged to me, that in conformance with the direction of the Board of Douglas County Commissioners meeting of May 6, 2010, he executed the above instrument on behalf of Douglas County, a political subdivision of the State of Nevada.

  
\_\_\_\_\_  
Ted Thran, Douglas County Clerk-Treasurer

By:   
\_\_\_\_\_  
Clerk to the Board

**CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: June 19, 2013  
 Clerk of the 5th Judicial District Court  
of the State of Nevada, in and for the County of Douglas.  
By  Deputy