

APN: Dedicated Right of Way
No APN Assigned

Mail Tax Statements to:
Washoe County Department Of Regional Parks and Open Spaces
Post Office Box 11130
Reno, NV 89520-0027

When recorded, return original to:
City of Sparks
P.O. Box 857
Sparks, Nevada 89432-0857
Attn: City Clerk

City of Sparks

ORDER VACATING STREET DEDICATION WITH RESERVATION OF EASEMENTS

WHEREAS Subdivision Tract Map No. 1891 was filed in Official Records of Washoe County, Nevada on 16th day of October, 1979, File Number 636073 as “Final Map Sky Ranch Unit No.1 - A”; said Subdivision Tract Map dedicated a perpetual right of way for streets and alleys for public thoroughfare; and

WHEREAS Ordinance 2303, providing for the annexation of approximately 610.39 acres in size, as attached, was approved by the Sparks City Council on the 9th day of January, 2006, and Annexation Tract Map No. 4668 was filed in the Official Records of Washoe County, Nevada on the 29th day of June, 2006, as File Number 3407475, and

WHEREAS, NRS 268.663 provides that if the annexed area abuts upon one side of a County road, State highway, or railroad the annexed territory extends to the middle of the road, highway, or railroad, and

WHEREAS, NRS 277.050 and NRS 277.053 provides for the exchange of real property between public agencies, at not cost, for public purposes, and

WHEREAS a petition has been made to the City to vacate those portions of said right of ways as described in Exhibits “1A” and “2A” and depicted in Exhibit “C”, as attached hereto and by reference made a part hereof, in accordance with NRS 278.480, and said petition was reviewed by the Sparks City Council in a public hearing held on December 12, 2011; and

WHEREAS notice was given by certified mail to each owner of property abutting the proposed abandonment, and was published in accordance with NRS 278.480(3) and on December 12, 2011, a public hearing was conducted by this Council and as a result of the hearing, this Council finds that the public will not be materially injured by the proposed vacation of the

street dedication, provided, however, that easements for city use and for public utilities are appropriately reserved as allowed by NRS 278.480(5) and (9), nor will the public be materially injured by the proposed release of the public utility easement;

NOW THEREFORE IT BE ORDERED BY THE CITY COUNCIL OF THE CITY OF SPARKS, NEVADA

Section 1. That, under the provisions of NRS 278.480 (5), all existing Utility and City of Sparks easements over the land described in Exhibit "1A" and "2A" shall remain in full force and effect in accordance with their terms; and

Section 2. That subject to the above reservations and provisions, the City of Sparks does hereby VACATE all of its rights regarding the property described in Exhibit "1A" and Exhibit "2A" as depicted in Exhibit "C", hereto and by reference made a part hereof, TO THE PARTIES LEGALLY ENTITLED THERETO (as provided in NRS 278.480 and other provisions of Nevada law).

Section 3. The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution and to accomplish its purposes, including the recording of this resolution and order in the official records of Washoe County, Nevada. The City Clerk is hereby authorized to execute any documents intended to accomplish the purposes of this order.

Section 4. If any provision in this resolution and order is deemed invalid or unconstitutional by any court of competent jurisdiction, such offending provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions herein.

PASSED AND ADOPTED ON THE 12th day of December, 2011

APPROVED this _____ day of _____, 2011.

By _____
Geno Martini, Mayor

ATTEST:

APPROVED TO FORM:

By _____
Linda K. Patterson
City Clerk

By _____
Chester H. Adams
City Attorney

State of Nevada)

City of Sparks) Acknowledgment in representative capacity
) (NRS 240.1665)

 This instrument was acknowledged before me on _____ by Geno
Martini as Mayor and Linda K. Patterson as City Clerk of the City of Sparks, Nevada

Notary Public