

When Recorded Return to:
Sparks City Clerk
PO Box 857
Sparks, NV 89432

BILL NO. 2748

INTRODUCED BY COUNCIL

ORDINANCE NO. _____

**PCN18-0005 - WINGFIELD COMMONS,
65 ACRES GENERALLY LOCATED EAST
OF GOLDEN EAGLE REGIONAL PARK
AND SOUTH OF VISTA BOULEVARD.**

**AN ORDINANCE BY THE CITY OF SPARKS TO APPROVE A DEVELOPMENT
AGREEMENT WITH THE FOOTHILLS AT WINGFIELD, LLC AND ALBERT D.
SEENO CONSTRUCTION COMPANY CONCERNING THE DEVELOPMENT OF PARCELS
TOTALING 65 ACRES IN SIZE LOCATED EAST OF GOLDEN EAGLE REGIONAL
PARK AND SOUTH OF VISTA BOULEVARD, SPARKS, NEVADA AND OTHER
MATTERS PROPERLY RELATED THERETO.**

WHEREAS, The Foothills at Wingfield, LLC owns certain real property situated in the County of Washoe, State of Nevada more specifically described as three parcels with Assessor's Parcel Numbers 084-550-02, 084-550-07 and 084-550-08, more particularly described on Exhibit A and depicted on Exhibit B attached hereto and incorporated by this reference (collectively, the "Property");

WHEREAS, the City is authorized, pursuant to Chapter 278 of the Nevada Revised Statutes and Title 20 of the Sparks Municipal Code, to enter into agreements concerning the development of land such as this Agreement with persons having a legal or equitable interest in real property;

WHEREAS, The Foothills at Wingfield, LLC filed comprehensive plan and zoning applications with the City of Sparks to change the comprehensive plan and zoning designations on the Property, more particularly described as City of Sparks Application Nos. PCN18-0005, MPA18-0001, and RZ18-0001 (collectively, the "Applications");

WHEREAS, the City, The Foothills at Wingfield, LLC and Albert D. Seeno Construction Company (collectively, the "Parties") acknowledge that this Agreement will (i) promote the health, safety and general welfare of the City and its inhabitants, (ii) minimize uncertainty in planning for and securing orderly development of the Property and surrounding areas, (iii) ensure attainment of the maximum efficient utilization of resources within the City at the least economic cost to its citizens, and (iv) otherwise achieve the goals and purposes for which the laws governing development agreements were enacted;

WHEREAS, the Parties desire to enter this Agreement to provide for processing of the Applications and development of the Property; and

WHEREAS, NRS 278.0203 and SMC 20.05.09 allow the Sparks City Council to approve a development agreement by ordinance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SPARKS DOES ORDAIN:

SECTION 1: The Development Agreement by and between the City of Sparks, The Foothills at Wingfield, LLC and Albert D. Seeno Construction Company is approved.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the approved Development Agreement as provided by law.

SECTION 4: This ordinance shall become effective upon

passage, approval, publication and recordation.

SECTION 5: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 6: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 7: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

PASSED AND ADOPTED this _____ day of _____, 2018, by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED this _____ day of _____, 2018 by:

Ron Smith, Mayor

ATTEST:

APPROVED AS TO FORM & LEGALITY:

Teresa Gardner, City Clerk

CHESTER H. ADAMS, City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
APN 084-550-02, 084-550-07, & 084-550-08

Three parcels of land being the same as Parcel D of Parcel Map No. 115, according to the map thereof, filed in the office of the County Recorder of Washoe County, State of Nevada, on November 11, 1974, as File No. 346696, and the Southwest Quarter (SW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) and the Northwest Quarter (NW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) of Section 18, Township 20 North, Range 21 East, MDM, being more particularly described as follows:

Beginning at the East Quarter corner of said Section 18;
thence along the East boundary of said Section 18 North 00°36'37" East a distance of 1321.50 feet to the Northeast corner of said Parcel D, also being the North 1/16 corner of said Section 18;
thence departing said East boundary and along the North boundary of said Parcel D North 89°21'52" West a distance of 1318.34 feet to the Northwest corner of said Parcel D also being the North-East 1/16 corner of said Section 18;
thence departing said North boundary and along the West boundary of said Parcel D South 00°30'07" West a distance of 1320.71 feet to the Center-East 1/16 corner;
thence continuing along said West boundary South 00°29'21" West a distance of 660.27 feet to the Southwest corner of said Parcel D also being the Center-North-Southeast 1/64 corner of said Section 18;
thence departing the boundary of said Parcel D and along the West boundary of said Northwest Quarter (NW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) South 00°29'21" West a distance of 330.14 feet to the Center-South-North-Southeast 1/256 corner;
thence along the West boundary of said Southwest Quarter (SW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) South 00°29'21" West a distance of 330.14 feet to the South-East 1/16 corner;
thence along the South boundary of said Southwest Quarter (SW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) South 89°17'48" East a distance of 328.41 feet to the Center-West-East-Southeast 1/256 corner;
thence along the East boundary of said Southwest Quarter (SW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) North 00°30'47" East a distance of 330.18 feet to the Southwest-Northeast-Southeast 1/256 corner;
thence along the East boundary of said Northwest Quarter (NW ¼) of Southwest Quarter (SW ¼) of Northeast Quarter (NE ¼) of Southeast Quarter (SE ¼) North 00°30'47" East a distance of 330.18 feet to a point on the South boundary of said Parcel D, also being the Center-West-Northeast-Southeast 1/256 corner;
thence along the South boundary of said Parcel D South 89°18'48" East a distance of 986.05 feet to the Southeast corner of said Parcel D, also being the North-South 1/64 corner of said Section 18;

thence along the East boundary of said Section 18 North 00°35'06" East a distance of 660.65 feet to the Point of Beginning.

Said parcel contains an area of approximately 64.87 acres.

Basis of Bearings: Identical to those shown on Record of Survey Map 4319, File Number 2964693, recorded December 9, 2003, in the Official Records of Washoe County, Nevada, being Nevada State Plane Coordinate System, West Zone (NAD 93/94).

Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corp.
5405 Mae Anne Avenue
Reno, Nevada 89523
(775) 747-8550
ryan@summitnv.com



2-20-2018

EXHIBIT "B"

BASIS OF BEARINGS AND COORDINATES:

NEVADA STATE PLANS COMMISSION SPECIAL NOTICE: THIS SURVEY WAS CONDUCTED IN THE STATE OF NEVADA, COUNTY OF WASHINGTON, TOWN OF SPARKS, SECTION 18, RANGE 23S, MERIDIAN 120N. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH CHAPTER 203 OF THE NEVADA ADMINISTRATIVE CODE. THE MONUMENTS REPORTED ON THE PLAT ARE OF THE CHARACTER SKIRM, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT DURABILITY, AND NO NEW LOTS ARE BEING CREATED.

SURVEYOR'S CERTIFICATE

- I, DON N. HARRIS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:
1. THIS IS AN ACCURATE REPRESENTATION OF THE LANDS SURVEYED BY ME AT THE REQUEST OF THE CITY OF SPARKS.
 2. THE LANDS SURVEYED LIE WITHIN A PORTION OF SECTION 18, TOWN 18N, RANGE 23S, MERIDIAN 120N, WASHINGTON COUNTY, NEVADA.
 3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND REGULATIONS AND THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH CHAPTER 203 OF THE NEVADA ADMINISTRATIVE CODE. THE MONUMENTS REPORTED ON THE PLAT ARE OF THE CHARACTER SKIRM, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT DURABILITY, AND NO NEW LOTS ARE BEING CREATED.
 4. THE MONUMENTS REPORTED ON THE PLAT ARE OF THE CHARACTER SKIRM, OCCUPY THE POSITIONS INDICATED, AND ARE OF SUFFICIENT DURABILITY, AND NO NEW LOTS ARE BEING CREATED.
 5. THIS RECORD OF SURVEY IS NOT IN CONFLICT WITH NRS 623.40 AND NO NEW LOTS ARE BEING CREATED.



LEGEND:

- F&L MONUMENT AS NOTED
 - F&L SECTION CORNER AS NOTED
 - F&L 1/4 SECTION CORNER AS NOTED
- 1817 7 F&L 1/4 SECTION CORNER AS NOTED
(GLO 1320) DATA PER OLD PLAT
[38.48] RECORD DATA PER PARCEL MAP 115 FILE NO. 346698

TOTAL AREA = 448.16± AC.



FILE NO. **2964413**
FILED FOR RECORD AT THE REQUEST OF **Summit Engineering** on the **9** day of **December** 2003, AT 44 MINUTES PAST 4 O'CLOCK P.M. OFFICIAL RECORDS OF WASHINGTON COUNTY, NEVADA.
DON N. HARRIS
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF NEVADA

RECORD OF SURVEY FOR THE CITY OF SPARKS SECTION 18, T20N, R23E, MDM
SUMMIT ENGINEERING CORPORATION
200 S. WASHINGTON STREET, SUITE 100, SPARKS, NEVADA 89410
SUMMIT ENGINEERING CORPORATION
200 S. WASHINGTON STREET, SUITE 100, SPARKS, NEVADA 89410
SHEET 1 OF 1

Record of Survey Map 4319

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SHEET 1 OF 1

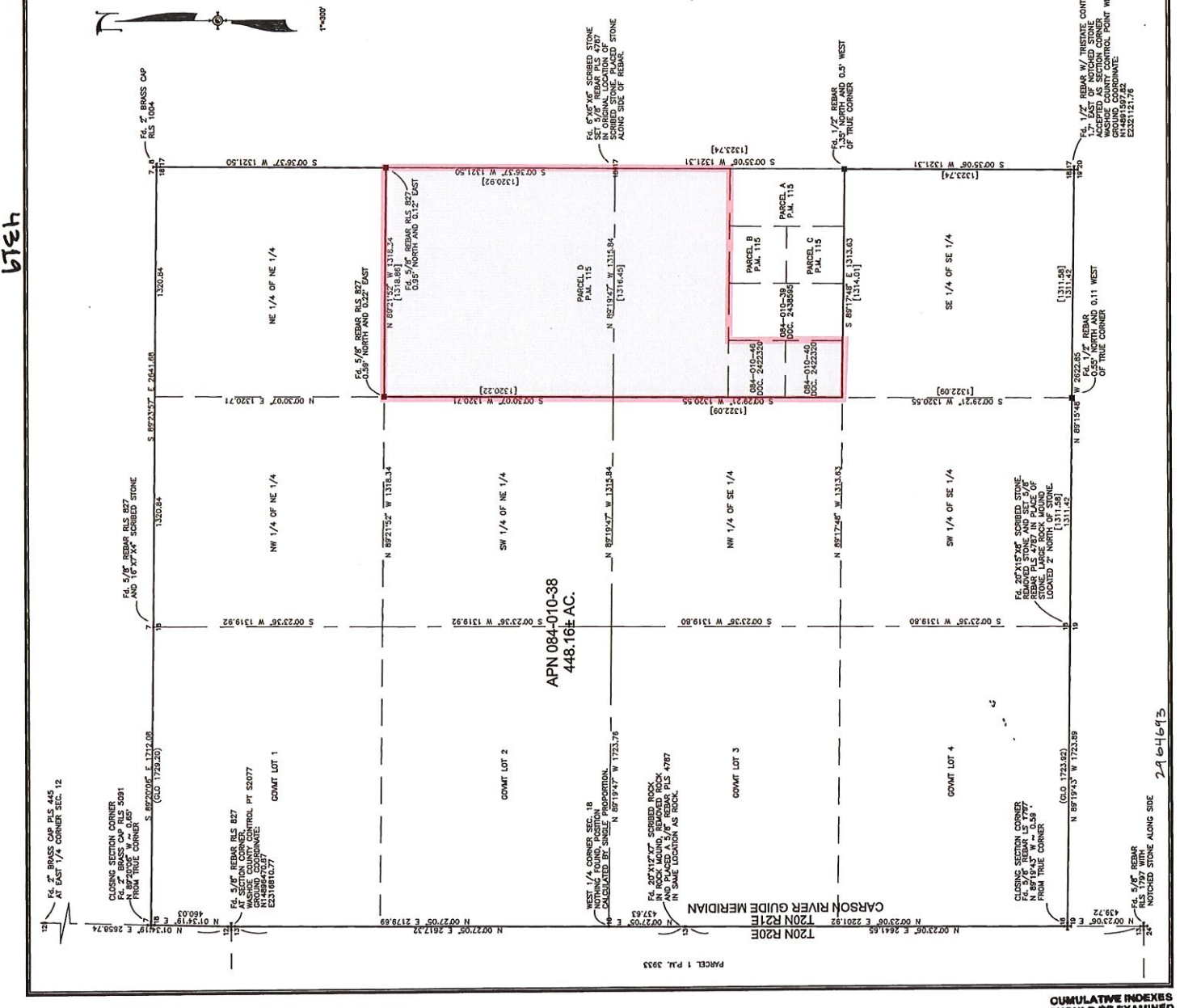


EXHIBIT "B"

CUMULATIVE INDEXES SHOULD BE EXAMINED FOR ANY SUBSEQUENT CHANGES TO THIS MAP

2964413