



CITY OF ELKO
CITY MANAGER
1751 COLLEGE AVENUE
ELKO, NEVADA 89801
(775) 777-7110/FAX (775) 777-7119

The Elko City Council will meet in regular session on Tuesday, March 26, 2019

Elko City Hall, 1751 College Avenue, Elko, NV 89801, at 4:00 P.M., P.D.S.T.

Attached with this notice is the agenda for said meeting of the Council.

In accordance with NRS 241.020, the public notice and agenda was posted on the City of Elko

Website, <http://www.elkocity.com>, the State of Nevada's Public Notice Website,

<https://notice.nv.gov> in the following locations:

ELKO CITY HALL
1751 College Avenue, Elko, NV 89801
Date: Time Posted: March 21, 2019 at 8:30 a.m.

ELKO COUNTY COURTHOUSE
571 Idaho Street, Elko, NV 89801
Date/Time Posted: March 21, 2019 at 8:40 a.m.

ELKO POLICE DEPARTMENT
1448 Silver, Elko NV 89801
Date/Time Posted: March 21, 2019 at 8:50 a.m.

ELKO COUNTY LIBRARY
720 Court Street, Elko, NV 89801
Date/Time Posted: March 21, 2019 at 9:00 a.m.

Posted by: <u>Kim Wilkinson</u>	<u>Administrative Assistant</u>	<u><i>Kim Wilkinson</i></u>
Name	Title	Signature

The public may contact Kim Wilkinson by phone at (775)777-7110 or email at kwilkinson@elkocitynv.gov to request supporting material for the meeting described herein. The agenda and supporting material is available at Elko City Hall, 1751 College Avenue, Elko, NV or on the City website at <http://www.elkocity.com>

Dated this 21st day of March, 2019

NOTICE TO PERSONS WITH DISABILITIES

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Elko City Council, 1751 College Avenue, Elko, Nevada 89801, or by calling (775) 777-7110.

Curtis Calder
Curtis Calder, City Manager

CITY OF ELKO
CITY COUNCIL AGENDA
REGULAR MEETING
4:00 P.M., P.D.S.T., TUESDAY, MARCH 26, 2019
ELKO CITY HALL, 1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The Agenda for this meeting of the City of Elko City Council has been properly posted for this date and time in accordance with NRS requirements.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

APPROVAL OF MINUTES:	March 12, 2019	Regular Session
	February 26, 2019	Regular Session

I. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**
- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

II. SUBDIVISIONS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 14-18, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Tower Hill Unit 2 involving the proposed division of approximately 17.05 acres of property into 23 lots and 1 remainder parcel for residential development within the R1 (Single Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located southwest of the terminus of Deerfield Way and Chukar Drive (APN 001-929-124). The Planning Commission considered this item on March 5, 2019 and took action to forward a recommendation to City Council to conditionally approve Final Plat 14-18. CL

III. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. CL

IV. NEW BUSINESS

- A. Review, consideration, and possible approval of an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Tower Hill Phase 2 subdivision, and matters related thereto. **FOR POSSIBLE ACTION**

Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-45. The Planning Commission recommended as one of the conditions for approval of the final plat, that the agreement shall be approved by the City Council.

The Planning Commission also recommended that the Developer shall enter into the agreement within 30 days of the City Council's approval of the final plat. CL

- B. Review, consideration, and possible acceptance of an easement for access and utility purposes from Trinidy Jay Shippy and Kathryn Justine Shippy, along the north property line of APN 039-001-007, and matters related thereto. **FOR POSSIBLE ACTION**

As part of Vacation 2-19 and Resolution No. 06-19 to vacate a portion of an existing utility and roadway easement that was granted to the City of Elko, the owner is relocating the water line along the north property line and therefore the granting of the new easement. CL

- C. Review, consideration, and possible action to enter into a Disciplinary Settlement Agreement between the City of Elko and Nualla LLC, dba Cabo Bar, by Acela Ceja and Carlos Nunez, and matters related thereto. **FOR POSSIBLE ACTION**

During the first week of November 2018, Elko Police Officers received information which indicated at least one minor (16 years of age) was present at the Cabo Bar, 449 Railroad Street in Elko, and was allowed to remain on the premises consuming alcoholic beverages on or about November 2, 2018. The Police Department then initiated an administrative investigation and developed significant evidence indicating the licensee violated Elko City Code 4-5-26, Knowingly Allowing Minor to Loiter in Bar Area. The licensee was put on notice, in writing, via a letter from the Police Chief on December 19, 2018.

At the request of the Elko Police Chief, the City Attorney prepared formal charges for a disciplinary hearing before the Elko City Council against the Cabo Bar liquor licensee. During this process, an opportunity was presented to the licensee whereby they would admit to the violation and agree to various terms of discipline. The attached agreement is supported by both parties and is presented for the City Council's review in lieu of a formal disciplinary hearing. BR

V. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible approval of issuing a revised Liquor License to Chef Cheng's Chinese Restaurant, modifying the current Retail Beer and Wine License to a Retail Liquor License, and adding Dapeng Shao to the license. Chef Cheng's is located at 1309 Idaho Street, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

VI 5:30 P.M. PUBLIC HEARINGS

- A. Review of bids received and subsequent public auction for the sale of approximately 4,000 square feet of City owned property located generally south of the intersection of Elm Street and 8th Street, referred to as APN 001-066-005, and matters related thereto. **FOR POSSIBLE ACTION**

On February 26, 2019, City Council approved Resolution No. 05-19, which set forth the conditions of the public auction for the sale of City owned land. The minimum sale price must be \$20,000.00 payable in cash or cashier's check at close of sale which shall be within sixty (60) days of acceptance by the City Council of the highest bid. A copy of Resolution No. 05-19 has been enclosed in the agenda packet for review. CL

- B. Review, consideration, and possible action to adopt Resolution No. 6-19, a resolution and order vacating a portion of an existing roadway and utility easement along the westerly lot line of parcels referred to as APN 039-001-007,008 & 009, filed and processed as Vacation No. 2-19 filed by Robert Morley of High Desert Engineering on behalf of Trinidy Jay Shippy and Kathryn Justine Shippy, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted a petition for the subject vacation at its regular meeting of February 26, 2019, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission

considered the vacation at its regular meeting March 5, 2019, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 2-19 with findings in support of its recommendation. CL

VII. REPORTS

- A. Mayor and City Council
- B. City Manager
- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager
- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk
- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer
- P. Building Official

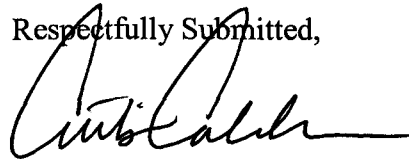
COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

NOTE: The Mayor, Mayor Pro Tempore, or other Presiding Officer of the City Council reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the City Council reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

ADJOURNMENT

Respectfully Submitted,



Curtis Calder
City Manager

City of Elko)
County of Elko)
State of Nevada)

SS March 12, 2019

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, March 12, 2019.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons *arrived at 4:02 p.m.*
 Councilman Robert Schmidtlein
 Councilman Chip Stone
 Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Ryan Limberg, Utilities Director
 Kelly Wooldridge, City Clerk
 Cathy Laughlin, City Planner
 Candi Quilici, Accounting Manager
 Dennis Strickland, Public Works Director
 Ben Reed Jr., Police Chief
 Ty Trouten, Police Captain
 James Wiley, Parks and Recreation Director
 Jim Foster, Airport Manager
 Bob Thibault, Civil Engineer
 Dave Stanton, City Attorney
 Jack Snyder, Deputy Fire Chief
 John Holmes, Fire Marshal
 Dale Johnson, Water Department
 Shelby Archuleta, Planning Technician

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

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Catherine Raw, 905 W Main St, COO North America Barrick spoke about a joint venture with Newmont. She reported this is a momentous occasion for Elko, Nevada and the US as a whole. By combining these operations, they have created the 3rd largest mining company in the world, the largest single gold mining complex in the world and made Nevada the Number 1 mining location. They hope to close the agreement in the next 60 to 90 days. Mark Bristow has been speaking with employees on both sides. He has been reassuring the workforce that this is positive not negative. All employees will become joint venture employees.

APPROVAL OF MINUTES: February 26, 2019 Regular Session

The minutes were not approved.

I. PRESENTATIONS

- A. Presentation by Fire Chief Matt Griego, Fire Department Year in Review, and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**

Jack Snyder, Deputy Fire Chief, gave a year in review presentation (Exhibit "A").

- B. Presentation of an appreciation plaque by Fire Chief Matt Griego to Gold Dust West, in recognition of their many years of dedication to the City of Elko Fire Department, and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**

John Holmes, Fire Marshal, stated that the Annual Fire Prevention Picnic would not be possible without Gold Dust West. He wanted to recognize them for all of their support.

Mayor Keener thanked Gold Dust West for donating food and a great community partnership.

- C. Presentation by Utilities Director, Ryan Limberg, Elko Water Department Leak Report, and matters related thereto. **INFORMATION ITEM ONLY – NON ACTION ITEM**

Ryan Limberg, Utilities Director, explained Dale Johnson would be going over the report (Exhibit "B").

Dale Johnson, Water/Sewer Superintendent, passed out paperwork requested by Council earlier today and not included in the packet (Exhibit "C"), then gave the Leak Report presentation.

Mayor Keener asked when there is a major break like we recently had on Winchester Drive, does POOL/PACT insurance help pay for any of the road or concrete damage.

Curtis Calder, City Manager, answered it depends upon the nature and extent of the damage.

Mr. Limberg answered they have not used that in the past and wasn't aware if it was covered. Councilman Schmidtlein had requested some additional information and Mr. Johnson handed out (Exhibit "C"). This information gives Council the average repair costs.

Councilman Schmidtlein asked if these leaks are occurring more in higher pressure areas.

Mr. Limberg said they have considered this question. They have found the leaks are just scattered everywhere. They look for trends on the map but it is mostly just scattered.

Councilman Schmidtlein asked if the mains are buried deep enough to avoid freezing.

Mr. Limberg said the bury depth is 42" on services going to houses. He didn't think it was necessarily the freeze, but the frost thaw cycle tends to get the ground moving and puts stress on the pipe.

Mr. Johnson said there is a wide range of bury depths. The one in front of the Nanini Building was 36" deep and the one on the Golf Course in January that was 8 feet deep. The one on Winchester was due to the installation.

Mayor Keener asked, when there is a repair or new installation on union joints, is there an inspection process by City personnel.

Mr. Johnson answered either Ryan or himself will go out and inspect those.

Mr. Limberg explained when there is a new subdivision, several things need to happen. We need to inspect, do a flow test on the hydrant, and receive a pressure test result and bacteria samples. New material going in today is good material. The materials that went in 30 years ago is not good.

Councilman Schmidtlein said he thought the Water Department is doing an outstanding job. He also asked do we have any idea about water loss totals?

Mr. Limberg answered his estimate would be under 10% and possibly under 5%. That's a significant change from decades ago when a leak used to run longer until they were able to locate.

Councilman Schmidtlein said the national average is between 14% – 16%. Everyone strives for 10% and we may be below that. He felt that was outstanding. He just wants to know what continues to create the leaks and he will continue to meet with engineers and figure it out.

BREAK

VII. 5:30 P.M. PUBLIC HEARINGS

- A. Second reading, public hearing, and possible adoption of Ordinance No. 835 an ordinance amending Title 8, Chapter 2, of the Elko City Code entitled "Conditions of Utility Occupancy of Public Roads and City Street Cuts and Repairs" hereby adding Smart Dig Requirements, and matters related thereto.
FOR POSSIBLE ACTION

On August 28, 2018, Council approved initiation of Ordinance No. 835 and directed Staff to prepare a Business Impact Statement. The Business Impact

Statement was approved on February 12, 2019, after making some changes to the ordinance. First reading of Ordinance No. 835 was accepted on February 26, 2019. KW

Kelly Wooldridge, City Clerk, explained they had made no changes since the first reading.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Hance, to adopt Ordinance No. 835.**

The motion passed unanimously. (5-0)

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Ratification of the Police Chief issuing a 30-day Temporary Packaged Liquor License and issue a Regular Packaged Liquor License, to Jaskaran Singh Raj, DBA Winners Corner Hi Discount Gas, Food, & Liquor, located at 2682 Outlook Court, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

Ben Reed, Police Chief, explained there were no issues with applicant. This is a change of ownership for an existing license. There was a typo on the agenda, but the action sheet and the memo have the information listed correctly. The Outlook Court address is the business mailing address. The business location is 2500 Alta Vista. The applicant was in audience and available to answer questions.

Mayor Keener said he was good with the Alta Vista address published in the agenda.

Chief Reed recommended approval.

Mayor Keener asked if the applicant is a current liquor license holder for another business.

Chief Reed answered yes, the own High Discount Liquor, and he has a temporary license for this address. He could extend the temporary license to 60 days if Council chooses to move this to the next agenda.

Dave Stanton, City Attorney, stated if Council decides to go forward with this despite address difference listed on the agenda, it would preferable to have some findings regarding the transposed addresses.

**** A motion was made by Councilman Hance, seconded by Councilman Schmidtlein, to ratify the Police Chief issuing a 30-day temporary packaged liquor license and issue a regular Packaged Liquor License to Jaskaran Singh Raj dba Winners Corner Hi Discount Gas, Food, and Liquor, located at 2500 Alta Vista Drive, Elko, NV 89801.**

Councilwoman Simons added findings to the motion, ; and, in accordance with Open Meeting Law, the public has been put on notice of the nature of the item and the addresses are transposed on the agenda, so that the mailing address is in the title and the physical address is in the agenda action sheet.

Councilman Hance accepted the findings to his motion and Councilman Schmidtlein stated he second stood.

Council voted on the motion.

The motion passed unanimously. (5-0)

- B. Review for possible approval or denial of a House of Prostitution License Application and Retail Liquor License Application, modifying the current House of Prostitution License and Retail Liquor License Application, to add Gabriel Ornelas to the license, DBA Desert Rose, located at 357 Douglas St, Elko, NV 89801, and matters related thereto. **FOR POSSIBLE ACTION**

A comprehensive background investigation was conducted by Elko Police Detectives regarding the Applicant. Mr. Ornelas has met the requirements relating to City Code 4-9-7. The Police Chief has reviewed the investigation and documented a summary of the results in the attached memo to the Council.

Chief Reed explained it was the intent of current licensee to add the local manager to the license. His declared ownership will be 47%. Only one minor issue where he had a misdemeanor arrest for battery but it was disclosed on the application. There were no other issues. He recommended approval.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Stone, to approve the House of Prostitution License Application and Retail Liquor License Application, modifying the current House of Prostitution License and Retail Liquor License Application, to add Gabriel Ornelas to the licenses, dba Desert Rose, located at 357 Douglas Street, Elko, Nevada 89801.**

The motion passed unanimously. (5-0)

II. CONSENT AGENDA

- A. Review, consideration, and possible action to authorize City Staff to give Landfill Voucher to adult volunteers that participate in the "Take Pride in Your Community Cleanup, Greenup, Recycle Event and Prescription Drug Roundup" event, and matters related thereto. **FOR POSSIBLE ACTION**

This year's "Take Pride in Your Community Cleanup, Greenup, Recycle Event and Prescription Drug Roundup" event is scheduled for Saturday, April 27, 2019. In the past, the City Council has provided one voucher to the adult volunteers that were engaged in cleaning public property/right-of-ways. The voucher concept was very popular with the volunteers and affords them the same opportunity to remove waste from their personal property and dispose of it without having to pay a tipping fee at the landfill. In order to provide these volunteers the same opportunity as other citizens, these vouchers would be good for one day. DS

- B. Review, consideration, and possible approval of a request from Elko Police Department to apply for a Domestic Violence Prevention Grant, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department is seeking City Council permission to apply for a Violence Against Women Act (VAWA) Grant under the Services, Officers, Training, Prosecutors (STOP) sub-grant category. The application is to fund a part-time Domestic Violence Systems Advocate for a possible maximum amount of \$40,000.00.

This grant requires a 25% match, which may be fulfilled through either funding and/or in-kind contributions. The intent of the Elko Police Department is to meet this requirement through In-Kind Services.

The Domestic Violence Systems Advocate would be responsible for reviewing all domestic violence cases, incidents, and referrals; liaison with domestic violence victims; conducting assessments of prior history of abuse; referral to officers for follow-up investigations; referral to local domestic violence resources; liaison with local prosecutors; develop and maintain relationships with community agencies which collaboratively respond to domestic violence cases; and maintain and submit both monthly and annual statistics on domestic violence cases. BR

The Consent Agenda was approved by general consent.

III. APPROPRIATIONS

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Stone, to approve the general warrants.**

Councilman Stone wondered what Dream Seats LLC was?

Jack Snyder, Deputy Fire Chief, answered that was for six new leather recliners for the crew living area.

The motion passed unanimously. (5-0)

- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the Print 'N Copy warrants.**

The motion passed. (4-0 Mayor Keener abstained.)

- C. Review, consideration, and possible award of a bid for the Well 36 Public Improvements Project 2019, and matters related thereto. **FOR POSSIBLE ACTION**

Bids were opened on February 22, 2019, Five (5) bids were received. Ruby Dome was the low bidder in the amount of \$118,703.89. Their bid is compliant.

Although this cost is over the budgeted amount, the City has available funds due to cost savings on other Capital Projects including the North 5th Street Tank Site and the Well 29 Rehabilitation Project. RL

Ryan Limberg, Utilities Director, explained this was at the Well 36 location near Cat Logistics. The project will consist of curb, gutter and sidewalk paving at that location.

Councilman Hance asked what was the budgeted amount.

Mr. Limberg answered the budgeted amount available was \$100,000. When this was originally budgeted for last year, they envisioned a smaller project. The project grew after the budget was previously approved. There was some savings on some other projects that can be applied to this one.

Councilman Hance pointed out there was a 60% difference between Ruby Dome's bid and the next bidder and wondered why.

Mr. Limberg answered we have used Ruby Dome in the past on several projects similar to this and felt they may have a better angle. Some of the other bidders were closer to the engineer's estimate but went on to state it also depends on how much work the companies/bidders currently have.

Councilman Schmidtlein stated he is confident in Ruby Dome.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve an award to Ruby Dome, in the amount of \$118,703.89, for Well 36 Public Improvements Project.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of a Water and Sewer Line Oversize Reimbursement Agreement with Autumn Colors LLC, and matters related thereto. **FOR POSSIBLE ACTION**

Autumn Colors LLC installed oversized water and sewer mains at the City's request to enable future development. Attached is the reimbursement agreement and cost breakdown. The reimbursement amount for water oversize totals \$66,113.43. The reimbursement amount for sewer totals \$2912.37. RL

Mr. Limberg explained the agreement. He recommended approval.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, to approve the Water and Sewer Line Oversize Reimbursement Agreement with Autumn Colors LLC in the amount of \$66,113.43 for water and \$2,912.37 for sewer.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible authorization for Staff to solicit bids for the Public Works Department for Plantmix Bituminous Pavement materials to be used for the Year 2019 Construction Season, and matters related thereto. **FOR POSSIBLE ACTION**

This is an annual bid request for Plantmix Bituminous Pavement Materials based upon a unit price per ton amount. The materials are primarily used by the Public Works Department on streets, but the material may also be used by other departments as needed. DS

Dennis Strickland, Public Works Director, thought we should see a good price on asphalt this year.

**** A motion was made by Councilman Stone, seconded by Councilman Schmidtlein, to approve staff to solicit bids for Plantmix Bituminous Pavement Materials to be used for the 2019 construction season.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible award of a bid for the East Secondary Clarifier Rehabilitation Project 2019, and matters related thereto. **FOR POSSIBLE ACTION**

This is a yearly maintenance project which rotates between 5 clarifiers. Bids were opened on March 6, 2019. A Bid Tally Sheet is included as supplemental agenda information. RL

Ryan Limberg, Utilities Director, explained each year we repaint a clarifier. The bids came in above the budgeted amount but we have retained earnings to cover the amount. There were a couple of arithmetic errors. Sometimes bidders will round their numbers up. If Council wishes to award this, there is some language in recommended motion with findings of the arithmetic errors. He recommended award to Gateway Company of Utah, LLC.

Mayor Keener pointed out the sheet in his agenda packet did not have totals.

**** A motion was made by Councilman Hance, seconded by Councilman Stone, that Council finds that there is an arithmetic error in the amount of \$1000 on line three, and rounding errors of less than \$1 on lines four and five of the bid submitted by Gateway Company of Utah, LLC, for the East Secondary Clarifier Rehabilitation Project 2019. The Council further finds that these arithmetic and rounding errors are minor technical defects and that a waiver of these defects does not give the Gateway Company of Utah, LLC a competitive advantage over any other bidder. Accordingly, the Council waives the aforementioned arithmetic and rounding errors and awards the bid for the East Secondary**

Clarifier Rehabilitation Project 2019 to Gateway Company of Utah, LLC, in the amount of \$104,198.30 as corrected.

The motion passed unanimously. (5-0)

- G. Consideration and possible authorization for Staff to apply for Federal Aviation Administration Grant # AIP 3-32-0005-050-2019 Pavement Preservation and Rehabilitation, and matters related thereto. **FOR POSSIBLE ACTION**

Pavement treatment must be accomplished on a regular basis to extend the life of the airfield pavements. Prior to placing the seal coat, cracks will be routed and sealed, unsatisfactory areas will be repaired. Crack Sealing and placing a Seal Coat on the pavement areas will extend the life of these pavements by reducing the amount of water penetrating the base and subgrade layers resulting in weakened support for the pavements. Rehabilitation of asphalt concrete pavements is done where the pavements have extensive cracking but do not have subgrade failure. Most pavements at the airport have not had any preservation treatment in the last several years. JF

Jim Foster, Airport Manager, explained the project will take care of all the airfield pavement areas except the commercial terminal ramp, which will be painted. On February 28th, the FAA changed their policy on how close to a hangar you can get. It used to be fifteen feet and now it is up to fifty feet. That will limit what can be rehabilitated with FAA Grant money. Our runways are in good shape with minimal cracking. We will be focusing on general aviation ramps, and older pavements.

Councilman Hance asked if this would require any closures.

Mr. Foster answered they try to accommodate the commercial air service as much as possible. It might require some partial daytime closures but between 2:00 p.m. and 6:00 p.m. when there aren't any commercial flights.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to authorize staff to apply for FAA AIP 3-32-0005-050-2019.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS

- A. Review, consideration, and possible approval of a Sewer Line Special Reimbursement Agreement as defined in Elko City Code 9-5-33 (E), for reimbursement of sewer boring and casing costs within the I-80 Right of Way, and matters thereto. **FOR POSSIBLE ACTION**

Surebrec Holdings, LLC (Surebrec) is the owner of a parcel of land and wishes to develop that parcel. In order to do so, Surebrec needs to install sewer service. Currently, there is not a viable means of discharging sewer from the site. In order to do so, a sewer main needs to be installed under I-80 or a sewer lift station needs to be installed.

Staff vastly prefers a gravity sewer main under I-80 when compared to a lift station alternative. The sewer main bore is proposed to be located at a low point where it could be used by multiple parcels. Routing the sewer main under I-80 results in a section of sewer main that is not adjacent to any developable property frontage.

At the December 18, 2018 City Council meeting, Council directed Staff to draft the agreement to include boring and casing costs only through I-80 Right of Way and bring the agreement back to Council for consideration and possible approval.
RL

Ryan Limberg, Utilities Director, explained the agreement and recommended approval. They have looked at upsizing the sewer to twelve inches but felt that may be a bit much. The eight inch pipe looked adequate but after recent conversations, he thought the ten inch casing would be best.

Luke Fitzgerald, 207 Brookwood, said on the upsizing eight to ten inches, would that be on a separate agreement.

Mr. Limberg answered that would be a separate agreement.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to approve a Sewer Line Special Reimbursement Agreement as defined in Elko City Code 9-5-33 (E), for reimbursement of sewer boring and casing costs within the I-80 Right of Way, in the amount not to exceed \$250,000 with a one-year time limit, and at this time it is the installation of an eight-inch line with a separate potential reimbursement to install a ten-inch sewer line.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible approval of a request to waive the requirement to extend sanitary sewer across the frontage of 1553 Indian View Heights (APN 001-530-026), and matters related thereto. **FOR POSSIBLE ACTION**

Up gradient properties are currently being serviced by another sewer main. The extension of this sewer main is unlikely to serve any new customers in the future based on currently available planning and development projections. RL

Mr. Limberg explained City Code requires sewer along property frontage. The engineer and he met on site tried to take a look at who else would tie into sewer. Every property has the sewer reporting to a different direction. He supports this waiver of not requiring sewer along frontage since they are the last customer on the line.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to approve the request to waive the requirement to extend sanitary services across the frontage of 1553 Indian View Heights (APN 001-530-026), with the reasoning that they are the last property on the line and it won't serve the best interest of the public to extend it.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible action to initiate the addition of a new Chapter 9 entitled "Registration and Maintenance Program for Vacant Properties", an amendment to Title 2, of the Elko City Code entitled "Building Regulations," and matters related thereto. **FOR POSSIBLE ACTION**

Pursuant to NRS 107.120, the City of Elko may establish a registration program to oversee abandoned residential property and those in danger of becoming abandoned. This chapter is intended to reduce and prevent neighborhood blight, to mitigate conditions that threaten the health, safety and welfare of the public and to promote neighborhood stability. CL

Cathy Laughlin, City Planner, explained the proposed addition to code. This Ordinance would create a registry for properties that would require an inspection and the property to meet certain requirements. She get complaints on vacant houses often and it is difficult to do anything about it when you cannot locate someone to talk to about it. This ordinance would require the property be registered with monthly inspections and a property manager. The Police Department would have more authority to do something about squatters. The Realtors Association was present to make comments.

Mayor Keener felt this should have been done a long time ago.

Ms. Laughlin said this will fall under the Building Regulations Code that has already been initiated for adoption.

Marissa Lostra, 930 College Ave., stated her company deals with a lot of foreclosures. Once a bank takes possession of a property, they do have preservation companies or property managers that do come out and make weekly inspection. They are typically not local. Per NRS there is a 30-day waiting period before they can go in and clean up the property. The realtors are in full support of reducing the blight but they are concerned with the costs being passed down to the buyers. She felt this program will raise the closing costs and the buyers will no longer be interested.

Kelly Wooldridge, City Clerk, reminded Council that we are in the process of preparing a business impact statement for the passage of the Building and Fire Codes. She will be publishing a proposed rule and with that there will be a lot of time for public input.

Sandy Wakefield, Sandys Castles, 161 S. 6th Street, explained she loves the idea of cleaning things up but she felt it can be more complicated. Making the banks register the house is one thing but they can't seem to get them to pay for utilities. The banks hire asset management, who then hire a realtor to list the property for sale. The realtor then has to pay the utility bills. If another fee is added onto this, the local realtor will then have to pay that too. There is a problem

with vacant and/or abandoned houses and she gave a couple of examples. This ordinance should encompass all vacant or abandoned houses but she had a problem with fees, fines and leaving utilities connected. The problem properties lower the property values in the entire neighborhood and no one wants that either. She went on to say the concept is great but there are too many details to work out.

Scott Wilkinson, Assistant City Manager, stated the City does not have staff to deal with vacant and abandoned properties that aren't foreclosed on, so the intent was to actually have a foreclosed property to work on. We need to get our Building Codes passed by the end of June of this year or we will have an issue with ISO. If this gets too complicated and we can't resolve some of the issues discussed tonight, then we should not include it in the comprehensive adoption of our Building Code.

Ms. Laughlin stated NRS 107.0795 is the definition of abandoned residential property, and the property would have to meet that definition in order to be on the registry. Las Vegas and Henderson both passed this ordinance but they have a third party that handles their registry. She volunteered to reach out to that third party to discuss the issues and concerns. Our proposed code was modeled off the Las Vegas and Henderson ordinances that works for them. This is happening all over the US with foreclosures.

Ms. Wakefield stated on behalf of the Elko Realtors, they would love to have this conversation with the City.

Mayor Keener agreed and stated he would like to see some changes. We do need input from the Real Estate Community. Perhaps a committee can be formed to work with the City to get some details resolved.

Mr. Wilkinson reminded Council we are still subject to the Business Impact Statement, which has a time limit. He would like to initiate this under our comprehensive building code but he is not sure this should be initiated at this time. We went through an ISO audit where they thought we were on a more current set of codes than we actually are. That caused some concern for them and we will take a hit if we don't get this done by June.

There was some discussion about adding this to code at a later date. It will require another Business Impact Statement and it can be costly, and it will require a lot of staff time. It can also be in a different section of City Code. It was recommended that the realtor group meet with staff to try to find practical solutions in the near future.

NO ACTION

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. CL

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to table.**

The motion passed unanimously. (5-0)

Councilman Schmidtlein asked where are we with this.

Curtis Calder, City Manager, answered we are waiting on NDEP.

Scott Wilkinson, Assistant City Manager, explained there has been no progress on Phase 3. The homes being constructed are in Phase 2.

Councilman Schmidtlein wondered why we are continuing to read this into the record at every meeting if Mr. Capps is not trying to push this through.

Mr. Wilkinson said he would reach out to Mr. Capps and see if he will be addressing this as Spring rolls around. Then he can speak to Mr. Stanton to see what action can be taken. Maybe we can force him to refile and start over with a new application.

VIII. REPORTS

A. Mayor and City Council

Mayor Keener reminded Council that the next meeting will start at 3:00 p.m. with a budget hearing.

Councilman Schmidtlein thanked Ryan Limberg and his group for all of the information they gathered for them. He thanked Chief Snyder for the Fire Department report.

Councilwoman Simons reported the Arts and Culture Advisory Board met last week and they have been working hard to repair the boots and they are almost done with it.

B. City Manager

Curtis Calder said the March 26, 2019 meeting will start at 3:00 p.m. as a special meeting. We will go through all of the funds and will look for Council's direction for the tentative budget, which is due to the State by April 15th. On April 9, 2019, Council will be approving the Tentative Budget. From there we will have a month left for the final budget. There are some things going on at the Legislature that could impact our budget but we will have to wait to see what happens there.

Mayor Keener thanked Mr. Calder for the extra work he has been doing in the absence of a staff member on the budget.

Councilman Hance said he represented everyone at the Polar Plunge.

- C. Assistant City Manager
- D. Utilities Director
- E. Public Works
- F. Airport Manager

Jim Foster reported, a couple of weeks ago, there was one aircraft that was delayed leaving the facility but that was an issue with the pilot and not the airport.

- G. City Attorney
- H. Fire Chief
- I. Police Chief
- J. City Clerk

Kelly Wooldridge reported AB136 (the prevailing wage bill) was heard to put on file today. One of the brothel bills was heard this morning and came out with an amendment to remove legal prostitution from the bill. There is a collective bargaining bill to change the definition of Supervisor for Police and Fire. She has a list of eighty bills she is watching.

Councilman Schmidlein said he has been receiving mail about removing the "Right to Work State." John Ellison doesn't know anything about it but he gets calls trying to collect donations to fight this.

Ms. Wooldridge said she would have to look into that because she didn't know anything about it.

- K. City Planner
- L. Development Manager
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer

Bob Thibault reported the Sports Complex is a muddy mess and the contractor may request to extend the shutdown. They were scheduled to start work again on April 1st. but now they are looking at the first Monday in June.

James Wiley stated the goal was to host Stephanie's Benefit Tournament in September. It is all contingent on being able to grow grass in time. This will likely delay that process a little bit.

- P. Building Official

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk

City of Elko)
County of Elko)
State of Nevada)

SS February 26, 2019

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, February 26, 2019.

This meeting was called to order by Mayor Reece Keener.

CALL TO ORDER

ROLL CALL

Mayor Present: Reece Keener

Council Present: Councilwoman Mandy Simons
 Councilman Robert Schmidtlein
 Councilman Chip Stone
 Councilman Bill Hance

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Ryan Limberg, Utilities Director
 Kelly Wooldridge, City Clerk
 Jeff Ford, Building Official
 Cathy Laughlin, City Planner
 Candi Quilici, Accounting Manager
 Troy Poncin, Information Systems Manager
 Dennis Strickland, Public Works Director
 Ben Reed Jr., Police Chief
 James Wiley, Parks and Recreation Director
 Jim Foster, Airport Manager
 Bob Thibault, Civil Engineer
 Dave Stanton, City Attorney
 Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

Laura Oslund, PACE Coalition, stated there will be Naloxone training March 26 at GBC in room 108 of the Health Science Building. She passed out flyers (Exhibit "A").

Councilman Stone read a letter into the record in support of Sheriff Narvaiza and making Elko County a sanctuary county for our second amendment rights (Exhibit "B").

APPROVAL OF MINUTES: February 12, 2019 Regular Session

Councilman Schmidtlein asked for a couple of minor changes to the minutes on page 6 of 21. Where he was speaking, he wanted the words "They" and "They" replaced with "We" and "We."

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to approve the minutes with Councilman Schmidtlein's corrections as noted.**

The motion passed unanimously. (5-0)

I. PRESENTATIONS

- A. Reading of a proclamation in recognition of National Burn Awareness Week, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Mayor Keener read the Proclamation.

- B. Presentation by Lt. Col. John Brownell, Nevada National Guard, regarding the National Guard Youth Challenge Program, and matters related thereto. **INFORMATION ONLY – NON ACTION ITEM**

Lt. Col. John Brownell, Nevada National Guard, gave a presentation (Exhibit "C").

Mayor Keener felt it was a good program and asked what Council could do to help move the cause forward.

Lt. Col. Brownell said any letter of support to the local legislature is helpful. The more community support the more positive the outcome.

Todd Pehrson, ECSD, stated he is in support of this. This is a state-wide school and the kids want to be there. He doesn't think there will be any problems staffing this school.

Councilman Stone asked if this school will be year round.

Lt. Col Brownell answered the school has a start and stop time with two academies a year. They are in the process of getting the bill to pass through the State Legislature. It has been funded on the federal government side.

Kurt Neddenriep, 1828 Sequoia, said there is a lot of support for this. They have been trying to bring this program to the area for 10 years. It is not a reform program. The kids are self-nominated and want to be part of this.

- C. Presentation by Police Chief Ben Reed, Police Department Year in Review Crime Report, and matters related thereto. **INFORMATION ONLY - NON ACTION ITEM**

Ben Reed Jr., Police Chief, gave a presentation (Exhibit "D").

Mayor Keener asked if he could include statistics from the SRO Program in the next report. He also asked if Chief Reed could let his crews know that we appreciate all of their hard work.

II. PERSONNEL

A. Employee Introductions:

- 1.) Amanda Florence, Administrative Assistant, Fire Department
Present and introduced.
- 2.) Paul Willis, System Administrator, Information Systems
Present and introduced.

III. APPROPRIATIONS

A. Review and possible approval of Warrants, and matters related thereto. FOR POSSIBLE ACTION

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to approve the warrants.**

The motion passed unanimously. (5-0)

B. Review, consideration, and possible final acceptance of AIP 48 at the Elko Regional Airport, and matters related thereto. FOR POSSIBLE ACTION

Airport Staff is asking for final acceptance of this project and to begin grant close out documentation.

This project completed reconstruction of Runway 6/24 safety area including stabilization improvements and drainage improvement. AIP 48 also included design only of the Security Fence/Gates upgrade (AIP 49). The final project cost was \$ 2,761,476.96. The total local share for this project was \$ 172,592.31. There was one no cost change order associated with this project. The project came in 5.5% (\$162,374.77) under budget. The prime contractor for construction was Road & Highway Builders, LLC and the project engineer/construction manager was Jviation, Inc. JF

Jim Foster, Airport Manager, explained they were ready to close this project out. He explained the project and how it improved the safety areas at the airport.

Mayor Keener said there were problems with the access gate into the hangars. Was that part of this project?

Mr. Foster answered no. That was part of the construction of the fence for AIP 49. That project is completed but they are working out some of the bugs.

Councilman Schmidlein asked regarding the top soil, did you put down some sort of dust suppression or are you trying to put down some ground vegetation.

Mr. Foster answered they put down a mulch and an FAA approved seed mixture. There was some good regrowth but not all of it took and some of it blew into the silt fence. They will be checking on it this Spring.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to accept substantial completion of AIP 48 and direct staff to begin closeout documentation for this grant with the Federal Aviation Administration.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible award of the bid for the Municipal Swimming Pool Repair Project, and matters related thereto. **FOR POSSIBLE ACTION**

Bids for the Swimming Pool Repair Project were opened on Wednesday, February 19, 2019. The City received a total of three bids for the project, two of which have been deemed responsive and one being deemed unresponsive. A bid tabulation sheet has been included in the packet for Council review. JW

James Wiley, Parks and Recreation Director, explained they did receive three bids. Unfortunately, the lowest bidder was deemed unresponsive. The next lowest bidder is MGM Construction. Due to time constraints, the pool being closed since Thanksgiving, and hoping to open up in June, he was recommending award to MGM Construction in the amount of \$463,352.

Mayor Keener asked if the low bidder was defective and should not be accepted.

Dave Stanton, City Attorney, explained there were some documents in the packet that were unsigned.

Mr. Wiley said the bond certificate in the bid packet was just a blank, unsigned document. The other was their non-collusion affidavit, which was not included at all. In the MGM bid there was a minor mathematical error. If the award is made to MGM tonight, Council needs to find that as a minor technical mathematical error that we can waive.

Curtis Calder, City Manager, said he spoke to someone that was considering bidding on this project but didn't. After the bids had been opened, he disclosed that their bid was closer to MGM than Raintree. He didn't feel the MGM bid was out of line.

Mayor Keener reminded everyone that Barrick donated just over \$88,000 towards this repair project and that helps tremendously with this pool repair.

Mr. Wiley said he spoke with Raintree the day after the bid openings and he believes it was their intent to help the City out with this project but their bid was not complete.

**** A motion was made by Councilman Stone, seconded by Councilman Schmidtlein, to award the bid for the Swimming Pool Repair Project to MGM Construction, in the amount of \$463,352, with the clarification to waive the minor mathematical error of \$800.**

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. **FOR POSSIBLE ACTION**

Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. CL

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to table this item.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS

- A. Discussion and possible direction to Staff to initiate adoption of 2018 International Fire Codes, and initiation of a Business Impact Statement, and matters related thereto. **FOR POSSIBLE ACTION**

On January 9, 2018, Council directed Staff to initiate the adoptions of the 2018 International Building Codes. The Fire Department would like to combine initiation of the 2018 International Fire Codes at the same time, as well as directing the Clerk's office to initiate a Business Impact Statement for both ordinances. JH

Matt Griego, Fire Chief, explained the timing is right to move forward with both codes at the same time.

Councilman Schmidtlein asked what is the biggest impact on the developers with this.

Chief Griego answered they are seeing very minor changes with this. He wasn't sure of any significant impact on contractors.

**** A motion was made by Councilman Schmidtlein, seconded by Councilwoman Simons, to continue the initiation of the adoption of 2018 International Fire Codes and initiation of the business impact statement.**

The motion passed unanimously. (5-0)

- D. Review, consideration, and possible approval of a request from Randon Williams, dba Williams & Co. Barbecue for concession space at the Elko City Main Park, and matters related thereto. **FOR POSSIBLE ACTION**

Mr. Williams would like to utilize Area 2 as a space of approximately 40' X 15' for his barbecue business. He does hold an Elko City Business License. KW

Kelly Wooldridge, City Clerk, explained if this is approved tonight, they will be concessionaire #4 in the park. There are two spaces available.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to approve Mr. Williams to utilize Area 2, (40' X 16' space) for his Barbecue business.**

The motion passed unanimously. (5-0)

BREAK

VII. 5:30 P.M. PUBLIC HEARINGS

- E. Review, discussion, and possible consideration to authorize the Elko High School Homecoming Committee to apply for funding from the Fiscal Year 2019/2020 Community Donation Budget Line Item, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko High School Homecoming Committee is requesting funding to cover the Parade Fee for the 2019 Homecoming Parade. A letter from the Homecoming Committee has been provided for your review. CC

Curtis Calder, City Manager, explained the request.

Kim McKnight, 3119 Lupine Street, Elko, said when they came last year, they came late in the year and they were grateful that the City approved the request. Is this something they should do every year?

Mr. Calder said the City needs a letter about this time every year. That is when all other entities that request donations make their requests. You won't need to come to Council again because it will be heard at a budget hearing.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to authorize Elko High School to apply for funding from the fiscal year and direct the City Manager to add it to the Community Donation Budget Line.**

The motion passed unanimously. (5-0)

- A. Public hearing pursuant to NRS 268.059(a) regarding the fair market value and possible sale at public auction of approximately 4,000 sq. ft. of City-owned property located generally on the south corner of the intersection of Elm Street and 8th Street, designated APN 001-066-005. Discussion and possible motion determining that the fair market value of the property is \$20,000 in accordance with the appraisal of Jason Buckholz of CRBE, Inc., appraiser, and possible adoption of Resolution No. 05-19, a resolution of the Elko City Council finding it is in the best interest of the City to sell APN 001-066-005 and hereby declaring its intention to sell such property at public auction pursuant to City Code Section 8-1-3 and NRS 268.062, and matters related thereto. **FOR POSSIBLE ACTION**

Don Knight began the process of purchasing the parcel bearing APN 001-066-005, which is City-owned property located adjacent to his residence located at 772 Elm Street. The City Council, at its May 23, 2017 meeting, determined it was in the best interest of the City to sell the property to Mr. Knight, and that the property was too small to establish an economically viable use by anyone else. Council conditioned the sale on Mr. Knight completing a parcel map to combine the two parcels. On November 13, 2018, Mr. Knight requested that Council remove the parcel map condition. However, Council did not remove the condition and Mr. Knight repudiated the purchase of the parcel. Council accepted the repudiation and authorized Staff to obtain the required appraisal and proceed with the statutory process of selling the parcel at public auction as required by NRS 268.062. CL

Cathy Laughlin, City Planner, said in the packet was the Resolution that has been reviewed and approved by Legal Counsel. The sale will be advertised and held at the March 26, 2019 Council Meeting.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Schmidlein, seconded by Councilwoman Simons, to accept the fair market value as determined at the public hearing, and adopt Resolution No. 5-19.**

The motion passed unanimously. (5-0)

- B. Review, consideration, and possible action to adopt Resolution No. 4-19, a resolution and order vacating a portion of the public utility and drainage easement located along the north and east property lines of APN 001-660-049, consisting of an area approximately 1,300 square feet, filed and processed as Vacation No. 1-19 filed by MP Elko LLC., and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted a petition for the subject vacation at its regular meeting of January 22, 2019, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting February 5, 2019, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 1-19 with findings in support of its recommendation. CL

Ms. Laughlin explained this is the final step in the vacation of this easement. Planning Commission reviewed this and recommended conditional approval.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to adopt Resolution No. 4-19, which contains conditions as recommended by the Planning Commission.**

The motion passed unanimously. (5-0)

- C. Review, consideration, and possible action to adopt Resolution No. 3-19, a resolution of the Elko City Council adopting a change in zoning district boundaries from AG (General Agriculture) to IC (Industrial Commercial), approximately 27.605 acres of property, located generally north side of West Idaho Street, approximately 1400 feet northeast of I-80 exit 298, filed by Defty Family Trust and processed as Rezone No. 1-19, and matters related thereto. **FOR POSSIBLE ACTION**

The Planning Commission considered the subject zone change request on February 5, 2019 and took action to forward a recommendation to City Council to adopt a resolution which conditionally approves Rezone No. 1-19. CL

Mayor Keener said he received a phone call from Mr. Defty. He is unable to attend the meeting but watching us from afar.

Ms. Laughlin explained the request and recommended approval. Representatives for Defty were present in the audience.

Councilman Schmidtlein asked what they were bringing in.

Ms. Laughlin explained what would be allowed on that property with the rezone. They talked about a commercial/industrial subdivision.

Mayor Keener asked if there was an easement through the property for drainage.

Councilman Schmidtlein answered they realigned most of the drainage on the roadway that goes through there. On both sides of the access roadway there are ditches.

Bob Thibault, Civil Engineer, brought up an older parcel map that showed a drainage easement.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilman Stone, seconded by Councilwoman Simons, to adopt Resolution No. 3-19.**

The motion passed unanimously. (5-0)

- D. First Reading of Ordinance No. 835, an ordinance amending Title 8, Chapter 2, of the Elko City Code entitled "Conditions of Utility Occupancy of Public Roads and

City Street Cuts and Repairs” hereby adding Smart Dig Requirements, and matters related thereto. **FOR POSSIBLE ACTION**

On August 28, 2018, Council approved initiation of Ordinance 836 and directed Staff to prepare a Business Impact Statement. The Business Impact Statement was approved on February 12, 2019 after making some changes to the ordinance. Those changes are in the ordinance being presented tonight. SAW

Kelly Wooldridge, City Clerk, explained this is the first reading and went over some highlights.

Councilman Schmidtlein said he read this a few times and he felt this was clear regarding cost reimbursements.

Mayor Keener called for public comment without a response.

**** A motion was made by Councilwoman Simons, seconded by Councilman Hance, to accept the first reading of Ordinance No. 835.**

The motion passed unanimously. (5-0)

V. NEW BUSINESS (Cont.)

- B. Review, consideration, and possible approval of a lease agreement between the City of Elko, Elko Regional Airport and Newmont Mining Corporation at the Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

Newmont Mining Corporation wishes to enter into a lease agreement with the Elko Regional Airport for the lease of 45 parking spaces located at the airport terminal. Staff would section off a portion of the parking lot spaces to be utilized by Newmont Employees. This lease would be for a four month period with the ability for extension if warranted. JF

Jim Foster, Airport Manager, explained the Lease Agreement proposal.

Mayor Keener asked if these will be company vehicles or employee owned vehicles.

Mr. Foster answered it will be a combination of both. They will be utilizing the sidewalks to get to their office.

Ryan Iverson, Newmont, said they want to park company vehicles that will not be used every day. They will police it and employees will have a tag to show they can park there.

Mayor Keener said he was concerned about mud but Newmont will maintain it.

**** A motion was made by Councilman Stone, seconded by Councilman Schmidtlein, to accept and approve a lease between Elko Regional Airport and Newmont Mining Corporation, for a period of four months, with the ability for extension month to month.**

The motion passed unanimously. (5-0)

- C. Review and possible approval of a Professional Services Agreement with Jviation Inc., an engineering firm to provide engineering services at the Elko Regional Airport, and matters related thereto. **FOR POSSIBLE ACTION**

The current Professional Service Agreement for engineering services at the airport expired January 14, 2019. A consultant selection process was conducted and a recommendation was presented to City Council on February 12, 2019. Jviation Inc. was selected to continue as the airport's consulting engineering firm. The airport respectfully asks that Jviation be awarded a five year contract that is contingent upon Federal AIP funding at 93.75% and airport need. Each future planning project will be taken before Elko City Council for consideration prior to any contractual obligations. The PSA will be for a five (5) year period. JF

Mr. Foster explained this was emailed after the agenda was posted and he hoped everyone got a chance to see it. The projects listed are not set in stone and can change yearly as they are submitted to the FAA. As projects come up, they will be brought back as amendments to the original agreement.

Mayor Keener thought they were a great partner to work with. It would be impractical to change contractors.

Councilman Hance asked regarding the billing rate schedules, it says 2018. Will it be the same going forward?

Mr. Foster answered yes.

**** A motion was made by Councilman Hance, seconded by Councilwoman Simons, to accept a Professional Services Agreement with Jviation for Engineering Services at the Elko Regional Airport.**

The motion passed unanimously. (5-0)

VI. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for the vacation of a roadway and utility easement along the west property lines of APN 039-001-007, 008 & 009, consisting of an area approximately 26,225 sq. ft., filed by Robert Morley of High Desert Engineering on behalf of Trinidy Jay Shippy and Kathryn Justine Shippy and processed as Vacation No. 2-19, and matters related thereto. **FOR POSSIBLE ACTION**

January 19, 1978 an easement was granted to the City of Elko for a water line and roadway. This easement is outside the City of Elko incorporated boundaries but since the easement was granted to the City of Elko, it is within the jurisdiction of the City of Elko and not Elko County to vacate the easement. The property owner is proposing to relocate the water line in a new easement granted to the City of Elko. CL

Cathy Laughlin, City Planner, explained the vacation request. This is just the petition. Council can refer this matter to Planning Commission and it would come back as a Resolution.

Councilman Hance asked how NV Energy is accessing their substation. It looks like the road they use to go to their substation.

Ms. Laughlin said she has sent out a letter to NV Energy and she has received a response back saying they have no issue with this vacation.

Ryan Limberg, Utilities Director, said the root issue here is the Shippy's would like to get away from the City turning in behind the old Stockmen's Supply and accessing the well. He thought NV Energy may be doing the same thing to a power substation. We don't like waterlines on the back of people's properties. They would like to abandon that waterline and move the access from Stockmen's Supply to the top of the last parcel. The access will be shorter and he thought it would work for the power company too.

**** A motion was made by Councilman Stone, seconded by Councilman Hance, to accept the petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (5-0)

VIII. REPORTS

A. Mayor and City Council

Mayor Kenner and his wife attended the Fire Department Award Ceremony held Friday night.

Councilwoman Simons apologized for not being able to attend the Fire Department Award Ceremony but congratulated everyone.

Mayor Keener continued there is a Local Government Day at the Legislature on March 28th and he will be attending.

Councilman Stone said he will be attending a community breakfast Wednesday put on by Newmont. Thursday morning, the California Trails Heritage Organization has invited him to sit down and talk about the things they are trying to promote. He was thankful he was able to attend the Fire Department Award Ceremony. Kyle Stone, his nephew, was the Firefighter of the year and he was very proud.

Mayor Keener reminded everyone that the Polar Plunge is this Saturday and he would not be attending. He suggested the Mayor Pro Tem should take his place. Councilman Hance said he is already signed up to do it and would cover for Councilman Schmidlein.

B. City Manager

Curtis Calder reported that staff has submitted their budget requests and they are going through them. He modified the budget schedule slightly. The first Council Budget Meeting will be March 26th and the meeting will start at 3:00 p.m. He and Kelly are still working on the OHV mapping and routes. After that, they will be bringing the Ordinance back for a first reading.

C. Assistant City Manager

D. Utilities Director

Ryan Limberg said the motion to intervene with Pershing County was filed last week. He will keep them updated as news breaks. Councilman Schmidlein asked if Mr. Limberg could bring him some information regarding altitude valves, pressures in the City, broken water mains repaired in 2018, service laterals repaired in 2018, and the total costs paid for repairs. He is concerned with what he has heard. Mr. Limberg agreed to pull the information together.

E. Public Works

Dennis Strickland said the crews have worked their tails off this snow season. They have spent their salt budget. There have been some substantial water breaks the last couple of weeks that took out some roads.

F. Airport Manager

Jim Foster said last couple of weeks were a struggle with the weather. They lost a piece of equipment (the de-icing truck) and it is being repaired. AIP 49 (gate and vault upgrades) is nearly complete and he is hoping to finalize those soon.

G. City Attorney

H. Fire Chief

Chief Griego thanked the Councilmembers that attended the awards ceremony.

I. Police Chief

Police Chief stated the Police Department is following AB47 closely. It is the mental health bill before the legislature that applies to rural counties and provides funding for mental health follow-up care and transportation. There is a lot of networking with the Sheriff and telehealth going to the jail. The Next Gen 911 project is still going forward. The new RFP deadline is March 28th. The work will commence this summer.

J. City Clerk

Kelly Wooldridge gave a legislative update. There are several bills she is tracking for the City and volunteered to give the list to Council. The airport bill is still a BDR but it is being discussed. Curtis Calder added that one of the services that we had agreed to provide for the Reno Airport Support Service was to update the economic impact study of the airport. That was done by UNR and we should have a final draft of that soon.

K. City Planner

L. Development Manager

M. Administrative Services Director

N. Parks and Recreation Director

James Wiley reported the SnoBowl will be open Saturday and Sunday but things are winding down. It has been a great year up there.

O. Civil Engineer

P. Building Official

Curtis Calder, City Manager, said they are monitoring the river water levels with all of the snow melt but they are not anticipating any flooding.

Dennis Strickland, Public Works Director, said they ordered sand bags. Some people have expressed concerns. There is plenty of wiggle room in the river at this time.

Mr. Calder said to keep in mind that gauge is the closest one that we have upstream, but there are a lot of streams between that gauge and Elko. If we have similar weather conditions to 2017, that gauge will be telling us we are okay but there is more water coming in downstream that can impact our situation.

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

There being no further business, Mayor Reece Keener adjourned the meeting.

Mayor Reece Keener

Kelly Wooldridge, City Clerk

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to conditionally approve Final Plat No. 14-18, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Tower Hill Unit 2 involving the proposed division of approximately 17.05 acres of property into 23 lots and 1 remainder parcel for residential development within the R1 (Single Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **SUBDIVISION**
4. Time Required: **15 Minutes**
5. Background Information: **Subject property is located southwest of the terminus of Deerfield Way and Chukar Drive (APN 001-929-124). The Planning Commission considered this item on March 5, 2019, and took action to forward a recommendation to City Council to conditionally approve Final Plat 14-18. CL**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, P.C. action report, Staff report and related correspondence.**
9. Recommended Motion: **Accept on behalf of the public any parcel of land offered for dedication for public use in conformity with the terms of the offer of dedication and conditionally approve Final Plat No. 14-18 for the Tower Hill Phase 2 subdivision subject to the conditions as recommended by the Planning Commission.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **Jordanelle Third Mortgage, LLC**

Scott MacRitchie
312 Four Mile Trail
Elko, NV 89801

High Desert Engineering
640 Idaho Street
Elko, NV 89801

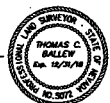
TOWER HILL SUBDIVISION – UNIT NUMBER 2 ELKO, ELKO COUNTY, NEVADA

LAND SURVEYOR'S CERTIFICATE:

I, THOMAS C. BALLEW, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY SUPERVISION AND DIRECTION AT THE INSTANCE JORDANELLE THIRD MORTGAGE, LLC.
2. THE LANDS SURVEYED LIE WITHIN SECTION 10, TOWNSHIP 34 NORTH, RANGE 55 EAST, M.D.B. & M., AND THE SURVEY WAS COMPLETED ON THE _____ DAY OF _____, 20____.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED HEREON AND ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED.

THOMAS C. BALLEW, P.L.S. No. 5072



DATE _____

CITY ENGINEER'S REPRESENTATIVE CERTIFICATE:

I, _____, REPRESENTATIVE FOR THE CITY ENGINEER OF THE CITY OF ELKO, NEVADA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND FIND IT SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, WITH ALL APPROVED ALTERATIONS, THAT ALL PROVISIONS OF N.E.S. 278.010 THROUGH 278.030, INCLUDING, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT, AND THAT THE MONUMENTS AS SHOWN ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THAT THE MONUMENTS HAVE NOT BEEN SET AND THAT A PROPER PERFORMANCE BOND HAS BEEN DEPOSITED GUARANTEEING THEIR SETTING ON OR BEFORE _____.

CITY OF ELKO CITY ENGINEER'S REPRESENTATIVE _____

DATE _____

APPROVAL – CITY OF ELKO PLANNING COMMISSION

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, PLANNING COMMISSION HELD ON THE _____ DAY OF _____, 20____, A TENTATIVE MAP OF THIS SUBDIVISION WAS DULY AND REGULARLY APPROVED PURSUANT TO N.E.S. 278.330. THIS FINAL MAP SUBSTANTIALLY COMPLETES WITH SAID TENTATIVE MAP AND ALL CONDITIONS PURSUANT THERETO HAVE BEEN MET.

CHAIRMAN, CITY OF ELKO PLANNING COMMISSION _____

DATE _____

APPROVAL – CITY OF ELKO CITY COUNCIL

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, CITY COUNCIL HELD ON THE _____ DAY OF _____, 20____, THIS MAP WAS APPROVED FOR SUBMISSION PURPOSES PURSUANT TO N.E.S. 278.440 THROUGH 278.460, INCLUDING, AND ALL APPLICABLE LOCAL ORDINANCES. ALL OFFERS OF DEDICATION, AS SHOWN HEREON, WERE ACCEPTED FOR PUBLIC USE.

MAYOR, CITY OF ELKO, NEVADA _____

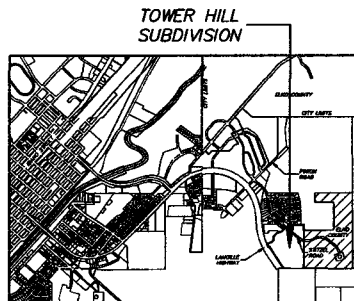
DATE _____

ATTEST: CITY CLERK, CITY OF ELKO, NEVADA _____

DATE _____

LEGAL DESCRIPTION:

PARCEL A AS SHOWN ON THE FINAL MAP OF TOWER HILL SUBDIVISION, UNIT NUMBER 1, FILED IN THE OFFICE OF THE ELKO COUNTY RECORDER, ELKO, NEVADA, AT FILE NUMBER 741117.



VICINITY MAP

APPROVAL – NEVADA DIVISION OF WATER RESOURCES

THIS FINAL MAP IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY SUBJECT TO REVIEW OF APPROVAL ON FILE AT THIS OFFICE.

NEVADA DIVISION OF WATER RESOURCES _____

DATE _____

APPROVAL – NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

THIS FINAL MAP IS APPROVED BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES. THIS APPROVAL CONCERNS SEWAGE DISPOSAL, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS PRECEDENT UPON PLANS FOR A PUBLIC WATER SUPPLY AND A COMMUNITY SYSTEM FOR DISPOSAL OF SEWAGE.

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER POLLUTION CONTROL _____

DATE _____

ASSESSOR'S CERTIFICATE:

I, KATRINA RUSSELL, CERTIFY THAT THE ASSESSOR'S PARCEL NUMBER SHOWN ON THIS PLAT IS CORRECT AND THAT THE PROPOSED PARCELS ARE A DIVISION OF SAID ASSESSOR'S PARCEL NUMBER 001-829-124.

ELKO COUNTY ASSESSOR _____

DATE _____

TREASURER'S CERTIFICATE:

I, REBECCA ENKSON, CERTIFY THAT ALL PROPERTY TAXES ON ASSESSOR'S PARCEL NUMBER 001-829-124 HAVE BEEN PAID FOR THIS FISCAL YEAR.

ELKO COUNTY TREASURER _____

DATE _____

OWNER'S CERTIFICATE:

KNOWN OF ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, SCOTT A. MACORTCHE, MANAGING DIRECTOR OF JORDANELLE THIRD MORTGAGE, LLC, BEING THE OWNER OF THOSE PARCELS AS SHOWN ON THIS MAP, DOES HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP AND OFFERS FOR DEDICATION ALL OF THE RIGHTS-OF-WAY AND EASEMENTS FOR PUBLIC ACCESS, PUBLIC UTILITY AND PUBLIC DRAINAGE PURPOSES AS DESIGNATED HEREON. IN WITNESS I, SCOTT MACORTCHE, SET MY HAND ON THE DATE SHOWN.

JORDANELLE THIRD MORTGAGE, LLC

BY: SCOTT MACORTCHE, MANAGING DIRECTOR _____

DATE _____

STATE OF NEVADA)
COUNTY OF ELKO) S.S.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____, BY SCOTT MACORTCHE, MANAGING DIRECTOR OF JORDANELLE THIRD MORTGAGE, LLC.

NOTARY PUBLIC IN AND FOR ELKO COUNTY, NEVADA

MY COMMISSION EXPIRES: _____

APPROVAL – PUBLIC UTILITY EASEMENTS

THE PUBLIC UTILITY EASEMENTS, AS DESIGNATED HEREON, ARE APPROVED BY THE RESPECTIVE PUBLIC UTILITIES EXECUTING BELOW.

FRONTIER COMMUNICATIONS _____

DATE _____

SIOUX PACIFIC POWER COMPANY 4/A/6 NY ENERGY _____

DATE _____

SATVIEW BROADBAND _____

DATE _____

SOUTHWEST GAS CORPORATION _____

DATE _____

ELKO COUNTY RECORDER:

FILE NUMBER: _____

FILED AT THE REQUEST OF: _____

DATE: _____

TIME: _____

D. MIRE SHALES, ELKO COUNTY RECORDER

SHEET 1 OF 2

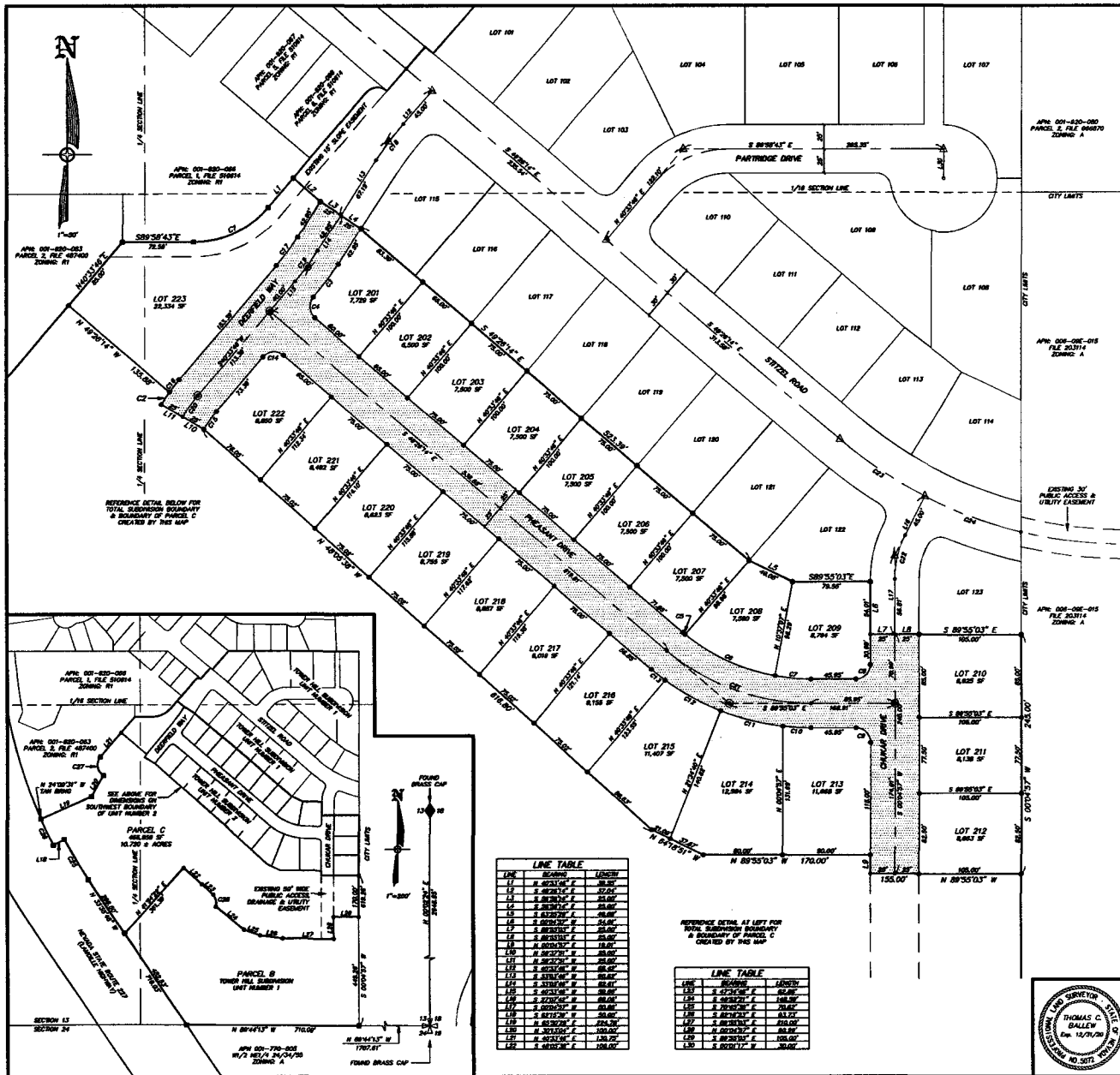
FINAL MAP

TOWER HILL SUBDIVISION UNIT NUMBER 2

LOCATED IN:
SECTION 13, T.34 N., R.55 E., M.D.B. & M.
ELKO COUNTY NEVADA

ELKO HIGH DESERT ENGINEERING LLC 840 IDAHO STREET
ELKO, NEVADA 89601
(775) 758-4053

215010



CURVE	DELTA	RADIUS	LENGTH	CHORD	TANGENT
C1	89°27'31"	100.00'	88.32'	84.47'	46.90'
C2	89°27'31"	100.00'	88.32'	84.47'	46.90'
C3	89°27'31"	100.00'	88.32'	84.47'	46.90'
C4	89°27'31"	100.00'	88.32'	84.47'	46.90'
C5	89°27'31"	100.00'	88.32'	84.47'	46.90'
C6	89°27'31"	100.00'	88.32'	84.47'	46.90'
C7	89°27'31"	100.00'	88.32'	84.47'	46.90'
C8	89°27'31"	100.00'	88.32'	84.47'	46.90'
C9	89°27'31"	100.00'	88.32'	84.47'	46.90'
C10	89°27'31"	100.00'	88.32'	84.47'	46.90'
C11	89°27'31"	100.00'	88.32'	84.47'	46.90'
C12	89°27'31"	100.00'	88.32'	84.47'	46.90'
C13	89°27'31"	100.00'	88.32'	84.47'	46.90'
C14	89°27'31"	100.00'	88.32'	84.47'	46.90'
C15	89°27'31"	100.00'	88.32'	84.47'	46.90'
C16	89°27'31"	100.00'	88.32'	84.47'	46.90'
C17	89°27'31"	100.00'	88.32'	84.47'	46.90'
C18	89°27'31"	100.00'	88.32'	84.47'	46.90'
C19	89°27'31"	100.00'	88.32'	84.47'	46.90'
C20	89°27'31"	100.00'	88.32'	84.47'	46.90'
C21	89°27'31"	100.00'	88.32'	84.47'	46.90'
C22	89°27'31"	100.00'	88.32'	84.47'	46.90'
C23	89°27'31"	100.00'	88.32'	84.47'	46.90'
C24	89°27'31"	100.00'	88.32'	84.47'	46.90'
C25	89°27'31"	100.00'	88.32'	84.47'	46.90'
C26	89°27'31"	100.00'	88.32'	84.47'	46.90'
C27	89°27'31"	100.00'	88.32'	84.47'	46.90'
C28	89°27'31"	100.00'	88.32'	84.47'	46.90'
C29	89°27'31"	100.00'	88.32'	84.47'	46.90'
C30	89°27'31"	100.00'	88.32'	84.47'	46.90'
C31	89°27'31"	100.00'	88.32'	84.47'	46.90'
C32	89°27'31"	100.00'	88.32'	84.47'	46.90'
C33	89°27'31"	100.00'	88.32'	84.47'	46.90'
C34	89°27'31"	100.00'	88.32'	84.47'	46.90'
C35	89°27'31"	100.00'	88.32'	84.47'	46.90'
C36	89°27'31"	100.00'	88.32'	84.47'	46.90'
C37	89°27'31"	100.00'	88.32'	84.47'	46.90'
C38	89°27'31"	100.00'	88.32'	84.47'	46.90'
C39	89°27'31"	100.00'	88.32'	84.47'	46.90'
C40	89°27'31"	100.00'	88.32'	84.47'	46.90'
C41	89°27'31"	100.00'	88.32'	84.47'	46.90'
C42	89°27'31"	100.00'	88.32'	84.47'	46.90'
C43	89°27'31"	100.00'	88.32'	84.47'	46.90'
C44	89°27'31"	100.00'	88.32'	84.47'	46.90'
C45	89°27'31"	100.00'	88.32'	84.47'	46.90'
C46	89°27'31"	100.00'	88.32'	84.47'	46.90'
C47	89°27'31"	100.00'	88.32'	84.47'	46.90'
C48	89°27'31"	100.00'	88.32'	84.47'	46.90'
C49	89°27'31"	100.00'	88.32'	84.47'	46.90'
C50	89°27'31"	100.00'	88.32'	84.47'	46.90'
C51	89°27'31"	100.00'	88.32'	84.47'	46.90'
C52	89°27'31"	100.00'	88.32'	84.47'	46.90'
C53	89°27'31"	100.00'	88.32'	84.47'	46.90'
C54	89°27'31"	100.00'	88.32'	84.47'	46.90'
C55	89°27'31"	100.00'	88.32'	84.47'	46.90'
C56	89°27'31"	100.00'	88.32'	84.47'	46.90'
C57	89°27'31"	100.00'	88.32'	84.47'	46.90'
C58	89°27'31"	100.00'	88.32'	84.47'	46.90'
C59	89°27'31"	100.00'	88.32'	84.47'	46.90'
C60	89°27'31"	100.00'	88.32'	84.47'	46.90'
C61	89°27'31"	100.00'	88.32'	84.47'	46.90'
C62	89°27'31"	100.00'	88.32'	84.47'	46.90'
C63	89°27'31"	100.00'	88.32'	84.47'	46.90'
C64	89°27'31"	100.00'	88.32'	84.47'	46.90'
C65	89°27'31"	100.00'	88.32'	84.47'	46.90'
C66	89°27'31"	100.00'	88.32'	84.47'	46.90'
C67	89°27'31"	100.00'	88.32'	84.47'	46.90'
C68	89°27'31"	100.00'	88.32'	84.47'	46.90'
C69	89°27'31"	100.00'	88.32'	84.47'	46.90'
C70	89°27'31"	100.00'	88.32'	84.47'	46.90'
C71	89°27'31"	100.00'	88.32'	84.47'	46.90'
C72	89°27'31"	100.00'	88.32'	84.47'	46.90'
C73	89°27'31"	100.00'	88.32'	84.47'	46.90'
C74	89°27'31"	100.00'	88.32'	84.47'	46.90'
C75	89°27'31"	100.00'	88.32'	84.47'	46.90'
C76	89°27'31"	100.00'	88.32'	84.47'	46.90'
C77	89°27'31"	100.00'	88.32'	84.47'	46.90'
C78	89°27'31"	100.00'	88.32'	84.47'	46.90'
C79	89°27'31"	100.00'	88.32'	84.47'	46.90'
C80	89°27'31"	100.00'	88.32'	84.47'	46.90'
C81	89°27'31"	100.00'	88.32'	84.47'	46.90'
C82	89°27'31"	100.00'	88.32'	84.47'	46.90'
C83	89°27'31"	100.00'	88.32'	84.47'	46.90'
C84	89°27'31"	100.00'	88.32'	84.47'	46.90'
C85	89°27'31"	100.00'	88.32'	84.47'	46.90'
C86	89°27'31"	100.00'	88.32'	84.47'	46.90'
C87	89°27'31"	100.00'	88.32'	84.47'	46.90'
C88	89°27'31"	100.00'	88.32'	84.47'	46.90'
C89	89°27'31"	100.00'	88.32'	84.47'	46.90'
C90	89°27'31"	100.00'	88.32'	84.47'	46.90'
C91	89°27'31"	100.00'	88.32'	84.47'	46.90'
C92	89°27'31"	100.00'	88.32'	84.47'	46.90'
C93	89°27'31"	100.00'	88.32'	84.47'	46.90'
C94	89°27'31"	100.00'	88.32'	84.47'	46.90'
C95	89°27'31"	100.00'	88.32'	84.47'	46.90'
C96	89°27'31"	100.00'	88.32'	84.47'	46.90'
C97	89°27'31"	100.00'	88.32'	84.47'	46.90'
C98	89°27'31"	100.00'	88.32'	84.47'	46.90'
C99	89°27'31"	100.00'	88.32'	84.47'	46.90'
C100	89°27'31"	100.00'	88.32'	84.47'	46.90'

- NOTES:**
1. BASES OF EASEMENTS: THE LINE BETWEEN THE SOUTHEAST CORNER AND THE EAST 1/4 CORNER OF SECTION 13, TOWNSHIP 34 NORTH, RANGE 55 EAST, MERIDIAN 12 WEST, AS SHOWN ON THE PARCEL MAP FOR ELKO GREENWOOD, ELKO COUNTY RECORD, ELKO, NEVADA, AT FILE NUMBER 88000.
 2. THIS MAP SUBDIVIDES PARCEL A, AS SHOWN ON THE FINAL MAP OF TOWER HILL SUBDIVISION, UNIT NUMBER 1, FILED IN THE OFFICE OF THE ELKO COUNTY RECORDER, ELKO, NEVADA, AT FILE NUMBER 74117.
 3. THE TOTAL SUBDIVIDED AREA ON THIS MAP IS 17.056 ± ACRES.
 4. THE TOTAL AREA OF UNIT NUMBER 2 IS 6.330 ± ACRES.
 5. THE TOTAL DEDICATED STREET AREA WITHIN UNIT NUMBER 2 IS 1.407 ± ACRES.
 6. A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED SPECIFICALLY TO HV ENERGY WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO CUT THAT PARCEL, WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS, AT LOCATIONS INITIALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY.
 7. A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED SPECIFICALLY TO SOUTHERN RAIL CORP. WITHIN EACH PARCEL, WITH THE EXCLUSIVE PURPOSE OF INSTALLING, MAINTAINING, RESPECTING AND REMOVING UTILITY FACILITIES WITHIN EACH PARCEL, WITH THE RIGHT TO CUT THAT PARCEL, WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS. RIGHTS ARE ALSO GRANTED TO USE EXISTING PUBLIC RIGHTS-OF-WAY FOR THE PURPOSE OF MAINTAINING, INSTALLING, RESPECTING AND REMOVING SAID UTILITY FACILITIES.
 8. IN ADDITION TO THE EASEMENTS SHOWN, SLOPE EASEMENTS ARE OFFERED FOR DESIGNATION ALONG ALL ROAD AND SIDE LOT LINES AT THE LOCATION OF THE FINISHED GRADE SLOPE ALONG SAID LINES.
 9. IN ADDITION TO THE EASEMENTS SHOWN, PUBLIC UTILITY AND PUBLIC DRAINAGE EASEMENTS ARE OFFERED FOR DESIGNATION AS FOLLOWS:
STREET FRONTAGE: 7.5' DRAINAGE & UTILITY EASEMENT
SIDE LOT LINES: 5.0' DRAINAGE & UTILITY EASEMENT
REAR LOT LINES: 5.0' DRAINAGE EASEMENT

LEGEND:

- 12" x 18" EXISTING SECTION CORNER AS NOTED
- 24" x 18" EXISTING 1/4 SECTION CORNER AS NOTED
- EXISTING MONUMENT IN STREET MELL
- FOUND 5/8" REBAR W/ 40# PLASTIC CAP
- FOUND 5/8" REBAR W/ 40# PLASTIC CAP
- PROPOSED MONUMENT IN STREET MELL
- PROPOSED 5/8" REBAR W/ 40# CAP
- CALCULATED POINT, HOLDING SET
- RIGHT-OF-WAY OFFERED FOR DESIGNATION

SCALE: 1"=50'

LINE	BEARING	LENGTH
101	N 89°55'03" E	170.00'
102	S 89°55'03" E	170.00'
103	N 89°55'03" E	170.00'
104	S 89°55'03" E	170.00'
105	N 89°55'03" E	170.00'
106	S 89°55'03" E	170.00'
107	N 89°55'03" E	170.00'
108	S 89°55'03" E	170.00'
109	N 89°55'03" E	170.00'
110	S 89°55'03" E	170.00'
111	N 89°55'03" E	170.00'
112	S 89°55'03" E	170.00'
113	N 89°55'03" E	170.00'
114	S 89°55'03" E	170.00'
115	N 89°55'03" E	170.00'
116	S 89°55'03" E	170.00'
117	N 89°55'03" E	170.00'
118	S 89°55'03" E	170.00'
119	N 89°55'03" E	170.00'
120	S 89°55'03" E	170.00'
121	N 89°55'03" E	170.00'
122	S 89°55'03" E	170.00'
123	N 89°55'03" E	170.00'
124	S 89°55'03" E	170.00'
125	N 89°55'03" E	170.00'
126	S 89°55'03" E	170.00'
127	N 89°55'03" E	170.00'
128	S 89°55'03" E	170.00'
129	N 89°55'03" E	170.00'
130	S 89°55'03" E	170.00'
131	N 89°55'03" E	170.00'
132	S 89°55'03" E	170.00'
133	N 89°55'03" E	170.00'
134	S 89°55'03" E	170.00'
135	N 89°55'03" E	170.00'
136	S 89°55'03" E	170.00'
137	N 89°55'03" E	170.00'
138	S 89°55'03" E	170.00'
139	N 89°55'03" E	170.00'
140	S 89°55'03" E	170.00'
141	N 89°55'03" E	170.00'
142	S 89°55'03" E	170.00'
143	N 89°55'03" E	170.00'
144	S 89°55'03" E	170.00'
145	N 89°55'03" E	170.00'
146	S 89°55'03" E	170.00'
147	N 89°55'03" E	170.00'
148	S 89°55'03" E	170.00'
149	N 89°55'03" E	170.00'
150	S 89°55'03" E	170.00'

LINE	BEARING	LENGTH
151	N 89°55'03" E	170.00'
152	S 89°55'03" E	170.00'
153	N 89°55'03" E	170.00'
154	S 89°55'03" E	170.00'
155	N 89°55'03" E	170.00'
156	S 89°55'03" E	170.00'
157	N 89°55'03" E	170.00'
158	S 89°55'03" E	170.00'
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160	S 89°55'03" E	170.00'
161	N 89°55'03" E	170.00'
162	S 89°55'03" E	170.00'
163	N 89°55'03" E	170.00'
164	S 89°55'03" E	170.00'
165	N 89°55'03" E	170.00'
166	S 89°55'03" E	170.00'
167	N 89°55'03" E	170.00'
168	S 89°55'03" E	170.00'
169	N 89°55'03" E	170.00'
170	S 89°55'03" E	170.00'

SHEET 2 OF 2
FINAL MAP
TOWER HILL SUBDIVISION
UNIT NUMBER 2
 LOCATED IN:
 SECTION 13, T.34 N., R.55 E., M.D.B. & M.
 ELKO COUNTY NEVADA
 HIGH DESERT
 ENGINEERING
 LLC
 840 IDAHO STREET
 ELKO, NEVADA 89601
 (775) 738-4053
215010



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of March 5, 2019

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on March 5, 2019 pursuant to City Code Sections 3-3-6 (B)1 and (C) 2:

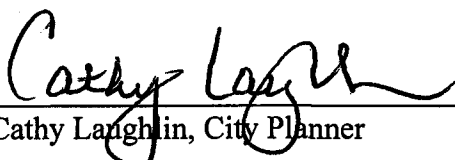
Final Plat No. 14-18, filed by Jordanelle Third Mortgage, LLC, for the development of a subdivision entitled Tower Hills Unit 2 involving the proposed division of approximately 17.05 acres of property into 23 lots and one remainder parcel for residential development within the R1 (Single-Family Residential) Zoning District, and matters related thereto.

The subject property is located generally southwest of the terminus of Deerfield Way and Chukar Drive. (APN 001-929-124).

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to conditionally approve Final Plat No. 14-18 subject to the conditions in the City of Elko Staff Report dated February 25, 2019 listed as follows:

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-21 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-22 of city code. In conformance with Section 3-3-21 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
2. The Performance Agreement shall be approved by the City Council at the time of Final Map approval by the City Council.
3. The developer shall enter into the Performance Agreement within 30 days of approval of the final map by City Council.
4. The final map is approved for 23 single family residential lots and 1 remainder lot.
5. The Utility Department will issue a Will Serve Letter.
6. State approvals of the construction plans and final map are required.
7. Update the Treasurer's jurat to reflect Cheryl Paul instead of Rebecca Erickson.
8. Conformance with Preliminary Plat conditions.
9. Civil improvements are to comply with Chapter 3-3 of City code.
10. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.
11. Construction, with the exception of grading, shall not commence prior to Final plat approval by the City Council, issuance of a will serve letter by the city and approval of the civil improvement plans by the State.

The Planning Commission's findings to support its recommendation are the subdivision is in conformance with the Land Use and Transportation Components of the Master Plan. The subdivision is in conformance with 3-2-4 – Establishment of Zoning Districts. The subdivision is in conformance with 3-2-5(B) R1 – Residential Single-Family Zoning District. The subdivision is in conformance with 3-2-17 Traffic, Access, Parking and Loading Regulations. The subdivision is in conformance with 3-3-7 – Final Map (Stage III). The subdivision is in conformance with 3-3-8 – Content and Format of Final Map Submission. The subdivision is in conformance with 3-3-9 – General Provisions for Subdivision Design. a. the subdivision does not appear to be unsuitable for use by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, erosion susceptibility, or similar conditions which are likely to prove harmful to the health and safety and general welfare of the community or the future property owners. The subdivision is in conformance with 3-3-10 – Street Location and Arrangement. The subdivision is in conformance with 3-3-11 – Street Design. The subdivision is in conformance with 3-3-12 – Block Design. The subdivision is in conformance with 3-3-13 – Lot Planning. The subdivision is in conformance with 3-3-14 – Easement Planning. The subdivision is in conformance with 3-3-15 – Street Naming. The subdivision is in conformance with 3-3-16 – Street Lighting Design Standards. The subdivision is in conformance with 3-3-17 – Responsibility for Improvements. The subdivision is in conformance with 3-3-18 – Construction Plans. The subdivision is in conformance with 3-3-19 – Construction and Inspection. The subdivision is in conformance with 3-3-20 – Required Improvements. The sub-divider shall enter into a performance agreement to address the conditions found in 3-3-21 – Performance Agreements. The sub-divider shall provide a performance and maintenance guarantee as stipulated in the performance agreement and 3-3-22 – Performance and Maintenance Guarantee. The subdivision is in conformance with 3-8 Floodplain Management. The Final Plat is in conformance with the Preliminary Plat.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: _____

Do not use pencil or red pen, they do not reproduce

Title: Final Plat 14-18 Tower Hills Unit 2
Applicant(s): Jordanelle Third Mortgage
Site Location: Terminus of Deerfield Way & Chukar Dr
Current Zoning: R1 Date Received: 12/20/18 Date Public Notice: N/A
COMMENT: This is for the division of 17.050 acres
into 23 lots for residential development and a
remainder parcel.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 3/1/19

In accordance w/ Section 3-3-7(6)(3) the construction
plans are approved by City Staff. Strike conditions
9, 11 & 13. The Public Improvements required under Unit
2 on State Route 227 were completed under Unit 1
SAW

Initial

City Manager: Date: 2/27/19

Recommend approval, pursuant to conditions listed in
City of Elko Staff Report.

CE
Initial



NEVADA DIVISION OF

ENVIRONMENTAL PROTECTION

STATE OF NEVADA
Department of Conservation & Natural Resources

Steve Sisolak, Governor
Bradley Crowell, Director
Greg Lovato, Administrator

RECEIVED

MAR 11 2019

March 4, 2019

Cathy Laughlin
City Planner, City of Elko
1751 College Avenue
Elko, NV 89801

Re: Approval of Improvement Plans – Tower Hill Subdivision – Unit Number 2
23 lots in the City of Elko, Nevada

Dear Ms. Laughlin:

The Nevada Division of Environmental Protection (NDEP) has reviewed the Improvement Plans and Final Map for the above-referenced subdivision and recommends approval of said Plans and Final Map with respect to water pollution and sewage disposal, provided that the City of Elko commits to provide sewage and water service to said project.

The NDEP has no further comments regarding sewage appurtenances. Construction of sewage collection appurtenances for the proposed project must be performed in accordance with applicable standards and regulations. Information for water project improvements has been determined by the Bureau of Safe Drinking Water (BSDW) to be satisfactory.

The water project is hereby approved for construction only. Work on a water project must commence not later than one year after the date of project approval. The water project must be completed not later than one year after the date that work on the project has commenced, except that BSDW may extend this period in one year increments if the requirements of NAC 445A.6671 are met. **It is requested that a PDF file of the plans and specifications be forwarded to our office.**

Per NAC 445A.66715, work performed on a water project must be performed in substantial compliance with the plans and specifications approved by BSDW. In addition, any major changes to these plans during construction, which would affect the quality or quantity of water, must be submitted to BSDW for review and approval.

Work on a water project must be inspected by qualified representatives of the supplier of water. The supplier of water, or a third party acceptable to BSDW, must ensure that the project is built according to the approved plans and specifications. **Written verification must be submitted to BSDW no later than 30 days following completion of the project in accordance with NAC 445A.66715.**

As a reminder, please note the following pertinent regulations:

Per NAC 445A.67145 (6), **a water main must not be placed into service until:**

1. The water main has been disinfected in accordance with AWWA Standard C651.
2. Analyses of the water main which indicate that the water meets primary drinking water standards for coliform bacteria (absent for coliform bacteria) have been obtained and reported to BSDW. Per AWWA Standard C651, two sets of consecutive samples must be taken at least 24 hours apart from every 1200 feet of main, at the end of the line, and from each branch.

Please note that your water discharge may be subject to permitting requirements by the Nevada Division of Environmental Protection – Bureau of Water Pollution Control. For more information, please contact the BWPC at (775) 687-9414.

The “Reduction of Lead in Drinking Water Act of 2011”, and the “Community Fire Safety Act of 2013”, amended the Federal Safe Drinking Water Act. The BSDW amended the Nevada Administrative Code (NAC) effective December 22, 2014, to reflect the new Federal definition of lead-free that became effective January 4, 2014. Public Water System compliance with the new definition of lead-free in NAC 445A.66085 is required.

Be advised that review or approval of sewage and water plans, design drawings, design specifications, or other documents by or for the NDEP is for administrative purposes only, and does not relieve the owner and/or operator of the proposed subdivision to properly engineer, plan, design, build, and effectively operate and maintain the facilities as required under law, regulations, permits, and good management practices. The NDEP is not responsible for increased costs resulting from defects in design, plans and specifications or other pertinent documents.

Prior to construction of the project, the developer may need to obtain certain permits and authorizations, which may include, but are not limited to, the following:

- Dam Safety Permits – NV Division of Water Resources
- Well Permits – NV Division of Water Resources
- 404 Permits – U.S. Army Corp of Engineers
- Air Quality Permits – Local Government, County, or State Health Division
- Health Permits – Local Government, County, or State Health Division
- NDEP Construction Stormwater Permit
- NDEP Dewatering Permit
- NDEP Water Pollution Control Discharge Permit

Tower Hill Unit 2

March 4, 2019

Page 3 of 3

If you have any questions or comments regarding this letter, please contact me at (775) 687-9546, or rfahey@ndep.nv.gov. If you have any questions or comments relating specifically to BSDW requirements, please contact Jim Balderson at (775) 687-9517.

Sincerely,



Ryan Fahey, Staff Engineer
Technical Services, Compliance and Enforcement
Bureau of Water Pollution Control

Cc: Ryan Limberg, Utilities Director; City of Elko, 1755 College Avenue, Elko, NV 89801

ECc: Jim Balderson, P.E., BSDW
Scott Wilkinson, City of Elko
Thomas C. Ballew, P.E., High Desert Eng.
Andrea Seifert, P.E., BSDW
Katrina Pascual, P.E., BWPC

Subdivision Improvement Plan Control No. S12310



City of Elko – Assistant City Manager
1755 College Avenue
Elko, NV 89801
Telephone: 775.777.7210
Facsimile: 775.777.7219

March 1, 2019

Mr. Thomas Ballew, P.E.
High Desert Engineering
640 Idaho Street
Elko, NV 89801

Re: Tower Hill Unit 2 – Final Map and Construction Plans

Dear Mr. Ballew,

The City of Elko Development Department has reviewed and approved the above referenced final map and construction plans based on the following conditions:

1. Final review of the construction plans in conjunction with review of the Final Map by the Planning Commission and a recommendation by the Planning Commission to the City Council for approval or conditional approval of the Final Map.
2. Final approval of the final map by the Nevada Division of Environmental Protection is required.
3. Written approval, on file with the City, from the Nevada Division of Environmental Protection for construction of the water utilities and other utilities as related to the water project in accordance with NAC 278.340 and NAC 278.360 prior to commencement of construction activities.
4. A Performance Agreement is fully executed and on file with the City of Elko.
5. The Developer adheres to the requirements stipulated in the performance agreement.
6. The Developer hires a qualified engineer to oversee and certify the construction, as shown on the approved construction plans, in accordance with the Performance Agreement.
7. Storm water general permit (Construction Stormwater Permit from the Nevada Department of Environmental Protection), if the disturbed area is equal to or greater than one acre. Required submittals to the City of Elko are: construction permit checklist, performance standard compliance checklist, copy of notice of intent, copy of signed confirmation letter and a copy of the Storm Water Pollution Prevention Plan (SWPPP) in accordance with 9-7-6(B).
8. A Surface Area Disturbance (SAD) permit is required if the disturbed area is equal to or greater than five acres. The permit may be obtained from the Nevada Division of Environmental Protection.
9. A street cut permit from the City of Elko.
10. The required grading permit has already been issued.

Please contact me at 775.777.7211 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Wilkinson", written over the word "Sincerely,".

Scott A. Wilkinson
City of Elko – Assistant City Manager

CC: City of Elko - File

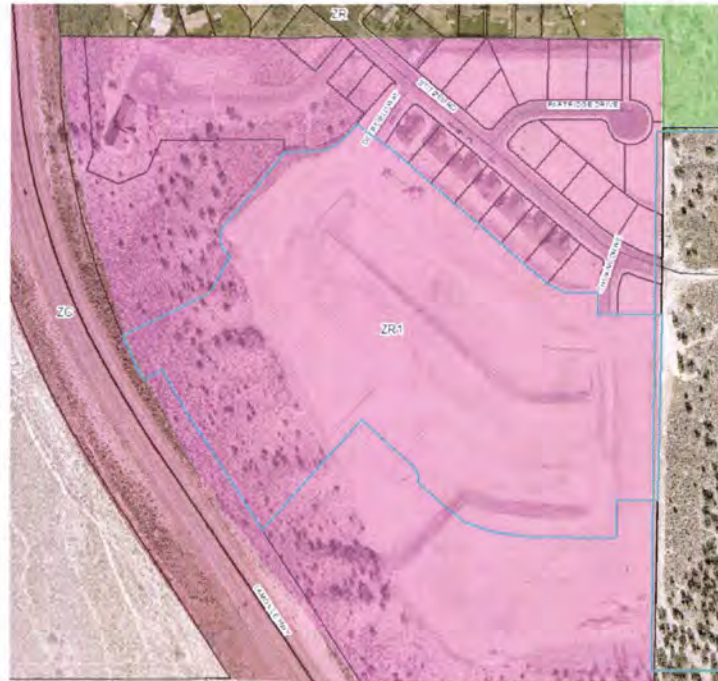


City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

DATE:	February 25, 2019
PLANNING COMMISSION DATE:	March 5, 2019
AGENDA ITEM NUMBER:	I.B.1
APPLICATION NUMBER:	Final Plat 14-18
APPLICANT:	Jordanelle Third Mortgage, LLC
PROJECT DESCRIPTION:	Tower Hills Subdivision Unit 2 at the end of Stitzel Road above Lamoille Highway and Powder House Road

A Final Map for the division of approximately 17.05 acres into 23 lots for single family residential development within an R1 (Single Family Residential) Zoning District and one remaining lot.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE this item subject to findings of fact and conditions.

PROJECT INFORMATION

PARCEL NUMBERS: 001-929-124

PARCEL SIZE: 17.05 acres for this Unit 2 of the subdivision; the entire subdivision is 33.804 acres. In Unit 2, approximately 1.412 acres are offered for dedication for street development

EXISTING ZONING: (R1) Single Family Residential

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- North: Residential / Developed
- East: Elko County Property / Undeveloped
- South: Agriculture (AG) / Undeveloped
- West: Planned Commercial / Undeveloped

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- This is the second phase of the Tower Hills Subdivision.
- The parcel has challenging topography issues with a substantial grade difference towards Lamoille Highway.
- Frontage of the Lamoille Highway would be under NDOT jurisdiction.
- A portion of the property is located in the 5600 water zone and therefore cannot be served at this time by the City of Elko.

MASTER PLAN, COORDINATING PLANS, and CITY CODE SECTIONS:

Applicable Master Plan Sections, Coordinating Plans, and City Code Sections are:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Zoning Districts
- City of Elko Zoning – Section 3-2-5(B) Single-Family Residential District
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback And Height Schedule For Principal Buildings

- City of Elko Zoning – Section 3-8 Flood Plain Management
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning – Chapter 3 Subdivisions

BACKGROUND INFORMATION

1. The City Council accepted the Preliminary Plat at its meeting on October 24, 2017.
2. The subdivision is located on APN 001-929-125, shown as parcel A on map 741117 recorded at the Elko County Recorder's Office.
3. The application is for a total of 23 lots. The proposed density is 4.69 units per acre.
4. The total subdivided area is approximately 17.05 acres in size with 6.315 of that divided into 23 lots for Unit 2 with 1 remaining lot.
5. Approximately 1.412 acres are offered for dedication for street development.
6. The property is located off Lamoille Highway, NDOT jurisdiction and at the end of Stitzel Road.
7. Preliminary Plat was approved by City Council on October 24, 2017.

MASTER PLAN:

1. Conformance with the Land Use component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat.
2. Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat.

The subdivision is in conformance with the Land Use and Transportation components of the Master Plan.

ELKO REDEVELOPMENT PLAN:

1. The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property lies outside any capture zone for the City of Elko.

SECTIONS 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process.

The proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(B), 3-2-5(G) and 3-2-17 of city code.

SECTION 3-3-7 FINAL MAP STAGE (STAGE III)

Requirements for Presentation of Final Map or Series of Final Maps (B)(1) – The subdivider shall present to the City Council on or before the second anniversary of the date on which the subdivider recorded the first in the series of final maps: (I) a final map, prepared in accordance with the tentative map, for the entire area for which the tentative map has been approved; or (II) the next final map in the series of final maps covering a portion of the approved tentative map. If the subdivider fails to comply with the provisions of the preceding sentence, all proceedings concerning the subdivision are terminated. Unit 1 Final Map was recorded on May 23, 2018.

Pre-submission Requirements (C)(1) – The Final Plat is in conformance with the zone requirements.

Pre-submission Requirements (C)(2) – The proposed final plat conforms to the preliminary plat.

Utility Easements (D) – The affidavit has been provided on the final map for the utility companies.

SECTION 3-3-8 CONTENT AND FORMAT OF FINAL MAP SUBMITTAL

- A. Form and Content-The final plat conforms to the required size specifications and provides the appropriate affidavits and certifications.
- B. Identification Data
 - 1. The subdivision map identified the subdivision, and provides its location by section, township, range and county.
 - 2. The subdivision map was prepared by a properly licensed surveyor.
 - 3. The subdivision map provides a scale, north point, and date of preparation.
- C. Survey Data
 - 1. The boundaries of the tract are fully balanced and closed.
 - 2. All exceptions are noted on the plat.
 - 3. The location and description of cardinal points are tied to a section corner.
 - 4. The location and description of any physical encroachments upon the boundary of the tract are noted on the plat.
- D. Descriptive Data
 - 1. The name, right of way lines, courses, lengths and widths of all streets and easements are noted on the plat.
 - 2. All drainage ways are noted on the plan.
 - 3. All utility and public service easements are noted on the plat.
 - 4. The location and dimensions of all lots, parcels and exceptions are shown on the plat.
 - 5. All residential lots are numbered consecutively on the plat.
 - 6. There is no public drainage dedicated to the public shown on the plat.
 - 7. The location of adjoining subdivisions are noted on the plat with required information.
 - 8. There are no deed restrictions proposed.
- E. Dedication and Acknowledgment
 - 1. The owner's certificate has the required dedication information for all easements and right of ways.
 - 2. The execution of dedication is acknowledged and certified by a notary public.
- F. Additional Information
 - 1. All centerline monuments for streets are noted as being set on the plat.

2. The centerline and width of each right of way is noted on the plat.
 3. The plat indicates the location of monuments that will be set to determine the boundaries of the subdivision.
 4. The length and bearing of each lot line is identified on the plat.
 5. The city boundary adjoining the subdivision is identified on the plat.
 6. The plat identifies the location of the section lines.
- G. City to Check
1. The City shall check the final map for accuracy of dimensions, placement of monuments, the establishment of survey records, and conformance with the tentative map.
 - a) Closure calculations have been provided.
 - b) Construction plans have been provided.
 - c) Construction plans for manholes, catch basins and other appurtenant structures have been submitted.
 - d) An engineer's estimate has been provided.
 2. It appears the lot closures are within the required tolerances.
- H. Required certifications
1. The Owner's Certificate is shown on the final plat.
 2. The Owner's Certificate offers for dedication all right of ways shown on the plat.
 3. A Clerk Certificate is shown on the final plat, certifying the signature of the City Council.
 4. The Owner's Certificate offers for dedication all easements shown on the plat.
 5. A Surveyor's Certificate is shown on the plat and provides the required language.
 6. The City Engineer's Certificate is listed on the plat.
 7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
 8. A copy of review by the state engineer is not available at this time.
 9. A certificate from the Division of Water Resources is provided on the plat with the required language.
 10. The civil improvement plans identify the required water meters for the subdivision.

SECTIONS 3-3-9 through 3-3-16 (inclusive)

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process.

The proposed development conforms to Sections 3-3-20 through 3-3-27 (inclusive).

SECTION 3-3-17-RESPONSIBILITY FOR IMPROVEMENTS

The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-17 of city code.

SECTION 3-3-18 CONSTRUCTION PLANS

The Subdivider has submitted civil improvement plans in conformance with section 3-3-18 of City code. The plans have been reviewed by city staff. Minor revisions are required as outlined in the city review letter dated January 4, 2019.

SECTION 3-3-19-CONSTRUCTION AND INSPECTION

The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-19 of city code.

SECTION 3-3-20-REQUIRED IMPROVEMENTS

The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-20 of city code with the exception noted under 3-3-18.

Civil improvements include curb, gutter and sidewalk, paving and utilities within the Deerfield Way, Pheasant Drive and Chukar Drive right of way.

SECTION 3-3-21-PERFORMANCE AGREEMENTS

The Subdivider is required to enter into a Performance Agreement to conform to Section 3-3-21 of city code.

SECTION 3-3-22-PERFORMANCE AND MAINTENANCE GUARANTEES

The Subdivider is required to provide a Performance and Maintenance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-22 of city code.

SECTION 3-8

1. The property is not located within a designated flood plain.

FINDINGS

1. The subdivision is in conformance with the Land Use and Transportation components of the Master Plan.
2. The subdivision is in conformance with 3-2-4-Establishment of Zoning Districts.
3. The subdivision is in conformance with 3-2-5-B R1- Residential Single-Family Zoning District.
4. The subdivision is in conformance with 3-2-17 Traffic, Access, Parking and Loading Regulations.
5. The subdivision is in conformance with 3-3-7-Final Map (Stage III).
6. The subdivision is in conformance with 3-3-8-Content and Format of Final Map Submission.
7. The subdivision is in conformance with 3-3-9-General Provisions for Subdivision Design.
 - a. The subdivision does not appear to be unsuitable for use by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, erosion susceptibility or similar conditions which are likely to prove harmful to the health and safety and general welfare of the community or the future property owners.
8. The subdivision is in conformance with 3-3-10-Street Location and Arrangement.
9. The subdivision is in conformance with 3-3-11-Street Design.
10. The subdivision is in conformance with 3-3-12-Block Design.
11. The subdivision is in conformance with 3-3-13-Lot Planning

12. The subdivision is in conformance with 3-3-14-Easement Planning.
13. The subdivision is in conformance with 3-3-15-Street Naming.
14. The subdivision is in conformance with 3-3-16-Street Lighting Design Standards.
15. The subdivision is in conformance with 3-3-17-Responsibility for Improvements.
16. The subdivision is in conformance with 3-3-18-Construction Plans.
17. The subdivision is in conformance with 3-3-19-Construction and Inspection.
18. The subdivision is in conformance with 3-3-20-Required Improvements.
19. The sub-divider shall enter into a performance agreement to address the conditions found in 3-3-21-Performance Agreements.
20. The sub-divider shall provide a performance and maintenance guarantee as stipulated in the performance agreement and 3-3-22-Performance and Maintenance Guarantee.
21. The subdivision is in conformance with 3-8 Floodplain Management.
22. The Final Plat is in conformance with the Preliminary Plat.

RECOMMENDATION

Staff recommends **approval** of the subdivision based on the following conditions:

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-21 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-22 of city code. In conformance with Section 3-3-21 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
2. The Performance Agreement shall be approved by the City Council at the time of Final Map approval by the City Council.
3. The developer shall enter into the Performance Agreement within 30 days of approval of the final map by City Council.
4. The final map is approved for 23 single family residential lots and 1 remainder lot.
5. The Utility Department will issue a Will Serve Letter.
6. State approvals of the construction plans and final map are required.
7. Update the Treasurer's jurat to reflect Cheryl Paul instead of Rebecca Erickson.
8. Conformance with Preliminary Plat conditions.
9. Public improvements are required on the State Route 227 frontage or on the south southwest side of the State Route in accordance with NDOT approval. The extent, location and type of public improvements will be determined through the review and approval process for the civil improvement plans.
10. Civil improvements are to comply with Chapter 3-3 of City code.
11. Final approval for construction plans.
12. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.
13. The civil improvement plans are to be revised in accordance with the city review letter dated January 4, 2019 for review and possible approval. This condition shall be satisfied prior to consideration of the Final Plat by the City Council.

14. Construction, with the exception of grading, shall not commence prior to Final plat approval by the City Council, issuance of a will serve letter by the city and approval of the civil improvement plans by the State.

Fire Department

1. 2012 IFC D104.3

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.



NEVADA DIVISION OF

ENVIRONMENTAL PROTECTION

STATE OF NEVADA

Department of Conservation & Natural Resources

Bradley Crowell, Director
Greg Lovato, Administrator

RECEIVED

JAN 14 2019

January 9, 2019

Cathy Laughlin
City Planner, City of Elko
1751 College Avenue
Elko, NV 89801

Re: Verification of Approval of Improvement Plans and Final Map – Tower Hill Subdivision
Units 1, 2 and 3 in the City of Elko, Nevada

Dear Ms. Laughlin:

The Nevada Division of Environmental Protection (NDEP) received a request from the engineer for the above referenced project to provide verification from the NDEP that the improvement plans and final maps were reviewed for this project. Based on the information that the NDEP has on file the improvement plans and final maps were reviewed and approved for each of the following units of Tower Hill Subdivision by both the Bureau of Water Pollution Control and the Bureau of Safe Drinking Water. Tower Hill Subdivision Unit 1 was reviewed and approved on April 14, 2015 for 25 lots (Control No. S9932), Unit 2 was reviewed and approved on August 24, 2015 for 23 lots (Control No. S10264) and Unit 3 was approved on October 6, 2015 for 27 lots (Control No. S10420).

Prior to 2016 the regulations that guide the NDEP subdivision review process (NAC 278) required that the final map be reviewed prior to the beginning of construction on a subdivision. For this reason the civil improvement plan review was not specifically mentioned in the final map approval letters due to the fact that the improvement plans had to be reviewed in order for the NDEP to approve the subdivision final map. This changed in 2016 with a regulation change that now allows for construction to begin after the State approves the improvement plans if **the local agency (City and/or County) also approves the project for construction.** Since 2016 the NDEP approval letters either break the civil improvement plan and final map review into two separate approval letters or one combination letter that specifically calls out the approval of each separately.

This verification of NDEP improvement plan and final map approval from 2015 does not release the developer or engineer from any other regulatory requirements that may be related to the project to include; local regulations or timelines that may have lapsed due to the review taking place in 2015.

Tower Hill Subdivision
January 9, 2019
Page 2 of 2

If you have any questions or comments regarding this letter, please contact me at (775) 687-9546, or rfahey@ndep.nv.gov.

Sincerely,



Ryan Fahey, Staff Engineer
Technical Services, Compliance and Enforcement
Bureau of Water Pollution Control

ECc: Jim Balderson, P.E., BSDW
Katrina Pascual, P.E., BWPC
Elizabeth Kingsland, BWPC
Scott Wilkinson, City of Elko
Ryan Limberg, City of Elko
Thomas C. Ballew, P.E., High Desert Eng.
Scott MacRitchie

Subdivision Final Map Control Nos. S9932, S10264 and S10420



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR FINAL PLAT APPROVAL

APPLICANT(s): Jordanelle Third Mortgage, LLC
MAILING ADDRESS: 312 Four Mile Trail, Elko, NV 89801
PHONE NO (Home) (775) 340-6005 (Business) _____
NAME OF PROPERTY OWNER (If different): same
(Property owner consent in writing must be provided)
MAILING ADDRESS: same
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 001-929-124 Address N/A
Lot(s), Block(s), & Subdivision _____
Or Parcel(s) & File No. Parcel A, File 741117
PROJECT DESCRIPTION OR PURPOSE: 23 Lot Single Family Residential Subdivision
APPLICANT'S REPRESENTATIVE OR ENGINEER: High Desert Engineering, LLC

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and ten (10) 24" x 36" copies of the final plat folded to a size not to exceed 9"x12" provided by a properly licensed surveyor, as well as one (1) set of reproducible plans 8 1/2" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-8 of Elko City Code (see attached checklist).
2. Pre-Submission Requirements:
 - a. The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the Elko City Council prior to filing of the final plat.
 - b. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of the City Subdivision Ordinance.
 - c. The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved, and shall be so indicated by an affidavit on the map.
 - d. A complete set of construction plans for all public improvements associated with the final plat shall have been approved or substantially approved by the City Engineer.

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

Final Plat Checklist 3-3-8

Identification Data	
X	Subdivision Name
X	Location and Section, Township and Range
X	Name, address and phone number of subdivider
X	Name, address and phone number of engineer/surveyor
X	Scale, North Point and Date of Preparation
X	Location maps
Survey Data (Required)	
X	Boundaries of the Tract fully balanced and closed
X	Any exception within the plat boundaries
X	The subdivision is to be tied to a section corner
X	Location and description of all physical encroachments
Descriptive Data	
X	Street Layout, location, widths, easements
X	All drainageways, designated as such
X	All utility and public service easements
X	Location and dimensions of all lots, parcels
X	Residential Lots shall be numbered consecutively
X	All sites to be dedicated to the public and proposed use
X	Location of all adjoining subdivisions with name date, book and page
X	Any private deed restrictions to be imposed upon the plat
Dedication and Acknowledgment	
X	Statement of dedication for items to be dedicated
X	Execution of dedication acknowledged by a notary public
Additional Information	
X	Street CL, and Monuments identified
X	Street CL and width shown on map
X	Location of mounuments used to determine boudaries
X	Each city boundary line crossing or adjoining the subdivision
X	Section lines crossing the subdivision boundaries
City Engineer to Check	
X	Closure report for each of the lots
X	Civil Improvement plans
X	Estimate of quantities required to complete the improvements
Required Certifications	
X	All parties having record title in the land to be subdivided
X	Offering for dedication
X	Clerk of each approving governing body
X	Easements
X	Surveyor's Certificate
X	City Engineer
X	State Health division
X	State Engineer
X	Division of Water Resources
X	City Council

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I acknowledge that, if approved, I must provide an AutoCAD file containing the final subdivision layout on NAD 83 NV East Zone Coordinate System to the City Engineering Department when requesting final map signatures for recording.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent: Scott MacRitchie, Managing Director
(Please print or type)

Mailing Address: 312 Four Mile Trail
Street Address or P.O. Box
Elko, NV 89801
City, State, Zip Code

Phone Number: (775) 340-6005

Email address: scott@macritchie.com

SIGNATURE: Scott Mac Ritchie

FOR OFFICE USE ONLY

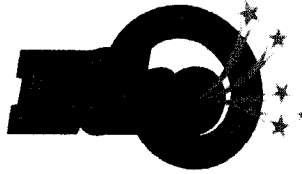
23 Lots + 1 remainder = 24 Lots
x25

File No.: 14-18 Date Filed: 12/20/18 Fee Paid: \$1,350 or #3515
\$600
+ 750
\$1,350

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to conditionally approve Final Plat No. 11-18, filed by Parrado Partners LP., for the development of a subdivision entitled Great Basin Estates, Phase 3 involving the proposed division of approximately 9.650 acres of property into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **UNFINISHED BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **Subject property is located generally northeast of Flagstone Drive between Opal Drive and Clarkson Drive (APN 001-633-030). Preliminary Plat was recommended to Council to conditionally approve by Planning Commission May 3, 2016 and conditionally approved by Council May 24, 2016. The Planning Commission considered this item on September 6, 2018, and took action to forward a recommendation to Council to conditionally approve Final Plat 11-18. CL**
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Maps, P.C. action report, Staff reports and related correspondence.**
9. Recommended Motion: **Conditionally approve Final Plat No. 11-18 for the Great Basin Estates, Phase 3 subdivision subject to the conditions as recommended by the Planning Commission OR table item if Cease and Desist Order issued by NDEP is still in effect.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Planning Commission**
12. Council Action:
13. Agenda Distribution: **Parrado Partners, LP
Robert Capps—robertcapps@cappshomes.com
12257 Business Park Drive #1
Truckee, CA 96161**



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO

PLANNING COMMISSION ACTION REPORT

Special Meeting of September 6, 2018

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on September 6, 2018 pursuant to City Code Sections 3-3-6 (B)1 and (C) 2:

Final Plat No. 11-18, filed by Parrado Partners, LP, for the development of a subdivision entitled Great Basin Estates Phase 3 involving the proposed division of approximately 9.65 acres divided into 38 lots for residential development within the R (Single Family and Multiple Family Residential) Zoning District, and matters related thereto.

The subject property is located generally at the extension of Village Parkway and Opal Drive. (001-633-030).

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to conditionally approve Final Plat No. 11-18 subject to the conditions in the City of Elko Staff Report dated August 23, 2018 listed as follows:

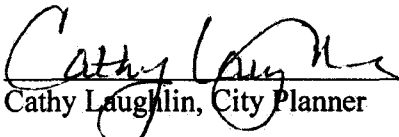
1. **The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.**
2. **The Performance Agreement shall be approved by the City Council.**
3. **The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.**
4. **The Final Plat is approved for 38 single family residential lots.**
5. **The Utility Department will issue a Will Serve Letter for the subdivision.**
6. **State approval of the subdivision is required.**
7. **Conformance with Preliminary Plat conditions is required.**
8. **Civil improvements are to comply with Chapter 3-3 of City code.**
9. **The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest**

edition Standard Specifications for Public Works. All Right -of-Way and utility improvements are to be certified by the Engineer of Record for the project.

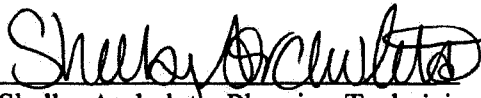
10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.

11. Modify Planning Commission approval jurat to the 3rd day of May, 2016 prior to City Council approval.

The Planning Commission's findings to support its recommendation are the Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City Code. The Final Plat is in conformance with the Preliminary Plat. The proposed subdivision is in conformance with the Land Use Component of the Master Plat. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms with Sections 3-3-20 through 3-3-27 (inclusive). The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of City Code. The Subdivider has submitted civil improvement plans in conformance with Section 3-3-41 of City Code. The plans have been approved by City Staff. The Subdivider has submitted plans to the City and State agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of City Code. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of City Code. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of City Code. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of City Code. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of City Code. The proposed development is in conformance with Section 3-8 of City Code. The subdivision is in conformance with 3-8 Floodplain Management.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk



City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

DATE:	August 23, 2018
PLANNING COMMISSION DATE:	September 6, 2018
AGENDA ITEM NUMBER:	I.B.2
APPLICATION NUMBER:	Final Plat 11-18
APPLICANT:	Parrado Partners, LP
PROJECT DESCRIPTION:	Great Basin Estates, Phase 3

A Final Map for the division of approximately 9.650 acres into 38 lots for single family residential development within an R (Single Family and Multiple Family Residential) Zoning District and one remaining lot.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE this item subject to findings of fact and conditions.

PROJECT INFORMATION

PARCEL NUMBERS: 001-633-030

PARCEL SIZE: 9.650 acres Phase 3, final phase of the subdivision

EXISTING ZONING: (R) Single Family and Multiple Family Residential

MASTER PLAN DESIGNATION: (RES-MD) Residential Medium Density

EXISTING LAND USE: Vacant

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

- Northwest: River corridor / Undeveloped
- Northeast: RMH- Residential Mobile Home / Developed
- Southwest: Single Family Residential (R) / Developed
- Southeast: Single Family Residential (R) and (RMH) / Developed

PROPERTY CHARACTERISTICS:

- The property is an undeveloped residential parcel.
- The area abuts the second phase the Great Basin Estates Subdivision.
- The parcel is generally flat.

MASTER PLAN, COORDINATING PLANS, and CITY CODE SECTIONS:

Applicable Master Plan Sections, Coordinating Plans, and City Code Sections are:

- City of Elko Master Plan – Land Use Component
- City of Elko Master Plan – Transportation Component
- City of Elko Redevelopment Plan
- City of Elko Wellhead Protection Plan
- City of Elko Zoning – Chapter 3 Subdivisions
- City of Elko Zoning – Section 3-2-3 General Provisions
- City of Elko Zoning – Section 3-2-4 Zoning Districts
- City of Elko Zoning – Section 3-2-5(E) Single-Family Residential District
- City of Elko Zoning – Section 3-2-5(G) Residential Zoning Districts Area, Setback And Height Schedule For Principal Buildings
- City of Elko Zoning – Section 3-2-17 Traffic, Access, Parking and Loading Regulations
- City of Elko Zoning – Section 3-8 Flood Plain Management

BACKGROUND INFORMATION

1. The Final Plat for Great Basin Estates Phase 1B was recorded on June 29, 2017.
2. The Final Plat for Great Basin Estates Phase 2 was approved by City Council on August 14, 2018.
3. The Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
4. The Planning Commission reviewed and recommended a conditional approval to the City Council on the Preliminary Plat on May 3, 2016.

5. The City Council conditionally approved the Preliminary Plat at its meeting on May 24, 2016.
6. Phasing was shown on the preliminary plat.
7. Under the conditional approval for the preliminary plat, a modification of standards was granted for all lot dimensions.
8. The subdivision is located on APN 001-633-030, shown as parcel E on Final Plat for Phase 2.
9. The proposed subdivision consists of 38 lots with no additional phases.
10. The total subdivided area is approximately 9.650 acres in size.
11. The proposed density is 5.09 units per acre.
12. Approximately 2.187 acres are offered for dedication for street development.
13. The area proposed for subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.
14. The property is located off Opal Drive and Clarkson Drive.

MASTER PLAN:

Land Use

1. Conformance with the Land Use component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat and the Master Plan.

The proposed subdivision is in conformance with the Land Use Component of the Master Plan.

Transportation

2. Conformance with the Transportation component of the Master Plan was evaluated with review and approval of the Preliminary Plat. The Final Plat is in conformance with the Preliminary Plat.

The proposed subdivision is in conformance with Transportation Component of the Master Plan.

ELKO REDEVELOPMENT PLAN:

1. The property is not located within the Redevelopment Area.

ELKO WELLHEAD PROTECTION PLAN:

1. The property lies within the 20 year capture zone for the City of Elko.

The proposed subdivision is in conformance with the Wellhead Protection Program. The sanitary sewer will be connected to a programmed sewer system and all street drainage will report to a storm sewer system.

SECTION 3-3-6 FINAL PLAT STAGE (STAGE III)

Pre-submission Requirements (A)(1) – The Final Plat is in conformance with the zone requirements. A modification of standards for the lot dimensions was granted with the conditional approval of the Preliminary Plat.

Pre-submission Requirements (A)(2) – The proposed final plat conforms to the preliminary plat.

Pre-submission Requirements (A)(3) – The Title Sheet includes an affidavit for public utilities and no objections were received from public utilities upon notification for the Preliminary Plat.

SECTION 3-3-8 INFORMATION REQUIRED FOR FINAL PLAT SUBMITTAL

- A. Form and Content-The final plat conforms to the required size specifications and provides the appropriate affidavits and certifications.
- B. Identification Data
 - 1. The subdivision map identified the subdivision, and provides its location by section, township, range and county.
 - 2. The subdivision map was prepared by a properly licensed surveyor.
 - 3. The subdivision map provides a scale, north point, and date of preparation.
- C. Survey Data
 - 1. The boundaries of the tract are fully balanced and closed.
 - 2. All exceptions are noted on the plat.
 - 3. The location and description of cardinal points are tied to a section corner.
 - 4. The location and description of any physical encroachments upon the boundary of the tract are noted on the plat.
- D. Descriptive Data
 - 1. The name, right of way lines, courses, lengths and widths of all streets and easements are noted on the plat.
 - 2. All drainage ways are noted on the plan.
 - 3. All utility and public service easements are noted on the plat.
 - 4. The location and dimensions of all lots, parcels and exceptions are shown on the plat.
 - 5. All residential lots are numbered consecutively on the plat.
 - 6. There are no sites dedicated to the public shown on the plat.
 - 7. The location of adjoining subdivisions are noted on the plat with required information.
 - 8. There are no deed restrictions proposed.
- E. Dedication and Acknowledgment
 - 1. The owner's certificate has the required dedication information for all easements and right of ways.
 - 2. The execution of dedication is acknowledged and certified by a notary public.
- F. Additional Information
 - 1. All centerline monuments for streets are noted as being set on the plat.
 - 2. The centerline and width of each right of way is noted on the plat.
 - 3. The plat indicates the location of monuments that will be set to determine the boundaries of the subdivision.
 - 4. The length and bearing of each lot line is identified on the plat.
 - 5. The city boundary adjoining the subdivision is not identified on the plat, as the plat is not adjoining a boundary.
 - 6. The plat identifies the location of the section lines, and 1/16th section line adjoining the subdivision boundaries.
- G. City Engineer to Check
 - 1. The Engineer shall check the final map for accuracy of dimensions, placement of monuments, the establishment of survey records, and conformance with the preliminary map.
 - a) Closure calculations have been provided.

- b) Civil improvement plans have been provided, previous civil improvement plans have been approved for this subdivision.
- c) Civil improvement plans for drainage have been submitted.
- d) An engineer's estimate has **not** been provided.
- 2. It appears the lot closures are within the required tolerances.
- H. Required certifications
 - 1. The Owner's Certificate is shown on the final plat.
 - 2. The Owner's Certificate offers for dedication all right of ways shown on the plat.
 - 3. A Clerk Certificate is shown on the final plat, certifying the signature of the City Council.
 - 4. The Owner's Certificate offers for dedication all easements shown on the plat.
 - 5. A Surveyor's Certificate is shown on the plat and provides the required language.
 - 6. The City Engineer's Certificate is listed on the plat.
 - 7. A certificate from the Nevada Division of Environmental Protection is provided with the required language.
 - 8. A copy of review by the state engineer is not available at this time.
 - 9. A certificate from the Division of Water Resources is provided on the plat with the required language.
 - 10. The civil improvement plans identify the required water meters for the subdivision.

SECTIONS 3-3-20 through 3-3-27 (inclusive)

- 1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).

SECTION 3-3-40-RESPONSIBILITY FOR IMPROVEMENTS

The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.

SECTION 3-3-41-ENGINEERING PLANS

The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

SECTION 3-3-42-CONSTRUCTION AND INSPECTION

The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of city code.

SECTION 3-3-43-REQUIRED IMPROVEMENTS

The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.

Civil improvements include curb, gutter and sidewalk, paving and utilities within the Village Parkway, Village Green Circle, Nicole Court and Opal Drive right of ways.

SECTION 3-3-44-AGREEMENT TO INSTALL IMPROVEMENTS

The Subdivider will be required to enter into a Performance Agreement to address to conform to Section 3-3-44 of city code.

SECTION 3-3-45-PERFORMANCE GUARANTEE

The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.

SECTIONS 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17

1. The proposed subdivision was evaluated for conformance to the referenced sections of code during the preliminary plat process. A modification of standards for lot dimensions was approved during that process.

Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of city code.

SECTION 3-8-FLOODPLAIN MANAGEMENT

1. The proposed subdivision has been removed from the FEMA Special Flood Hazard Area by a Letter of Map Revision submitted to and approved by FEMA as Case No. 16-09-0367P with an effective date of April 3, 2017.

The proposed development is in conformance with Section 3-8 of city code.

FINDINGS

1. The Final Plat for Great Basin Estates Phase 3 has been presented before expiration of the subdivision proceedings in accordance with NRS 278.360(1)(a)(2) and City code.
2. The Final Plat is in conformance with the Preliminary Plat.
3. The proposed subdivision is in conformance with the Land Use Component of the Master Plan.
4. The proposed subdivision is in conformance with Transportation Component of the Master Plan.
5. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms Sections 3-3-20 through 3-3-27 (inclusive).
6. The Subdivider shall be responsible for all required improvements in conformance with Section 3-3-40 of city code.
7. The Subdivider has submitted civil improvement plans in conformance with section 3-3-41 of City code. The plans have been approved by city staff.

8. The Subdivider has submitted plans to the city and state agencies for review to receive all required permits in accordance with the requirements of Section 3-3-42 of city code.
9. The Subdivider has submitted civil improvement plans which are in conformance with Section 3-3-43 of city code.
10. The Subdivider will be required to enter into a Performance Agreement to conform to Section 3-3-44 of city code.
11. The Subdivider will be required to provide a Performance Guarantee as stipulated in the Performance Agreement in conformance with Section 3-3-45 of city code.
12. Based on the modification of standards for lot dimensions granted under the preliminary plat application, the proposed development conforms to Sections 3-2-3, 3-2-4, 3-2-5(E), 3-2-5(G) and 3-2-17 of city code.
13. The proposed development is in conformance with Section 3-8 of city code.
14. The subdivision is in conformance with 3-8 Floodplain Management.

RECOMMENDATION

Staff recommends **approval** of the subdivision based on the following conditions:

1. The Developer shall execute a Performance Agreement in accordance with Section 3-3-44 of city code. The Performance Agreement shall be secured in accordance with Section 3-3-45 of city code. In conformance with Section 3-3-44 of city code, the public improvements shall be completed within a time of no later than two (2) years of the date of Final Plat approval by the City Council unless extended as stipulated in city code.
2. The Performance Agreement shall be approved by the City Council.
3. The Developer shall enter into the Performance Agreement within 30 days of approval of the Final Plat by the City Council.
4. The Final Plat is approved for 38 single family residential lots.
5. The Utility Department will issue a Will Serve Letter for the subdivision.
6. State approval of the subdivision is required.
7. Conformance with Preliminary Plat conditions is required.
8. Civil improvements are to comply with Chapter 3-3 of City code.
9. The Owner/Developer is to provide the appropriate contact information for the qualified engineer and engineering firm contracted to oversee the project along with the required inspection and testing necessary to produce an As-Built for submittal to the City of Elko. The Engineer of Record is to ensure all materials meet the latest edition Standard Specifications for Public Works. All Right-of-Way and utility improvements are to be certified by the Engineer of Record for the project.

10. An engineer's estimate for the public improvements shall be provided prior to the final plat being presented to the City Council to allow for finalization of the required Performance Agreement.
11. Modify Planning Commission approval jurat to the 3rd day of May, 2016 prior to City Council approval.

STAFF COMMENT FLOW SHEET
PLANNING COMMISSION AGENDA DATE: 9/6

Do not use pencil or red pen, they do not reproduce

Title: Final Plat 11-18 Great Basin Estates Phase 3
Applicant(s): Parrado Partners, LP
Site Location: Extension of Village Parkway + Opal Drive
Current Zoning: R Date Received: 8/15/18 Date Public Notice: N/A
COMMENT: This is to subdivide 9.65 acres into 38 lots.

If additional space is needed please provide a separate memorandum

Assistant City Manager: Date: 8/24/18
- Recommend approval as presented by Staff

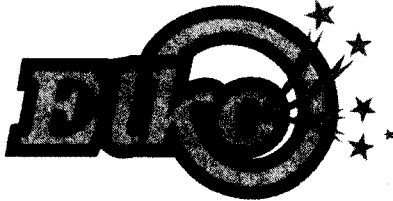
SAW

Initial

City Manager: Date: 8/24/18
Recommend approval based upon conditions listed in Staff Report.

CC

Initial



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801

(775) 777-7160 * (775) 777-7219 fax

APPLICATION FOR FINAL PLAT APPROVAL

APPLICANT(s):	Parrado Partners, LP		
MAILING ADDRESS:	12257 Business Park Drive #8, Truckee, CA 96161		
PHONE NO (Home):		(Business)	(530) 587-0740
NAME OF PROPERTY OWNER (If different):			
(Property owner consent in writing must be provided)			
MAILING ADDRESS:			
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):			
ASSESSOR'S PARCEL NO.:	001-633-030	Address	Flagstone Dr/Granite Dr
Lot(s), Block(s), & Subdivision	Lot E, Great Basin Estates Subdivision, Phase 2		
Or Parcel(s) & File No.			
PROJECT DESCRIPTION OR PURPOSE:			
APPLICANT'S REPRESENTATIVE OR ENGINEER:	High Desert Engineering, LLC		

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. *Complete* applications are due at least 21 days prior to the next scheduled meeting of the Elko City Planning Commission (meetings are the 1st Tuesday of every month), and must include the following:

1. One .pdf of the entire application, and ten (10) 24" x 36" copies of the final plat folded to a size not to exceed 9"x12" provided by a properly licensed surveyor, as well as one (1) set of reproducible plans 8 1/2" x 11" in size and any required supporting data, prepared in accordance with Section 3-3-8 of Elko City Code (see attached checklist).
2. Pre-Submission Requirements:
 - a. The final plat shall meet all requirements of the zoning district in which located, and any necessary zoning amendment shall have been adopted by the Elko City Council prior to filing of the final plat.
 - b. The final plat shall conform closely to the approved preliminary plat and be prepared in accordance with the provisions of the City Subdivision Ordinance.
 - c. The final plat submittal shall include a letter signifying approval of utility easements by all public utilities involved, and shall be so indicated by an affidavit on the map.
 - d. A complete set of construction plans for all public improvements associated with the final plat shall have been approved or substantially approved by the City Engineer.

Fee: \$750.00 + \$25.00 per lot including remainder parcels; non-refundable.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

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Final Plat Checklist as per Elko City Code 3-3-8

Identification Data	
	Subdivision Name
	Location and Section, Township and Range
	Name, address and phone number of subdivider
	Name, address and phone number of engineer/surveyor
	Scale, North Point and Date of Preparation
	Location maps
Survey Data (Required)	
	Boundaries of the Tract fully balanced and closed
	Any exception within the plat boundaries
	The subdivision is to be tied to a section corner
	Location and description of all physical encroachments
Descriptive Data	
	Street Layout, location, widths, easements
	All drainageways, designated as such
	All utility and public service easements
	Location and dimensions of all lots, parcels
	Residential Lots shall be numbered consecutively
	All sites to be dedicated to the public and proposed use
	Location of all adjoining subdivisions with name date, book and page
	Any private deed restrictions to be imposed upon the plat
Dedication and Acknowledgment	
	Statement of dedication for items to be dedicated
	Execution of dedication acknowledged by a notary public
Additional Information	
	Street CL, and Monuments identified
	Street CL and width shown on map
	Location of mounuments used to determine boudaries
	Each city boundary line crossing or adjoining the subdivision
	Section lines crossing the subdivision boundaries
City Engineer to Check	
	Closure report for each of the lots
	Civil Improvement plans
	Estimate of quantities required to complete the improvements
Required Certifications	
	All parties having record title in the land to be subdivided
	Offering for dedication
	Clerk of each approving governing body
	Easements
	Surveyor's Certificate
	City Engineer
	State Health division
	State Engineer
	Division of Water Resources
	City Council

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I acknowledge that, if approved, I must provide an AutoCAD file containing the final subdivision layout on NAD 83 NV East Zone Coordinate System to the City Engineering Department when requesting final map signatures for recording.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent

Robert E. Morley, P.L.S.

(Please print or type)

Mailing Address

640 Idaho Street

Street Address or P.O. Box

Elko, Nevada 89801

City, State, Zip Code

Phone Number:

775-738-4053

Email address:

remorley@frontiernet.net

SIGNATURE:

Robert E. Morley

FOR OFFICE USE ONLY

38 Lots x 25 \$950 = \$36,100
\$1,700

File No.: 11-18

Date Filed: 8/15/18

Fee Paid: \$1,700

CR# 1504

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AUG 15 2018

Phase 3.txt

Parcel name: Lot 44

North: 28473550.8913 East : 612360.1426
Line Course: S 48-15-09 E Length: 59.00
North: 28473511.6062 East : 612404.1617
Line Course: S 41-44-51 W Length: 100.00
North: 28473436.9976 East : 612337.5768
Line Course: N 48-15-09 W Length: 74.00
North: 28473486.2704 East : 612282.3664
Line Course: N 41-44-51 E Length: 9.55
North: 28473493.3955 East : 612288.7253
Line Course: N 41-44-51 E Length: 75.45
North: 28473549.6878 East : 612338.9636
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: N 86-44-51 E
Course In: S 48-15-09 E Course Out: N 41-44-51 E
RP North: 28473539.7000 East : 612350.1549
End North: 28473550.8913 East : 612360.1426

Perimeter: 341.56 Area: 7,352 S.F. 0.169 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 341,560,000.00

Parcel name: Lot 45

North: 28473511.6062 East : 612404.1617
Line Course: S 48-15-09 E Length: 60.00
North: 28473471.6552 East : 612448.9269
Line Course: S 41-44-51 W Length: 100.00
North: 28473397.0466 East : 612382.3420
Line Course: N 48-15-09 W Length: 60.00
North: 28473436.9975 East : 612337.5768
Line Course: N 41-44-51 E Length: 100.00
North: 28473511.6062 East : 612404.1617
Line Course: S 21-04-39 W Length: 0.00
North: 28473511.6062 East : 612404.1617

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Parcel name: Lot 46

North: 28473471.6552 East : 612448.9268
Line Course: S 48-15-09 E Length: 60.00
North: 28473431.7042 East : 612493.6920
Line Course: S 41-44-51 W Length: 100.00
North: 28473357.0956 East : 612427.1071
Line Course: N 48-15-09 W Length: 60.00
North: 28473397.0465 East : 612382.3419
Line Course: N 41-44-51 E Length: 100.00
North: 28473471.6552 East : 612448.9268
Line Course: S 31-08-20 W Length: 0.00
North: 28473471.6552 East : 612448.9268

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Parcel name: Lot 47

North: 28473431.7042 East : 612493.6920
Line Course: S 48-15-09 E Length: 60.00
North: 28473391.7532 East : 612538.4571
Line Course: S 41-44-51 W Length: 100.00
North: 28473317.1446 East : 612471.8722
Line Course: N 48-15-09 W Length: 60.00
North: 28473357.0955 East : 612427.1070
Line Course: N 41-44-51 E Length: 100.00
North: 28473431.7042 East : 612493.6920
Line Course: S 44-32-56 W Length: 0.00
North: 28473431.7042 East : 612493.6920

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E

Error North: 0.00000 East : 0.00000

Precision 1: 320,000,000.00

Phase 3.txt

Parcel name: Lot 48

North: 28473391.7532 East : 612538.4571
Line Course: S 48-15-09 E Length: 60.00
North: 28473351.8022 East : 612583.2223
Line Course: S 41-44-51 W Length: 100.00
North: 28473277.1936 East : 612516.6374
Line Course: N 48-15-09 W Length: 60.00
North: 28473317.1445 East : 612471.8722
Line Course: N 41-44-51 E Length: 100.00
North: 28473391.7532 East : 612538.4571
Line Course: S 46-10-09 W Length: 0.00
North: 28473391.7532 East : 612538.4571

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 49

North: 28473311.8512 East : 612627.9874
Line Course: N 48-15-09 W Length: 60.00
North: 28473351.8021 East : 612583.2222
Line Course: S 41-44-51 W Length: 100.00
North: 28473277.1935 East : 612516.6373
Line Course: S 48-15-09 E Length: 60.00
North: 28473237.2425 East : 612561.4025
Line Course: N 41-44-51 E Length: 100.00
North: 28473311.8512 East : 612627.9874
Line Course: S 36-17-33 W Length: 0.00
North: 28473311.8512 East : 612627.9874

Perimeter: 320.00 Area: 6,000 S.F. 0.138 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 320,000,000.00

Parcel name: Lot 50

North: 28473307.5780 East : 612632.7754
Line Course: N 48-15-09 W Length: 6.42
North: 28473311.8528 East : 612627.9855

Phase 3.txt

Line Course: S 41-44-51 W Length: 100.00
 North: 28473237.2442 East : 612561.4006
 Line Course: S 48-15-09 E Length: 25.06
 North: 28473220.5580 East : 612580.0975
 Line Course: S 37-41-16 E Length: 43.58
 North: 28473186.0708 East : 612606.7405
 Line Course: N 41-45-12 E Length: 105.55
 North: 28473264.8130 East : 612677.0289
 Curve Length: 61.56 Radius: 775.00
 Delta: 4-33-04 Tangent: 30.80
 Chord: 61.54 Course: N 45-58-37 W
 Course In: S 46-17-55 W Course Out: N 41-44-51 E
 RP North: 28472729.3656 East : 612116.7424
 End North: 28473307.5826 East : 612632.7754
 Line Course: S 01-47-24 E Length: 0.00
 North: 28473307.5826 East : 612632.7754

Perimeter: 342.16 Area: 6,912 S.F. 0.159 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0045 Course: N 00-20-13 E
 Error North: 0.00452 East : 0.00003
 Precision 1: 76,037.78

Parcel name: Lot 51

Curve North: 28473264.8082 East : 612677.0290
 Length: 74.85 Radius: 775.00
 Delta: 5-32-02 Tangent: 37.45
 Chord: 74.82 Course: S 40-56-04 E
 Course In: S 46-17-55 W Course Out: N 51-49-57 E
 RP North: 28472729.3608 East : 612116.7425
 End North: 28473208.2818 East : 612726.0533
 Line Course: S 48-00-44 W Length: 108.30
 North: 28473135.8321 East : 612645.5553
 Line Course: N 37-41-16 W Length: 63.48
 North: 28473186.0672 East : 612606.7463
 Line Course: N 41-45-12 E Length: 105.55
 North: 28473264.8095 East : 612677.0347

Perimeter: 352.18 Area: 7,389 S.F. 0.170 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0058 Course: N 77-25-02 E
 Error North: 0.00125 East : 0.00562
 Precision 1: 60,720.69

Phase 3.txt

Parcel name: Lot 52

North:	28473208.2841	East :	612726.0514
Curve Length:	74.85	Radius:	775.00
Delta:	5-32-01	Tangent:	37.45
Chord:	74.82	Course:	S 35-24-03 E
Course In:	S 51-49-57 W	Course Out:	N 57-21-58 E
RP North:	28472729.3631	East :	612116.7405
End North:	28473147.2966	East :	612769.3940
Line Course:	S 50-43-33 W	Length:	111.20
North:	28473076.9034	East :	612683.3113
Line Course:	N 32-39-03 W	Length:	69.99
North:	28473135.8332	East :	612645.5504
Line Course:	N 48-00-44 E	Length:	108.30
North:	28473208.2829	East :	612726.0484

Perimeter: 364.34 Area: 7,935 S.F. 0.182 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0032 Course: S 67-29-22 W
 Error North: -0.00121 East : -0.00293
 Precision 1: 113,856.25

Parcel name: Lot 53

North:	28473147.2961	East :	612769.3946
Curve Length:	74.85	Radius:	775.00
Delta:	5-32-01	Tangent:	37.45
Chord:	74.82	Course:	S 29-52-02 E
Course In:	S 57-21-58 W	Course Out:	N 62-53-59 E
RP North:	28472729.3626	East :	612116.7410
End North:	28473082.4133	East :	612806.6542
Line Course:	S 53-39-25 W	Length:	107.04
North:	28473018.9794	East :	612720.4353
Line Course:	N 32-39-03 W	Length:	68.80
North:	28473076.9072	East :	612683.3165
Line Course:	N 50-43-33 E	Length:	111.20
North:	28473147.3003	East :	612769.3993
Line Course:	S 90-00-00 E	Length:	0.00
North:	28473147.3003	East :	612769.3993

Perimeter: 361.89 Area: 7,824 S.F. 0.180 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0063 Course: N 47-53-33 E
 Error North: 0.00425 East : 0.00471
 Precision 1: 57,442.86

Phase 3.txt

Parcel name: Lot 54

North:	28473069.3312	East :	612868.4368
Curve Length:	63.52	Radius:	825.00
Delta:	4-24-42	Tangent:	31.78
Chord:	63.51	Course:	N 26-32-30 W
Course In:	S 65-39-51 W	Course Out:	N 61-15-09 E
RP North:	28472729.3617	East :	612116.7416
End North:	28473126.1459	East :	612840.0585
Line Course:	N 63-48-49 E	Length:	103.71
North:	28473171.9123	East :	612933.1240
Line Course:	S 33-34-46 E	Length:	76.31
North:	28473108.3370	East :	612975.3305
Line Course:	S 68-46-47 W	Length:	108.63
North:	28473069.0179	East :	612874.0661
Line Course:	S 65-39-51 W	Length:	5.00
North:	28473066.9574	East :	612869.5104
Line Course:	N 24-20-09 W	Length:	2.61
North:	28473069.3355	East :	612868.4349

Perimeter: 359.77 Area: 7,621 S.F. 0.175 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0047 Course: N 24-54-01 W

Error North: 0.00429 East : -0.00199

Precision 1: 76,548.94

Parcel name: Lot 55

North:	28473126.1460	East :	612840.0584
Curve Length:	58.26	Radius:	825.00
Delta:	4-02-46	Tangent:	29.14
Chord:	58.25	Course:	N 30-46-14 W
Course In:	S 61-15-09 W	Course Out:	N 57-12-23 E
RP North:	28472729.3618	East :	612116.7416
End North:	28473176.1938	East :	612810.2588
Line Course:	N 57-29-16 E	Length:	100.01
North:	28473229.9471	East :	612894.5949
Line Course:	S 33-34-46 E	Length:	69.66
North:	28473171.9120	East :	612933.1234
Line Course:	S 63-48-49 W	Length:	103.71
North:	28473126.1455	East :	612840.0578

Perimeter: 331.63 Area: 6,473 S.F. 0.149 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0008 Course: S 50-47-13 W

Error North: -0.00049 East : -0.00060

Precision 1: 414,550.00

Phase 3.txt

Parcel name: Lot 56

North:	28473176.1939	East :	612810.2587
Curve Length:	70.23	Radius:	825.00
Delta:	4-52-39	Tangent:	35.14
Chord:	70.21	Course:	N 35-13-56 W
Course In:	S 57-12-23 W	Course Out:	N 52-19-44 E
RP North:	28472729.3620	East :	612116.7414
End North:	28473233.5426	East :	612769.7552
Curve Length:	22.40	Radius:	15.00
Delta:	85-33-39	Tangent:	13.88
Chord:	20.38	Course:	N 05-06-33 E
Course In:	N 52-19-44 E	Course Out:	N 42-06-37 W
RP North:	28473242.7095	East :	612781.6281
End North:	28473253.8373	East :	612771.5697
Line Course:	N 47-53-23 E	Length:	75.24
North:	28473304.2903	East :	612827.3869
Line Course:	S 42-06-44 E	Length:	100.22
North:	28473229.9438	East :	612894.5930
Line Course:	S 57-29-16 W	Length:	100.01
North:	28473176.1904	East :	612810.2569
Line Course:	N 90-00-00 W	Length:	0.00
North:	28473176.1904	East :	612810.2569

Perimeter: 368.09 Area: 8,568 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure:	0.0039	Course:	S 28-20-56 W
Error North:	-0.00347	East :	-0.00187
Precision 1:	94,384.62		

Parcel name: Lot 57

North:	28473304.2895	East :	612827.3875
Line Course:	N 47-53-23 E	Length:	60.35
North:	28473344.7578	East :	612872.1584
Curve Length:	21.47	Radius:	15.00
Delta:	82-00-04	Tangent:	13.04
Chord:	19.68	Course:	N 88-53-25 E
Course In:	S 42-06-37 E	Course Out:	N 39-53-27 E
RP North:	28473333.6300	East :	612882.2168
End North:	28473345.1390	East :	612891.8367
Line Course:	S 50-06-33 E	Length:	84.57
North:	28473290.9020	East :	612956.7246
Curve Length:	17.45	Radius:	20.00
Delta:	49-59-41	Tangent:	9.33

Phase 3.txt

Chord: 16.90 Course: S 25-06-43 E
 Course In: S 39-53-27 W Course Out: N 89-53-08 E
 RP North: 28473275.5566 East : 612943.8980
 End North: 28473275.5965 East : 612963.8980
 Line Course: S 56-37-37 W Length: 82.99
 North: 28473229.9447 East : 612894.5925
 Line Course: N 42-06-44 W Length: 100.22
 North: 28473304.2912 East : 612827.3865
 Line Course: N 90-00-00 W Length: 0.00
 North: 28473304.2912 East : 612827.3865

Perimeter: 367.04 Area: 8,586 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0020 Course: N 29-41-16 W
 Error North: 0.00171 East : -0.00098
 Precision 1: 183,525.00

Parcel name: Lot 58

North: 28473275.5971 East : 612963.8968
 Curve Length: 81.11 Radius: 50.00
 Delta: 92-56-48 Tangent: 52.64
 Chord: 72.51 Course: S 46-35-16 E
 Course In: N 89-53-08 E Course Out: S 03-03-40 E
 RP North: 28473275.6970 East : 613013.8967
 End North: 28473225.7683 East : 613016.5668
 Line Course: S 03-03-40 E Length: 99.50
 North: 28473126.4103 East : 613021.8802
 Line Course: S 68-46-47 W Length: 49.94
 North: 28473108.3343 East : 612975.3263
 Line Course: N 33-34-46 W Length: 76.31
 North: 28473171.9097 East : 612933.1198
 Line Course: N 33-34-46 W Length: 69.66
 North: 28473229.9448 East : 612894.5914
 Line Course: N 56-37-37 E Length: 82.99
 North: 28473275.5966 East : 612963.8969
 Line Course: S 90-00-00 E Length: 0.00
 North: 28473275.5966 East : 612963.8969

Perimeter: 459.51 Area: 11,758 S.F. 0.270 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0005 Course: S 06-41-40 E
 Error North: -0.00053 East : 0.00006
 Precision 1: 919,020.00

Phase 3.txt

Parcel name: Lot 59

North: 28473225.7683 East : 613016.5668
 Curve Length: 62.48 Radius: 50.00
 Delta: 71-36-03 Tangent: 36.06
 Chord: 58.50 Course: N 51-08-19 E
 Course In: N 03-03-40 W Course Out: S 74-39-43 E
 RP North: 28473275.6970 East : 613013.8968
 End North: 28473262.4713 East : 613062.1159
 Line Course: S 74-39-43 E Length: 262.30
 North: 28473193.0894 East : 613315.0733
 Line Course: S 80-27-31 W Length: 217.18
 North: 28473157.0896 East : 613100.8977
 Line Course: S 68-46-47 W Length: 84.76
 North: 28473126.4104 East : 613021.8848
 Line Course: N 03-03-40 W Length: 99.50
 North: 28473225.7684 East : 613016.5714

Perimeter: 726.22 Area: 18,725 S.F. 0.430 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0046 Course: N 89-24-51 E
 Error North: 0.00005 East : 0.00455
 Precision 1: 157,873.91

Parcel name: Lot 60

North: 28473316.4906 East : 613042.8083
 Curve Length: 61.10 Radius: 50.00
 Delta: 70-00-42 Tangent: 35.02
 Chord: 57.37 Course: S 19-40-04 E
 Course In: S 35-19-35 W Course Out: S 74-39-43 E
 RP North: 28473275.6970 East : 613013.8967
 End North: 28473262.4714 East: 613062.1157
 Line Course: S 74-39-43 E Length: 262.30
 North: 28473193.0894 East : 613315.0731
 Line Course: N 46-55-41 W Length: 204.73
 North: 28473332.9029 East : 613165.5185
 Line Course: N 54-33-09 W Length: 90.62
 North: 28473385.4585 East : 613091.6952
 Line Course: S 35-19-35 W Length: 84.54
 North: 28473316.4848 East : 613042.8113

Perimeter: 703.28 Area: 19,445 S.F. 0.446 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0066 Course: S 27-18-00 E
 Error North: -0.00584 East : 0.00301
 Precision 1: 106,559.09

Phase 3.txt

Parcel name: Lot 61

North: 28473329.2660 East : 612988.7897
Line Course: N 50-06-33 W Length: 34.90
North: 28473351.6483 East : 612962.0121
Line Course: N 37-00-20 E Length: 102.79
North: 28473433.7340 East : 613023.8806
Line Course: S 54-33-09 E Length: 83.24
North: 28473385.4584 East : 613091.6918
Line Course: S 35-19-35 W Length: 84.54
North: 28473316.4847 East : 613042.8080
Curve Length: 39.65 Radius: 50.00
Delta: 45-25-49 Tangent: 20.93
Chord: 38.61 Course: N 77-23-20 W
Course In: S 35-19-35 W Course Out: N 10-06-14 W
RP North: 28473275.6911 East : 613013.8963
End North: 28473324.9157 East : 613005.1246
Curve Length: 17.45 Radius: 20.00
Delta: 49-59-41 Tangent: 9.33
Chord: 16.90 Course: N 75-06-24 W
Course In: N 10-06-14 W Course Out: S 39-53-27 W
RP North: 28473344.6055 East : 613001.6159
End North: 28473329.2601 East : 612988.7894

Perimeter: 362.57 Area: 8,289 S.F. 0.190 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0059 Course: S 02-53-31 W
Error North: -0.00584 East : -0.00030
Precision 1: 61,452.54

Parcel name: Lot 62

North: 28473407.8278 East : 612910.4311
Line Course: N 37-00-20 E Length: 86.93
North: 28473477.2481 East : 612962.7536
Line Course: S 54-33-09 E Length: 75.03
North: 28473433.7339 East : 613023.8766
Line Course: S 37-00-20 W Length: 102.79
North: 28473351.6482 East : 612962.0081
Line Course: N 50-06-33 W Length: 35.20
North: 28473374.2229 East : 612935.0002
Curve Length: 10.93 Radius: 20.00
Delta: 31-18-01 Tangent: 5.60
Chord: 10.79 Course: N 34-27-33 W
Course In: N 39-53-27 E Course Out: S 71-11-28 W
RP North: 28473389.5683 East : 612947.8268

Phase 3.txt

End North: 28473383.1200 East : 612928.8948
Curve Length: 31.36 Radius: 50.00
Delta: 35-56-09 Tangent: 16.22
Chord: 30.85 Course: N 36-46-36 W
Course In: S 71-11-28 W Course Out: N 35-15-19 E
RP North: 28473366.9994 East : 612881.5648
End North: 28473407.8288 East : 612910.4259
Line Course: N 08-52-50 E Length: 0.00
North: 28473407.8288 East : 612910.4259

Perimeter: 342.23 Area: 7,239 S.F. 0.166 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0053 Course: N 79-03-06 W
Error North: 0.00101 East : -0.00524
Precision 1: 64,573.58

Parcel name: Lot 63

North: 28473414.6415 East : 612866.4001
Line Course: N 07-35-56 W Length: 146.26
North: 28473559.6171 East : 612847.0591
Line Course: S 54-33-09 E Length: 142.02
North: 28473477.2516 East : 612962.7553
Line Course: S 37-00-20 W Length: 86.93
North: 28473407.8313 East : 612910.4328
Curve Length: 46.18 Radius: 50.00
Delta: 52-55-02 Tangent: 24.88
Chord: 44.56 Course: N 81-12-12 W
Course In: S 35-15-19 W Course Out: N 17-39-43 W
RP North: 28473367.0019 East : 612881.5718
End North: 28473414.6450 East : 612866.4018

Perimeter: 421.39 Area: 9,139 S.F. 0.210 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0039 Course: N 25-04-50 E
Error North: 0.00353 East : 0.00165
Precision 1: 108,048.72

Parcel name: Lot 64

North: 28473458.0698 East : 612756.4434
Line Course: N 41-44-40 E Length: 136.10
North: 28473559.6170 East : 612847.0601
Line Course: S 07-35-56 E Length: 146.26
North: 28473414.6414 East : 612866.4011

Phase 3.txt
Curve Length: 48.65 Radius: 50.00
Delta: 55-44-56 Tangent: 26.45
Chord: 46.75 Course: S 44-27-49 W
Course In: S 17-39-43 E Course Out: N 73-24-39 W
RP North: 28473366.9983 East : 612881.5711
End North: 28473381.2736 East : 612833.6522
Line Course: N 45-09-12 W Length: 108.90
North: 28473458.0712 East : 612756.4425
Line Course: S 08-52-50 E Length: 0.00
North: 28473458.0712 East : 612756.4425

Perimeter: 439.91 Area: 9,913 S.F. 0.228 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0017 Course: N 32-10-58 W
Error North: 0.00141 East : -0.00089
Precision 1: 258,770.59

Parcel name: Lot 65

North: 28473398.3800 East : 612703.1787
Line Course: N 41-44-40 E Length: 80.00
North: 28473458.0697 East : 612756.4435
Line Course: S 45-09-12 E Length: 108.90
North: 28473381.2722 East : 612833.6532
Curve Length: 10.93 Radius: 20.00
Delta: 31-18-02 Tangent: 5.60
Chord: 10.79 Course: S 32-14-22 W
Course In: N 73-24-39 W Course Out: S 42-06-37 E
RP North: 28473386.9823 East : 612814.4856
End North: 28473372.1452 East : 612827.8968
Line Course: S 47-53-23 W Length: 63.83
North: 28473329.3434 East : 612780.5442
Line Course: N 48-15-17 W Length: 103.69
North: 28473398.3823 East : 612703.1798
Line Course: N 90-00-00 W Length: 0.00
North: 28473398.3823 East : 612703.1798

Perimeter: 367.34 Area: 8,290 S.F. 0.190 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0025 Course: N 26-06-30 E
Error North: 0.00228 East : 0.00112
Precision 1: 146,940.00

Parcel name: Lot 66

Phase 3.txt

North: 28473398.3800 East : 612703.1787
 Line Course: S 48-15-17 E Length: 103.69
 North: 28473329.3411 East : 612780.5431
 Line Course: S 47-53-23 W Length: 54.90
 North: 28473292.5274 East : 612739.8152
 Curve Length: 23.29 Radius: 15.00
 Delta: 88-58-41 Tangent: 14.73
 Chord: 21.02 Course: N 87-37-17 W
 Course In: N 42-06-37 W Course Out: S 46-52-04 W
 RP North: 28473303.6552 East : 612729.7568
 End North: 28473293.3999 East : 612718.8102
 Curve Length: 73.73 Radius: 825.00
 Delta: 5-07-13 Tangent: 36.89
 Chord: 73.70 Course: N 45-41-33 W
 Course In: S 46-52-04 W Course Out: N 41-44-51 E
 RP North: 28472729.3604 East : 612116.7434
 End North: 28473344.8817 East : 612666.0689
 Line Course: N 48-15-09 W Length: 7.93
 North: 28473350.1619 East : 612660.1524
 Line Course: N 41-44-40 E Length: 64.62
 North: 28473398.3763 East : 612703.1770
 Line Course: S 90-00-00 E Length: 0.00
 North: 28473398.3763 East : 612703.1770

Perimeter: 328.16 Area: 6,570 S.F. 0.151 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0041 Course: S 24-14-30 W
 Error North: -0.00371 East : -0.00167
 Precision 1: 80,039.02

Parcel name: Lot 67

North: 28473350.1625 East : 612660.1514
 Line Course: N 48-15-09 W Length: 88.68
 North: 28473409.2100 East : 612593.9885
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: N 03-15-09 W
 Course In: N 41-44-51 E Course Out: N 48-15-09 W
 RP North: 28473420.4013 East : 612603.9762
 End North: 28473430.3890 East : 612592.7849
 Line Course: N 41-44-51 E Length: 49.62
 North: 28473467.4099 East : 612625.8244
 Line Course: S 48-15-17 E Length: 103.67
 North: 28473398.3843 East : 612703.1738
 Line Course: S 41-44-40 W Length: 64.62
 North: 28473350.1699 East : 612660.1492
 Line Course: N 30-41-59 E Length: 0.00
 North: 28473350.1699 East : 612660.1492

Phase 3.txt

Perimeter: 330.16 Area: 6,651 S.F. 0.153 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0077 Course: N 16-43-22 W
Error North: 0.00736 East : -0.00221
Precision 1: 42,876.62

Parcel name: Lot 68

North: 28473467.4083 East : 612625.8264
Line Course: S 48-15-17 E Length: 103.67
North: 28473398.3827 East : 612703.1758
Line Course: N 41-44-40 E Length: 80.00
North: 28473458.0724 East : 612756.4406
Line Course: N 48-15-19 W Length: 80.37
North: 28473511.5838 East : 612696.4750
Curve Length: 56.70 Radius: 50.00
Delta: 64-58-12 Tangent: 31.84
Chord: 53.71 Course: S 59-15-27 W
Course In: N 63-13-39 W Course Out: S 01-44-33 W
RP North: 28473534.1063 East : 612651.8349
End North: 28473484.1294 East: 612650.3145
Curve Length: 17.45 Radius: 20.00
Delta: 49-59-42 Tangent: 9.33
Chord: 16.90 Course: S 66-44-42 W
Course In: S 01-44-33 W Course Out: N 48-15-09 W
RP North: 28473464.1386 East : 612649.7064
End North: 28473477.4556 East : 612634.7846
Line Course: S 41-44-51 W Length: 13.46
North: 28473467.4133 East : 612625.8223
Line Course: S 90-00-00 E Length: 0.00
North: 28473467.4133 East : 612625.8223

Perimeter: 351.65 Area: 7,196 S.F. 0.165 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0065 Course: N 38-48-39 W
Error North: 0.00505 East : -0.00406
Precision 1: 54,100.00

Parcel name: Lot 69

Curve North: 28473511.5796 East : 612696.4796
Length: 64.43 Radius: 50.00
Delta: 73-50-06 Tangent: 37.56
Chord: 60.07 Course: N 10-08-42 W
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Phase 3.txt

Course In: N 63-13-39 W Course Out: N 42-56-15 E
 RP North: 28473534.1020 East : 612651.8395
 End North: 28473570.7069 East : 612685.8995
 Line Course: N 42-56-15 E Length: 85.16
 North: 28473633.0523 East : 612743.9105
 Line Course: S 54-33-09 E Length: 126.62
 North: 28473559.6182 East : 612847.0611
 Line Course: S 41-44-40 W Length: 136.10
 North: 28473458.0710 East : 612756.4445
 Line Course: N 48-15-19 W Length: 80.37
 North: 28473511.5824 East : 612696.4789
 Line Course: N 03-34-35 W Length: 0.00
 North: 28473511.5824 East : 612696.4789

Perimeter: 492.68 Area: 15,110 S.F. 0.347 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0029 Course: N 13-24-13 W
 Error North: 0.00278 East : -0.00066
 Precision 1: 169,889.66

Parcel name: Lot 70

North: 28473581.5078 East : 612635.9433
 Line Course: N 48-15-19 W Length: 88.98
 North: 28473640.7518 East : 612569.5537
 Line Course: N 46-08-47 E Length: 96.52
 North: 28473707.6226 East : 612639.1554
 Line Course: S 54-33-09 E Length: 128.59
 North: 28473633.0460 East : 612743.9109
 Line Course: S 42-56-15 W Length: 85.16
 North: 28473570.7006 East : 612685.8999
 Curve Length: 53.65 Radius: 50.00
 Delta: 61-28-29 Tangent: 29.73
 Chord: 51.11 Course: N 77-48-00 W
 Course In: S 42-56-15 W Course Out: N 18-32-14 W
 RP North: 28473534.0957 East : 612651.8399
 End North: 28473581.5016 East : 612635.9439
 Line Course: S 43-37-31 E Length: 0.00
 North: 28473581.5016 East : 612635.9439

Perimeter: 452.90 Area: 12,635 S.F. 0.290 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0062 Course: S 05-10-00 E
 Error North: -0.00618 East : 0.00056
 Precision 1: 73,048.39

Phase 3.txt

Parcel name: Lot 71

North: 28473581.8964 East : 612517.0211
Line Course: S 48-30-52 E Length: 107.41
North: 28473510.7447 East : 612597.4844
Curve Length: 17.45 Radius: 20.00
Delta: 49-59-41 Tangent: 9.33
Chord: 16.90 Course: N 16-45-01 E
Course In: N 48-15-09 W Course Out: N 81-45-10 E
RP North: 28473524.0617 East : 612582.5626
End North: 28473526.9306 East : 612602.3558
Curve Length: 69.56 Radius: 50.00
Delta: 79-42-36 Tangent: 41.74
Chord: 64.08 Course: N 31-36-28 E
Course In: N 81-45-10 E Course Out: N 18-32-14 W
RP North: 28473534.1028 East : 612651.8387
End North: 28473581.5087 East : 612635.9427
Line Course: N 48-15-19 W Length: 88.98
North: 28473640.7527 East : 612569.5531
Line Course: S 41-44-51 W Length: 78.89
North: 28473581.8940 East : 612517.0242

Perimeter: 362.30 Area: 7,099 S.F. 0.163 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0040 Course: S 51-25-09 E
Error North: -0.00249 East : 0.00312
Precision 1: 90,572.50

Parcel name: Lot 72

North: 28473581.8964 East : 612517.0211
Line Course: S 48-30-52 E Length: 107.41
North: 28473510.7447 East : 612597.4844
Line Course: S 41-44-51 W Length: 63.08
North: 28473463.6816 East : 612555.4826
Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 86-44-51 W
Course In: N 48-15-09 W Course Out: S 41-44-51 W
RP North: 28473473.6693 East : 612544.2913
End North: 28473462.4780 East : 612534.3036
Line Course: N 48-15-09 W Length: 92.41
North: 28473524.0091 East : 612465.3577
Line Course: N 41-44-51 E Length: 77.59
North: 28473581.8980 East : 612517.0210

Perimeter: 364.05 Area: 8,312 S.F. 0.191 ACRES

Phase 3.txt

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0015

Course: N 05-02-22 W

Error North: 0.00153

East : -0.00014

Precision 1: 242,700.00

Parcel name: Lot 73

North: 28473588.1956 East : 612393.4351

Line Course: S 48-15-09 E Length: 96.40

North: 28473524.0077 East : 612465.3579

Line Course: N 41-44-51 E Length: 77.59

North: 28473581.8966 East : 612517.0211

Line Course: N 48-15-09 W Length: 111.40

North: 28473656.0722 East : 612433.9071

Line Course: S 41-44-51 W Length: 62.59

North: 28473609.3746 East : 612392.2316

Curve Length: 23.56

Radius: 15.00

Delta: 90-00-00

Tangent: 15.00

Chord: 21.21

Course: S 03-15-09 E

Course In: S 48-15-09 E

Course Out: S 41-44-51 W

RP North: 28473599.3869

East : 612403.4229

End North: 28473588.1956

East : 612393.4351

Perimeter: 371.54 Area: 8,595 S.F. 0.197 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000

Course: N 00-00-00 E

Error North: 0.00000

East : 0.00000

Precision 1: 371,540,000.00

Parcel name: Lot 74

North: 28473656.0721 East : 612433.9072

Line Course: N 41-44-51 E Length: 78.89

North: 28473714.9309 East : 612486.4360

Line Course: S 48-15-09 E Length: 111.40

North: 28473640.7553 East : 612569.5500

Line Course: S 41-44-51 W Length: 78.89

North: 28473581.8965 East : 612517.0212

Line Course: N 48-15-09 W Length: 111.40

North: 28473656.0721 East : 612433.9072

Line Course: N 42-11-04 W Length: 0.00

North: 28473656.0721 East : 612433.9072

Perimeter: 380.58 Area: 8,788 S.F. 0.202 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Phase 3.txt

Error Closure: 0.0000
Error North: 0.00000
Precision 1: 380,580,000.00

Course: S 90-00-00 E
East : 0.00000

Parcel name: Lot 75

North: 28473714.9308 East : 612486.4361
Line Course: S 48-15-09 E Length: 111.40
North: 28473640.7552 East : 612569.5501
Line Course: N 46-08-47 E Length: 96.52
North: 28473707.6260 East : 612639.1519
Line Course: N 54-33-09 W Length: 105.44
North: 28473768.7767 East : 612553.2554
Line Course: N 48-15-09 W Length: 14.00
North: 28473778.0986 East : 612542.8102
Line Course: S 41-44-51 W Length: 84.67
North: 28473714.9274 East : 612486.4328
Line Course: S 43-28-06 E Length: 0.00
North: 28473714.9274 East : 612486.4328

Perimeter: 412.03 Area: 10,309 S.F. 0.237 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0047 Course: S 44-02-34 W
Error North: -0.00339 East : -0.00328
Precision 1: 87,665.96

Parcel name: Lot 76

North: 28473875.3134 East : 612433.8827
Line Course: N 48-15-09 W Length: 25.00
North: 28473891.9596 East : 612415.2306
Line Course: S 41-44-51 W Length: 63.60
North: 28473844.5085 East : 612372.8826
Line Course: S 48-15-09 E Length: 111.00
North: 28473770.5992 East : 612455.6982
Line Course: N 41-44-51 E Length: 63.60
North: 28473818.0503 East : 612498.0462
Line Course: N 48-15-09 W Length: 86.00
North: 28473875.3134 East : 612433.8827

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Phase 3.txt

Parcel name: Lot 77

North: 28473844.5086 East : 612372.8825
Line Course: S 48-15-09 E Length: 111.00
North: 28473770.5993 East : 612455.6981
Line Course: S 41-44-51 W Length: 63.60
North: 28473723.1482 East : 612413.3501
Line Course: N 48-15-09 W Length: 111.00
North: 28473797.0575 East : 612330.5345
Line Course: N 41-44-51 E Length: 63.60
North: 28473844.5086 East : 612372.8825
Line Course: N 32-00-19 W Length: 0.00
North: 28473844.5086 East : 612372.8825

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 78

North: 28473797.0575 East : 612330.5345
Line Course: S 48-15-09 E Length: 111.00
North: 28473723.1483 East : 612413.3501
Line Course: S 41-44-51 W Length: 63.60
North: 28473675.6972 East : 612371.0021
Line Course: N 48-15-09 W Length: 111.00
North: 28473749.6064 East : 612288.1865
Line Course: N 41-44-51 E Length: 63.60
North: 28473797.0575 East : 612330.5345
Line Course: N 01-47-24 W Length: 0.00
North: 28473797.0575 East : 612330.5345

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 79

Phase 3.txt

North: 28473749.6065 East : 612288.1864
Line Course: S 48-15-09 E Length: 111.00
North: 28473675.6972 East : 612371.0020
Line Course: S 41-44-51 W Length: 63.60
North: 28473628.2461 East : 612328.6540
Line Course: N 48-15-09 W Length: 111.00
North: 28473702.1554 East : 612245.8384
Line Course: N 41-44-51 E Length: 63.60
North: 28473749.6065 East : 612288.1864
Line Course: N 90-00-00 W Length: 0.00
North: 28473749.6065 East : 612288.1864

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 80

North: 28473702.1554 East : 612245.8384
Line Course: S 48-15-09 E Length: 111.00
North: 28473628.2462 East : 612328.6539
Line Course: S 41-44-51 W Length: 63.60
North: 28473580.7951 East : 612286.3059
Line Course: N 48-15-09 W Length: 111.00
North: 28473654.7043 East : 612203.4903
Line Course: N 41-44-51 E Length: 63.60
North: 28473702.1554 East : 612245.8384
Line Course: N 29-21-28 E Length: 0.00
North: 28473702.1554 East : 612245.8384

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 349,200,000.00

Parcel name: Lot 81

North: 28473654.7044 East : 612203.4903
Line Course: S 41-44-51 W Length: 63.60
North: 28473607.2533 East : 612161.1423
Line Course: S 48-15-09 E Length: 111.00

Phase 3.txt

North: 28473533.3440 East : 612243.9579
 Line Course: N 41-44-51 E Length: 63.60
 North: 28473580.7951 East : 612286.3059
 Line Course: N 48-15-09 W Length: 111.00
 North: 28473654.7044 East : 612203.4903
 Line Course: N 48-21-59 W Length: 0.00
 North: 28473654.7044 East : 612203.4903

Perimeter: 349.20 Area: 7,060 S.F. 0.162 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0000 Course: S 90-00-00 E
 Error North: 0.00000 East: 0.00000
 Precision 1: 349,200,000.00

 Parcel name: Street Dedication

North: 28472369.4166 East : 613949.2330
 Line Course: S 48-15-09 E Length: 60.00
 North: 28472329.4656 East : 613993.9982
 Line Course: S 41-44-51 W Length: 226.15
 North: 28472160.7382 East : 613843.4164
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: S 03-15-09 E
 Course In: S 48-15-09 E Course Out: S 41-44-51 W
 RP North: 28472150.7504 East : 613854.6077
 End North: 28472139.5592 East : 613844.6200
 Line Course: S 48-15-09 E Length: 188.81
 North: 28472013.8402 East : 613985.4886
 Curve Length: 23.56 Radius: 15.00
 Delta: 90-00-00 Tangent: 15.00
 Chord: 21.21 Course: N 86-44-51 E
 Course In: N 41-44-51 E Course Out: S 48-15-09 E
 RP North: 28472025.0315 East : 613995.4763
 End North: 28472015.0437 East : 614006.6676
 Line Course: N 41-44-51 E Length: 63.08
 North: 28472062.1069 East : 614048.6694
 Curve Length: 17.45 Radius: 20.00
 Delta: 49-59-41 Tangent: 9.33
 Chord: 16.90 Course: N 16-45-01 E
 Course In: N 48-15-09 W Course Out: N 81-45-10 E
 RP North: 28472075.4239 East : 614033.7476
 End North: 28472078.2927 East : 614053.5408
 Curve Length: 244.34 Radius: 50.00
 Delta: 279-59-23 Tangent: 41.96
 Chord: 64.29 Course: S 48-15-09 E
 Course In: N 81-45-10 E Course Out: S 01-44-33 W
 RP North: 28472085.4650 East : 614103.0237
 End North: 28472035.4881 East : 614101.5033

Phase 3.txt

Curve Length: 17.45 Radius: 20.00
Delta: 49-59-42 Tangent: 9.33
Chord: 16.90 Course: S 66-44-42 W
Course In: S 01-44-33 W Course Out: N 48-15-09 W
RP North: 28472015.4973 East : 614100.8952
End North: 28472028.8143 East : 614085.9734

Line Course: S 41-44-51 W Length: 63.08
North: 28471981.7512 East : 614043.9717

Curve Length: 23.56 Radius: 15.00
Delta: 90-00-00 Tangent: 15.00
Chord: 21.21 Course: S 03-15-09 E
Course In: S 48-15-09 E Course Out: S 41-44-51 W
RP North: 28471971.7635 East : 614055.1630
End North: 28471960.5722 East : 614045.1752

Line Course: S 48-15-09 E Length: 96.61
North: 28471896.2445 East : 614117.2547

Curve Length: 73.73 Radius: 825.00
Delta: 5-07-13 Tangent: 36.89
Chord: 73.70 Course: S 45-41-33 E
Course In: S 41-44-51 W Course Out: N 46-52-04 E
RP North: 28471280.7232 East : 613567.9291
End North: 28471844.7627 East : 614169.9959

Curve Length: 23.29 Radius: 15.00
Delta: 88-58-41 Tangent: 14.73
Chord: 21.02 Course: S 87-37-17 E
Course In: N 46-52-04 E Course Out: S 42-06-37 E
RP North: 28471855.0180 East : 614180.9426
End North: 28471843.8902 East : 614191.0010

Line Course: N 47-53-23 E Length: 118.73
North: 28471923.5057 East : 614279.0815

Curve Length: 10.93 Radius: 20.00
Delta: 31-18-02 Tangent: 5.60
Chord: 10.79 Course: N 32-14-22 E
Course In: N 42-06-37 W Course Out: S 73-24-39 E
RP North: 28471938.3428 East : 614265.6703
End North: 28471932.6327 East : 614284.8378

Curve Length: 126.19 Radius: 50.00
Delta: 144-36-07 Tangent: 156.68
Chord: 95.27 Course: N 88-53-25 E
Course In: S 73-24-39 E Course Out: N 71-11-28 E
RP North: 28471918.3573 East : 614332.7566
End North: 28471934.4779 East : 614380.0866

Curve Length: 10.93 Radius: 20.00
Delta: 31-18-01 Tangent: 5.60
Chord: 10.79 Course: S 34-27-33 E
Course In: N 71-11-28 E Course Out: S 39-53-27 W
RP North: 28471940.9262 East : 614399.0186
End North: 28471925.5808 East : 614386.1921

Line Course: S 50-06-33 E Length: 70.10
North: 28471880.6238 East : 614439.9775

Curve Length: 17.45 Radius: 20.00
Delta: 49-59-41 Tangent: 9.33
Chord: 16.90 Course: S 75-06-24 E

Phase 3.txt

Course In: N 39-53-27 E	Course Out: S 10-06-14 E
RP North: 28471895.9692	East : 614452.8041
End North: 28471876.2794	East : 614456.3127
Curve Length: 244.34	Radius: 50.00
Delta: 279-59-22	Tangent: 41.96
Chord: 64.29	Course: S 39-53-27 W
Course In: S 10-06-14 E	Course Out: S 89-53-08 W
RP North: 28471827.0548	East : 614465.0844
End North: 28471826.9549	East : 614415.0845
Curve Length: 17.45	Radius: 20.00
Delta: 49-59-41	Tangent: 9.33
Chord: 16.90	Course: N 25-06-43 W
Course In: S 89-53-08 W	Course Out: N 39-53-27 E
RP North: 28471826.9150	East : 614395.0845
End North: 28471842.2603	East : 614407.9111
Line Course: N 50-06-33 W Length: 84.57	
North: 28471896.4973	East : 614343.0233
Curve Length: 21.47	Radius: 15.00
Delta: 82-00-04	Tangent: 13.04
Chord: 19.68	Course: S 88-53-25 W
Course In: S 39-53-27 W	Course Out: N 42-06-37 W
RP North: 28471884.9883	East : 614333.4033
End North: 28471896.1162	East : 614323.3450
Line Course: S 47-53-23 W Length: 135.59	
North: 28471805.1950	East : 614222.7568
Curve Length: 22.40	Radius: 15.00
Delta: 85-33-39	Tangent: 13.88
Chord: 20.38	Course: S 05-06-33 W
Course In: S 42-06-37 E	Course Out: S 52-19-44 W
RP North: 28471794.0671	East : 614232.8152
End North: 28471784.9002	East : 614220.9422
Curve Length: 192.01	Radius: 825.00
Delta: 13-20-07	Tangent: 96.44
Chord: 191.58	Course: S 31-00-12 E
Course In: S 52-19-44 W	Course Out: N 65-39-51 E
RP North: 28471280.7196	East : 613567.9285
End North: 28471620.6891	East : 614319.6237
Line Course: S 24-20-09 E Length: 2.61	
North: 28471618.3110	East : 614320.6992
Line Course: S 65-39-51 W Length: 50.00	
North: 28471597.7068	East : 614275.1420
Line Course: N 24-20-09 W Length: 2.61	
North: 28471600.0849	East : 614274.0664
Curve Length: 323.50	Radius: 775.00
Delta: 23-55-00	Tangent: 164.14
Chord: 321.16	Course: N 36-17-39 W
Course In: S 65-39-51 W	Course Out: N 41-44-51 E
RP North: 28471280.7196	East : 613567.9285
End North: 28471858.9366	East : 614083.9615
Line Course: N 48-15-09 W Length: 365.42	
North: 28472102.2512	East : 613811.3266
Curve Length: 23.56	Radius: 15.00
Delta: 90-00-00	Tangent: 15.00

Phase 3.txt

Chord: 21.21 Course: S 86-44-51 W
 Course In: S 41-44-51 W Course Out: N 48-15-09 W
 RP North: 28472091.0599 East : 613801.3389
 End North: 28472101.0476 East : 613790.1476
 Line Course: S 41-44-51 W Length: 75.45
 North: 28472044.7554 East : 613739.9093
 Line Course: N 48-15-09 W Length: 60.00
 North: 28472084.7063 East : 613695.1441
 Line Course: N 41-44-51 E Length: 381.60
 North: 28472369.4129 East : 613949.2321
 Line Course: S 32-00-19 E Length: 0.00
 North: 28472369.4129 East : 613949.2321

Perimeter: 3501.57 Area: 95,280 S.F. 2.187 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)
 Error Closure: 0.0038 Course: S 13-46-59 W
 Error North: -0.00367 East : -0.00090
 Precision 1: 921,468.42

 Parcel name: Total Area

North: 28472443.3259 East : 613866.4175
 Line Course: S 48-15-09 E Length: 185.00
 North: 28472320.1438 East : 614004.4435
 Line Course: S 54-33-09 E Length: 751.56
 North: 28471884.2716 East : 614616.6998
 Line Course: S 46-55-41 E Length: 204.73
 North: 28471744.4581 East : 614766.2544
 Line Course: S 80-27-31 W Length: 217.18
 North: 28471708.4584 East : 614552.0789
 Line Course: S 68-46-47 W Length: 243.33
 North: 28471620.3840 East : 614325.2477
 Line Course: S 65-39-51 W Length: 55.00
 North: 28471597.7193 East : 614275.1346
 Line Course: N 24-20-09 W Length: 2.61
 North: 28471600.0974 East : 614274.0591
 Curve Length: 37.39 Radius: 775.00
 Delta: 2-45-52 Tangent: 18.70
 Chord: 37.39 Course: N 25-43-05 W
 Course In: S 65-39-51 W Course Out: N 62-53-59 E
 RP North: 28471280.7321 East : 613567.9212
 End North: 28471633.7828 East: 614257.8344
 Line Course: S 53-39-25 W Length: 107.04
 North: 28471570.3489 East : 614171.6155
 Line Course: N 32-39-03 W Length: 138.79
 North: 28471687.2064 East : 614096.7357
 Line Course: N 37-41-16 W Length: 107.06
 North: 28471771.9288 East : 614031.2837
 Line Course: N 48-15-09 W Length: 399.06

Phase 3.txt

	North: 28472037.6426	East : 613733.5505
Line	Course: N 41-44-51 E Length: 9.55	
	North: 28472044.7677	East : 613739.9093
Line	Course: N 48-15-09 W Length: 171.00	
	North: 28472158.6279	East : 613612.3286
Line	Course: N 41-44-51 E Length: 381.60	
	North: 28472443.3345	East : 613866.4166

Perimeter: 3010.90 Area: 420,362 S.F. 9.650 ACRES

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.0086	Course: N 06-12-57 W
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Error North: 0.00852	East : -0.00093
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Precision 1: 350,104.65

GREAT BASIN ESTATES SUBDIVISION - PHASE 3 CITY OF ELKO, NEVADA

APPROVAL - NEVADA DIVISION OF WATER RESOURCES

THIS FINAL PLAT IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING WATER QUANTITY, SUBJECT TO REVIEW OF APPROVAL ON FILE IN THIS OFFICE.

NEVADA DIVISION OF WATER RESOURCES DATE

APPROVAL - NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

THIS FINAL PLAT IS APPROVED BY THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES. THIS APPROVAL CONCERNS WASTE DISPOSAL, WATER POLLUTION, WATER QUALITY AND WATER SUPPLY FACILITIES AND IS PREDICATED UPON PLANS FOR A PUBLIC WATER SUPPLY AND A COMMUNITY SYSTEM FOR DISPOSAL OF SEWAGE.

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER POLLUTION CONTROL DATE

FEMA NOTE

THE LOTS WITHIN GREAT BASIN ESTATES SUBDIVISION PHASE 3 AS SHOWN HEREIN HAVE BEEN REMOVED FROM THE FEMA SPECIAL FLOOD HAZARD AREA BY A LETTER OF MAP REVISION SUBMITTED TO AND APPROVED BY FEMA AS CASE NO. 16-06-0327P WITH AN EFFECTIVE DATE OF APRIL 2, 2017.

APPROVAL - PUBLIC UTILITIES

THE PUBLIC UTILITY EASEMENTS, AS DESIGNATED HEREON, ARE APPROVED BY THE RESPECTIVE UTILITIES EXECUTING BELOW.

FRONTIER COMMUNICATIONS DATE

SIDRA PACIFIC POWER COMPANY, D/B/A NV ENERGY DATE

SATVIEW BROADCAST DATE

SOUTHWEST GAS CORPORATION DATE

NOTES:

- 1) THE TOTAL SUBDIVIDED AREA OF THIS MAP EQUALS 9.630 ACRES.
- 2) BASIS OF BEARINGS: THE LINES BETWEEN THE FOUND CENTERLINE STREET MONUMENTS AS SHOWN ON THE FINAL MAP OF GREAT BASIN ESTATES SUBDIVISION, PHASE 1A, FILE NO. 718613, THE FINAL MAP OF GREAT BASIN ESTATES SUBDIVISION, PHASE 1B, FILE NO. 727552 AND THE FINAL MAP OF GREAT BASIN SUBDIVISION, PHASE 2, FILE NO. 729653.
- 3) A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED SPECIFICALLY TO NV ENERGY WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIST THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS, AT LOCATION MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY.
- 4) A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED SPECIFICALLY TO SOUTHWEST GAS COMPANY WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING, MAINTAINING, INSPECTING AND REPAIRING UTILITY FACILITIES WHICH PROVIDE SERVICE TO THAT PARCEL, WITH THE RIGHT TO EXIST THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS. RIGHTS ARE ALSO GRANTED TO USE EXISTING PUBLIC EASEMENTS FOR THE PURPOSE OF MAINTAINING, INSTALLING, INSPECTING AND REPAIRING SAID UTILITY FACILITIES.
- 5) IN ADDITION TO ANY EASEMENTS SHOWN, THE LOTS SHOWN ARE SUBJECT TO 5.0 FT. PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG ALL STREET FRONTAGE LINES AND 5.00 FT. PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG ALL SIDE AND REAR BOUNDARY LINES.
- 6) THIS MAP SUBDIVIDES LOT C AS SHOWN ON THE FINAL MAP OF GREAT BASIN ESTATES SUBDIVISION, PHASE 2, ON FILE IN THE OFFICE OF THE ELKO COUNTY RECORDER, ELKO, NEVADA, FILE NO. _____.

LEGEND

- ◇ - SECTION CORNER AS NOTED.
- - FOUND 5/8" REBAR WITH CAP MARKED PLS 6253.
- - CALCULATED POINT ONLY, NOTHING FOUND OR SET

COUNTY ASSESSOR'S CERTIFICATE

I, KATHLEEN S. RUSSELL, CERTIFY THAT THE ASSESSOR'S PARCEL MARKERS SHOWN ON THIS PLAT ARE CORRECT AND THAT THE PROPOSED PARCELS ARE A DIVISION OF SAID ASSESSOR'S PARCEL NO. _____
ELKO COUNTY TREASURER DATE

COUNTY TREASURER'S CERTIFICATE

I, REBECCA ERICSSON, CERTIFY THAT ALL PROPERTY TAXES ON PARCEL NO. _____ HAVE BEEN PAID FOR THIS FISCAL YEAR.
ELKO COUNTY TREASURER DATE

FILING DATA

FILE NO. _____
FILED AT THE REQUEST OF HIGH DESERT ENGINEERING, INC.
DATE 2018
TIME _____ M.
S. MIKE SHAWLES
ELKO COUNTY RECORDER

OWNERS CERTIFICATE

KNOWN OF ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, ROBERT CAPPS, PRESIDENT OF PARADO PARTNERS, LP, A CALIFORNIA LIMITED PARTNERSHIP, BEING THE OWNER OF THOSE PARCELS AS SHOWN ON THIS MAP, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND OFFER FOR DEDICATION ALL OF THE RIGHTS OF WAY AND EASEMENTS FOR PUBLIC ACCESS, PUBLIC UTILITY AND DRAINAGE PURPOSES AS DESIGNATED HEREON. IN WITNESS WHEREOF, ROBERT CAPPS, SET MY HAND ON THE DATE SHOWN.
PARADO PARTNERS, LP

BY: ROBERT CAPPS, GP PRESIDENT DATE

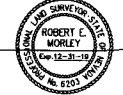
STATE OF NEVADA COUNTY OF ELKO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____ 2018, BY ROBERT CAPPS, PRESIDENT OF PARADO PARTNERS, LP.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

1. ROBERT E. MORLEY, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:
1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCES OF ROBERT CAPPS, PRESIDENT OF PARADO PARTNERS, LP
2. THE LANDS SURVEYED LIE WITHIN SECTION 14, T.34 N., R.55 E., M.08 N., AND THE SURVEY WAS COMPLETED ON _____
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY MADE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.



ROBERT E. MORLEY, P.L.S. 6203

CITY ENGINEER'S REPRESENTATIVE CERTIFICATE

REPRESENTATIVE FOR THE CITY ENGINEER OF THE CITY OF ELKO, NEVADA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND FIND IT TO BE SUBSTANTIALLY THE SAME AS APPEARED ON THE TENTATIVE MAP, WITH ALL APPROVED ALTERATIONS, THAT ALL PROVISIONS OF N.E.S. 278.070 THROUGH 278.075, INCLUSIVE, AND ALL LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH, THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT, AND THAT THE MONUMENTS AS SHOWN ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED.

CITY ENGINEER OR ENGINEERING REPRESENTATIVE DATE

APPROVAL - CITY OF ELKO PLANNING COMMISSION

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, PLANNING COMMISSION HELD ON THE 8TH DAY OF MAY, 2018, A TENTATIVE MAP OF THIS SUBDIVISION WAS READ AND REGULARLY APPROVED PURSUANT TO N.E.S. 278.330. THIS FINAL MAP SUBSTANTIALLY COMPLETES WITH SAID TENTATIVE MAP AND ALL ALL CONDITIONS PURSUANT THERETO HAVE BEEN MET.

CHAIRMAN, CITY OF ELKO PLANNING COMMISSION DATE

APPROVAL - CITY OF ELKO CITY COUNCIL

AT A REGULAR MEETING OF THE CITY OF ELKO, NEVADA, CITY COUNCIL HELD ON THE 8TH DAY OF MAY, 2018, A TENTATIVE MAP OF THIS SUBDIVISION WAS READ AND REGULARLY APPROVED PURSUANT TO N.E.S. 278.330. THIS FINAL MAP SUBSTANTIALLY COMPLETES WITH SAID TENTATIVE MAP AND ALL ALL CONDITIONS PURSUANT THERETO HAVE BEEN MET.

MAYOR, CITY OF ELKO, NEVADA DATE

ATTEST: CITY CLERK, CITY OF ELKO, NEVADA DATE

200 0 200 400 600 800

SCALE: 1"=200'

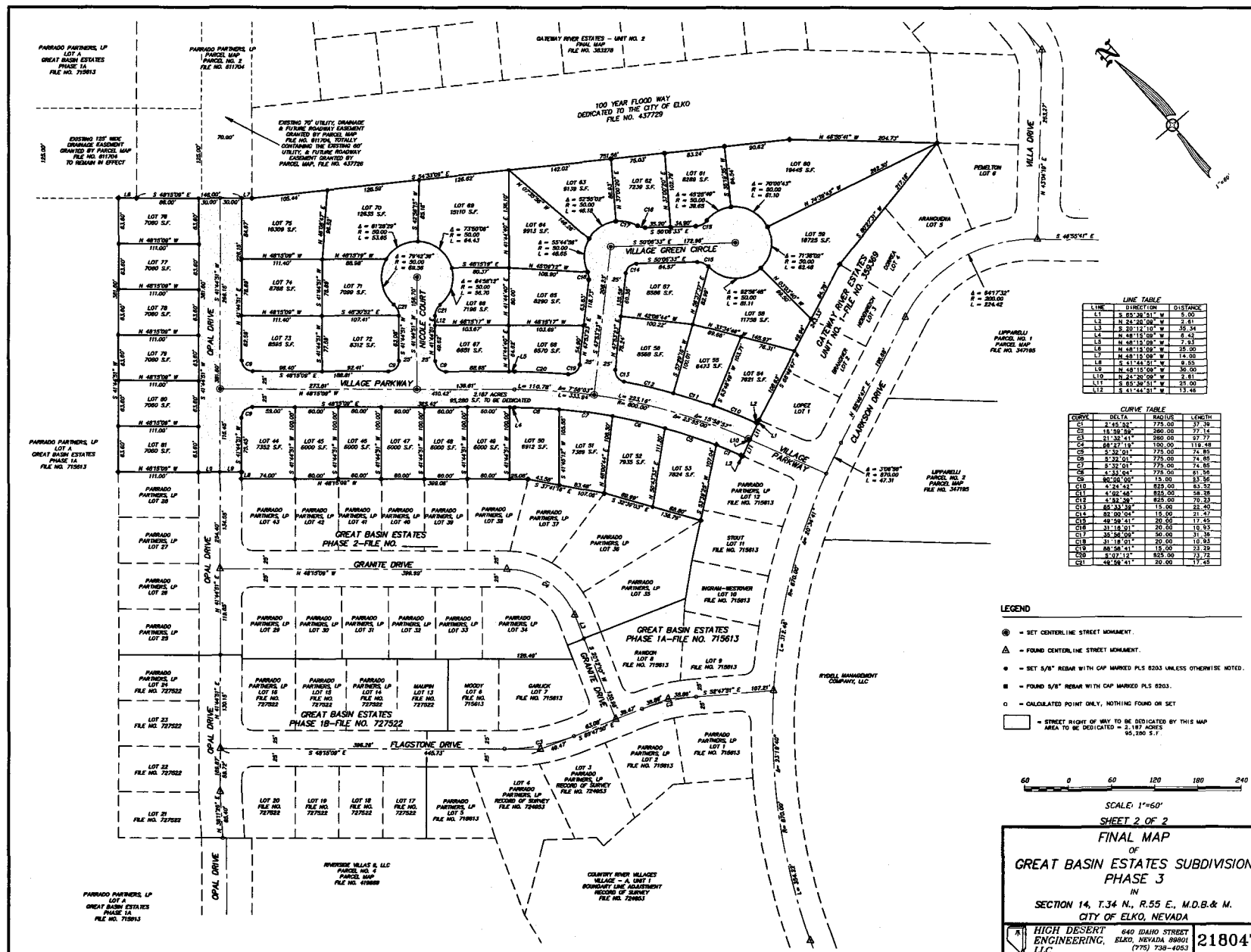
SHEET 1 OF 2

**FINAL MAP
OF
GREAT BASIN ESTATES SUBDIVISION
PHASE 3
IN
SECTION 14, T.34 N., R.55 E., M.D.B. & M.
CITY OF ELKO, NEVADA**



**HIGH DESERT
ENGINEERING,
LLC** 640 IDAHO STREET
ELKO, NEVADA 89601
(775) 738-4953

218047



**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of an Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Tower Hill Phase 2 subdivision, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **10 Minutes**
5. Background Information: **Elko City Code 3-3-44 requires the subdivider to have executed and filed an agreement between the subdivider and the City for the required subdivision improvements, included stipulations on the timeframe for when those improvements are to be completed, and to post a performance guarantee in accordance with Elko City Code 3-3-45. The Planning Commission recommended as one of the conditions for approval of the final plat, that the agreement shall be approved by the City Council.**

The Planning Commission also recommended that the Developer shall enter into the agreement within 30 days of the City Council's approval of the final plat. CL
6. Budget Information:

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Copy of Agreement to Install Improvements and Performance/Maintenance Guarantees**
9. Recommended Motion: **Approve the Agreement to Install Improvements and Performance/Maintenance Guarantees for subdivision improvements associated with the Tower Hill Phase 2 subdivision. The subdivider shall enter into the agreement within 30 days.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Dave Stanton, City Attorney**
12. Council Action:
13. Council Agenda Distribution: **Jordanelle Third Mortgage, LLC
Scott MacRitchie
312 Four Mile Trail
Elko, NV 89801**

AGREEMENT TO INSTALL IMPROVEMENTS
AND PROVIDE MAINTENANCE GUARANTY

THIS AGREEMENT made and entered into this ____ day of _____, 2019, by and between the **CITY OF ELKO**, a municipal corporation organized and existing under the laws of the State of Nevada, hereinafter referred to as the "**City**," and **Jordanelle Third Mortgage, LLC**, an Arizona Limited-Liability Company, hereinafter referred to as "**Developer**."

RECITALS

- A. WHEREAS, Developer** is subdividing certain property within the **City**, the subdivision being generally known as **Tower Hill Subdivision, Unit 2**, into twenty-four (24) separate parcels by means of a subdivision map, identified by the **City** as Subdivision Map No. 14 -18;
- B. WHEREAS**, Elko City Code, Title 3, Chapter 3, requires that a developer of a subdivision (as that term is used in NRS 278.320(1)) enter into an Agreement to Install Improvements;
- C. WHEREAS**, the **City** has approved the Engineer's Cost Estimate for the required subdivision improvements (set forth in **Exhibit A** and made a part hereof) and has determined that the cost of the required subdivision improvements is expected to be in the amount of **Nine Hundred Thirty One Thousand, Fifty-Six Dollars and Zero Cents (\$931,056.00)**, which amount provides the basis for calculating the amount of the Maintenance Guaranty;
- D. WHEREAS**, the Developer intends to complete the required subdivision improvements with its own resources pursuant to Elko City Code Section 3-3-21(A)(3)(a) and 3-3-22(A)(1), and in conformity with the construction plans approved by the City (attached at **Exhibit B** and made a part hereof) prior to certification of the final map;
- E. WHEREAS**, Elko City Code 3-3-21(A)(4) requires that all subdivision improvements identified in the agreement to install improvements shall be completed within a specified period, not to exceed two (2) years, to the satisfaction of the City;
- F. WHEREAS**, the **City** approved the Final Plat on _____;
- G. WHEREAS**, pursuant to Elko City Code Section 3-3-22(B)(3), the **Developer** shall file with the Clerk of the City a maintenance guaranty to ensure the maintenance, adequacy and condition of all improvements required by this Agreement for a period of one (1) year after the subdivision improvements are accepted by the City. The maintenance guaranty may be in any form permitted in Section 3-3-22(B)(1) for a performance guaranty and shall be in the amount of **Ninety-Three Thousand, One Hundred Five Dollars and Sixty Cents (\$93,105.60)** (hereinafter referred to as the "Maintenance Guaranty");
- H. WHEREAS**, in the event the **Developer** fails to complete all the required subdivision improvements in accordance with the terms of this Agreement, the **Developer** shall be in default of this Agreement and the **City** shall be entitled to pursue all available legal remedies.
- I. NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions on the part of the respective parties to be performed, the parties hereby agree as follows:

1) **REQUIRED IMPROVEMENTS, CERTIFICATION, MAINTENANCE GUARANTY, AND ACCEPTANCE AND CERTIFICATION OF THE FINAL MAP**

A. **COMPLETION OF WORK AND MAINTENANCE GUARANTY.** Developer agrees to complete the improvements shown on the construction plans attached as **Exhibit B** hereto in the manner set forth in this Agreement and in conformity with Elko City Code 3-3-21(A)(4) (hereinafter the "**Work**") within twenty-four (24) months of the Effective Date, unless otherwise extended in accordance herewith, and **Developer** shall pay or cause to be paid all claims for labor and materials used to perform the **Work**.

B. **ENGINEER'S ESTIMATE, CERTIFICATION AND SUBMISSION OF WORK.**

1) **Developer** agrees to, at its own expense, contract with a licensed engineer in the State of Nevada to oversee the construction of the subdivision improvements, oversee all required testing and verification of materials to ensure construction of the subdivision improvements in accordance with all federal, state and local requirements and provide an engineer's estimate, which must be approved by the City. The total engineer's estimate must be an amount no less than the full cost of the following improvements: (a) improvements required under Section 3-3-20 of the Elko City Code; (b) improvements shown on the construction plans prepared and approved in accordance with Section 3-3-18 of the Elko City Code; (c) the cost of required inspection and testing by a properly licensed engineer to oversee the quality assurance and quality control necessary to ensure certification for the construction of the approved construction plans; (d) the cost to replace any existing streets, utilities or other improvements that are included in the required improvements as shown on the construction plans; (e) the cost to prepare the as-built drawings and any associated documents; and (f) incidental expenses associated with the foregoing **Work**.

2) The **Work** shall be certified by the **Developer's** Engineer (who shall be a registered engineer, licensed in the State of Nevada) and submitted to the **City** for possible acceptance of the **Work** before the **City** conducts the subdivision final inspection and no later than twenty-four (24) months after the Effective Date. Upon certification of the **Work**, the **Developer's** Engineer shall provide the **City** with a certificate attesting to the adequacy of the **Work** and compliance with all requirements set forth in this Agreement, to include, without limitation, the construction specifications, codes and standards set forth in the Orange Book.

3) The certification by the **Developer's** engineer shall include: (a) the results of all required testing, presented in an organized manner by material type and category of work; (b) references to the sections of the Orange Book that correspond to the required testing for the material type and category of work; (c) the frequency of the required testing; (d) photo documentation for any components of the **Work** which cannot be certified by testing (i.e. special construction of utility crossings); and (e) an "as-built" drawing of the **Work**.

4) The City Council shall not accept the **Work** without a complete and comprehensive certification of the **Work** by the **Developer's** engineer.

C. MAINTENANCE PERIOD. Notwithstanding the Term of this Agreement, the maintenance period shall commence on the date the City Council accepts the **Work** and shall continue thereafter for a period of twelve (12) months. In satisfaction of its requirement to provide a Maintenance Guaranty, **Developer** shall, prior to acceptance of the **Work**, in conformance with Elko City Code 3-3-22(B)(3), provide the **City** with a Maintenance Guaranty in a form that complies with Elko City Code Section 3-3-22(B) in the amount of **Ninety-Three Thousand, One Hundred Five Dollars and Sixty Cents (\$93,105.60)**, which amount is not less than ten percent (10%) of the total cost of the required subdivision improvements. If maintenance is required during the maintenance period, the **City** will provide fifteen (15) calendar days' written notice of the required maintenance work to the **Developer** and the **Developer** must thereafter complete the required maintenance work. If the **Developer** fails to complete the maintenance work within the fifteen (15) calendar day period, without limiting any other rights or remedies available, the **City** may complete or have the maintenance work completed and use the Maintenance Guaranty to satisfy the costs thereof. The certification of the Final Map is, without limitation, conditioned upon **Developer** providing the Maintenance Guaranty.

D. CERTIFICATION OF FINAL MAP. The **City** will not certify the Final Map until:

- 1) The Agreement has been approved by the City Council in conjunction with Final Map approval;
- 2) The Agreement has been fully executed and filed with the City Clerk's office;
- 3) The **Developer** has completed the **Work** as required under the Agreement;
- 4) The **Developer** has filed with the Elko City Clerk the Maintenance Guaranty, calculated in the manner set forth herein and otherwise meeting the requirements of this Agreement and the Elko City Code;
- 5) The City Council has accepted the subdivision improvements;
- 6) The **Developer** has acquired all other jurat certifications required by the Nevada Revised Statutes, the Elko City Code and this Agreement; and
- 7) All other Final Map requirements set forth in the Nevada Revised Statutes and the Elko City Code have been met.

E. EFFECTIVE DATE. The Effective Date of this Agreement shall be _____, which is the date the **City** approved the Final Map, and this Agreement shall operate retroactively to that date, except where otherwise specifically stated herein.

F. TERM. The Term of this Agreement shall be twenty-four (24) months from the Effective Date, unless the **Work** is completed and accepted by the **City** prior to the expiration of the foregoing twenty-four (24) month period, in which event the Term shall expire on the date the **Work** is accepted by the **City**. Notwithstanding the foregoing, the **City** may, upon a written request and showing by the **Developer** of good cause, grant an extension of time to complete the **Work** for an additional twelve (12) months thereafter (with a corresponding

extension of the Term); **provided**, no such extension shall be given unless: (a) the **Developer** has satisfactorily performed its duties under this Agreement to date; (b) the **Developer** has diligently and in good faith attempted to complete the **Work** within the aforementioned twenty-four (24) month period, but has been unable to do so due to events beyond the **Developer's** control; and (c) the Maintenance Guaranty has been provided to the Elko City Clerk.

G. DESCRIPTION OF WORK AND CONDITIONS. In addition to any other requirements contained herein, the **Work** shall not be accepted by the **City** unless the **Developer** fully satisfies the following requirements:

(1) COMPLIANCE WITH CITY CODE. **Developer** shall perform the **Work** in a manner that fully complies with the Elko City Code.

(2) STANDARDS. The **Work** shall be completed in accordance with the plans, specifications and conditions approved by the **City** and in accordance with requirements otherwise set forth in this Agreement, to include requirements incorporated by reference.

(3) PRECONSTRUCTION CONFERENCE. Prior to the initiation of the construction of any roadway, drainage, water or sewer improvements included in the **Work**, the **Developer** shall schedule and participate in a preconstruction conference with **Developer's** contractor(s) and the City Development Manager or the **City's** designee(s).

(4) AS-BUILT PLANS. **Developer** shall provide complete as-built drawings of all street, water, sewer and drainage improvements to the **City** prior to the subdivision final inspection.

(5) SUBDIVISION CONDITIONS. **Developer** shall satisfy all subdivision approval conditions established by or at the direction of the City Council and/or the City Planning Commission.

(6) ENGINEER'S CERTIFICATE. Before the subdivision final inspection, **Developer's** engineer (who shall be a registered engineer, licensed in the State of Nevada) shall provide the **City** with a certificate certifying the adequacy of the **Work** and compliance with all requirements set forth in this Agreement, to include, without limitation, **City** standard construction specifications, codes and standards.

H. FINAL COMPLETION AND ACCEPTANCE OF WORK. Approval of the final completion and acceptance of the **Work** shall be at the discretion of the **City**. The **Work** shall not be accepted unless and until it satisfies the requirements of this Agreement, to include the conditions set forth in Section 1 (**REQUIRED IMPROVEMENTS, CERTIFICATION, MAINTENANCE GUARANTY, ACCEPTANCE AND CERTIFICATION OF THE FINAL MAP**). **Developer** shall request that the **City** inspect the **Work** no later than thirty (30) days prior to the end of the Term. The **City** shall have the authority to suspend the **Work**, in whole or in part, for such period as it may deem necessary due to unsuitable weather or other unfavorable conditions or the failure of **Developer** to comply with the requirements

contained in this Agreement, to include compliance with the standard construction specifications of the **City**.

- I. DEFAULT, NOTICE AND OPPORTUNITY TO CURE.** In the event **Developer** fails to complete the **Work** during the Term of this Agreement or any extension hereof, the **Developer** shall be considered in **Default**. Upon discovery of the **Default**, the **City** shall serve upon the **Developer** written notice of such **Default**. **Developer** shall then have fifteen (15) days from the date of mailing of said notice in which to cure the **Default**. In the event of a **Default**, should the **Developer** fail to cure the **Default** within fifteen (15) days from the date of notice, the **City** shall then have the right to complete the **Work**, to include, without limitation, payment of all third-party claims for labor and material, after which the **Developer** shall be liable to the **City** for all costs incurred in completing the **Work**, such amount to be due and payable within thirty (30) days of receipt of an itemized invoice from the **City** detailing the costs incurred by the **City**. In the event **Developer** fails to reimburse the **City** for the costs shown on the foregoing invoice, the **City** may thereafter exercise all rights and remedies available at law and equity.

2. GENERAL TERMS AND CONDITIONS.

- A. WARRANTY.** **Developer** warrants to the **City** that the **Work**, upon completion, will be free of defects and in conformity with all applicable standards, to include requirements of the Elko City Code and any plans approved by the **City** pertaining to the **Work**.
- B. TERMINATION, BINDING EFFECT, DELEGATION AND OTHER MATTERS.** This Agreement may not be amended, modified or terminated except by an agreement in writing and approved by the **Developer** and the Elko City Council. This Agreement and all of the covenants, terms, conditions and/or provisions herein contained shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Notwithstanding any other provision contained in this Agreement, neither this Agreement nor any of the rights, interests or obligations under this Agreement may be assigned or delegated by any party without the prior written consent of the other party. This Agreement is not intended to confer any rights or benefits to any entity other than to the **City** and to **Developer**; accordingly, there are no third-party beneficiaries to this Agreement.
- C. CONSTRUCTION OF AGREEMENT.** This Agreement constitutes a contract under and shall be construed in accordance with the laws of the State of Nevada. Both parties have had the opportunity to review this Agreement with the assistance of legal counsel. Accordingly, the parties agree that the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
- D. COUNTERPARTS.** This Agreement may be executed in one or more counterparts, each of which shall have the force and effect of an original, and all of which shall constitute but one document.
- E. NOTICES.** All notices required to be given under this Agreement shall be deemed given upon the earlier of the actual receipt or two (2) days after being mailed by registered or certified mail, return receipt requested, addressed as follows: if to **City**, to c/o Scott Wilkinson, (or the then-current) Development Manager, 1751 College Avenue, Elko, Nevada 89801; if to **Developer**, to: Scott MacRitchie, Jordanelle Third Mortgage LLC, 312 Four Mile Trail, Elko, NV 89801.

- F. **CITY'S AUTHORITY.** This Agreement is not intended to supersede the authority granted by law to the **City**. Therefore, nothing in this Agreement shall be construed or implied to require the **City's** planning or other regulatory boards or departments (however designated) to approve any plans, permits, maps or other documents pertaining to any aspect of the **Work** or other action described in this Agreement.
- G. **TIME OF THE ESSENCE.** Time is of the essence and a material provision of this Agreement.
- H. **INDEMNIFICATION.** **Developer** hereby agrees to hold harmless, indemnify and defend the **City** (including, without limitation, the **City's** officers, agents and employees) against and to all claims, demands, actions, suits, liability, cost and expense, including defense expenses, (to include, without limitation, suits for damages and injuries to persons or property) that are claimed to have resulted from the acts or omissions of **Developer** (including without limitation its agents, employees and/or contractors) in any manner pertaining to the **Work**.
- I. **JURISDICTION AND VENUE.** The District Court for the Fourth Judicial District, in and for the County of Elko, State of Nevada, shall have jurisdiction and venue over all disputes arising from or in relation to this Agreement.
- J. **INTEGRATION.** This Agreement represents and contains the entire Agreement and understanding among the parties with respect to the subject matter of this Agreement and supersedes and replaces all prior oral and written agreements and understandings with respect to the subject matter of this Agreement, and no representation, warranty, condition, understanding or agreement of any kind with respect to the subject matter hereof shall be relied upon by the parties unless incorporated herein. This Agreement shall be construed as a complete novation of any prior agreements relating to the subject matter of this Agreement.
- K. **DOCUMENTS PROVIDED TO CITY ARE PUBLIC.** This Agreement, together with any documents associated with the **Work**, may be recorded in any public system of records, to include the records of the Elko County Recorder. Under no circumstances shall **Developer** assert a right to confidentiality or an intellectual property interest in documents or other information provided to the **City** in relation to the **Work**.
- L. **ATTORNEY FEES.** In the event the **City** is required to pursue any action to enforce any term or condition in this Agreement, it shall be entitled to reasonable attorney's fees and court costs.
- M. **SEVERABILITY.** In the event one or more of the provisions, or portions thereof, of this Agreement is determined to be illegal or unenforceable, the remainder of the Agreement shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.
- N. **HEADINGS.** The headings of sections and subsections of this Agreement are inserted for convenience only and shall not be deemed to constitute part of this Agreement or to affect the construction hereof.
- O. **NO AGENCY, PARTNERSHIP OR JOINT VENTURE.** Nothing herein contained shall be construed to create an agency, partnership or joint venture between the parties.
- P. **REMEDIES NOT EXCLUSIVE.** No remedy provided by this Agreement, to include the right to make a claim against a bond or other guaranty, shall be exclusive. The **City** shall have the

right to pursue any remedies provided under this Agreement, or by law or equity, simultaneously or in sequence at its sole discretion.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate the day and year first above written.

CITY - THE CITY OF ELKO,
a municipal corporation

DEVELOPER - _____

By: _____
REECE KEENER, Mayor

By: _____

ATTEST:

KELLY WOOLDRIDGE, City Clerk

EXHIBIT A

**JORDANELLE THIRD MORTGAGE
TOWER HILL SUBDIVISION - UNIT NUMBER 2**

**Public Improvement Estimate
February 6, 2019**

ITEM	DESCRIPTION	UNIT PRICE	UNIT	QTY	EXTENSION
Mobilization					
1	Mobilization	\$ 5,000.00	L.S.	1	\$ 5,000.00
2	Erosion Control	7,500.00	L.S.	1	7,500.00
3	Traffic Control	1,000.00	L.S.	1	1,000.00
Removals					
4	Remove Temporary Flush/Air Valve	1,000.00	Each	2	2,000.00
Earthwork					
5	Unclassified Embankment	3.00	C.Y.	222	666.00
Sanitary Sewer					
6	8" SDR-35 PVC Sanitary Sewer	45.00	L.F.	1,124	50,580.00
7	48" Type 1 Sanitary Sewer Manhole	4,200.00	Each	5	21,000.00
8	4" Sanitary Sewer Service	1,500.00	Each	23	34,500.00
Storm Sewer					
9	10" ADS "N-12" Storm Sewer Lateral	50.00	L.F.	87	4,350.00
10	18" ADS "N-12" Storm Sewer	50.00	L.F.	207	10,350.00
11	Type 4-R Drop Inlet	2,300.00	Each	4	9,200.00
12	48" Type 1 Storm Sewer Manhole	4,000.00	Each	2	8,000.00
Water					
13	8" Class 235 PVC Water	45.00	L.F.	1,299	58,455.00
14	6" Class 235 PVC Water	55.00	L.F.	70	3,850.00
15	8" Gate Valve	1,250.00	Each	5	6,250.00
16	8" 22-1/2° Bend	500.00	Each	2	1,000.00
17	8" Tee	750.00	Each	2	1,500.00
18	8"x6" Tee	750.00	Each	3	2,250.00
19	6" Gate Valve	1,000.00	Each	3	3,000.00
20	Fire Hydrant	4,500.00	Each	3	13,500.00
21	1" Water Service	2,500.00	Each	23	57,500.00
22	Reset Temporary Flush/Air Valve	1,500.00	Each	2	3,000.00
Surfacing					
23	Type 2, Class B, Aggregate Base	45.00	C.Y.	1,785	80,325.00
24	Type 2 Curb & Gutter	27.00	L.F.	2,332	62,964.00
25	Type 1 Curb & Gutter w/ Apron	25.00	S.F.	680	17,000.00
26	6' Valley Gutter	11.00	S.F.	432	4,752.00

**JORDANELLE THIRD MORTGAGE
TOWER HILL SUBDIVISION - UNIT NUMBER 2**

**Public Improvement Estimate
February 6, 2019**

ITEM	DESCRIPTION	UNIT PRICE	UNIT	QTY	EXTENSION
27	4" Sidewalk	5.75	S.F.	9,380	53,935.00
28	3" Plantmix Bituminous Surface	2.60	S.F.	44,194	114,904.40
29	Seal Coat	0.10	S.F.	44,194	4,419.40
Miscellaneous					
30	Class A Monument	500.00	Each	5	2,500.00
31	Street Light Bases	650.00	Each	3	1,950.00
32	Stop & Street Sign	500.00	Each	2	1,000.00
Public Utilities					
33	Electric	85,000.00	L.S.	1	85,000.00
34	Telephone	15,000.00	L.S.	1	15,000.00
35	Television	7,500.00	L.S.	1	7,500.00
36	Natural Gas	30,000.00	L.S.	1	30,000.00
Construction Total					\$ 785,701.00
Davis Bacon Wage Rates		15.0%	L.S.		117,855.00
Construction Engineering		3.5%	L.S.		27,500.00
Construction Total					\$ 931,056.00

EXHIBIT B

**JORDANELLE THIRD MORTGAGE, LLC
TOWER HILL SUBDIVISION - UNIT NUMBER 2
SITE CONSTRUCTION DRAWINGS**

OWNER:

GENERAL NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST EDITION OF THE "STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" AS APPROVED AND DISTRIBUTED BY THE NEVADA TRANSPORTATION COMMISSION OF NEVADA COUNTY, NEVADA COUNTY PLANS, SPECIFICATIONS AND DETAILS, 1997 EDITION.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF ELKO STANDARD DETAIL, STANDARD REQUIREMENTS AND REQUIREMENTS SPECIFIC TO THIS PROJECT.
3. THE WORKING DRAWINGS AND SPECIFICATIONS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE "STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION" AND THE LATEST EDITION OF THE "STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION" AS DISTRIBUTED BY THE NEVADA TRANSPORTATION COMMISSION OF NEVADA COUNTY, NEVADA COUNTY PLANS, SPECIFICATIONS AND DETAILS, 1997 EDITION.
4. ALL TRAFFIC CONTROLS AND ALL NECESSARY WARNING SIGNS, BE IN ACCORDANCE WITH THE LATEST EDITION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
5. ALL WORK NEARBY TO HAZARDOUS ACCESSIBLE AREAS, HANDICAP PARKING SPACES AND THE HANDICAP RAMPS SHALL BE IN ACCORDANCE WITH THE CITY OF ELKO STANDARD DETAIL, CITY OF ELKO ACCESSIBLE AND USABLE GUIDELINES AND FACILITIES.
6. ANY CONFLICTS BETWEEN THE ABOVE REFERENCED SPECIFICATIONS AND THE REQUIREMENTS CONTAINED IN THE CONTRACT AND ADDENDUMS SHALL BE SUBJECT TO THE ATTENTION OF THE OWNER FOR RESOLUTION.
7. ALL WORK ASSOCIATED WITH ANY PUBLIC IMPROVEMENT TO BE PERFORMED BY A PROPERLY LICENSED CONTRACTOR.
8. THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE TOWNSHIP ENGINEER, THE CITY OF ELKO AND ALL UTILITY COMPANIES OF THE PROJECT TO BE CONDUCTED AT LEAST 14 DAYS PRIOR TO THE START OF THE PROJECT.
9. THE CONTRACTOR SHALL OBTAIN AND PAY FOR A COT FROM THE CITY OF ELKO FOR ALL WORK DONE WITHIN THE CITY OF ELKO PUBLIC RIGHTS-OF-WAY. THE CONTRACTOR SHALL COMPLY WITH ALL PROVISIONS OF THIS PERMIT.
10. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE CITY OF ELKO. THIS PERMIT SHALL BE REVOKED AND FORFEITED IF THE DISTURBED AREA BEYOND THE PROJECT IS GREATER THAN ONE (1) ACRE. THE CONTRACTOR SHALL OBTAIN A TEMPORARY SEDIMENT BARRIERS AND COMPLY WITH THE STATE OF NEVADA DIVISION OF ENVIRONMENTAL PROTECTION REQUIREMENTS FOR TEMPORARY SEDIMENT BARRIERS. THE CONTRACTOR SHALL OBTAIN A COT FROM THE CITY OF ELKO. THE CONTRACTOR SHALL OBTAIN A POLLUTION PREVENTION PLAN. A COPY OF THIS PERMIT MUST BE KEPT ON SITE AT ALL TIMES WHILE THE CONTRACTOR IS WORKING ON THE PROJECT. THE CONTRACTOR SHALL RECONSTRUCT THE EXISTING HIGHWAY POLLUTION PREVENTION MEASURES AT THE PROJECT SITES.
11. IF THE DISTURBED AREA BEYOND THE PROJECT IS GREATER THAN ONE (1) ACRE, THE CONTRACTOR SHALL OBTAIN AN AIR QUALITY PERMIT FROM THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION. THE CONTRACTOR SHALL OBTAIN A POLLUTION PREVENTION PLAN. A COPY OF THIS PERMIT MUST BE KEPT ON SITE AT ALL TIMES WHILE THE CONTRACTOR IS WORKING ON THE PROJECT. THE CONTRACTOR SHALL RECONSTRUCT THE EXISTING HIGHWAY POLLUTION PREVENTION MEASURES AT THE PROJECT SITES.
12. THE CONTRACTOR SHALL COORDINATE ALL WORK WITH THE APPROPRIATE UTILITIES AND AGENCIES AS FOLLOWS:

ELECTRIC	BY ENERGY
TELEPHONE	POWER/COMMUNICATIONS
TELEVISION	WATSON TELEVISION
NATURAL GAS	SOUTHWEST GAS COMPANY
WATER	CITY OF ELKO, NEVADA
SEWER	CITY OF ELKO, NEVADA
PUBLIC STREETS	CITY OF ELKO, NEVADA
13. THE CONTRACTOR SHALL OBTAIN A PERMIT TO EXCAVATE (1-800-227-2626) AT LEAST AN HOUR PRIOR TO BEGINNING EXCAVATION OR GRADING OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES AND STRUCTURES.
14. HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL WORK CAREFULLY TO THE EXACT LOCATION OF ALL EXISTING UTILITIES AND IMPROVEMENTS. ANY DAMAGE TO EXISTING UTILITIES OR IMPROVEMENTS PRIOR TO THE COMPLETION OF THE CITY PROJECTS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
15. THE CONTRACTOR SHALL VERIFY IN THE FIELD, ALL UTILITIES, EXISTING ROW LINES, EXISTING CONDUITS, AND POINTS OF CONNECTIONS WITH ADJACENT PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE PROJECT ENGINEER BEFORE THE PROJECT BEGINS.
16. THE CONTRACTOR SHALL MAINTAIN STATED EASEMENT AREAS APPROVED PLANS AT THE WORK SITE DURING CONSTRUCTION. CONSTRUCTION SHALL PROCEED WITHIN THE SET BACK OF PLANTS TO BE MAINTAINED WITH PROTECTED ROOTS AND COMMENTS MADE BY THE ARCHITECTS.
17. THE CONTRACTOR SHALL MAINTAIN THE EXISTING PLANT MATERIALS AND TREES TO REMAIN AT THE PROPERTY. ANY PLANT MATERIALS TO BE REMOVED SHALL BE REMOVED BY THE CITY OF ELKO BY THE PROJECT ENGINEER.
18. THE PROJECT ENGINEER WILL PROVIDE AN AS-BUILT TO THE CITY OF ELKO. THE AS-BUILT WILL INCLUDE ALL RELEVANT QUALITY CONTROL AND QUALITY ASSURANCE DATA. THE CONTRACTOR SHALL PROVIDE A PROPERTY LICENSED PROFESSIONAL ENGINEER.
19. ALL DIMENSIONS TO TOP OF CURB, CROWN, UNLESS OTHERWISE NOTED.
20. REFERENCE DETAIL SHEETS FOR CONSTRUCTION DETAILS.

PROJECT DATA:

APN:	0017-019-024		ADDITIONAL DETAIL(S):
LEGAL DESCRIPTION:	PARCEL A, FILE 74117	FRONT:	15'
SECTION:	SECTION 12, E. 34, N. 8, S. 2 E.	RIGHT-OF-WAY SIDE:	15'
LOCATION:		ADJACENT SIDE:	15'
VEHICLE ACCESS:	SECTION NUMBER 1001	REAR:	15'
ADJACENT:		ADDITIONAL ACCESSORY BUILDING:	(BUILT ON 10')
ZONING:	R1 - SINGLE FAMILY RESIDENTIAL	AREA:	8,000 S.F. (MAX. S.F. PER LOT)
SPECIAL FLOOD HAZARD:	NO	REAR:	15'
PERMITTED USE:	ONE (1) SINGLE FAMILY DWELLING	ADDITIONAL BUILDING AREA:	35' (ADDITIONAL ACCESSORY BUILDING - 20')
ADDITIONARY USE:	ADDITIONAL BUILDING, FURNITURE, OUTDOOR GRILL, ETC.	USE FOR RESIDENTIAL:	1,000 SQ. FT. PER HOUR

VICINITY MAP

LEGEND:

- | | | | |
|---|--|--|--------------------------------------|
|  | EXISTING SANITARY SEWER SERVICE LATERAL |  10-10 | EXISTING OVERHEAD TELEPHONE LINE |
|  | EXISTING SANITARY SEWER MAIN W/ SIZE & DIRECTION |  10-1 | EXISTING UNDERGROUND TELEPHONE LINE |
|  | EXISTING SANITARY SEWER MANHOLE |  10-2 | EXISTING TELEPHONE PEDESTAL |
|  | PROPOSED SANITARY SEWER SERVICE LATERAL |  10-1/2 | PROPOSED UNDERGROUND TELEPHONE LINE |
|  | PROPOSED SANITARY SEWER MAIN W/ SIZE & DIRECTION |  10-1/4 | EXISTING OVERHEAD TELEPHONE LINE |
|  | PROPOSED SANITARY SEWER CLEANOUT |  10-1/8 | EXISTING UNDERGROUND TELEPHONE LINE |
|  | PROPOSED SANITARY SEWER MANHOLE |  10-2 | EXISTING TELEVISION PEDESTAL |
|  | EXISTING STORM SEWER MAIN W/ SIZE & DIRECTION |  10-1/4 | PROPOSED UNDERGROUND TELEVISION LINE |
|  | EXISTING STORM SEWER MANHOLE |  10-1/8 | EXISTING GAS VALVE |
|  | PROPOSED STORM SEWER SERVICE LATERAL |  10-1 | EXISTING GAS MAIN OR SERVICE LINE |
|  | PROPOSED STORM SEWER MAIN W/ SIZE & DIRECTION |  10-1/2 | NEW GAS MAIN OR SERVICE LINE |
|  | PROPOSED STORM SEWER MANHOLE |  10-1/4 | EXISTING DELINEATOR |
|  | PROPOSED DROP INLET |  10-1/8 | PROPOSED PAVEMENT |
|  | PROPOSED CATCH BASIN |  10-1/4 | PROPOSED CONCRETE |
|  | EXISTING FIRE HYDRANT |  10-1/2 | CALCULATED POINT |
|  | EXISTING WATER VALVE |  10-1/4 | SET PROPERTY CORNER |
|  | EXISTING WATER MAIN W/ SIZE |  10-1/2 | FOUND PROPERTY CORNER |
|  | PROPOSED FIRE HYDRANT |  10-1/4 | FOUND STREET ALIGNMENT |
|  | PROPOSED WATER VALVE |  10-1/2 | TEST # 1 |
|  | PROPOSED WATER MAIN W/ SIZE |  10-1/4 | SHOT PILE/STATION |
|  | PROPOSED WATER SERVICE MAIN & LATERAL |  10-1/2 | PROPOSED GROUND CONTROL |
|  | EXISTING OVERHEAD POWER LINE |  10-1/4 | PROPOSED FINISH GROUND CONTROL |
|  | EXISTING UNDERGROUND POWER LINE |  10-1/2 | PROPOSED SHOT BRIDGE |
|  | EXISTING ELECTRICAL BOX |  10-1/4 | SPECIAL CONSTRUCTION # |
|  | PROPOSED UNDERGROUND POWER LINE |  10-1/2 | W/ 1/4" MIN. CROSSING |

ENGINEER:


 HIGH
DESERT
ENGINEERING
LLC

SHEET INDEX:

- ### CONSTRUCTION DRAWINGS
- | | |
|------|-----------------------------------|
| 1 | TITLE SHEET |
| 2 | PLAN & PROFILE - DEERFIELD WAY |
| | PLAN & PROFILE - CHUKAR DRIVE |
| 3 | PLAN & PROFILE - PHEASANT DRIVE |
| | & PHYSICAL UTILITY LAYOUTS DETAIL |
| 4 | GRADING PLAN |
| 5 | EROSION CONTROL PLAN |
| 6 | SITE DETAILS |
| 7 | WATER SYSTEM DETAILS |
| 8 | SANITARY & STORM SEWER DETAILS |
| | & UTILITY NOTES |
| SA-1 | PLAN & PROFILE - SECONDARY ACCESS |

SUPPLEMENTAL DRAWINGS

- 1 _____ FINAL MAP - SHEET 1 OF 2
2 _____ FINAL MAP - SHEET 2 OF 2

ABBREVIATIONS:

- [illegible]

RECEIVED
JUN 11 1966

HIGH & DESERT ENGINEERING

CONSULTING ENGINEERING & SURVEYING

440 GRAND STREET
ALBUQUERQUE, NM 87102

SCALE:

HORIZ. _____

VERT. _____

DATE: _____

BY: _____

PROJECT:

JORDANELLE THIRD MORTGAGE, LLC

TOWER HILL SUBDIVISION - UNIT NUMBER 2

TITLE SHEET

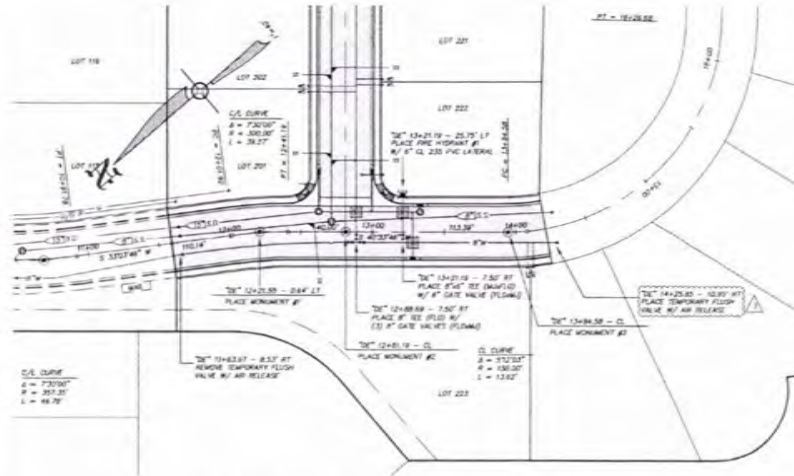
REVISIONS:

NO.	DATE	DESCRIPTION
1	4-2-2014	ISSUED FOR PERMIT
2	5-15-2014	REVISED PER COMMENTS
3	5-20-2014	REVISED PER COMMENTS

DATE: NOVEMBER 2014

BY: _____

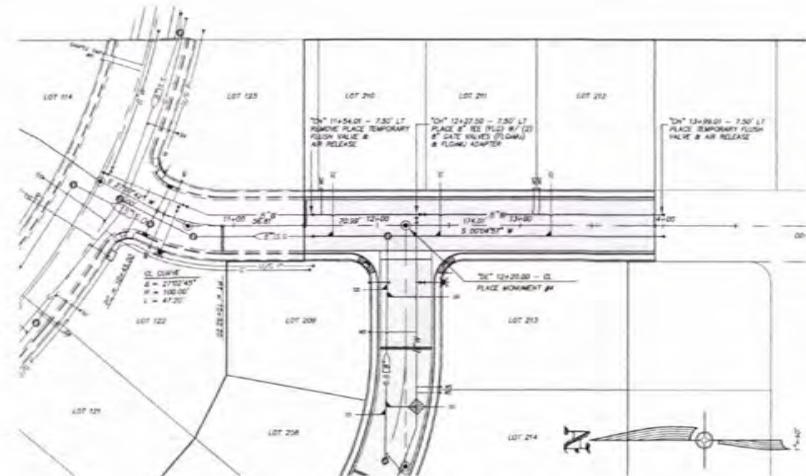
DATE: _____



NOTES:

1. REFERENCE SHEET 3 FOR UTILITY NOTES.
2. ALL PAYMENT MARKINGS, WITH THE EXCEPTION OF THE HANDICAP PARKING SPACE SYMBOLS, SHALL BE WHITE. HANDICAP PARKING SPACE SYMBOLS SHALL BE WHITE WITH A BLUE BACKGROUND. HANDICAP ACCESSIBLE VEHICLES SHALL HAVE DIAGONALS SHOWN AT 45 DEGREES. CROSSWALK LINES AND STOP SIGNS SHALL BE 4" WIDE. ARROWS AND DIRECTIONAL MARKINGS TO BE PLACED AT 30".
3. THURST BLOCKING IS REQUIRED FOR ALL WATER MAINS (4" & LARGER) AT ALL BENDS, TEES, CROSSES, VALVES AND HYDRANTS. REFERENCE DETAIL SHEET.
4. AIR RELEASE VALVES ARE REQUIRED AT THE HIGH POINTS OF THE WATER MAIN. FINAL LOCATIONS OF THESE VALVES MAY DIFFER FROM THOSE SHOWN, DEPENDING ON VERTICAL LOCATION OF EXISTING WATER MAIN.
5. PROVIDE THURST BLOCKING AT ALL FITTINGS AND HYDRANTS IN ACCORDANCE WITH DETAIL SHEET.
6. DETACHED JOINTS SHALL CONSIST OF ALL FITTINGS WITH TYPICAL JOINT BRACKETS, OR EQUAL.
7. ALL HYDRANTS SHOWN ARE PUBLIC HYDRANTS.

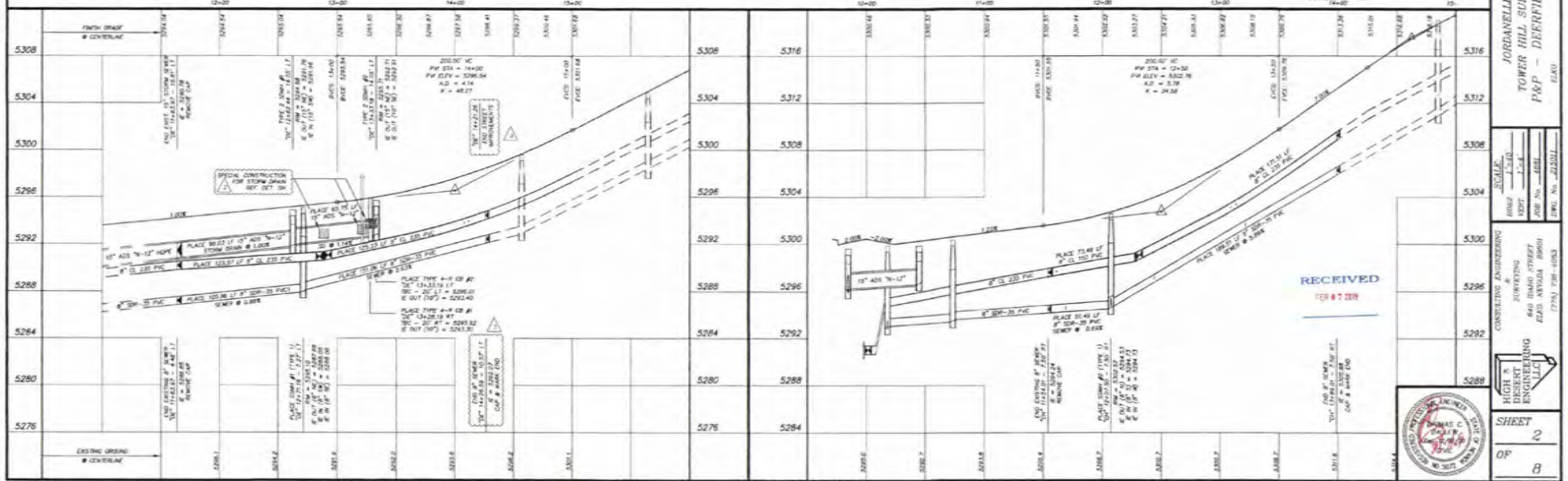
DEERFIELD WAY

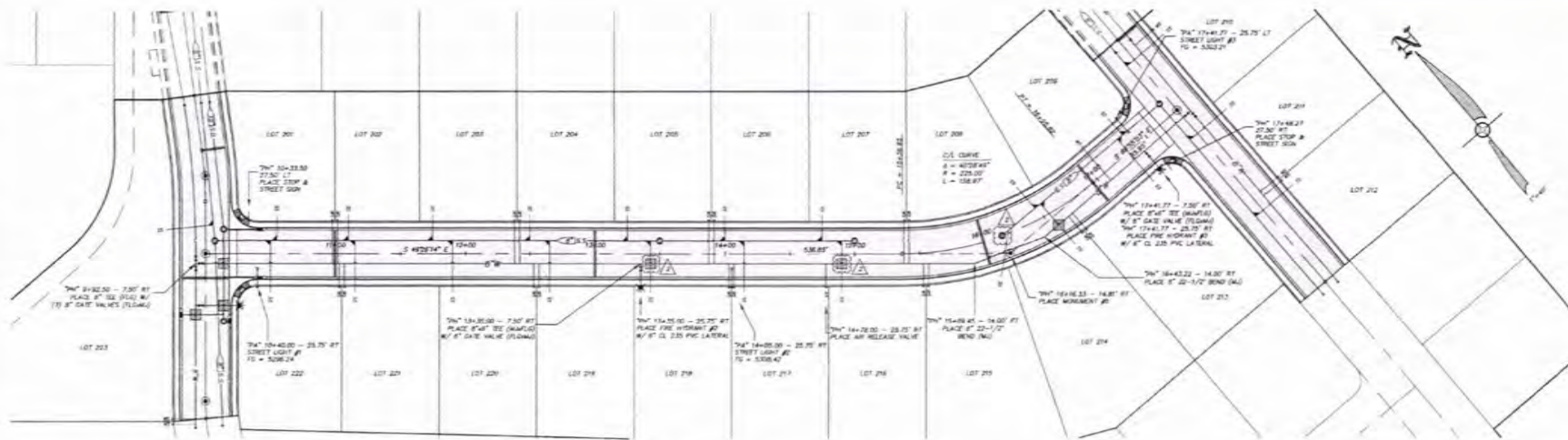


CHUKAR DRIVE

WATER SERVICES NOTE:

1. ALL WATER SERVICES TO CONSIST OF 1" DIA. SERVICE LATERAL AND 1" WATER.





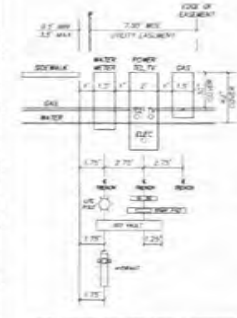
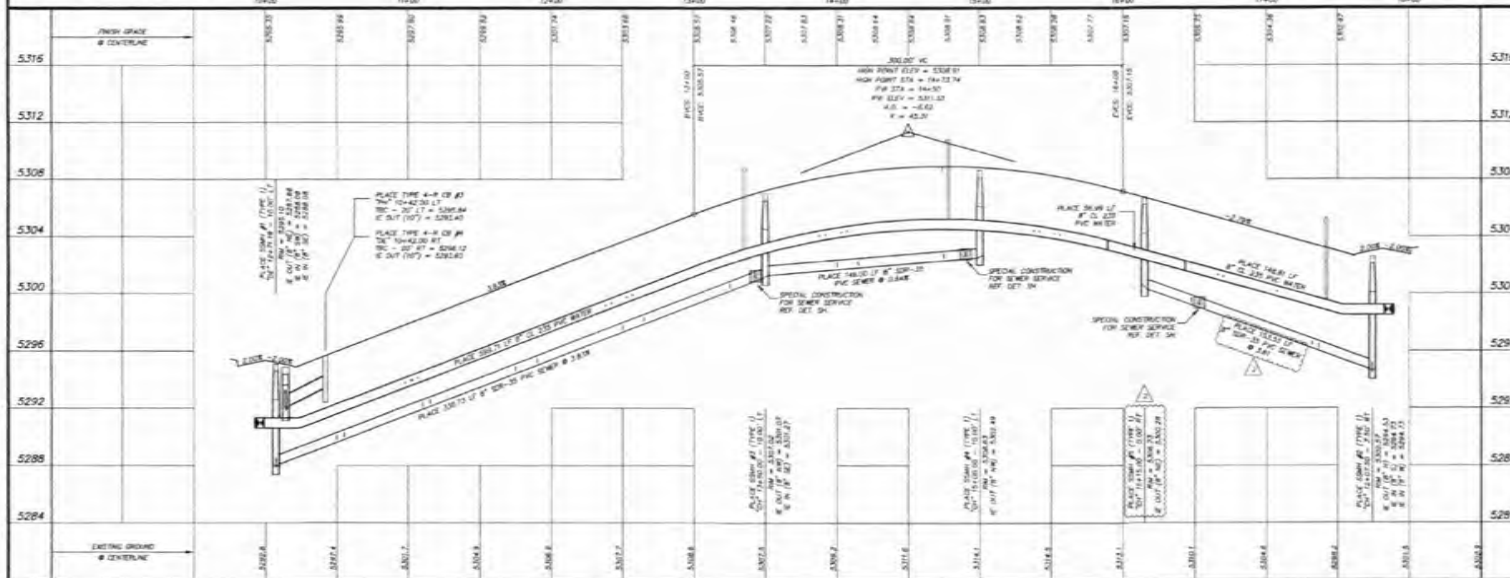
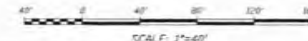
NOTES

- REFERENCE SHEET 5 FOR UTILITY NOTES.
- ALL PERMANENT MARKINGS, WITH THE EXCEPTION OF THE HANDICAP PARKING SPACE THAWERS, SHALL BE WHITE. HANDICAP PARKING SPACE THAWERS SHALL BE WHITE WITH A BLUE BACKGROUND. HANDICAP ACCESSIBLE VEHICLES SHALL HAVE DIAGONAL SPACES AT 4\"/>

PHEASANT DRIVE

WATER SERVICE'S NOTE

- ALL WATER SERVICES TO CONSIST OF 4\"/>



NOTE: MAINTAIN UTILITY SEPARATIONS IN ACCORDANCE WITH ANY EXISTING, FUTURE COMMERCIAL, SATURDAY BROOKDALE, SUNDAY DAY CAMP AND CITY OF SEASIDE REQUIREMENTS.

TYPICAL UTILITY LAYOUTS



DESIGNED BY:	TCB	DATE:	NOVEMBER, 2018
CHECKED BY:	TCB	DATE:	NOVEMBER, 2018
APPROVED BY:		DATE:	NOVEMBER, 2018

JORDANVILLE THIRD MORTGAGE, LLC
TOWER HILL SUBDIVISION - UNIT NUMBER 2
PLAN & PROFILE - PHEASANT DRIVE
ELASO
ELASO COUNTY

SCALE: 1\"/>

CONSULTING ENGINEERING
SCOTT WONG
840 BARD STREET
ELASO, UTAH 84601
(775) 738-4553

HIGH & HESBERT ENGINEERING, LLC
SHEET 3 OF 8



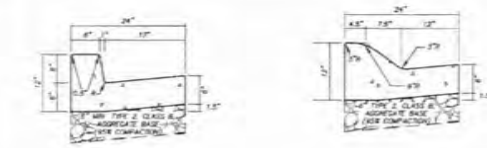
1. ASSESS GRADING FOR THIS PROJECT HAS BEEN COMPLETED. CONTRACTOR SHALL ASCERTAIN THAT PREVIOUSLY PERFORMED MASS CEMENTATION HAS BEEN COMPLETED IN ACCORDANCE WITH THIS PLAN.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL GRASS GRADING UPON COMPLETION OF ALL UTILITIES.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TO BE CONSIDERED APPROPRIATE ONLY. FINAL GRADES WILL BE DETERMINED PRIOR TO PLACING CURBS & GUTTERS.
4. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES. IF CONTRACTOR WISHES TO USE MINORVA, HE SHALL AVOID THE CITY OF LEAKS AND SHALL PAY ALL ASSOCIATED FEES.
5. THE CONTRACTOR SHALL MAINTAIN A 24-HOUR DUST CONTROL PROGRAM INCLUDING WATERING OF OPEN AREAS. DUST CONTROL PROGRAM SHALL BE IN EFFECT DURING ALL PHASES OF CONSTRUCTION.
6. THE CONTRACTOR SHALL MAINTAIN AN ONGOING PROGRAM FOR REMOVAL OF SPALLS OF EXISTING WATER MAINS ON PLANNED STREETS.
7. ALL AREAS DISTURBED AND LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 30 DAYS SHALL BE STABILIZED BY THE APPLICATION OF A DUST PALLIATIVE. ALL AREAS LEFT UNDEVELOPED FOR A PERIOD OF MORE THAN 30 DAYS SHALL BE HYDRO-SEEDING WITH AN APPROVED SEED MIX AND FERTILIZER AND SHALL BE IRRIGATED UNTIL PLANT ESTABLISHED AS APPROVED BY THE CITY OF COLUMBIA.
8. ESTIMATE GRASS QUANTITIES:
EQUICANADA: 0.00
DEERGRASS: 0.00
9. CONTRACTOR SHALL VERIFY CEMENTATION QUANTITIES PRIOR TO PROCEEDING WITH CEMENTATION.



SHEET	4
OF	8

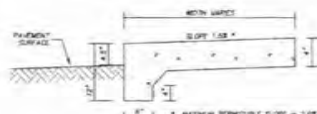
JORDANELLE THIRD MORTGAGE, LLC
TOWER HILL SUBDIVISION - UNIT NUMBER 2
GRADING PLAN & LAMOILLE HWY CONST

DESIGNED BY	TCH	DATE	DESCRIPTION	BY	APP'D
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CHECKED BY	TCH				
APPROVED BY					

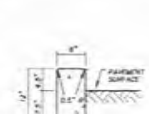


TYPE 1 CURB & GUTTER

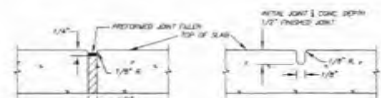
TYPE 2 CURB & GUTTER



THICKENED EDGE SIDEWALK



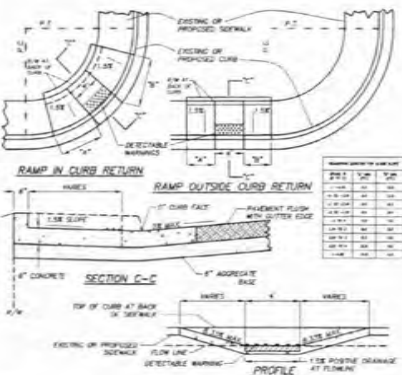
BARRIER CURB



EXPANSION JOINT

WEAKENED PLANE JOINT
SIDEWALK, CURB & GUTTER

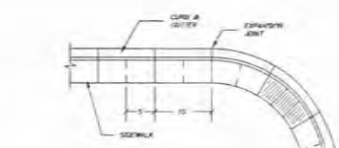
PCC JOINTING DETAILS



NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. AGGREGATE BASE MATERIAL SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. REINFORCING STEEL SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
4. PLANTING RETAINING SURFACE SHALL BE 1/4" TO 1/2" ABOVE VALLEY OUTTERS. ALL OTHER SURFACES TO BE FLUSH WITH VALLEY OUTTERS.
5. IF 2% CROSS SLOPE CAN NOT BE ATTAINED ON THE VALLEY GUTTER ASSOCIATED WITH A HANDCAMP RAMP, PROPOSED CROSS SLOPE SHALL BE APPROVED BY THE CITY OF CLATSOP.
6. CURB RAMP & DETECTABLE WARNING SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE ADAAG.
7. DETECTABLE WARNING SHALL BE 1/4" TO 1/2" ABOVE VALLEY OUTTERS.
8. CROSS SLOPE OF SIDEWALK AND CURB RAMP SURFACES SHALL NOT EXCEED 2%.
9. WHEN CONSTRUCTING WHERE CURB & GUTTER ALREADY EXIST, COMPLETELY REMOVE INTERFERING PORTIONS OF EXISTING CURB & GUTTER. LOCATION OF CURB RAMP SHALL BE APPROVED BY THE CITY OF CLATSOP PRIOR TO INSTALLATION.
10. DETECTABLE WARNING SHALL BE YELLOW AND CONSIST OF PAVED, THICKENED DOMES AND PLACED AT THE BOTTOM PORTION OF THE RAMP.
11. CURB RAMP SHALL BE CONSTRUCTED WITH A RAMP WIDTH FROM TRANSVERSE TO THE SLOPE OF THE RAMP.
12. PLANTING RETAINING SURFACE SHALL BE FLUSH WITH THE EDGE OF THE GUTTER PAV IN THE AREA OF THE CURB RAMP.
13. ALL CONCRETE CURB, GUTTER AND SIDEWALK SHALL HAVE 1/2" EXPANSION JOINTS AT 40' INTERVALS. MEET AT ALL CURB RETURNS. CURB & GUTTER SHALL HAVE WEAKENED PLANE JOINTS EVERY 12'. SIDEWALK SHALL HAVE WEAKENED PLANE JOINTS EVERY 5' AND SHALL CONFORM WITH CURB WEAKENED PLANE JOINTS. FOR BARRIED CURB SINCE PLANTING WEAKENED PLANE JOINTS EVERY 5'.

TYPE 1 CURB RAMP



TYPICAL SIDEWALK

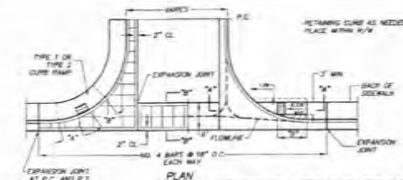
CURB, GUTTER & SIDEWALK NOTES:

1. CONCRETE SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
2. AGGREGATE BASE MATERIAL SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
3. REINFORCING STEEL SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
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6. CURB RAMP & DETECTABLE WARNING SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE ADAAG.
7. DETECTABLE WARNING SHALL BE 1/4" TO 1/2" ABOVE VALLEY OUTTERS.
8. CROSS SLOPE OF SIDEWALK AND CURB RAMP SURFACES SHALL NOT EXCEED 2%.
9. WHEN CONSTRUCTING WHERE CURB & GUTTER ALREADY EXIST, COMPLETELY REMOVE INTERFERING PORTIONS OF EXISTING CURB & GUTTER. LOCATION OF CURB RAMP SHALL BE APPROVED BY THE CITY OF CLATSOP PRIOR TO INSTALLATION.
10. DETECTABLE WARNING SHALL BE YELLOW AND CONSIST OF PAVED, THICKENED DOMES AND PLACED AT THE BOTTOM PORTION OF THE RAMP.
11. CURB RAMP SHALL BE CONSTRUCTED WITH A RAMP WIDTH FROM TRANSVERSE TO THE SLOPE OF THE RAMP.
12. PLANTING RETAINING SURFACE SHALL BE FLUSH WITH THE EDGE OF THE GUTTER PAV IN THE AREA OF THE CURB RAMP.
13. ALL CONCRETE CURB, GUTTER AND SIDEWALK SHALL HAVE 1/2" EXPANSION JOINTS AT 40' INTERVALS. MEET AT ALL CURB RETURNS. CURB & GUTTER SHALL HAVE WEAKENED PLANE JOINTS EVERY 12'. SIDEWALK SHALL HAVE WEAKENED PLANE JOINTS EVERY 5' AND SHALL CONFORM WITH CURB WEAKENED PLANE JOINTS. FOR BARRIED CURB SINCE PLANTING WEAKENED PLANE JOINTS EVERY 5'.

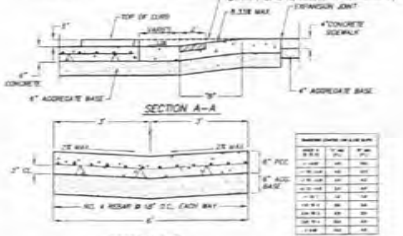
NOTES:

1. SIGN MATERIALS AND CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE LATEST EDITION OF THE ADAAG. ON UNIFORM SHAPED SIGNS, LETTERS, MATERIALS USED FOR SIGNS SHALL BE DAMAGED, DRINK, RETRO-REFLECTIVE SHEETING OR BETTER.
2. STREET NAME SIGN SHALL BE AS SPECIFIED BY THE HOVING AGENCY AND MOUNTED WITH VERTICAL - PROPER MOUNTING.
3. ON STREETS WHERE CURBING DOES NOT EXIST, SET SIGN 4' MINIMUM FROM PAVEMENT EDGE.
4. EACH STREET SIGN SHALL CONSIST OF TWO PLATES MOUNTED TOGETHER.

TYPE 2 STREET SIGN

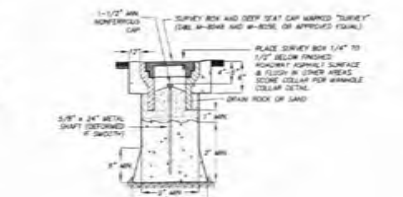


P.C.C. VALLEY GUTTER WITH APRON
TYPE 3 CURB RAMP

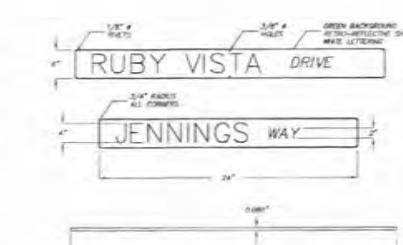


SECTION A-A

SECTION B-B



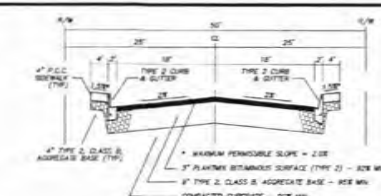
CLASS A MONUMENT



NOTES:

1. SIGNS SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND THE LATEST EDITION OF THE ADAAG.
2. SIGN PANELS SHALL BE MOUNTED ON SIGN BLANK EXTENDED ALUMINUM NO. 6061-T6 WITH A MINIMUM THICKNESS OF 1/8".
3. MATERIALS TO BE USED FOR SIGNS SHALL BE DAMAGED, DRINK, RETRO-REFLECTIVE SHEETING OR BETTER.

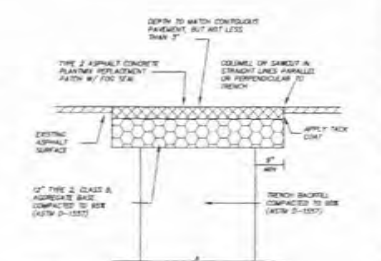
STREET NAME SIGN



TYPICAL SECTION

PAVEMENT NOTES:

1. USE PG 64-22 PERFORMANCE GRADE ASPHALT CEMENT IN ALL PLANTING RETAINING SURFACES.
2. USE TYPE 2 OR TYPE 3 AGGREGATE (AS SPECIFIED) IN ALL PLANTING RETAINING SURFACES.
3. ALL PAVEMENT SURFACES TO BE SEALED. USE SS-1 EMULSIFIED ASPHALT BASED WITH AN EQUAL AMOUNT OF MASTIC FOR SEAL COATS. APPLY AT A RATE OF 3 TO 5 GPM AND APPLY SAND BROADCAST AS NECESSARY.
4. TOP OF PLANTING RETAINING SURFACE TO BE 1/4" (MIN) TO 1/2" (MAX) ABOVE CONCRETE GUTTER LIP.
5. CONTRACTOR SHALL TAKE MEASURES TO ASSURE PLANTING EDGES PLACED WITHOUT BORDERS ARE STRAIGHT AND COMPACT.





TYPICAL PATCH FOR FLEXIBLE PAVEMENT

NOTES:

1. IF COLUMBIA OF SAMBIT IS WITHIN 24" OF EDGE OF PLANTING PAVING, REMOVE EXISTING PAVEMENT TO THAT EDGE AND REPLACE ENTIRE SECTION.



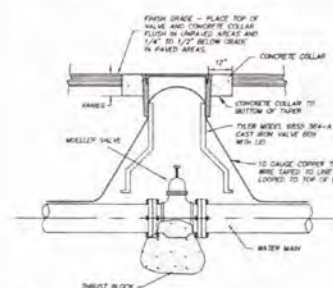
DESIGNED BY	DATE	SCALE	SHEET
DRAWN BY	DATE	INCHES	OF
CHECKED BY	DATE	FEET	6
APPROVED BY	DATE	AS BUILT	6
DATE	10/26/2018	PROJECT NO.	17752 308-0000
PROJECT NAME		JENNINGS WAY	
PROJECT LOCATION		JENNINGS WAY	
PROJECT TYPE		STREET	
PROJECT PHASE		CONSTRUCTION	
PROJECT STATUS		IN PROGRESS	
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TYPE OF FITTING	CROSS WITH PLUG	TEE WITH PLUG
PHYSICAL INSTALLATION		

607

1. CONCRETE FOR SHURUT BLOCKS SHALL HAVE A 28 DAY COMPRESSIVE STRENGTH OF 3,000 PSI AND 5000 PSI.
2. AREAS GIVEN ARE FOR CLASS 150 FIVE AT A TEST PRESSURE OF 150 PSI. FOR AREAS GIVEN FOR CLASS 150 FIVE METALLURGY, DIFFERENT AREAS, TEST PRESSURES, AND/OR SIZE, PIPES SHOULD ADJUST AREAS ACCORDINGLY SUBJECT TO THE APPROVAL OF THE ENGINEER.
3. SHURUT BLOCKS ARE TO BE POURED ASIAN (UNSTRENGTHED) 5000 PSI.
4. JOINTS AND FACES OF PIPES TO BE REPT CLEAR OF CONCRETE.
5. BOLTS ON SADDLE TEES ARE EXEMPT FROM SHURUT BLOCK REQUIREMENTS IF STATED IN MANUFACTURER'S TOLERANCE DATA.

THRUST BLOCK BEARING AREAS



NOTES

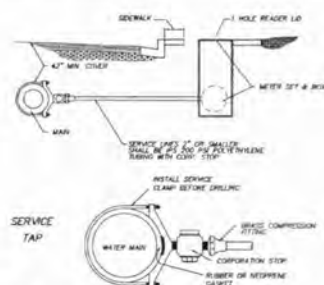
1. CONCRETE SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, UNLESS OTHERWISE SPECIFIED.
2. CONCRETE COLLAR REQUIRED WHEN VALVE IS NOT LOCATED IN CONCRETE OR REINFORCED SURFACE.

VALVE DETAIL

NOTES

1. WATER DESIGNED BACKFILL AND TRENCHING SHALL NOT BE ALLOWED.
2. BACKFILL SHALL MEET THE REQUIREMENTS FOR CLASS "B" BACKFILL WITH NO ROCKS OVER 4", COMPACTED IN 6" LIFT TO THE TOP OF MAXIMUM COMPACTED (ASTM D-1557).
3. BEDDING MATERIAL FOR DUCTILE IRON PIPE SHALL BE CLASS "C" AND SHALL BE CLASS "A" FOR STEEL PIPE.
4. BEDDING MATERIAL SHALL BE COMPACTED TO 98% (MIN) OF MAXIMUM COMPACTED (ASTM D-1557).
5. FOR TRENCHES IN ROADWAY SECTION, SEE TRENCH PAID DATA.
6. ALL TRENCHES EXCAVATIONS SHALL CONFORM TO THE LATEST D.O.M.A. AND MUTED REQUIREMENTS.
7. UNDERGROUND WARNING TAPE SHALL BE METALLIC AND APPROPRIATELY LABELED AND COLORED.
8. THE CONTRACTOR SHALL NOT AVOID AN OPEN OR UNATTENDED TRENCH AT ANY TIME.

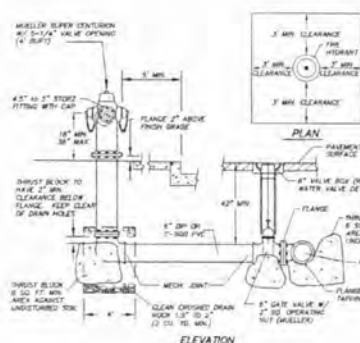
TRENCH EXCAVATION AND BACKFILL



NOTES

1. CORPORATION STOP: LEAD STOP (GATE VALVE #*) (OR LARGER) AND SERVICE LINE TO BE SAME SIZE.
2. SERVICE LAPS SHALL BE DOUBLE STRAP FOR ALL SERVICE TAP SIZES, EXCEPT WHERE SIZE OF TAP EXCEEDS MANUFACTURER'S RECOMMENDED LIMIT FOR SIZE OF MAIN.
3. TAPS SHALL BE STAGGERED AND PLACED AT MINIMUM 30" APART FOR DUCTILE IRON PIPE. TAPS SHALL BE STAGGERED AND PLACED AT MINIMUM OF 18" APART FOR CBSE. NO TAPS SHALL BE CLOSER THAN 2 FEET FROM THE ENDS OF PIPE.
4. ALL JOINT FITTINGS SHALL BE OF BRASS COMPRESSION TYPE.

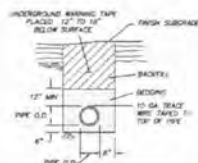
WATER SERVICE CONNECTION



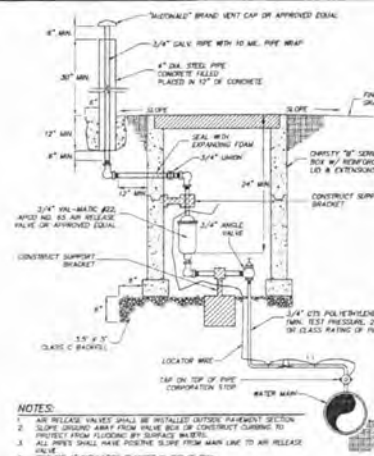
NOTES

- INTERIOR SHALL BE UNCHANGED R/O.
- ALL HYDRAENTS SHALL HAVE (2) 2 1/2" PUMPER OUTLETS (ONLY THREATS WITH CAP & CHAIR) AND (7) 4.5" STRAINER PUMPER OUTLET WITH 4.5" - 5" STOKY FEMALE CONNET WITH CAP & CHAIR. ALL THREATS SHALL BE SPECIFIED FOR AMERICAN NATIONAL NEWS COUSING.
- OPERATING NOT SHALL BE 1.6" PENTAGON.
- INSPECTION BY A CITY OF ELAV CITY OF PUBLIC WORKS REPRESENTATIVE IS REQUIRED PRIOR TO BACKFILLING.
- FOR FINAL ACCEPTANCE, A FLOW PUMP & HYDRAENT TEST SHALL BE PERFORMED BY CITY OF ELAV CITY DEFECTIVE, DEPT. OF PUBLIC WORKS REPRESENTATIVE, PER FORM 13-87.
- WATERSHED & TEST CERTIFICATE FOR UNDERGROUND PROTECT.
- ALL HYDRAENTS SHALL INCLUDE APPROVED GRAPHIC PROTECT, 3" MINIMUM CLEARANCE, AND FLOWING, GRADE, AND FLOWING.

FIRE HYDRANT



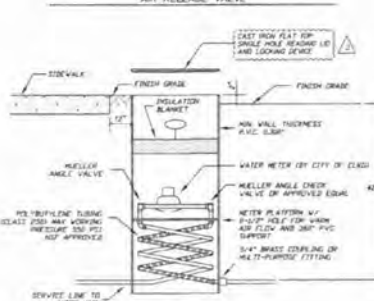
DI, PVC, PE & HDPE PIPE



NOTES

1. AIR RELEASE VALVES SHALL BE INSTALLED OUTSIDE PAVEMENT SECTION.
2. SLOPE GROUND AWAY FROM VALVE BOX OR CONSTRUCT CURBING TO PROTECT FROM FLOODING BY SURFACE WATERS.
3. ALL PIPES SHALL HAVE POSITIVE SLOPE FROM MAIN LINE TO AIR RELEASE VALVE.
4. PROVIDE 4" INSULATION BLANKET ON TOP OF SOIL.

AIR RELEASE VALVE



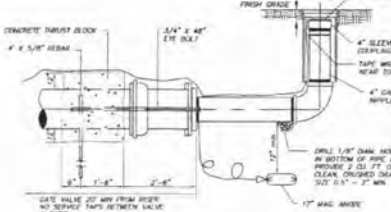
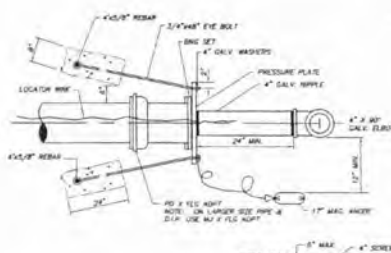
NOTICE

1. WATER METER BOX SHALL BE METAL / MYSILOUGH THORNS-COE WATER AS

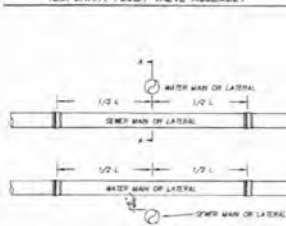
1/4" & 1" WATER METER

SPECIAL CONSTRUCTION NOTES

- [illegible]



TEMPORARY FLUSH VALVE ASSEMBLY



NOTES

- NOTES:
1. THIS DETAIL APPLIES IF WATER MAIN OR WATER LATERAL IS BELOW SEWER MAIN OR SEWER LATERAL, OR IF WATER MAIN OR WATER LATERAL IS ABOVE SEWER MAIN OR SEWER LATERAL, BUT NOT OF SUFFICIENT SEPARATION.
 2. SEE SPECIAL CONSTRUCTION NOTES SECTION FOR DETAILED REQUIREMENTS FOR WATER / SEWER CROSSINGS.

SPECIAL CONSTRUCTION DETAIL

- [illegible]





**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible acceptance of an easement for access and utility purposes from Trinity Jay Shippy and Kathryn Justine Shippy, along the north property line of APN 039-001-007, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **5 Minutes**
5. Background Information: **As part of Vacation 2-19 and Resolution No. 06-19 to vacate a portion of an existing utility and roadway easement that was granted to the City of Elko, the owner is relocating the water line along the north property line and therefore the granting of the new easement. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name:
7. Business Impact Statement:
8. Supplemental Agenda Information: **Granting of Easement document with Exhibits A & B**
9. Recommended Motion: **Accept the Easement for Access and Utility purposes**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Trinity Jay Shippy and Kathryn Justine Shippy
2135 Industrial Way
Elko, NV 89801**

**High Desert Engineering
Robert Morley
remorley@frontiernet.net
640 Idaho Street
Elko, NV 89801**

APN: 039-001-007

After Recordation Return To:

City of Elko
City Planner
1751 College Avenue
Elko, Nevada 89801

GRANT OF EASEMENT
(Water Line Installation, Maintenance, Access and Drainage)

THIS GRANT OF EASEMENT is entered into this ____ day of _____, 2019 by and between **TRINIDY JAY SHIPPY AND KATHRYN JUSTINE SHIPPY, husband and wife, as Joint Tenants with Rights of Survivorship ("Grantor")** and the **CITY OF ELKO**, a political subdivision of the State of Nevada ("Grantee").

W I T N E S S E T H :

WHEREAS, Grantor is the owner of certain real property situate in the County of Elko, State of Nevada, more particularly described in the following exhibits:

EXHIBIT A - 30' ACCESS AND UTILITY EASEMENT, CITY OF ELKO, NEVADA

and shown on the following map:

**EXHIBIT B - MAP OF 30' ACCESS AND UTILITY EASEMENT
GRANTED TO THE CITY OF ELKO, NEVADA**

Exhibits "A" and "B" being attached hereto and by this reference made a part hereof, the foregoing property collectively referred to as the "Easement Property;" and

WHEREAS, Grantor desires to grant a permanent water line installation, maintenance, access and drainage easement, together with associated drainage rights, to Grantee and its successors and assigns over the Easement Property for the purposes of and on the terms and conditions set forth herein.

NOW THEREFORE, Grantor, for good and valuable consideration, receipt of which is hereby acknowledged, does here by agree as follows:

GOICOECHEA, DI GRAZIA, COYLE & STANTON, LTD.
Attorneys at Law
530 Idaho Street, P.O. Box 1358
Elko, Nevada 89801 - (775) 738-8091

1. **Grant of Utility Easement.** Grantor hereby grants to Grantee and its successors, assigns, licensees, contractors, invitees and agents, a permanent non-exclusive easement and right-of-way, over, across, upon, under and through that portion of the Easement Property delineated on the description attached hereto at **Exhibit "A"** and depicted on the map attached hereto at **Exhibit "B"** and made a part hereof, for ingress and egress for the purpose of installation, construction, grading, excavation, operation, repair and maintenance of a water line.
2. **Grant of Drainage Easement.** Grantor hereby grants to Grantee and its successors, assigns, licensees, contractors, invitees and agents, a permanent non-exclusive easement and right-of-way, over, across, upon, under and through that portion of the Grantor's Property described as the Easement Property delineated on the description attached hereto at **Exhibit "A"** and depicted on the map attached hereto at **Exhibit "B"** and made a part hereof, for the purpose of providing drainage of surface water, and for ingress and egress for the purpose of installation, construction, grading, excavation, operation, repair and maintenance of drainage facilities.
3. **Access; Use.** Except as provided in Sections 1 and 2, above, Grantee shall not traverse, trespass on or disturb other portions of the Grantor's Property or other real property owned by Grantor without the prior written consent of Grantor.

THIS GRANT OF EASEMENT and the terms contained herein shall run with the land and become and be a burden on the Grantor's Property and shall be binding upon and shall inure to the benefit of Grantor and Grantee, and the successors, agents and assigns of Grantor and Grantee, and all the rights herein granted may be assigned.

TO HAVE AND TO HOLD all the singular the said premises, granted together with the appurtenances, unto said Grantee their successors, agents, contractors, licensees and assigns forever.

IN WITNESS WHEREOF, Grantor and Grantee have caused these presents duly to be executed the day and year first above written.

///
///
///

GRANTOR:

GRANTEE:

TRINIDY JAY SHIPPY

**CITY OF ELKO, a political subdivision
of the State of Nevada**

KATHRYN JUSTINE SHIPPY

By: _____
REECE KEENER
Mayor, City of Elko

STATE OF NEVADA)
 : ss.
COUNTY OF ELKO)

This instrument was acknowledged before me on this _____ day of _____,
2019, by Reece Keener, as City of Elko Mayor, on behalf of said entity, as therein named.

NOTARY PUBLIC

STATE OF NEVADA)
 : ss.
COUNTY OF ELKO)

This instrument was acknowledged before me on this _____ day of _____,
2019, by Trinidy Jay Shippy, on behalf of said entity, as therein named.

NOTARY PUBLIC

STATE OF NEVADA)
 : ss.
COUNTY OF ELKO)

This instrument was acknowledged before me on this _____ day of _____,
2019, by Kathryn Justine Shippy, on behalf of said entity, as therein named.

NOTARY PUBLIC

EXHIBIT A
30' ACCESS AND UTILITY EASEMENT
CITY OF ELKO, NEVADA
January 4, 2019

An Easement for Access and Utility purposes being 30' in width located Section 13, T.34 N., R.55 E., M.B.D. & M., City of Elko, Nevada, more particularly described as follows:

Commencing at the Northwest Corner of said Section 13, thence S 00° 43' 52" W, 261.56 feet along the Westerly Line of said Section 13 to Corner No. 1, the True Point of Beginning, a point being the most Northerly Corner of that Parcel conveyed to Trinity Jay Shippy and Kathryn Justine Shippy, by deed, Document No. 744502, on file in the office of the Elko County Recorder, Elko, Nevada ;

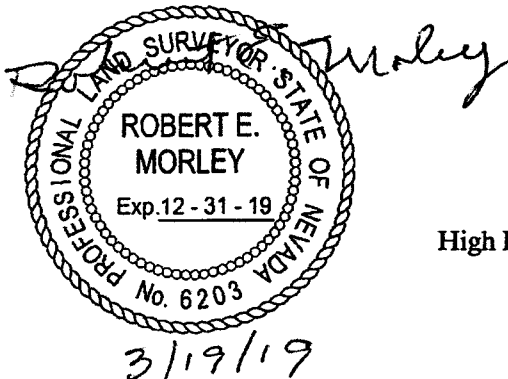
Thence S 48° 40' 55" E, 228.48 feet along the Northerly Line of said Shippy Parcel to Corner No. 2, a point being on the Northwesternly Right of Way of Industrial Way;

Thence from a tangent bearing S 41° 19' 05" W, on a curve to the left with a radius of 180.00 feet, through a central angle of 09° 35' 39", for an arc length of 30.14 feet along the said Northwesternly Right of Way of Industrial Way to Corner No. 3;

Thence N 48° 40' 55" W, 205.30 feet to Corner No. 4, a point being on the said Westerly Line of Section 13;

Thence N 00° 43' 52" E, 39.50 feet along the said Westerly Line of Section 13 to Corner No. 1, the point of beginning, containing 6,494 square feet more or less.

Reference is hereby made to Exhibit B, Map of 30' Access and Utility Easement to be Granted to City of Elko, Nevada, attached hereto and made a part hereof.



Prepared by Robert E. Morley, PLS
640 Idaho Street

High Desert Engineering
Elko, NV 89801

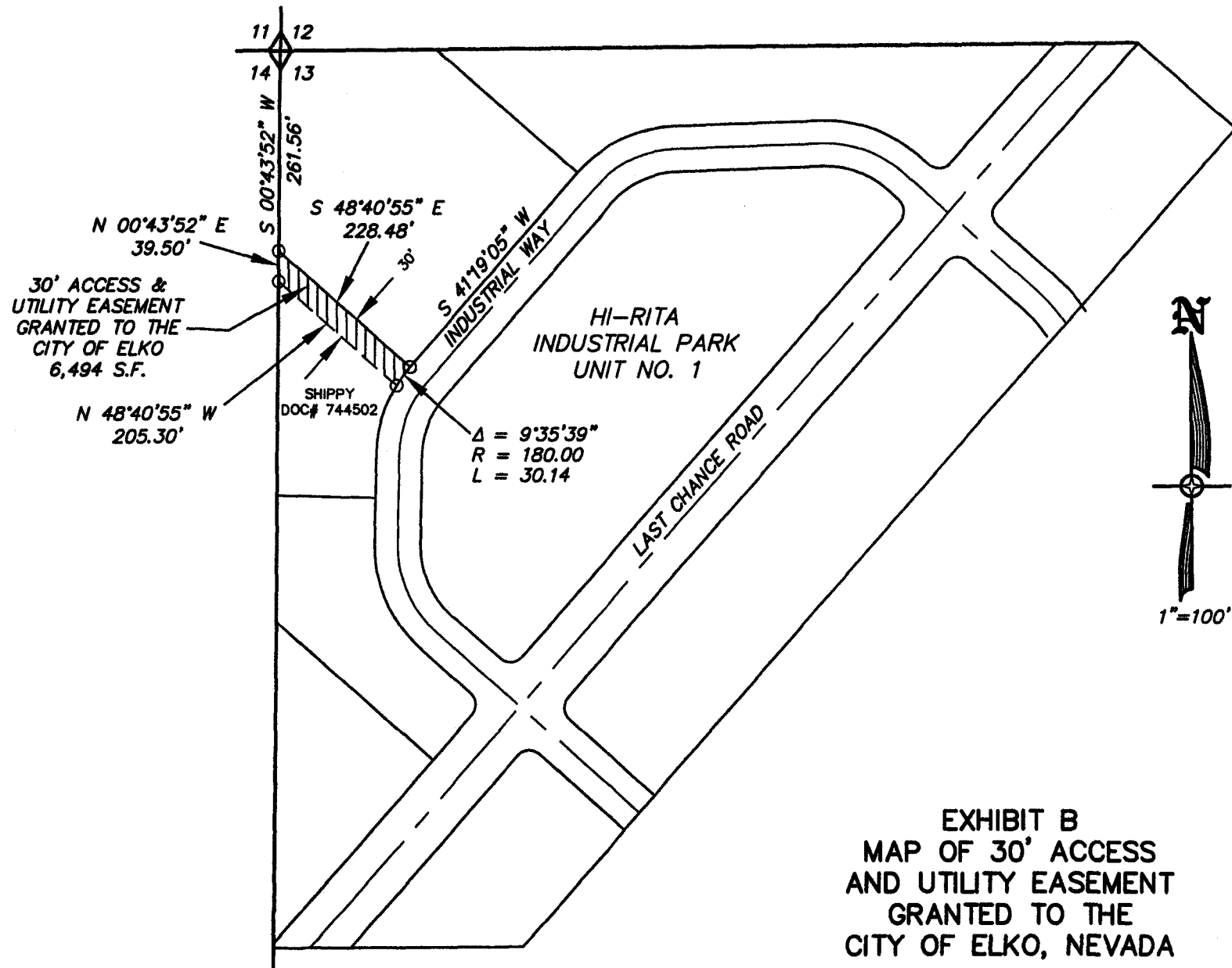


EXHIBIT B
MAP OF 30' ACCESS
AND UTILITY EASEMENT
GRANTED TO THE
CITY OF ELKO, NEVADA

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to enter into a Disciplinary Settlement Agreement between the City of Elko and Nualla LLC, dba Cabo Bar, by Acela Ceja and Carlos Nunez, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **NEW BUSINESS**
4. Time Required: **15 Minutes**
5. Background Information: **During the first week of November 2018, Elko Police Officers received information which indicated at least one minor (16 years of age) was present at the Cabo Bar, 449 Railroad Street in Elko, and was allowed to remain on the premises consuming alcoholic beverages on or about November 2, 2018. The Police Department then initiated an administrative investigation and developed significant evidence indicating the licensee violated Elko City Code 4-5-26, Knowingly Allowing Minor to Loiter in Bar Area. The licensee was put on notice, in writing, via a letter from the Police Chief on December 19, 2018.**

*** At the request of the Elko Police Chief, the City Attorney prepared formal charges for a disciplinary hearing before the Elko City Council against the Cabo Bar liquor licensee. During this process, an opportunity was presented to the licensee whereby they would admit to the violation and agree to various terms of discipline. The attached agreement is supported by both parties and is presented for the City Council's review in lieu of a formal disciplinary hearing. BR**
6. Budget Information: **N/A**

Appropriation Required: **N/A**
Budget amount available: **N/A**
Fund name: **N/A**
7. Business Impact Statement: **N/A**
8. Supplemental Agenda Information: **See attached "Agreement Regarding Liquor License Discipline" for Cabo Bar.**
9. Recommended Motion: **Approve the Agreement Regarding Liquor License Discipline between the City of Elko and Nualla LLC, dba Cabo Bar, by Acela Ceja and Carlos Nunez, and authorize staff to execute the agreement.**
10. Prepared By: **Ben Reed, Jr., Police Chief**
11. Committee/Other Agency Review:

Agenda Item IV.C.

12. Council Action:

13. Council Agenda Distribution: **Acela Ceja and Carlos Nunez**
449 Railroad Street
Elko, Nevada 89801

AGREEMENT REGARDING LIQUOR LICENSE DISCIPLINE

The undersigned hereby agree and stipulate as follows:

1. This settlement agreement ("Agreement") herein is subject to prior approval or ratification of the Elko City Council ("Council") and is in lieu of formal liquor license disciplinary proceedings under Title 4 Chapter 5 of the Elko City Code ("Liquor Control Code"). Both parties hereby waive any and all rights under Title 4 Chapter 5 to challenge the discipline set forth herein upon execution of this agreement by all parties and approval by the Council.
2. For purposes of this Agreement, "Licensee" or "Licensees" shall, unless otherwise expressly provided, mean any business entity, named licensee and/or any other principal identified upon the liquor license application of the above-stated licensee and all employees, agents, independent contractors and managers of said individuals or agents.
3. Licensee admits to a violation of Elko City Code 4-5-26 Knowingly Allowing Minor to Loiter in Bar Area on or about November 2, 2018. The penalty for the violation shall be as follows: a) a fine payable within 10 days, within 10 days of Council approval, to the City Clerk's office in the sum of \$1,000 ; and, b) probation, upon the conditions which follow hereafter, for a period of one year following the date of approval of this agreement by the City Council and execution of this agreement by Licensee. Any violations of this Agreement, the probation conditions set forth herein, the Liquor Control Code or other provisions of the Elko City Code by Licensee subsequent to this Agreement shall constitute grounds for further liquor license discipline, in addition to any other enforcement action by the City.

4. During the period of probation, Licensee must comply with the terms and conditions set forth herein. In the event the Licensee obtains a renewal during the probationary period, any such renewal will be subject to the terms of this agreement for the remaining probationary period.

5. For the period beginning April 14, 2019 through April 24, 2019 ("Closure Period"), Licensee shall close Nualla LLC, dba Cabo Bar, located at 449 Railroad St. in Elko ("Business") from all business activities and further prohibit the public from entering the Business premises for any reason. The alcohol located on the Business premises ("Premises") during the Closure Period may be maintained on location provided that the Elko Police Chief or his designee approves of the storage and security measures on the Premises. Further, from the March 31, 2019 through April 30, 2019, except for the Closure Period described above, the Business shall fully close the bar and remove all patrons from the Premises on or before 2:00 a.m. each day.

6. During the period of probation, Licensee shall check identifications of all persons entering the Premises and shall immediately notify the Chief of Police or, if he is not available, an on-duty police officer, if any person under the age of 21 will be permitted on the Premises for any purpose.

7. During the period of probation, Licensees present on the premises and performing employment or other duties in connection with the business shall not be under the influence of alcohol or drugs while on the premises. For purposes of this agreement, "under the influence" shall have same meaning as ascribed to that term in the DUI laws of the state of Nevada. This provision shall not impact any rights to testing otherwise permissible by law or

any voluntary testing. Upon reasonable suspicion a police officer may request Licensee to submit to testing on the Premises and a refusal to submit to such testing shall be deemed to be a violation of the provision.

8. During the period of probation, Licensee shall provide for security at the premises to include: 1) personnel at all entrances and exits of the premises whenever the Licensee is in operation from the hours of 10:00 p.m. to until closure on all Fridays and Saturdays (A person shall not be required at any exit which is not allowed to be used as an entrance and which has a door which can only be opened from inside the premises that contains an alarm bar and does not violate any applicable fire code); and 2) security cameras installed which record the areas open to patrons while operating and the recordings of which are maintained for at least 15 calendar days and subject to review by any on-duty police officer upon request.

9. Within 10 days of Council approval of this Agreement, Licensee shall pay \$2,310 to the City Clerk to reimburse the City for legal fees incurred in connection with the matters underlying this Agreement.

10. The violation admitted herein may be considered in determining the appropriate level of discipline in any subsequent business license or liquor license disciplinary action against the Business or the Licensee for acts or omissions which occurred within 60 months of the Council approval of this Agreement.

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////

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DATED this ____ day of _____, 2019.

CITY OF ELKO

BY: _____
Curtis Calder, City Manager City of Elko

LICENSEE, Nualla LLC, d/b/a Cabo Bar

By: **Acela Ceja**, Individually and as Member
449 Railroad Street
Elko, NV 89801

By: **Carlos Nunez**, Individually and as
Member
449 Railroad Street
Elko, NV 89801

STATE OF NEVADA)
)SS.
COUNTY OF ELKO)

This instrument was acknowledged before me on _____, 2019, by
_____ and _____.

NOARTY PUBLIC

STATE OF NEVADA)
)SS.
COUNTY OF ELKO)

This instrument was acknowledged before me on _____, 2019, by
_____ and _____.

NOARTY PUBLIC

STATE OF NEVADA)
)SS.
COUNTY OF ELKO)

This instrument was acknowledged before me on _____, 2019, by
_____ and _____.

NOARTY PUBLIC



ELKO POLICE DEPARTMENT

1448 Silver Street
Elko Nevada 89801
775.777.7310
775.738.1415 Fax
epd@elkocitynv.gov

Ben Reed, Jr.
Police Chief

December 19, 2018



COPY

Acela Ceja
Cabo
449 Railroad Street
Elko, Nevada 89801

RE: Liquor Law Violations

Dear Ms. Ceja,

This letter is to inform you of alleged violations of the Elko Liquor Control Code, which recently occurred at Cabo.

On November 3, 2018, Elko Police officers learned of an incident involving at least one 16 year-old minor and possibly others believed to be allowed into the Cabo bar in the later hours of November 2, 2018, or the early morning hours of November 3, 2018. Upon investigation of the incident, officers determined a 16 year-old minor had been performing in the band and consuming alcoholic beverages inside of the establishment. Furthermore, this incident constitutes violations of Elko City Codes 4-5-19 (A), 4-5-21 (A-1), 4-5-24, 4-5-25 (A), and 4-5-26 (A) and (B); and possibly others, on behalf of the liquor licensee.

All violations of the Elko Liquor Control Code are subject to penalties and / or discipline as stated in the code. The alleged violations listed above, and / or any future violations of the Elko Liquor Control Code, may result in a hearing before the Elko City Council.

If you have any questions regarding the above listed incident, please contact me at (775) 777-7315.

Cordially,

Ben Reed, Jr.
Police Chief
Elko Police Department
City of Elko, Nevada

BR/tle



City of Elko Liquor License

Business Name: CABO

Location: 449 RAILROAD ST

License #: 30055

Class: RETAIL LIQUOR

Issue Date: 1/1/2019

Expiration Date: 3/31/2019

License Type: Liquor

CABO
828 CARLIN CT
Elko, NV 89801

ACELA CEJA
449 RAILROAD ST
Elko, NV 89801



**CITY OF ELKO
BUSINESS LICENSE**

Business Name: CABO

Location: 449 RAILROAD ST

License #: 10982

Class: BAR

Issue Date: 4/25/2018

Expiration Date: 4/30/2019

License Type: Business License

CABO
828 CARLIN CT
Elko, NV 89801

NUALA LLC
449 RAILROAD ST
Elko, NV 89801

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible approval of issuing a revised Liquor License to Chef Cheng's Chinese Restaurant, modifying the current Retail Beer and Wine License to a Retail Liquor License, and adding Dapeng Shao to the license. Chef Cheng's is located at 1309 Idaho Street, Elko, NV 89801, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **PETITION**
4. Time Required: **5 Minutes**
5. Background Information: **N/A**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **N/A**
9. Recommended Motion: **Approve the issuance of a revised Liquor License to Chef Cheng's Chinese Restaurant, modifying the current Retail Beer and Wine License to a Retail Liquor License, and adding Dapeng Shao to the license. Chef Cheng's is located at 1309 Idaho Street, Elko, NV 89801.**
10. Prepared By: **Police Chief Ben Reed, Jr.**
11. Committee/Other Agency Review:
12. Council Action:
13. Council Agenda Distribution: **Chef Cheng's Chinese Restaurant
Dapeng Shao
1309 Idaho Street
Elko, NV 89801**



ELKO POLICE DEPARTMENT

Ben Reed, Jr.
Police Chief

1401 College Avenue
Elko, Nevada 89801
775.777.7310
775.738.1415 Fax
www.ci.elko.nv.us

DATE: March 15, 2019

TO: Curtis Calder, City Manager

FROM: Ben Reed, Jr., Police Chief *BR*

SUBJECT: Retail Liquor License Application in the name of Chef Cheng's Chinese Restaurant, 1309 Idaho Street, Elko, NV 89801.

On March 13, 2019, Dapeng Shao and Zhengkun Shao made application to amend their current Liquor License from a Retail Beer and Wine License to a Retail Liquor License, and adding Dapeng Shao to the license in the name of Chef Cheng's Chinese Restaurant, located at the above address.

Dapeng Shao has successfully completed the required background investigation.

I am requesting the Elko City Council approve the request to amend the current Liquor License, adding Dapeng Shao and changing to the Retail Beer and Wine License to a Retail Liquor License in the name of Chef Cheng's Chinese Restaurant, located at 1309 Idaho Street, Elko, NV 89801.

BR/tle

CC: Mayor Reece Keener

**Elko City Council
Agenda Action Sheet**

1. Title: **Review of bids received and subsequent public auction for the sale of approximately 4,000 square feet of City owned property located generally south of the intersection of Elm Street and 8th Street, referred to as APN 001-066-005, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **15 Minutes**
5. Background Information: **On February 26, 2019, City Council approved Resolution No. 05-19, which set forth the conditions of the public auction for the sale of City owned land. The minimum sale price must be \$20,000.00 payable in cash or cashier's check at close of sale which shall be within sixty (60) days of acceptance by the City Council of the highest bid. A copy of Resolution No. 05-19 has been enclosed in the agenda packet for review. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution No. 05-19, Notice of Adoption of Resolution 05-19, Affidavit of Posting, NRS 268.062**
9. Recommended Motion: **Pleasure of the Council**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review:
12. Council Action:
13. Agenda Distribution: **Don Knight
772 Elm Street
Elko, NV 89801**

NRS 268.062 Sale or lease of certain real property at auction: Resolution declaring intention to sell or lease property; requirements; notice; procedure; deposit to cover certain costs; effect of sale or lease in violation of section.

1. Except as otherwise provided in this section and NRS 268.048 to 268.058, inclusive, 268.063, 268.064, 278.479 to 278.4965, inclusive, and subsection 4 of NRS 496.080, except as otherwise required by federal law, except as otherwise required pursuant to a cooperative agreement entered into pursuant to NRS 277.050 or 277.053 or an interlocal agreement in existence on October 1, 2004, except if the governing body is entering into a joint development agreement for real property owned by the city to which the governing body is a party, except for a lease of residential property with a term of 1 year or less, except for the sale or lease of real property to a public utility, as defined in NRS 704.020, to be used for a public purpose and except for the sale or lease of real property larger than 1 acre which is approved by the voters at a primary or general election, the governing body shall, in open meeting by a majority vote of the members and before ordering the sale or lease at auction of any real property, adopt a resolution declaring its intention to sell or lease the property at auction. The resolution must:
 - a. Describe the property proposed to be sold or leased in such a manner as to identify it;
 - b. (b) Specify the minimum price and the terms upon which the property will be sold or leased; and
 - c. (c) Fix a time, not less than 3 weeks thereafter, for a public meeting of the governing body to be held at its regular place of meeting, at which sealed bids will be received and considered.
2. Notice of the adoption of the resolution and of the time and place of holding the meeting must be given by:
 - a. Posting copies of the resolution in three public places in the county not less than 15 days before the date of the meeting; and
 - b. Causing to be published at least once a week for 3 successive weeks before the meeting, in a newspaper qualified under chapter 238 of NRS that is published in the county in which the real property is located, a notice setting forth:
 1. A description of the real property proposed to be sold or leased at auction in such a manner as to identify it;
 2. The minimum price of the real property proposed to be sold or leased at auction; and
 3. The places at which the resolution described in subsection 1 has been posted pursuant to paragraph (a), and any other places at which copies of that resolution may be obtained.

↪ If no qualified newspaper is published within the county in which the real property is located, the required notice must be published in some qualified newspaper printed in the State of Nevada and having a general circulation within that county.
3. At the time and place fixed in the resolution for the meeting of the governing body, all sealed bids which have been received must, in public session, be opened, examined and declared by the governing body. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or lease and which are made by responsible bidders, the bid which is the highest must be finally accepted, unless a higher oral bid is accepted or the governing body rejects all bids.
4. Before accepting any written bid, the governing body shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to buy or lease the property upon the terms and conditions specified in the resolution, for a price exceeding by at least 5 percent the highest written bid, then the highest oral bid which is made by a responsible person must be finally accepted.

5. The final acceptance by the governing body may be made either at the same session or at any adjourned session of the same meeting held within the 21 days next following.
6. The governing body may, either at the same session or at any adjourned session of the same meeting held within the 21 days next following, if it deems the action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale or lease.
7. Any resolution of acceptance of any bid made by the governing body must authorize and direct the chair of the governing body to execute a deed or lease and to deliver it upon performance and compliance by the purchaser or lessor with all the terms or conditions of the contract which are to be performed concurrently therewith.
8. The governing body may require any person requesting that real property be sold pursuant to the provisions of this section to deposit a sufficient amount of money to pay the costs to be incurred by the governing body in acting upon the application, including the costs of publication and the expenses of appraisal. This deposit must be refunded whenever the person making the deposit is not the successful bidder. The costs of acting upon the application, including the costs of publication and the expenses of appraisal, must be borne by the successful bidder.
9. If real property is sold or leased in violation of the provisions of this section:
 - a. The sale or lease is void; and
 - b. Any change to an ordinance or law governing the zoning or use of the real property is void if the change takes place within 5 years after the date of the void sale or lease.

(Added to NRS by 2005, 1465; A 2005, 2679, 2680; 2007, 568, 2011, 2835; 2011, 482)

AFFIDAVIT OF POSTING

STATE OF NEVADA)
)ss:
COUNTY OF ELKO)

Kelly Wooldridge, being first duly sworn, deposes and says:

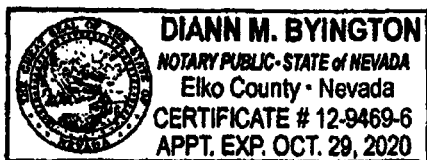
That she is and was at the time of the posting hereinafter mentioned, a citizen of the United States, over the age of majority, and the duly appointed, qualified and Acting City Clerk of the City of Elko, County of Elko, State of Nevada; that on the 27th day of February, 2019, Affiant posted at three (3) public bulletin boards in the City of Elko, a full, true and correct copy of the attached Resolution No. 05-19 entitled *Resolution Agreeing with the Appraiser's Value of the Property, Declaring Intention to Sell Land at Public Auction and Setting Date for Auction* and the attached *Notice of Adoption of City of Elko Resolution No. 05-19 and Time and place of City Council Meeting for Land Sale by Public Auction*.

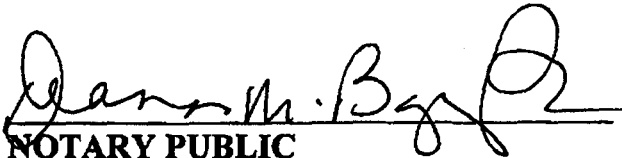
DATED this 27th day of February, 2019.



KELLY WOOLDRIDGE, Elko City Clerk

SIGNED and **SWORN** to before me on this 27th day of February, 2019 by **Kelly Wooldridge**, Elko City Clerk.





NOTARY PUBLIC

NOTICE OF ADOPTION OF CITY OF ELKO
RESOLUTION NO. 05-19 AND TIME AND PLACE OF CITY COUNCIL
MEETING FOR LAND SALE BY PUBLIC AUCTION

Notice is hereby given that the Elko City Council intends to sell at public sale, by a public auction sale in the manner provided in the Elko City Code, Title 8, Chapter 1 as amended or supplemented, at its office in the City Hall on Tuesday, the 26th day of March, 2019, at 5:30 p.m., all the interest of said City in and to the property located in the City of Elko, State of Nevada, more particularly described as follows:

A.P.N. 001-066-005

Lots 1 and 2 of Block 114 as shown on the Map of the First Addition, recorded in the office of the Elko County Recorder as file no. 5.

TOGETHER WITH all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents issues and profits thereof, or of any part thereof.

The City has adopted Resolution No. 05-19 declaring its intention to sell the property at Public Auction. A copy of the resolution has been posted in the following three public places in Elko County:

1. Elko City Hall
2. Elko County Court House
3. Elko County Library

All bids must be in writing, sealed, addressed to the Elko City Council, and filed with the City Clerk at the City Office no later than 5:30 p.m. on the date of said sale, comply with the terms and conditions of this Notice, and comply with Title 8, Chapter 1 of the Elko City Code as amended or supplemented. The City has caused the property to be appraised by one appraiser and has held a public hearing on the matter of the fair market value of the real property. The appraised value is \$20,000.00. The minimum price of real property proposed to be sold is \$20,000.00.

At the time and place fixed in the resolution for the meeting of the City Council, all sealed bids which have been received will, in public session, be opened, examined and declared by the City Council. Of the bids submitted which conform to all terms and conditions specified in the resolution and which are made by responsible bidders, the bid which is the highest will be finally accepted, unless a higher oral bid is accepted at the public sale in accordance with NRS 268.062(4) or the City Council rejects all bids in accordance with NRS 268.062(6).

Before accepting any written bid, the City Council shall call for oral bids. If, upon the call for oral bidding, any responsible bidder offers to buy the property upon the terms and conditions specified in the resolution, for a price exceeding by at least five percent (5%) the highest written bid, then the highest oral bid received at the public auction which is made by a responsible person shall be finally accepted.

The final acceptance by the City Council may be made either at the same session or at any adjourned session of the same meeting held within the twenty-one (21) days next following.

The City Council may, either at the same session or at any adjourned session of the same meeting held within the twenty-one (21) days next following, if it deems the action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale.

The successful bidder, upon acceptance by the City Council, shall pay the title insurance premium, recording fees, transfer tax, legal publication fees, the appraisal fee in the amount of ONE THOUSAND, FIVE HUNDRED DOLLARS (\$1,500.00), and all attorney fees for the preparation of the documents and other services related to this sale.

The City is selling all its interest in and to the parcel of land described for sale subject to the above-described conditions, exceptions and reservations, but makes no guarantee of title or of the accuracy of the description of said lands. If the buyer desires a title insurance policy, it shall be at the instance and expense of such buyer.

Completion of the sale by the City is expressly conditioned upon full performance by the buyer within sixty (60) calendar days after the acceptance of the bid, including full payment of the purchase price and all costs and expenses in cash or by cashier's check. If the successful bidder fails or neglects to complete the purchase of the property, to include the payment of all costs and expenses, within sixty (60) calendar days after the acceptance of the offer, the sale will be considered cancelled.

The City Council may, in its discretion, take into consideration, in addition to the amount offered, that the highest bid must be made by a responsible person.

The City Council reserves the right to waive technical or minor variations, omissions or irregularities.

DATED this 27th day of February 2019.


KELLY WOOLDRIDGE, City Clerk

Publish: Elko Daily Free Press – March 8th, 15th and 22nd, 2019

CITY OF ELKO
Resolution No. 05-19

**RESOLUTION AGREEING WITH THE APPRAISER'S
VALUE OF THE PROPERTY, DECLARING
INTENTION TO SELL LAND AT PUBLIC AUCTION
AND SETTING DATE FOR AUCTION**

WHEREAS, the City Council has determined to proceed with the process of selling approximately 4,000 square feet of City-owned land located on the south corner of the intersection of Elm Street and 8th Street, in the City of Elko, Elko County, Nevada (hereinafter the "Property") through the public auction process, as set forth in Elko City Code Title 8, Chapter 1.

WHEREAS, the property is legally described as:

A.P.N. 001-066-005

Lots 1 and 2 of Block 114 as shown on the Map of the First Addition, recorded in the office of the Elko County Recorder as file no. 5,

TOGETHER WITH all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents issues and profits thereof, or of any part thereof.

WHEREAS, the City has obtained one (1) appraisal of the property as follows:

An appraisal by CBRE, Inc. with an appraised value of \$20,000.00 as of February 2, 2019.

WHEREAS, the City Council held a public hearing on February 26, 2019 regarding the fair market value of the property and affirmed that the appraised value established by CBRE, Inc. of \$20,000.00 is the fair market value.

WHEREAS, the City cannot sell the property for less than the appraised value.

WHEREAS, the minimum price must be \$20,000.00, payable in cash or cashier's check at close of sale, which shall be within sixty (60) days of acceptance by the City Council of the highest bid.

NOW, THEREFORE, upon motion duly made by Councilman Schmidlein and seconded by Councilwoman Simons,

IT IS RESOLVED AND ORDERED THAT:

1. It is in the best interest of the City that the City-owned real property consisting of a 4,000 square foot parcel of City owned land located on the south corner of the intersection of Elm Street and 8th Street, in the City of Elko, Elko County, Nevada and more particularly described as set forth above, shall be placed for public auction sale at the regularly held City Council Meeting on the 26th day of March, 2019 at 5:30 o'clock p.m. at the Elko City Hall, 1751 College Avenue, Elko, Nevada.
2. The minimum price must be \$20,000.00 payable in cash or cashier's check at close of sale which shall be within sixty (60) days of acceptance by the City Council of the highest bid. In addition, the successful bidder, upon acceptance by the City Council, shall pay the title insurance premium, recording fees, transfer tax, legal publication fees, the appraisal fee in the amount of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00), and all attorney fees for the preparation of the documents and other services of related to this sale.
3. All bids must be in writing, sealed, addressed to the Elko City Council, and filed with the City Clerk at the City Office no later than 5:30 p.m. on the date of said sale, comply with the terms and conditions of this Resolution, and comply with Title 8, Chapter 1 of the Elko City Code, as amended or supplemented
4. At the time and place fixed in this Resolution for the meeting of the City Council, all sealed bids which have been received will, in public session, be opened, examined and declared by the City Council. Of the proposals bids submitted which conform to all terms and conditions specified in the resolution and which are made by responsible bidders, the bid which is the highest will be finally accepted, unless a higher oral bid is accepted at the public sale in accordance with NRS 268.062(4) or the City Council rejects all bids in accordance with NRS 268.062(6).
5. Before accepting any written bid, the City Council shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to buy the property upon the terms and conditions specified in this Resolution, for a price exceeding by at least five percent (5%) the highest written bid, then the highest oral bid received at the public auction which is made by a responsible person must shall be finally accepted.
6. The final acceptance by the City Council may be made either at the same session or at any adjourned session of the same meeting held within the twenty-one (21) days next following.
7. The City Council may, either at the same session or at any adjourned session of the same meeting held within the twenty-one (21) days next following, if it deems the action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale.

8. The City is selling all its interest in and to the parcel of land described for sale subject to the above-described conditions, exceptions and reservations, but makes no guarantee of title or of the accuracy of the description of said lands. If the buyer desires a title insurance policy, it shall be at the instance and expense of such buyer.

9. Completion of the sale by the City is expressly conditioned upon full performance by the buyer within sixty (60) calendar days after the acceptance of the bid, including full payment of the purchase price and all costs and expenses in cash or by cashier's check. If the successful buyer bidder fails or neglects to complete the purchase of the property, to include the payment of all costs and expenses, within sixty (60) calendar days after the acceptance of the offer, the sale will be considered cancelled.

10. The City Council may, in its discretion, take into consideration, in addition to the amount offered, that the highest bid must be made by a responsible person.

11. The City Council reserves the right to waive technical or minor variations, omissions or irregularities.

12. **IT IS FURTHER RESOLVED THAT** upon adoption of this Resolution by the City Council, it shall be signed by the Mayor and attested by the City Clerk and shall be in full force and effect after its adoption.

PASSES AND ADOPTED this 26th day of February 2019.

END OF RESOLUTION AND ORDER.

DATED this 26th day of February 2019.

CITY OF ELKO

ATTEST:


KELLY WOOLDRIDGE, City Clerk

By: 
REECE KEENER, Mayor

VOTE:

AYES: Mayor Reece Keener, Councilwoman Mandy Simons, Councilman Robert Schmittlein, Councilman Chip Stone, and Councilman Bill Hance

NAYES: None

ABSENT: None

ABSTAIN: None

**Elko City Council
Agenda Action Sheet**

1. Title: **Review, consideration, and possible action to adopt Resolution No. 6-19, a resolution and order vacating a portion of an existing roadway and utility easement along the westerly lot line of parcels referred to as APN 039-001-007,008 & 009, filed and processed as Vacation No. 2-19 filed by Robert Morley of High Desert Engineering on behalf of Trinidy Jay Shippy and Kathryn Justine Shippy, and matters related thereto. FOR POSSIBLE ACTION**
2. Meeting Date: **March 26, 2019**
3. Agenda Category: **PUBLIC HEARING**
4. Time Required: **10 Minutes**
5. Background Information: **Council accepted a petition for the subject vacation at its regular meeting of February 26, 2019, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting March 5, 2019, and took action to forward a recommendation to Council to adopt a resolution, which conditionally approves Vacation No. 2-19 with findings in support of its recommendation. CL**
6. Budget Information:
 Appropriation Required: **N/A**
 Budget amount available: **N/A**
 Fund name: **N/A**
7. Business Impact Statement: **Not Required**
8. Supplemental Agenda Information: **Resolution, P.C. action report, Staff report, application and related materials**
9. Recommended Motion: **Adopt Resolution No. 6-19, which contains conditions as recommended by the Planning Commission.**
10. Prepared By: **Cathy Laughlin, City Planner**
11. Committee/Other Agency Review: **Planning Commission and required local utility companies**
12. Council Action:
13. Agenda Distribution: **Trinidy Jay Shippy and Kathryn Justine Shippy
2135 Industrial Way
Elko, NV 89801

High Desert Engineering
Robert Morley
640 Idaho Street
Elko, NV 89801**

**CITY OF ELKO
RESOLUTION NO. 06-19**

**A RESOLUTION AND ORDER VACATING A 30-FOOT ROADWAY AND UTILITY
EASEMENT APPROXIMATELY 26,225 SQUARE FEET AND ALONG THE WEST
BOUNDARY LINE OF APNS 039-001-007, 039-001-008, AND 039-001-009, ALL WITHIN
ELKO COUNTY, STATE OF NEVADA**

WHEREAS, the Elko City Council, at a regular meeting held on February 26, 2019, unanimously voted to accept the submitted petition for vacation and further directed City Staff to continue with the vacation process by referring the matter to the Planning Commission for a report of findings and recommendations to be prepared and submitted to the City Council; and,

WHEREAS, the Elko City Planning Commission at their regular meeting of March 5, 2019, unanimously voted to forward a recommendation of approval for the subject vacation; and,

WHEREAS, the Elko City Council finds that a Notice of Intent to vacate a portion of the public utility and drainage easement was published and mailed by priority mail with confirmation of delivery to all affected property owners, as required by law, as more fully appears from the Affidavit of Publication and Mailing Confirmation(s) on file in the Clerk's Office of the City of Elko; and,

WHEREAS, at the time and place set in the Notice, to-wit: the hour of 5:30 p.m. on March 26, 2019, in the City Hall Council Chambers, Elko, Nevada, a hearing before the Elko City Council was duly held and no persons having appeared to object to the proposed vacation and the City Council having deemed it for the best interests of the public that the area be vacated and that no person or persons would be materially injured thereby;

WHEREAS, it appearing to the satisfaction of the Elko City Council that the 30-foot roadway and utility easement along the west boundary line of APNs 039-001-007, 039-001-008, and 039-001-009 is no longer required for public use and convenience and that vacation thereof will inure to the benefit of the City of Elko and be for the best interest of the City and the public, and that neither the public nor any person will be materially injured thereby; and

WHEREAS, the legal description of the easement to be vacated is set forth in Exhibit A with the map as Exhibit B attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE ELKO CITY COUNCIL as follows:

I.

That the 30-foot roadway and utility easement along the west boundary line of APNs 039-001-007, 039-001-008, and 039-001-009, situate in Elko County, Nevada, described and shown on Exhibits A and B attached hereto, be, and the same is hereby vacated upon fulfillment of the following conditions:

1. **The applicant is responsible for all costs associated with the recordation of the vacation.**

2. **Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.**

That, subject to satisfaction of the conditions set forth in this Resolution and Order, all right, title interest and estate of the City of Elko in that 30-foot roadway and utility easement along the west boundary line of APNs 039-001-007, 039-001-008, and 039-001-009, located in Elko County, Nevada, previously conveyed to the City of Elko by the instrument entitled "Easement for Roadway and Utility Purposes" dated January 19, 1978 (Document No. 110038, Book 261, Pages 33 and 34), once vacated, shall revert to Trinity Jay Shippy and Shippy Investments LLC, a Nevada limited-liability company, as successors-in-interest to Salicchi Ranches, Inc., the original grantor; and title is hereby vested in Trinity Jay Shippy and Shippy Investments LLC, as tenants in common; provided, further, that this vacation and the title hereby conveyed, shall be subject to all poles, lines, cables, pipes, drains, utility installations and other easements now existing.

II.

That the City of Elko and the Elko City Council, officers and employees thereof, make no warranties, covenants, representations, or guarantees as to the validity of this vacation procedure, or as to the right, title, interest or estate, if any, any person or entity may acquire as the result thereof.

III.

That the City Clerk of the City of Elko shall certify the copy of this Resolution and Order, and this Resolution and Order shall be recorded upon fulfillment of the above-noted conditions, in the Office of the County Recorder of Elko County, Nevada, and shall be endorsed upon the proper map or plat on file in the Office of said County Recorder so as to clearly indicate thereon the vacation of the portion of the 30-foot roadway and utility easement as described and shown on Exhibits A and B attached hereto, situate in the City of Elko, Elko County, Nevada.

IT IS FURTHER RESOLVED AND ORDERED that this Resolution and Order shall not be signed and recorded until the conditions are satisfied.

IT IS FURTHER RESOLVED AND ORDERED that upon the above conditions being complied with that this Resolution and Order shall be signed by the Mayor and attested to by the City Clerk.

PASSED AND ADOPTED this _____ day of _____, 2019.

CITY OF ELKO

By: _____
REECE KEENER, MAYOR

ATTEST:

KELLY C. WOOLDRIDGE, CITY CLERK

VOTE:

AYES:

NAYS:

ABSENT:

ABSTAIN:

FEB 11 2019

EXHIBIT A
30' ROADWAY AND UTILITY EASEMENT VACATION
FOR CITY OF ELKO, NEVADA

January 3, 2019

A parcel of land located Section 13, T.34 N., R.55 E., M.B.D. & M., City of Elko, Nevada, being a portion the 30' Roadway and Utility Easement conveyed to the City of Elko, by deed in Book 261, Page 33, Official Records, on file in the Office of the Elko County Recorder, Elko, Nevada, more particularly described as follows:

Commencing at the Northwest Corner of said Section 13, thence S 00° 43' 52" W, 261.56 feet along the Westerly Line of said Section 13 to Corner No. 1, the True Point of Beginning;

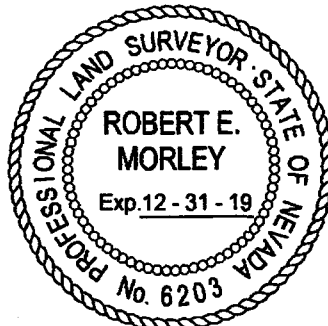
Thence continuing S 00° 43' 52" W, 904.52 feet along the said Westerly Line of Section 13 to Corner No. 2, a point being on the Northwesterly Right of Way of Last Chance Road;

Thence N 41° 19' 05" E, 46.11 feet along the said Northwesterly Right of Way of Last Chance Road to Corner No. 3;

Thence N 00° 43' 52" E, 843.80 feet to Corner No. 4, a point being on the Northerly Line of that Parcel conveyed to Trinity Jay Shippy and Kathryn Justine Shippy, by deed, Document No. 744502, on file in the office of the Elko County Recorder, Elko, Nevada;

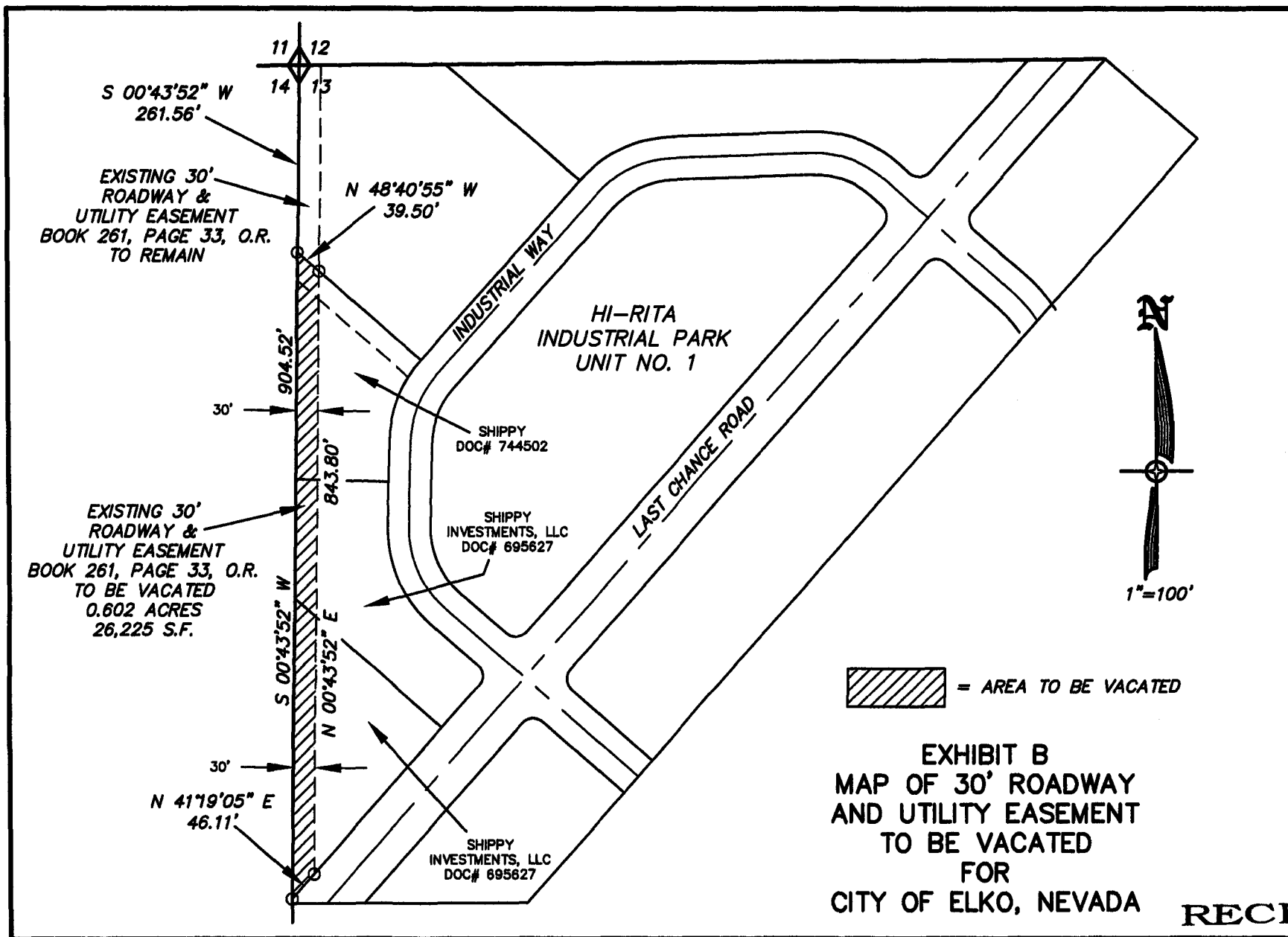
Thence N 48° 40' 55" W, 39.50 feet along the said Northerly Line of Shippy Parcel, to Corner No. 1, the point of beginning, containing 26,225 square feet more or less.

Reference is hereby made to Exhibit B, Map of 30' Roadway and Utility Easement to be Vacated for City of Elko, Nevada, attached hereto and made a part hereof.



Prepared by Robert E. Morley, PLS
640 Idaho Street

High Desert Engineering
Elko, NV 89801



RECEIVED

FEB 11 2019

**NOTICE OF INTENT OF THE CITY OF ELKO
TO VACATE A PORTION OF THE ROADWAY AND UTILITY EASEMENT
LOCATED GENERALLY ALONG THE WEST PROPERTY LINE OF APNS 039-001-
007, 039-001-008, AND 039-001-009, ALL WITHIN THE CITY OF ELKO, STATE OF
NEVADA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Elko intends to vacate a portion of the 30' roadway and utility easement located along the west property line of APNs 039-001-007, 039-001-008, and 039-001-009, situated in the City of Elko, Nevada, and cause title to revert to the owner of the abutting property; i.e. Shippy Investments, LLC and Trinity Jay Shippy. The portion of the 30' roadway and utility easement to be vacated is more particularly described as follows:

A parcel of land located in Section 13, T.34 N., R.55 E., M.B.D. & M., City of Elko, Nevada, being a portion the 30' Roadway and Utility Easement conveyed to the City of Elko, by deed in Book 261, Page 33, Official Records, on file in the Office of the Elko County Recorder, Elko, Nevada, more particularly described as follows:

Commencing at the Northwest Corner of said Section 13, thence S 00° 43' 52" W, 261.56 feet along the Westerly Line of said Section 13 to Corner No. 1, the True Point of Beginning;

Thence continuing S 00° 43' 52" W, 904.52 feet along the said Westerly Line of Section 13 to Corner No. 2, a point being on the Northwestern Right of Way of Last Chance Road;

Thence N 41° 19' 05" E, 46.11 feet along the said Northwestern Right of Way of Last Chance Road to Corner No. 3;

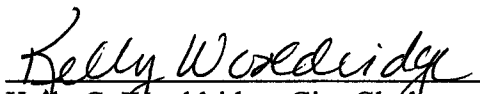
Thence N 00° 43' 52" E, 843.80 feet to Corner No. 4, a point being on the Northerly Line of that Parcel conveyed to Trinity Jay Shippy and Kathryn Justine Shippy, by deed, Document No. 744502, on file in the office of the Elko County Recorder, Elko, Nevada;

Thence N 48° 40' 55" W, 39.50 feet along the said Northerly Line of Shippy Parcel, to Corner No. 1, the point of beginning, containing 26,225 square feet more or less.

Reference is hereby made to Exhibit B, Map of 30' Roadway and Utility Easement to be Vacated for City of Elko, Nevada, attached hereto and made a part hereof.

AND that the Elko City Council shall further consider the advisability of the vacation of the roadway and utility easement, and the adoption of a Resolution and Order vacating the same with the reversion of title as above stated at a meeting of said Council to be held in the Council Chambers at Elko City Hall, 1751 College Avenue, Elko, Nevada, on March 26, 2019 at 5:30 p.m. All interested persons may appear at the meeting of the Council and be heard.

DATED this 7th day of March 2019.


Kelly C. Wooldridge, City Clerk

PUBLISH: March 12, 2019



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

CITY OF ELKO PLANNING COMMISSION ACTION REPORT Regular Meeting of March 5, 2019

WHEREAS, the following item was reviewed and considered by the Elko City Planning Commission on March 5, 2019 pursuant to Section 8-7-3 B. of City Code:

Vacation No. 2-19, filed by Robert Morley on behalf of Trinidad Jay Shippy and Kathryn Justine Shippy, for the vacation of the 30' roadway and utility easement located along the west property line of APNs 039-001-007, 039-001-008, and 039-001-009, consisting of an area approximately 26,225 square feet, and matters related thereto.

The subject property is located generally on the west corner of the intersection of Last Chance Road and Industrial Way. (APNs 039-001-007, 039-001-008, and 039-001-009)

NOW THEREFORE, upon review and consideration of the application, supporting data, public input and testimony, the Planning Commission forwards a recommendation to City Council to adopt a resolution which conditionally approves Vacation No. 2-19 subject to the conditions listed in the City of Elko Staff Report dated February 26, 2019, listed as follows:

1. The applicant is responsible for all costs associated with the recordation of the vacation.
2. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

Engineering Department:

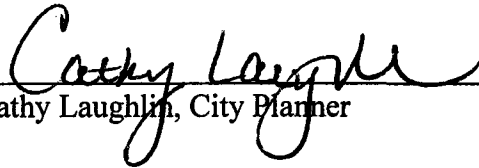
1. The granting of the new easement shall be recorded prior to the recording of the resolution vacating this existing easement.
2. The new water line shall be constructed and the old water line abandoned in place, prior to the vacation of the easement.

Utility Department:


1. Submit construction drawings for approval by City showing new water main and abandonment of old.
2. Gate over existing easement
3. New water infrastructure is accepted prior to easement vacation.

The Planning Commission's findings to support its recommendation are the proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive. The proposed vacation is in conformance with the City of Elko Master Plan Land Use Component. The proposed vacation is in conformance with the City of Elko Master Plan Transportation Component. The easement proposed for vacation is not located within the Redevelopment Area. The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City Code. The proposed

vacation will not materially injure with public and is in the best interest of the City. Elko County has provided a letter in support of the proposed vacation.


Cathy Laughlin, City Planner

Attest:


Shelby Archuleta, Planning Technician

CC: Applicant
Kelly Wooldridge, City Clerk
Bob Thibault, Civil Engineer
Ryan Limberg, Utility Director



City of Elko
1751 College Avenue
Elko, NV 89801
(775) 777-7160
FAX (775) 777-7119

CITY OF ELKO STAFF REPORT

DATE:	February 26, 2019
PLANNING COMMISSION DATE:	March 5, 2019
APPLICATION NUMBER:	Vacation 2-19
APPLICANT:	Trinidy J. Shippy and Kathryn J. Shippy
PROJECT DESCRIPTION:	APN 039-001-007 thru 039-001-009

Vacation of an existing utility and access easement along the west property line abutting all three parcels. In conjunction with a relocation of a water line and a dedication of a new water line easement.



STAFF RECOMMENDATION:

RECOMMEND to APPROVE subject to findings of fact and conditions as presented in this report.

PROJECT INFORMATION

PARCEL NUMBER: 039-001-007, 008 & 009

EXISTING ZONING: Elko County Property

MASTER PLAN DESIGNATION: Elko County Property

EXISTING LAND USE: Developed, Industrial

BACKGROUND:

1. The property has been developed as industrial land use.
2. The property is located in the county and not within city limits.
3. The easement continues to the north through parcel APN 039-001-002 and that portion of the easement will remain.
4. The easement was granted to the City of Elko on January 19, 1978 to construct, reconstruct, repair, operate and maintain an alley, street or roadway for right-of-way purposes and water line or distribution system.
5. The property owner is proposing to relocate the existing water line into a new easement granted to the City of Elko along the northerly property line of APN 039-001-007.

NEIGHBORHOOD CHARACTERISTICS:

The property is surrounded by:

North: Elko County (Industrial land use) / Developed

East: Elko County (Industrial land use) / Developed

South: Elko County (Industrial land use) / Developed

West: RMH / Developed

PROPERTY CHARACTERISTICS:

The property is currently developed.

There is a city of Elko water line within the existing easement.

It does not appear that there are any other utilities located in the easement.

MASTER PLAN AND CITY CODES:

Applicable Master Plans and City Code Sections are:

NRS 278.479 to 278.480, inclusive

City of Elko Master Plan – Land Use Component

City of Elko Master Plan – Transportation Component

City of Elko Redevelopment Plan

City of Elko Code – Section 8-7 Street Vacation Procedures

NRS 278.479 to 278.480 inclusive

1. 278.480(4) If any right-of-way or easement required for a public purpose that is owned by a city or a county is proposed to be vacated, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the

governing body, shall, not less than 10 business days before the public hearing described in subsection 5.

2. NRS 278.480 (5) Except as otherwise provided in subsection 6, if, upon public hearing, the governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, is satisfied that the public will not be materially injured by the proposed vacation, it shall order the street or easement vacated. The governing body, or the planning commission, hearing examiner or other designee, if authorized to take final action by the governing body, may make the order conditional, and the order becomes effective only upon the fulfillment of the conditions prescribed. An applicant or other person aggrieved by the decision of the planning commission, hearing examiner or other designee may appeal the decision in accordance with the ordinance adopted pursuant to NRS 278.31895.
3. Per NRS 278.480(6) Public utility companies have been notified of the vacation on February 12, 2019.
4. The utilities located within the area are proposed to be relocated with a new water line easement being granted to the City of Elko.

MASTER PLAN – Land Use:

1. The Master Plan Land Use Atlas shows the area as Industrial General.
2. The property is located outside City of Elko incorporated boundary.

The proposed vacation is in conformance with the Master Plan Land Use component.

MASTER PLAN - Transportation:

1. The area is accessed from Industrial Way.
2. Industrial Way is an Elko County maintained roadway.

The Master Plan Transportation component is not applicable as the property is located in Elko County.

REDEVELOPMENT PLAN

- The area is located outside the Redevelopment Area.

ELKO CITY CODE SECTION 8-7 STREET VACATION PROCEDURES

1. If it is determined by a majority vote of the city council that it is in the best interest of the city and that no person will be materially injured thereby, the city council, by motion, may propose the realignment, change, vacation, adjustment or abandonment of any street or any portion thereof. In addition, any abutting owner desiring the vacation of any street or easement or portion thereof shall file a petition in writing with the city council and the city council shall consider said petition as set forth above.
 - The City Council accepted the petition at their meeting on February 26, 2019 and referred the matter to the Planning Commission for further consideration.
2. Except for a petition for the vacation or abandonment of an easement for a public utility owned or controlled by the city, the petition or motion shall be referred to the planning commission, which shall report its findings and recommendations thereon to the city

council. The petitioner shall, prior to the consideration of the petition by the planning commission, pay a filing fee to the city in an amount established by resolution of the city council and included in the appendix to this code.

- The filing fee was paid by the applicant.
3. Whenever any street, easement or portion thereof is proposed to be vacated or abandoned, the city council shall notify by certified mail each owner of property abutting the proposed vacation or abandonment and cause a notice to be published at least once in a newspaper of general circulation in the city setting forth the extent of the proposed vacation or abandonment and setting a date for public hearing, which date may be not less than ten (10) days and not more than forty (40) days subsequent to the date the notice is first published.
 4. Order of City Council: Except as provided in subsection E of this section, if, upon public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation or abandonment, and that it is in the best interest of the city, it shall order the street vacated or abandoned. The city council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

Elko County Planning Department has been notified of the proposed vacation and they have responded with a letter of support.

The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City code.

FINDINGS

1. The proposed vacation is in conformance with NRS 278.479 to 278.480, inclusive.
2. The proposed vacation is in conformance with the City of Elko Master Plan Land Use component
3. The proposed vacation is in conformance with the City of Elko Master Plan Transportation component.
4. The easement proposed for vacation is not located within the Redevelopment Area.
5. The proposed vacation with the recommended conditions is in conformance with Section 8-7 of City Code.
6. The proposed vacation will not materially injure the public and is in the best interest of the City.
7. Elko County has provided a letter in support of the proposed vacation.

STAFF RECOMMENDATION:

Staff recommends forward a recommendation to City Council to adopt a resolution which conditionally APPROVES the proposed vacation with the following conditions:

1. The applicant is responsible for all costs associated with the recordation of the vacation.
2. Written response from all non-City utilities is on file with the City of Elko with regard to the vacation in accordance with NRS 278.480(6) before the order is recorded.

Engineering Department

1. The granting of the new easement shall be recorded prior to the recording of the resolution vacating this existing easement.
2. The new water line shall be constructed and the old water line abandoned in place, prior to the vacation of the easement.

Utility Department

1. Submit construction drawings for approval by City showing new water main and abandonment of old.
2. Gate over existing easement
3. New water infrastructure is accepted prior to easement vacation.



February 27, 2019

Shelby Archuleta
City of Elko Planning Department
1751 College Avenue
Elko, Nevada 89801

RECEIVED

FEB 27 2019

RE: Proposed Vacation No. 2-19

Dear Ms. Archuleta:

Per your request in the letter dated February 12, 2019 regarding the proposed vacation of a portion of the roadway and utility easement located generally along the west property line of APNs 039-001-007, 039-001-008, and 039-001-009. NV Energy does not have facilities within the area to be vacated.

If you have any questions/concerns please feel free to contact me at 775-834-3097 or at jakejohnson@nvenergy.com

Sincerely,

A handwritten signature in black ink, appearing to read "Jake Johnson".

Jake Johnson
NV Energy



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2019

NV Energy
Mr. Jake Johnson
6100 Neil Road
Reno, NV 89511

SUBJECT: Proposed Vacation No. 2-19

Dear Mr. Johnson:

Please be advised that the City of Elko Planning Department is processing a request filed by Trinidy Jay Shippy and Kathryn Justine Shippy to vacate a portion of the roadway and utility easement located generally along the east property line of APNs 039-001-007, 039-001-008, & 039-001-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on March 5, 2019. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From: Tariq Ahmad <taroil@yahoo.com>
Sent: Tuesday, February 12, 2019 11:13 AM
To: Shelby Archuleta
Subject: Re: Proposed Vacation 2-19 Review

We agree to vacate

Tariq I. Ahmad SPEC
PH 775 333 6626
FAX 775 333 0225

Notice: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Please, virus check, all attachments to prevent widespread contamination and corruption of files and operating systems. The unauthorized access, use, disclosure, or distribution of this e-mail may constitute a violation of the Federal Electronic Communications Privacy Act of 1986 and similar state laws. The communication does not reflect an intention of the sender or the sender's client or principal to conduct a transaction or make an agreement by electronic means. Nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures Global and National Commerce Act, any version of the Uniform Electronic Transaction Act or any other statute governing electronic transactions.

On Tuesday, February 12, 2019, 8:31:35 AM PST, Shelby Archuleta <sarchuleta@elkocitynv.gov> wrote:

Good Morning,

Attached is letter for review of Vacation 2-19. Please review and get back to me.

Thank you!

Shelby Archuleta

Planning Technician

City of Elko

Planning Department



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2019

Satview Broadband
Mr. Tariq Ahmad
PO Box 18148
Reno, NV 89511

And VIA EMAIL: taroil@yahoo.com

SUBJECT: Proposed Vacation No. 2-19

Dear Mr. Ahmad:

Please be advised that the City of Elko Planning Department is processing a request filed by Trinity Jay Shippy and Kathryn Justine Shippy to vacate a portion of the roadway and utility easement located generally along the east property line of APNs 039-001-007, 039-001-008, & 039-001-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on March 5, 2019. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From: Poole, John <john.g.poole@ftr.com>
Sent: Tuesday, February 19, 2019 3:06 PM
To: Shelby Archuleta
Cc: Whitaker, William
Subject: Re: Proposed Easement Vacation Review

Hi Shelby;

My outlook email is up temporary, so yes these all are clear by Frontier to abandon Easements along with last two off Industrial Way you sent by mail. Doc # 744502 .

Thanks, John

From: Shelby Archuleta <sarchuleta@elkocitynv.gov>
Sent: Monday, February 11, 2019 12:11 PM
To: Poole, John
Subject: Proposed Easement Vacation Review

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Good Afternoon Mr. Poole,

I was informed this morning from Mr. Whitaker that you are now the person that will be reviewing vacation proposals.

I have attached four vacation proposals that were sent to Mr. Whitaker as far back as November.

Currently Vacation 2-18 and Vacation 3-18 have been approved by our City Council and are just waiting for a response from a Frontier representative.

Vacation 4-18 will be considered at tomorrow night's City Council meeting and after that it will be ready to go.

Vacation 1-19 will be considered at the City Council meeting on Feb 26th.

At this time Vacation 2-18 and 3-18 are priority and we will need these reviews as soon as possible.

Please let me know if you have any questions and I will do my best to answer them.

Thank you!

Shelby Archuleta
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2019

Frontier Communication
Mr. John Poole
1520 Church Street
Gardnerville, NV 89410

SUBJECT: Proposed Vacation No. 2-19

Dear Mr. Poole:

Please be advised that the City of Elko Planning Department is processing a request filed by Trinity Jay Shippy and Kathryn Justine Shippy to vacate a portion of the roadway and utility easement located generally along the east property line of APNs 039-001-007, 039-001-008, & 039-001-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on March 5, 2019. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From: Amanda Marcucci <Amanda.Marcucci@swgas.com>
Sent: Tuesday, March 12, 2019 7:47 AM
To: Shelby Archuleta
Subject: Proposed Vacation 2-19
Attachments: Scanned from a Xerox multifunction device.pdf

Hi Shelby,

Southwest Gas does not have any objections to Proposed Vacation 2-19.

Do you have any outstanding responses that I need to catch up on?

Thanks,

Amanda



Amanda Marcucci, PE | Supervisor/Engineering

PO Box 1190 | 24A-580 | Carson City, NV 89702-1190
direct 775.887.2871 | mobile 775.430.0723 | fax 775.882.6072
amanda.marcucci@swgas.com | www.swgas.com

The information in this electronic mail communication (e-mail) contains confidential information which is the property of the sender and may be protected by the attorney-client privilege and/or attorney work product doctrine. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorized by the sender. If you are not the intended recipient, you are hereby notified that any disclosure, copying, or distribution of the contents of this e-mail transmission or the taking or omission of any action in reliance thereon or pursuant thereto, is prohibited, and may be unlawful. If you received this e-mail in error, please notify us immediately of your receipt of this message by e-mail and destroy this communication, any attachments, and all copies thereof.

Southwest Gas Corporation does not guarantee the privacy or security of information transmitted by facsimile (fax) or other unsecure electronic means (including email). By choosing to send or receive information, including confidential or personal identifying information, via fax or unencrypted e-mail, you consent to accept any associated risk.

Thank you for your cooperation.



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2019

Southwest Gas Corporation
Engineering Department
PO Box 1190
Carson City, NV 89702-1190

SUBJECT: Proposed Vacation No. 2-19

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Trinity Jay Shippy and Kathryn Justine Shippy to vacate a portion of the roadway and utility easement located generally along the east property line of APNs 039-001-007, 039-001-008, & 039-001-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on March 5, 2019. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From: Stephen Lifferth <stephen@beehive.net>
Sent: Thursday, March 7, 2019 9:35 AM
To: Shelby Archuleta
Subject: Re: [EXT] Proposed Vacation Reviews

Good Morning Shelby,

Beehive has no concerns with these vacations.

Thanks,

 **Stephen Lifferth**
Beehive Broadband
435.837.6140 [o]
801.473.3975 [c]
BEEHIVE BROADBAND www.BeehiveBroadband.com
On 3/7/19 9:19 AM, Shelby Archuleta wrote:

Good Morning,

I have still not received a response on the below reference vacations, as well as Vacation No. 2-19.

Shelby Archuleta
Planning Technician
City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219

From: Shelby Archuleta
Sent: Wednesday, February 27, 2019 8:23 AM
To: 'stephen@beehive.net' <stephen@beehive.net>
Subject: Proposed Vacation Reviews

Good morning,

The City of Elko has not received a response from Beehive in regards to proposed Vacation No. 4-18 and 1-19. I have attached the original letter that was sent out, along with the exhibits that are referenced. I would appreciate a response as soon as possible.

Thank you!

Shelby Archuleta
Planning Technician

City of Elko
Planning Department
Ph (775) 777-7160
FX (775) 777-7219



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2019

Beehive Broadband
2000 N. Sunset Road
Lake Point, UT 84074

SUBJECT: Proposed Vacation No. 2-19

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Trindy Jay Shippy and Kathryn Justine Shippy to vacate a portion of the roadway and utility easement located generally along the east property line of APNs 039-001-007, 039-001-008, & 039-001-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on March 5, 2019. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov

Enclosures

Shelby Archuleta

From: Teresa Gust <teresa.e@canyonconstructionco.com>
Sent: Thursday, February 28, 2019 9:05 AM
To: Shelby Archuleta
Subject: Proposed Vacation No. 2-19

Shelby, please be advised that Michael W. Lattin, VP-Field Operations, has reviewed your letter of February 12, 2019, Re: Proposed Vacation No. 2-19 and has determined that Elko Heat Company has no present or future interests in the area stated. This email complies with NRS 278.480(6).

Thank you

Teresa

Accounting Clerk
Canyon Construction &
Elko Heat Co.
Phone: (775) 738-2210 ext 107
Fax: (775) 753-8049
teresa.e@canyonconstructionco.com



CITY OF ELKO

Planning Department

Website: www.elkocity.com
Email: planning@elkocitynv.gov

1751 College Avenue • Elko, Nevada 89801 • (775) 777-7160 • Fax (775) 777-7219

February 12, 2019

Elko Heat
P.O. Box 2347
Elko, NV 89803

SUBJECT: Proposed Vacation No. 2-19

To Whom It May Concern:

Please be advised that the City of Elko Planning Department is processing a request filed by Trinidy Jay Shippy and Kathryn Justine Shippy to vacate a portion of the roadway and utility easement located generally along the east property line of APNs 039-001-007, 039-001-008, & 039-001-009. Please see enclosed map.

The City respectfully requests your assistance in determining whether there are any utility improvements or any other such interests within the area proposed to be vacated.

Please advise the Elko City Planning Department in writing concerning your agency's needs or interests as affected by this requested vacation, or submit a letter or email stating none of your interests are in the area, as **we are required to receive and maintain records of all responses from all local utilities per NRS 278.480(6)**. The Planning Commission will consider this item on March 5, 2019. Thank you for your time and effort in this matter!

If you have any questions, please contact our office at 777-7160.

Sincerely,

Shelby Archuleta
Planning Technician
sarchuleta@elkocitynv.gov

Enclosures



CITY OF ELKO PLANNING DEPARTMENT

1751 College Avenue * Elko * Nevada * 89801 *

(775) 777-7160 * (775) 777-7119 fax

APPLICATION FOR VACATION OF CITY STREET, EASEMENT OR OTHER PUBLIC RIGHT-OF-WAY

APPLICANT(s): Trinity Jay Shippy and Kathryn Justine Shippy
MAILING ADDRESS: 2135 Industrial Way, Elko, Nevada 89801
PHONE NO (Home) _____ (Business) (775) 934-2129
NAME OF PROPERTY OWNER (If different): _____
(Property owner's consent in writing must be provided.)
MAILING ADDRESS: Same as Applicant
LEGAL DESCRIPTION AND LOCATION OF PROPERTY INVOLVED (Attach if necessary):
ASSESSOR'S PARCEL NO.: 039-001-007 thru 039-001-009 Address Industrial Way
Lot(s), Block(s), & Subdivision Portion of Block A, Hi-Rita Industrial Park, Unit No. 1
Or Parcel(s) & File No. File No. 215089

FILING REQUIREMENTS:

Complete Application Form: In order to begin processing the application, an application form must be complete and signed. Applications go before the City Council, Planning Commission, and back to City Council twice.

Fee: A \$600.00 non-refundable fee.

Plot Plan: A plot plan provided by a properly licensed surveyor depicting the existing condition drawn to scale showing property lines, existing and proposed buildings, building setbacks, parking and loading areas, driveways and other pertinent information must be provided.

Legal Description: A complete legal description of the area proposed for vacation along with an exhibit depicting the area for vacation.

Note: One .pdf of the entire application must be submitted as well as one set of legible, reproducible plans 8 ½" x 11" in size. If the applicant feels the Commission needs to see 24" x 36" plans, 10 sets of pre-folded plans must be submitted.

Other Information: The applicant is encouraged to submit other information and documentation to support the request.

RECEIVED

FEB 11 2010

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Trinidy Jay shippy and Kathryn Justine Shippy
(Name)

2193 Industrial Way, Elko NV 89801
(Address)

OWNER(S) OF THE PROPERTY ABUTTING THE AREA BEING REQUESTED FOR VACATION:

Shippy Investments, LLC
(Name)

2135 Industrial Way, Elko NV 89801
(Address)

1. Describe the nature of the request: _____

2. Describe any utilities currently located in the area proposed for vacation, and if any are present
how they will be addressed: _____

Use additional pages if necessary

This area intentionally left blank

By My Signature below:

☒ I consent to having the City of Elko Staff enter on my property for the sole purpose of inspection of said property as part of this application process.

☐ I object to having the City of Elko Staff enter onto my property as a part of their review of this application. (Your objection will not affect the recommendation made by the staff or the final determination made by the City Planning Commission or the City Council.)

☒ I acknowledge that submission of this application does not imply approval of this request by the City Planning Department, the City Planning Commission and the City Council, nor does it in and of itself guarantee issuance of any other required permits and/or licenses.

☒ I acknowledge that this application may be tabled until a later meeting if either I or my designated representative or agent is not present at the meeting for which this application is scheduled.

☒ I have carefully read and completed all questions contained within this application to the best of my ability.

Applicant / Agent Robert E. Morley
(Please print or type)

Mailing Address 640 Idaho
Street Address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

Phone Number: (775) 738-4053

Email address: _____

SIGNATURE: Robert E. Morley

FOR OFFICE USE ONLY

File No.: 2-19 **Date Filed:** 2/11/19 **Fee Paid:** \$600 CK# 14792

City of Elko
1751 College Avenue
Elko, Nevada 89801

RECEIVED

FEB 14 2019

Re: Application for vacation of City Easement

To Whom It May Concern:

Shippy Investments, LLC and Trinidy Jay Shippy & Kathryn Shippy hereby authorize Robert E. Morley to act as their representative and agent at it pertains to the recently submitted Application for Vacation of City Street Easement or other Public Way submitted by Trinidy Jay Shippy and Kathryn Justine Shippy.

Shippy Investments, LLC



By: Trinidy J. Shippy, Manager



Trinidy J. Shippy, Individually for Trinidy Jay Shippy and Kathryn Justin Shippy

RECEIVED

FEB 11 2019

City of Elko
1751 College Avenue
Elko, Nevada 89801

Re: Application for vacation of City Easement

To Whom It May Concern:

Shippy investments, LLC has no objection to and is willing to join in the vacation of the existing City roadway and utility easement as applied for by Trinidy Jay Shippy and Kathryn Justine Shippy located along the West line of Section 13, T.34 N., R.55 E., M.D.B. & M., adjacent to our property on Last Chance Road and Industrial Way being Assessor's Parcel Numbers 039-001-008 and 039-001-009.

Shippy Investments LLC



By: Trinidy J. Shippy, Manager