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13 June 2024

Board of Adjustment

Kathie Julian / Peter K Ghishan / Leo Horishny

Don Christensen / Rob Pierce

1001 E. Ninth St.

Reno, NV 89512

Kelly Mullin / Tim Evans

Washoe County Community Services Department- Planning & Building Division

1001 E. Ninth St., Bldg A.

Reno, NV 89512

Re: Public hearing for Special Use Permit WSUP24-001 (Caillier Single-Family Dwelling) Addition/Modification Application for APN 123-143-21

On 7 May 2024, Kurt Caillier / Caillier Living Trust (“Caillier”) requested a special use permit to construct a new residence located at 425 Pahute Road in Crystal Bay, NV (the “Property”). After reviewing the staff report, Mr. Caillier’s neighbors continue to have significant concerns with regards to the proposed plan he has placed before the Board of Adjustment.

I. Introduction

There is one concern with the proposed Special Use Permit which continues to be neglected; namely public access on Pahute Road for all residents and service providers after the project is completed. Both the application submitted by Caillier Living Trust / Phil GilanFarr and the Staff Report prepared by the Washoe County not only fail to adequately address the concerns that the Washoe County Development Code and TRPA Code of Ordinances are not being followed, the

information on the application itself that was submitted by Caillier and GilanFarr belie their own public statements that have been made with regards to public access concerns.

II. Portions of the Staff Report are unsupported by the record evidence

There are inaccuracies in the staff report that need attention, namely the representations made by Caillier and Phil GilanFarr, and the unsupported conclusions in the staff report regarding [Washoe Development Code Section 110.810.30](#). Each is addressed in turn.

A. Caillier's and GilanFarr's empty promises to improve the cul-de-sac

Throughout the past four years, Phil GilanFarr and Caillier made numerous promises and representations to Washoe County officials in order to get the Pahute Abandonment approved. This [short dead-end residential road](#) shown in this linked video is very narrow and can be difficult to traverse all year around and even more so in the winter months.

During a Washoe County Planning Commission hearing on the abandonment of the Pahute Road *cul-de-sac*, Ms. Quina Williams – GilanFarr's employee – made numerous representations to the Planning Commission regarding the access conditions at the end of Pahute Road. She stated:

Thirdly, this orange outline is the actual drivable area so you're driving down Pahute, uh, whether you are a UPS delivery man or just a visitor to the neighborhood, this is really what you have to be able to turn around. Uh, it's very small. This white line shows the turnaround radius. It's kind of about just 20 or 21 feet. It's extremely small. It's not, it's not ideal at all. So, this is a problem, this is a huge problem. We have a house built into the right of way, there's minimal turn around capability. We want to fix this

problem. We have a proposed solution that is the abandonment of this highlighted area that you see on the right of the Washoe County Right of Way.¹

Ms. Williams went on to represent in her conclusion to the Washoe County Planning Commission:

To speak more about compliance, we're absolutely more than happy to comply with all conditions set forth by TRPA regarding the process of the abandonment. We have will obviously already submitted a Washoe County abandonment application. Uh, we are happy to comply with all the conditions set forth by the agencies and the staff report with the addition that we would like to contribute to the enhancement of the turnaround. Um, the homeowner is uh, a professional in the industry um um, concrete and whatnot and uh you know in the construction process we would be happy to improve the situation at the end of Pahute Road.²

On appeal, in her presentation to the Washoe County Board of Commissioners, she stated:

But, as you can see, this purple area is the drivable area that Victor just showed in his [video of the truck turning around](#).³ Its its really not ideal and the um you know clearly the the house does get in the way of some of that turnaround capability. But more importantly, this red shows that there is even smaller amounts of that road that are paved.⁴

As part of her conclusion to the Washoe County Board of Commissioners, Ms. Williams testified:

¹ https://youtu.be/u-NWdBIXQ_Y?t=1133.

² https://youtu.be/u-NWdBIXQ_Y?t=1464

³ <https://youtu.be/mWA06wx-gFQ>

⁴ https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13582

We can also look to um coordinate with Washoe County and the neighbors to actually improve the turn around on the end of the street. So, just to clarify, we absolutely have no intention of reducing or eliminating the turnaround capacity in any way.⁵

This is just a proposed option of what we could be looking at in the future where we can actually improve the turnaround. So again, I just want to be clear that you know uh we we don't have any intention of decreasing the ability for any of the um the neighbors or the snow removal equipment or emergency equipment or even delivery trucks to reduce their ability to use the road. Um, in fact, we would be definitely willing to participate with the County to improve that turnaround and to utilize that Washoe County quitclaim deed area to expand the turnaround uh for all of the neighbors to use.⁶

Um, so as you can see, the existing road conditions are really not ideal. It's a lot of wasted space and we hope to improve that situation um as a part of this abandonment process and the construction process.⁷

Even in the abandonment application, GilanFarr answered the question of replacement easements with the statement that “[a] replaced and improved turnaround area is proposed compared to the existing turnaround capability.”⁸ The problem here is that the plans filed with the Board of Adjustment to rebuild the residence do not fulfill any of the promises. Indeed, Caillier and GilanFarr now represent to this body in their application that “There are no known negative impacts that will effect [sic] adjacent properties. As the intensity of use will not change.” But that statement in the application profoundly belies all the comments Caillier and

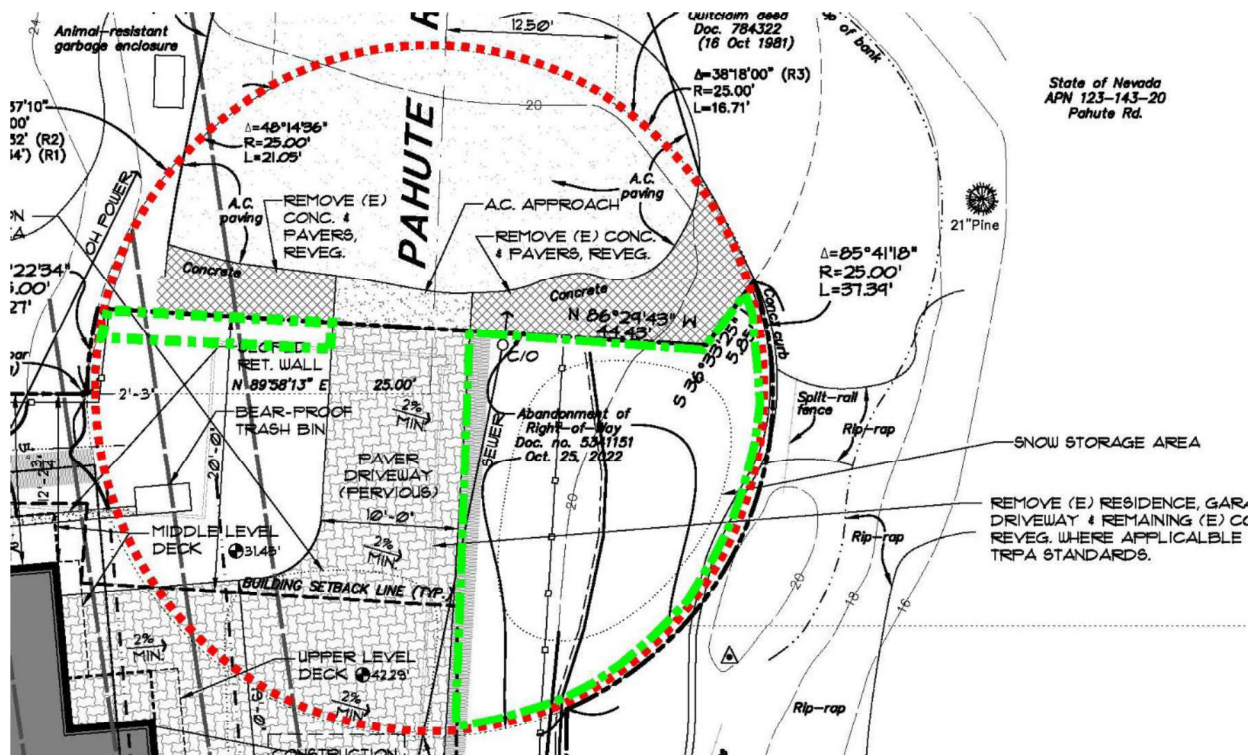
⁵ https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13707

⁶ https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13762

⁷ https://youtu.be/iZABC6gIR_k?list=PLdx9_2ZV4M_wIoqR6PPWz-mvMqpxh44SU&t=13843

⁸ See Exhibit A

GilanFarr made in previous hearings to Washoe County officials to deal with the lack of an adequate roadway.



The concern is represented graphically above. The red circle is what was originally platted as a turnaround for Pahute Road. Although the *cul-de-sac* never met the strictures of Washoe Development Code §110.436 which is discussed in more detail below, all of the impervious surface which was available to the public for access to turn around that is represented by the green areas are now being transferred to Caillier's 6,700 square foot house and his private driveway. The TRPA permit also requires non-impervious land to be revegetated. Indeed, on page 8 of the TRPA Staff Report the requirements state that "[t]he area from which the land

coverage was removed for relocation is restored in accordance with Subsection 30.5.3.”⁹

That is not an improvement of the *cul-de-sac* at all since there is now an even smaller area for residential and emergency vehicles to safely navigate the street and turn around. Moreover, any owner of the parcel – present or future – will have every legal right to place barriers at the boundary line to prevent any trespass which will only make turning around vehicles even more difficult. In the words of Ms. Williams, this proposed plan is not only “not ideal”, it continues to fail to “contribute to the enhancement of the turnaround” and her “hope to improve” it.

B. The proposed building plan and permit does not meet the requirements of Chapter 32 of the TRPA Code of Ordinances

In the Staff Report, there is not a single mention of Chapter 32. [Chapter 32](#) of the TRPA’s Code of Ordinances states that:

All projects proposing a new structure or reconstruction or expansion of an existing structure designed or intended for human occupancy shall meet the standards set forth in this chapter.

Moreover, section 32.3 requires:

All projects described in Section 32.2 and that require vehicular access shall be served by a paved roadway. To be considered “served,” a right-of-way or easement shall abut the driveway serving the parcel and **shall contain a paved roadway of adequate size and construction to accommodate the vehicular traffic resulting from the project.** [emphasis added]

As mentioned in previous correspondence to Washoe County and the TRPA

⁹ [Exhibit B](#)

which is incorporated by reference, Crystal Bay in general and Pahute Road specifically is part of a planned residential neighborhood. As such, it is reasonable for owners of an abutting residential parcel and structure to expect not only adequate roads for emergency services, but also be able to maintain the ability to receive common household goods by delivery vehicles used by UPS and FedEx and vital services such as garbage collection.

Washoe County is the responsible arm of the State of Nevada for developing standards for the roads in its portion of the Tahoe Basin. The Washoe County Development Code goes to *great* lengths in promulgating the design of streets. [Washoe County Development Code §110.604.10](#) also states that “Streets within the subdivision shall be designed in conformance with Article 436, Street Design Standards.” The purpose of [Washoe County Development Code §110.436](#) is stated clearly in §110.436.00. It says:

The purpose of this article, Article 436, Street Design Standards, is to provide *safe, properly designed*, attractive streets that minimize environmental disturbance, including impacts on water quality, and minimize maintenance costs for the street system within Washoe County. [emphasis added]

This development code section also specifically codifies its applicability. It says:

The provisions of this article shall apply to public and private street improvements for projects including, but not limited to, the following:

...

(b) Projects that may be subject to this article are:

...

(2) Projects requiring a special use permit.

[Washoe County Development Code §110.436.120\(e\) and \(f\)](#) requires that

. . . a minimum turnaround radius of the cul-de-sac bulb shall be forty-eight (48) feet measured from the radius point to the face of the curb. . . [and a] [m]inimum right-of-way for the cul-de-sac bulb shall be forty-eight (48) feet measured from the radius point to the right-of-way line.

Even [Washoe County Development Code §110.436.125\(d\)](#) states that “[p]artial width streets . . . shall be improved at least to half width, but in no instance shall the paved travel way be less than twenty-four (24) feet in width (with no on-street parking).”

Both the application on file as well as the Staff Report have not addressed these critical parts of the Ordinances. In its original platted condition – which was done many decades ago – Pahute Road never met the current design standards. But with this Application and proposed permit, those design standards remain not only unaddressed, they are reduced even further to the detriment of the public and residents of Pahute – including Kurt Caillier himself.

C. The proposed plan for redevelopment is unsafe and does not comply with Washoe County Master Plan – Public Services and Facilities Element

First, North Lake Tahoe Fire District gave the following response to the Pahute Abandonment to Washoe County Planning and Development. They said:

Morning.

NLTFPD recognizes the access challenges in this area and agrees with Engineering’s recommendation, please.

Thank you,

Jen¹⁰

When NLTFPD was asked about the proposed Special Use Permit, the

¹⁰ See Exhibit C

response was not an approval nor an objection. Rather, NLTFPD states that it “will conduct a thorough code compliance review upon formal submission of the building permit application to Washoe County.” Similarly in response to this Application, Mitchell Fink who is responsible for Traffic and Roadway, reports:

All roadway improvements proposed in the Washoe County Right of Way necessary (including but not limited to, curb, gutter, sidewalk, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to County standards and specifications to the satisfaction of the County Engineer.¹¹
[emphasis added]

But the entirety of the proposed Special Use Permit and the Staff Report give nary a mention of 110.436’s requirements. Indeed, the proposed Special Use Permit turns a blind eye to this requirement and refuses to even mention these requirements or previous promises by Caillier and GilanFarr. That calls into question that there exists substantial evidence that a reasonable mind could accept as adequate to support the conclusion that Washoe County Development Code Section 110.810.30(b)’s requirement regarding improvements and 110.810.30(d)’s lack of detriment have been met.

As mentioned previously, emergency services are more than just public services for the extinguishment of fires. North Lake Tahoe Fire Protection District provides Emergency Medical Services to the citizens and visitors of Incline Village and Crystal Bay. Moreover, the Washoe County Master Plan – Public Services and Facilities Element goes on at length about the issue of public safety. That Master Plan element acknowledges that response to medical emergencies “are among the most basic and valuable services provided to citizens by government.” That Plan

¹¹https://www.washoecounty.gov/csd/planning_and_development/board_commission/board_of_adjustment/2024/Files/WSUP24-0007_sr.pdf#page=26

further points out that:

Due to the long distances from hospitals to outlying areas in the County, the responsibility for providing initial emergency medical services frequently falls to the fire department. As the primary basic life support providers in Washoe County, the proximity of fire units to the emergency is often the difference between life and serious injury or death.

Even the Washoe County Planning Commission Staff acknowledge on the record in the abandonment proceedings that there is a serious problem.¹² As Julee Olander from the Planning Commission Staff testified in the abandonment hearings:

The applicant [Caillier] originally asked to abandon and you sort of see where the house is underneath. But they originally asked to abandon the 31 feet and then also to meet the setback which is 20 ft. However, this is on a cul-de-sac and because of that narrow road, a lot of people, the neighborhood uses that cul-de-sac as a turnaround area. They come down Pahute Road and then they turn around in this cul-de-sac.

So, after reviewing this with Engineering, it was decided that they would only that County was only comfortable with abandoning the portion that where the house is residing on the Property . . . on the right-of-way, excuse me.¹³

During the course of the abandonment proceedings, it was repeatedly pointed out that the overall course of action needed TRPA input to resolve the pending collision of interests given the confines of the TRPA Code of Ordinances and the Washoe County Development Code. But Washoe County and GilanFarr insisted that all those development codes and ordinances did not apply for purposes of

¹² https://youtu.be/u-NWdBIXQ_Y?t=465

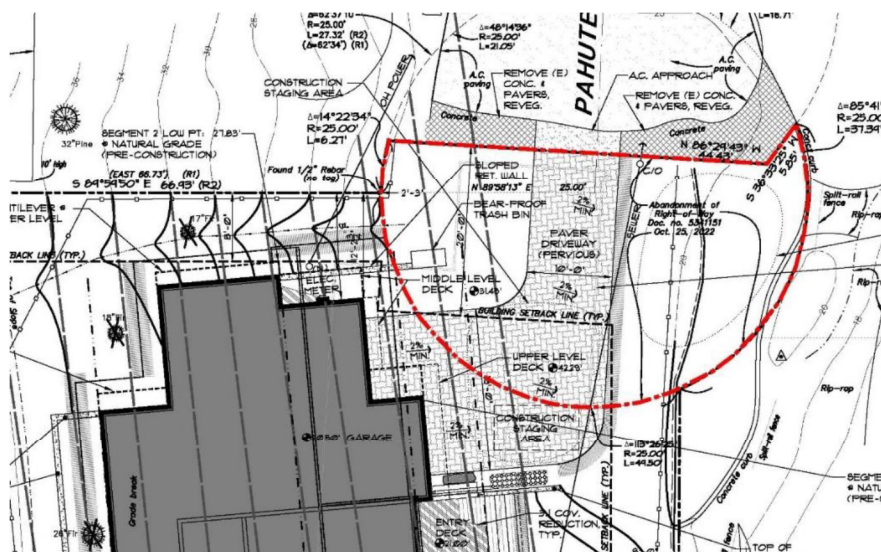
¹³ https://youtu.be/u-NWdBIXQ_Y?t=465

abandonment. Four years later, affected parties are back at the same juncture where these codes now have to be properly addressed so that the proposed Special Use Permit contains adequate protections in the form of conditions for all who are affected.

III. An additional condition for the Special Use Permit should be considered

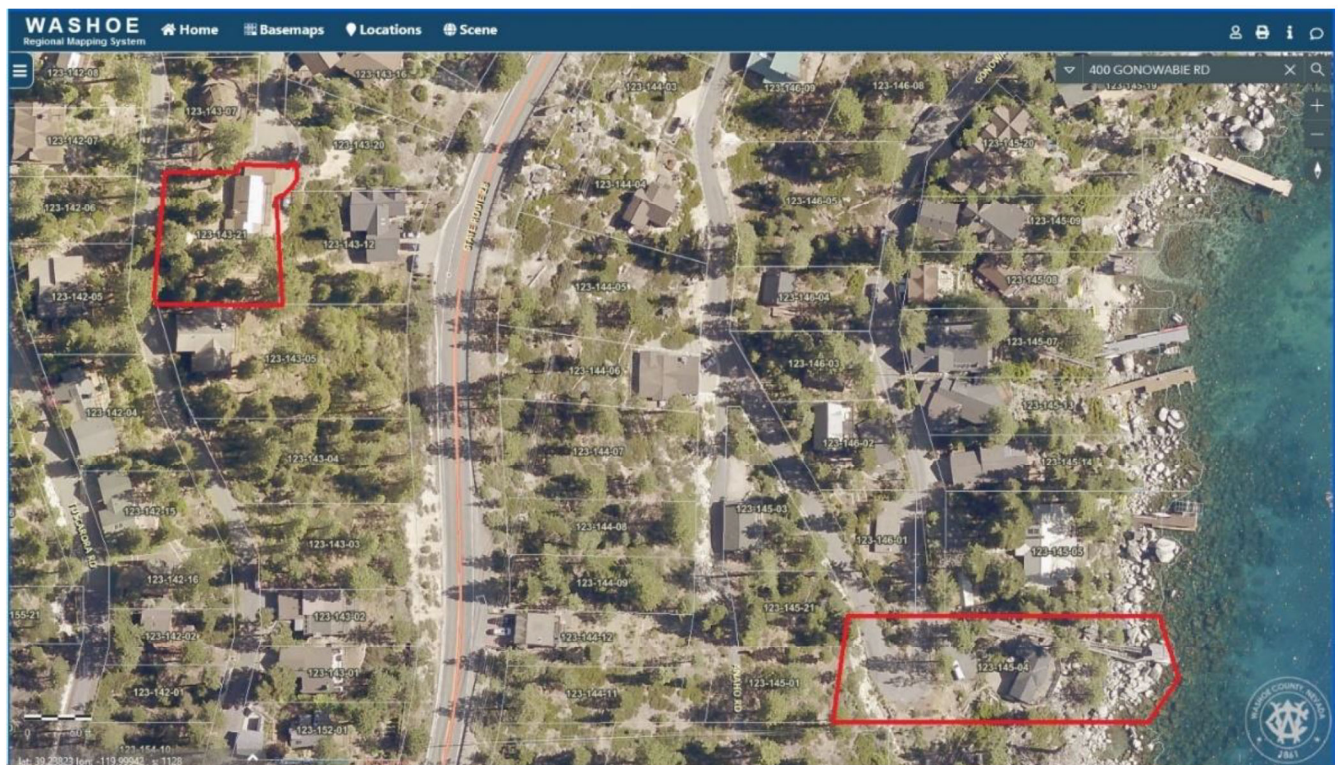
Under these facts and circumstances, it becomes pretty apparent that Caillier's application has one remaining flaw – inadequate access for the public and residents of Pahute as well as failure to adhere to the Master Plan elements as well as TRPA's Code of Ordinances. As noted above, Caillier and GilanFarr have stated many times throughout the abandonment proceedings that they wish to improve the current circumstances regarding Pahute Road and create a "win-win" for everyone. Only because Caillier wants to build a completely new structure on the Property and claims to wish to create a positive outcome for all, is a realistic and legally tenable solution for all those adversely affected even possible.

The Board of Adjustment should consider requiring that an access easement be granted in favor of Washoe County so that some semblance of a safe turnaround area can be created as shown in the graphic below.



Such a solution costs Caillier absolutely nothing. It helps him comply with the numerous provisions of the Washoe County Development Code and the TRPA Code of Ordinances. It even improves his own access and that of his service providers and emergency personnel to his property. Indeed, when asked at the TRPA permit hearing why this was not a viable solution, Mr. GilanFarr sat in complete silence and refused to answer the question.

Moreover, there is precedent for exactly such a solution. Parcel APN 123-145-04 also known as 400 Gonowabie Road – which is only 750 feet down the mountainside from Caillier – has similar access problems for all parcels abutting it. It, too, is a very narrow and steep road that has one way traffic since the road width does not accommodate two cars alongside.



In 1998, an access easement on that parcel in the form of a dedication that permits vehicular access to all abutting parcels was recorded.¹⁴

¹⁴ See Exhibit D

EXHIBIT CONTINUED

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABE ROAD AS OF JULY 2, 1998, FOR AN IRREVOCABLE OFFER OF DEDICATION WITHIN PARCELS AS DESCRIBED IN DEED BOOK 3769 AT PAGE 868, RECORDED JUNE 21, 1993, WASHOE COUNTY, NEVADA OFFICIAL RECORDS

SECTION 19, T. 16 N., R. 18 E., M.D.B. & M.

NOTES:

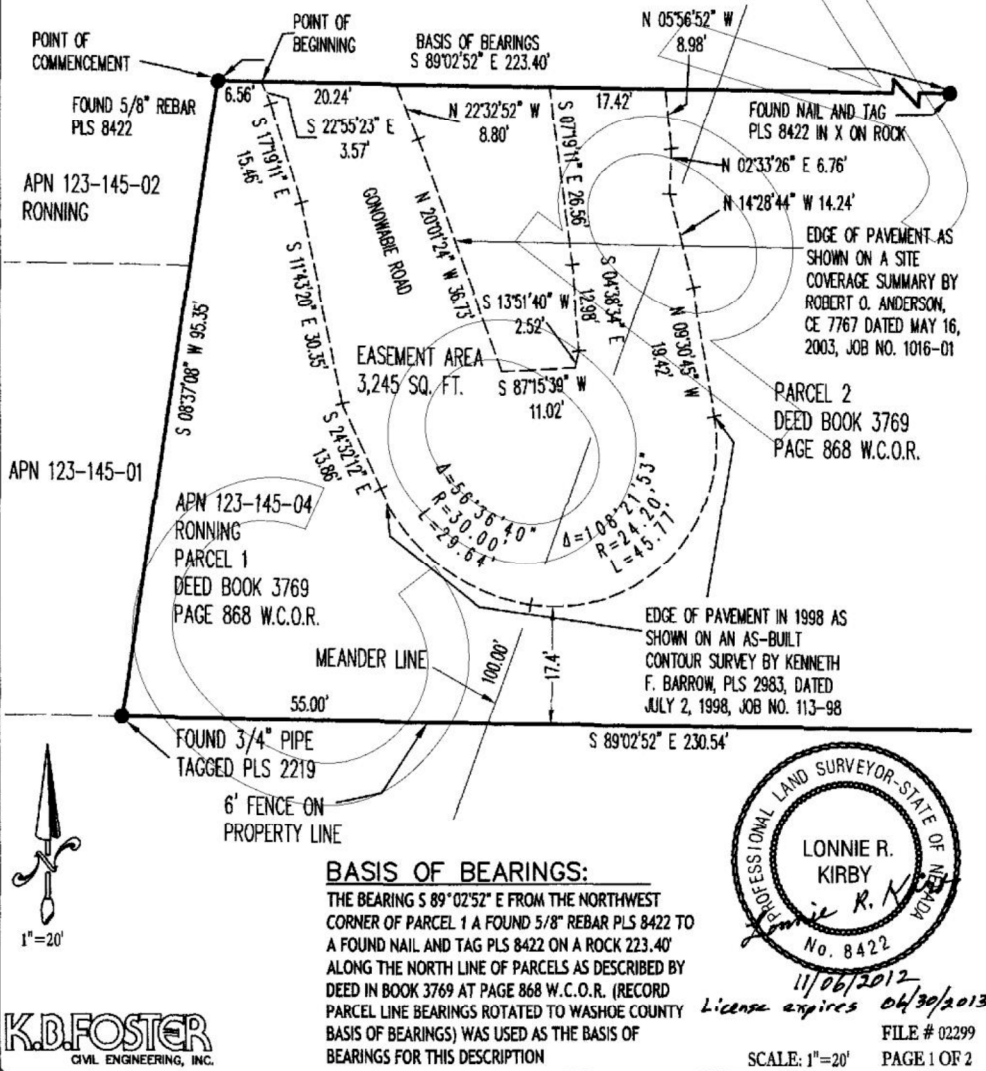
INFORMATION PER DEED, BOOK 3769, PAGE 868, W.C.O.R.

INFORMATION PER RECORD OF SURVEY S ____ W.C.O.R.

INFORMATION PER AN AS-BUILT CONTOUR SURVEY BY KENNETH F. BARROW, PLS 2983, DATED JULY 2, 1998, JOB NO. 113-98

INFORMATION PER A SITE COVERAGE SUMMARY BY ROBERT O. ANDERSON, CE 7767, DATED MAY 16, 2003, JOB NO. 1016-01

SEE PAGE 2 OF THIS EXHIBIT B FOR OTHER AREAS AND INFORMATION



Such a similarly elegant, legal, and relatively simple solution in the form of a condition should be done in connection with Caillier's Special Use Application and permit.

IV. Conclusion

This particular set of facts have posed a real challenge for all parties concerned. In a more traditional property development setting most anywhere else in the country, the proposed new structure would simply be placed back on the lot after removal of the offending one without the need for abandoning critical road surfaces. But the Tahoe Regional Planning Authority's Code of Ordinances never contemplated such a black swan set of circumstances.

First, Washoe County had a strong desire to remedy a nonconforming condition that was caused either by grossly mis-platting a necessary road or more likely, failing to enforce its own building code and allowing a building to perpetually occupy a large portion of the end of a necessary roadway for decades. Second, Caillier believed he was entitled to maintain the status quo and rebuild his residence given the multiple encroachment permits that Washoe County erroneously issued to previous owners. Third, the general public and service providers that use this road as well as owners along it have an expectation of a safe thoroughfare that gets them access to each individual property year-round. Finally, the TRPA Code of Ordinances has a real purpose with regards to its coverage enforcement. That is to provide protection to Lake Tahoe on a macro level and to also provide a workable regulatory regime that achieves that overall purpose. But under the current rigid interpretation of the Code of Ordinances, those who had no hand whatsoever in creating this unsafe condition in the first instance are left to bear the full brunt of the consequences in perpetuity given Caillier's proposed plan.

Back in 2020 when this process began, Phil GilanFarr was contacted to craft a more moderate solution to the task he had been retained to perform. Although he admitted that this solution was not ideal, he claimed that abandonment was the only solution the TRPA would ever consider or accept. During the administrative process

of abandonment, an olive branch was again held out to Washoe County through Assistant District Attorney Jen Gustafson to try and bring *all* the parties together to resolve the matter without further judicial intervention. That, too, met without success.

Four years later with hundreds of collective hours of legal resources having been expended and numerous promises having been made and left unfulfilled; the competing parties now all find themselves yet again at the same juncture, with the same conundrum, and still without an agreed solution that addresses real access concerns. Only this time, the Board of Adjustment is now formally involved and must administratively navigate both the Washoe County Development Code and the TRPA Code of Ordinances to reach an administrative decision that is ultimately subject to another round of judicial review.

As Washoe County Staff and [Section 110.810.00](#) note “[t]he purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts.” The issue of impaired access on Pahute Road is undisputed. The Washoe County Development Code and the TRPA Code of Ordinances unequivocally require that access issues be addressed when building a new structure. A solution which costs Caillier nothing which has also been used before in Crystal Bay has been offered. The Board of Adjustment should make this solution a condition of Caillier’s Special Use Permit.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Victor Ego". The signature is written in a cursive, flowing style.

Exhibit A

Abandonment Application Supplemental Information

(All required information may be separately attached)

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

The requested abandonment is the last (200?) feet of 425 Pahute Road

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

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

The proposed use for the vacated area is to rebuild a new single family residence in approximately the same footprint.

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

A replaced and improved turnaround area is proposed compared to the existing turnaround capability.

5. What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?

There are no other properties serviced by this area of the road; this property is the last and only serviced property by this section of ROW.

6. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)

* Yes	* No
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IMPORTANT

NOTICE REGARDING ABANDONMENTS:

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Exhibit B

See <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No.-V.-B.-Caillier-Tear-Down-Rebuild.pdf>

Exhibit C

From: [Jennifer Donohue](#)
To: [Olander, Julee](#)
Subject: RE: WAB20-0005
Date: Monday, August 10, 2020 7:55:36 AM
Attachments: [image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)

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

Morning.

NLTFPD recognizes the access challenges in this area and agrees with Engineering's recommendation, please.

Thank you,
Jen



Jennifer Donohue
Interim Fire Marshal

Office: [775.831.0351](tel:775.831.0351) x8127 | Cell: [775.434.4555](tel:775.434.4555)

Email: jdonohue@nltpd.net

[866 Oriole Way | Incline Village | NV 89451](#)



From: Olander, Julee <JOlander@washoecounty.us>
Sent: Thursday, July 30, 2020 3:54 PM
To: Jennifer Donohue <JDonohue@nltpd.net>
Subject: WAB20-0005

Jennifer,

Realized that I didn't have the attached application sent to you for your review. The applicant is now suggesting to have a portion of the abandonment left as an access easement- see the last attachment. Please let me know what you think and let me know if you have any questions.

Thanks,



Julee Olander

Planner | Community Services Department- Planning & Building Division

jolander@washoecounty.us | Office: 775.328.3627

1001 E. Ninth St., Bldg A., Reno, NV 89512

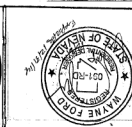
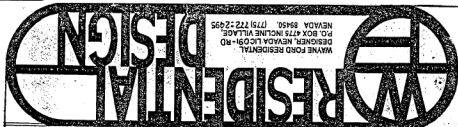
Visit us first online: www.washoecounty.us/csd

For Planning call (775) 328-6100

Email: Planning@washoecounty.us



Exhibit D



OWNER: GRABLE & ROUNING TRUSTEE
PROJECT: WASHOE COUNTY LEGAL, CRYSTAL BAY PARK, OFFICIAL SUB 14, BLK 12
SITE: 400 GONOWABIE ROAD, NEVADA, APR. 12-14-04
P.O. BOX 7804
CRISTAL VILLAGE, NEVADA 89450

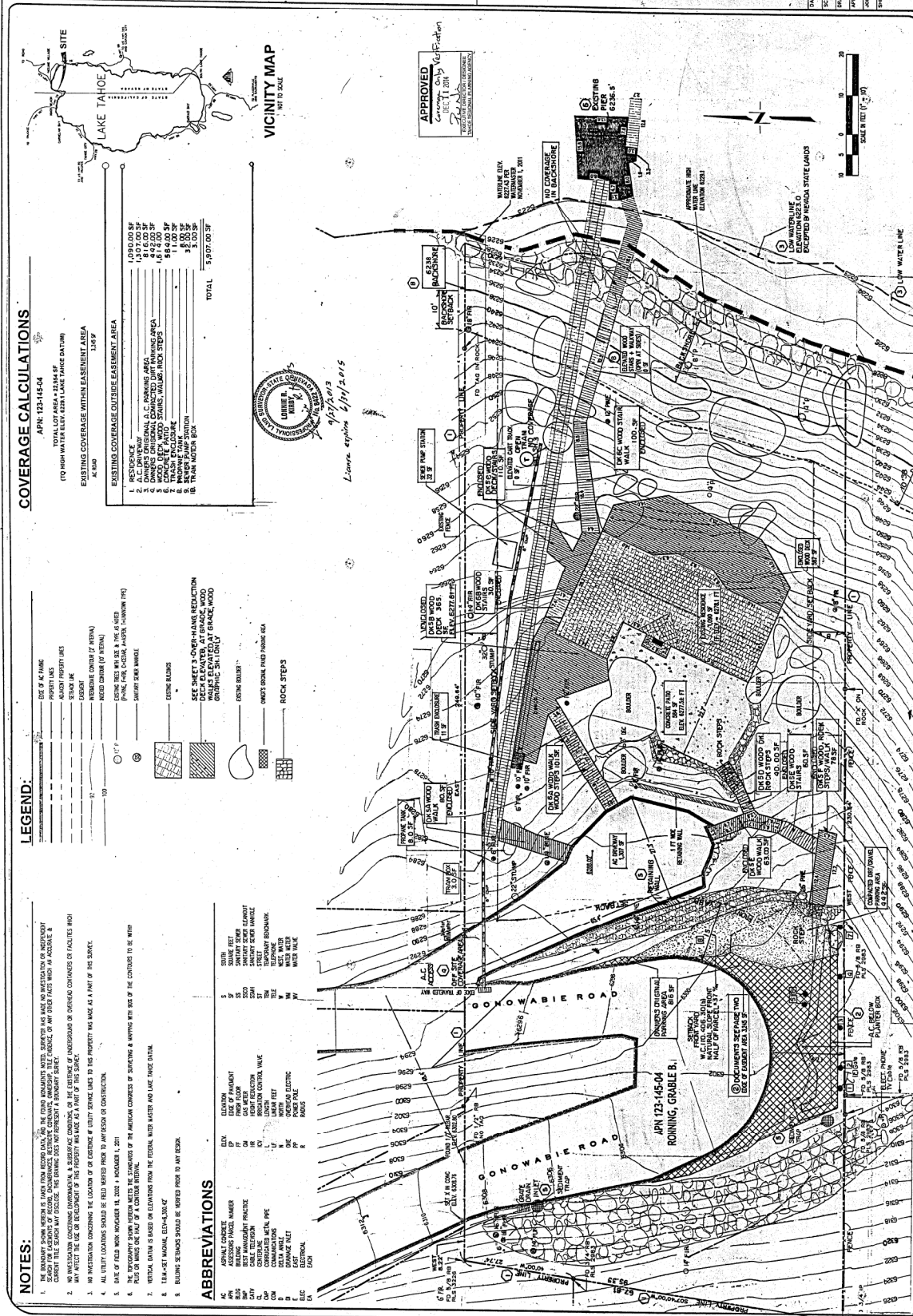
CHANGED APPROVED
DATE: 12/14/04
BY: WAINE FORD

DATE: 12/14/04
SCALE: 1" = 10'-0"
APPROVED BY: WAINE FORD
DATE: 12/14/04

TOPOGRAPHIC SURVEY
FOR
GRABLE & ROUNING TRUSTEE
APR. 12-14-04
CRYSTAL BAY PARK, OFFICIAL SUB 14, BLK 12
WASHINGTON COUNTY, NEVADA

K.B. FOSTER
CIVIL ENGINEERING, INC.
Planning • Engineering • Surveying
P.O. Box 123
Carson City, NV 89401
(702) 546-3368

DATE: 12/14/04
SCALE: 1" = 10'-0"
APPROVED BY: WAINE FORD
DATE: 12/14/04



DATA ADDED: WASHOE COUNTY LEGAL, CRYSTAL BAY PARK, OFFICIAL SUB 14, BLK 12
1. PROPERTY LINE NOTE
2. FENCE NOTE
3. LOWER WATER LINE
4. BRANCH OFF SITE COVERAGE - 100%
5. FENCE NOTE
6. CONCRETE APARTMENTS NAME OWNERS NAME
7. LOCAL TOPOGRAPHY, ELEVATION, EASEMENT
8. REFERENCE TO SITE & SURVEY COORDINATES
9. TOPOGRAHY (EXISTING COVERAGE)
10. REDUCED (NOTED)

TEST HOLES AT PLANTER
1. AC-100
2. AC-100
3. AC-100
4. AC-100
5. AC-100
6. AC-100
7. AC-100
8. AC-100
9. AC-100
10. AC-100

EXISTING RESIDENCE
1. EXISTING RESIDENCE
2. EXISTING RESIDENCE
3. EXISTING RESIDENCE
4. EXISTING RESIDENCE
5. EXISTING RESIDENCE
6. EXISTING RESIDENCE
7. EXISTING RESIDENCE
8. EXISTING RESIDENCE
9. EXISTING RESIDENCE
10. EXISTING RESIDENCE

APN: Portion of 123-145-04

When recorded, return to:

Washoe County Engineering
P.O. Box 11130
Reno, Nevada 89520



IRREVOCABLE OFFER OF DEDICATION

THIS IRREVOCABLE OFFER OF DEDICATION, made and entered into this 6 day of June, 2013, by and between Grable B. Ronning, as Trustee of The Bosworth Family Trust, hereinafter called "Offeror" and the County of Washoe, a political subdivision of the State of Nevada, hereinafter referred to as "Offeree", with reference to the following facts and is as follows:

WITNESSETH:

A. Prior to 1972 and at all times thereafter Gonowabie Road has existed as a paved road maintained by Offeree.

B. Offeror and Offeree desire to memorialize in writing the dedication of a portion of Gonowabie Road as more particularly described herein.

NOW THEREFORE, the Offeror does by these presents irrevocably offer to dedicate unto the Offeree and to its assigns, forever, a perpetual non-exclusive easement for roadway purposes over, across and through that certain paved portion of Gonowabie Road situate in the County of Washoe, State of Nevada, and more particularly described in Exhibits "A" and "B" attached hereto and by this reference made a part hereof ("Roadway Easement");

TO HAVE AND TO HOLD the Roadway Easement together with said appurtenances unto the said Offeree and to its assigns forever.

THE OFFER OF DEDICATION was duly accepted by a resolution of the Board of County Commissioners of Washoe County, Nevada, adopted on October 23, 2012.

IN WITNESS WHEREOF, Offeror has caused these presents duly to be executed the day and year first above written.

Grable B. Ronning, Trustee
Grable B. Ronning, as Trustee of
The Bosworth Family Trust

STATE OF NEVADA)
)
County of WASHOE)

This instrument was acknowledged before me on June 3, 2013, by
Grable B. Ronning, as Trustee of The Bosworth Family Trust.



Carolyn S. Ryon
(Signature of Notarial Officer)

Accepted for the County of Washoe,
by and through the Washoe County Surveyor

By:

Michael Gump
Michael Gump
Washoe County Surveyor

STATE OF NEVADA)
)
County of Washoe)

This instrument was acknowledged before me on June 6, 2013, by
Michael Gump as Washoe County Surveyor of Washoe County.



Kathleen M. Emerson
(Signature of Notarial Officer)

COPY

Exhibit "A"
Legal Description

(See attached.)

COPY

EXHIBIT A

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABIE ROAD AS OF JULY 2, 1998 FOR AN IRREVOCABLE OFFER OF DEDICATION

A parcel of land situated in Section 19, Township 16 North, Range 18 East, M.D.M., Washoe County, Nevada, being a portion of Parcels 1 and 2 as described in Deed in Book 3769 at Page 868, recorded June 21, 1993, in the office of the Recorder of Washoe County, Nevada. Said parcel being more particularly described as follows:

COMMENCING at the Northwest corner of said Parcel 1 of said deed and considering the Basis of Bearing of this description to be identical with the bearing South $89^{\circ}02'52''$ East from said Northwest corner (a found $5/8''$ rebar PLS-8422) to a point on the North line of said Parcel 2 (a found Nail and Tag in X on rock), as described in Deed in Book 3769 at Page 868, Washoe County Official Records (Deed record bearing of S $90^{\circ}00'00''$ E rotated $00^{\circ}57'08''$ clockwise to match Washoe county basis of bearings and Record of Survey basis of bearings);

Thence South $89^{\circ}02'52''$ East 6.56 feet along the North line of said Parcel 1 to the POINT OF BEGINNING;

Thence South $22^{\circ}55'23''$ East 3.57 feet to an angle point;

Thence South $17^{\circ}19'11''$ East 15.46 feet to an angle point;

Thence South $11^{\circ}43'20''$ East 30.35 feet to an angle point;

Thence South $24^{\circ}32'12''$ East 13.86 feet to the beginning of a curve;

Thence Southeasterly along the edge of pavement as surveyed as shown on a as-built contour survey by Kenneth F. Barrow, PLS 2983 dated July 2, 1998, Job No. 113-98, along the curve to the left with a radius of 30.00 feet through a central angle of $56^{\circ}36'40''$ an arc distance of 29.64 feet through said Parcels 1 and 2 to a point of compound curve;

Thence Northeasterly along said surveyed edge of pavement as of July 2, 1998 along the curve to the left with a radius of 24.20 feet through a central angle of $108^{\circ}21'53''$ an arc distance of 45.77 feet to the end of the curve;

Thence North $09^{\circ}30'45''$ West 19.42 feet to an angle point;

Thence North $14^{\circ}28'44''$ West 14.24 feet through said Parcels 1 and 2 to an angle point;

Thence North $02^{\circ}33'26''$ East 6.76 feet to an angle point;

Thence North 05°56'52" West 8.98 feet to the North line of said Parcel 1;

Thence North 89°02'52" West 17.42 feet along the North line of said Parcel 1 to an angle point;

Thence South 07°19'11" East 26.56 feet along the edge of pavement as shown on a Washoe County survey dated August 24, 2010 to an angle point;

Thence South 04°38'34" East 12.98 feet along the edge of pavement as shown by said Washoe County survey to an angle point;

Thence South 13°51'40" West 2.52 feet along the edge of pavement as shown by said Washoe County survey to an angle point;

Thence South 87°15'39" West 11.02 feet along the existing edge of pavement to an angle point;

Thence North 20°01'24" West 36.73 feet along the said edge of pavement as shown on a survey by Robert O. Anderson dated May 16, 2003, Job No. 1016-01 to an angle point;

Thence North 22°32'52" West 8.80 feet more or less along the said edge of pavement as shown by Robert O. Anderson survey to the North line of said Parcel 1;

Thence North 89°02'52" West 20.24 feet along the North line of said Parcel 1 to the POINT OF BEGINNING.

Said parcel contains 3,245 Square feet more or less.

Attached hereto is a plat consisting of two pages and by this reference made a part hereof.

Refer this legal description to your Title Company.

Prepared by:

11/06/2012
Lonnie R. Kirby P.L.S. 8422
License expires 6/30/2013

K.B. Foster Civil Engineering, Inc.
P.O. Box 129 (530) 546-3381
Carnelian Bay, California 96140



Exhibit "B"
Survey

(See attached.)

COPY

EXHIBIT CONTINUED

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABE ROAD AS OF JULY 2, 1998, FOR AN IRREVOCABLE OFFER OF DEDICATION WITHIN PARCELS AS DESCRIBED IN DEED BOOK 3769 AT PAGE 0868, RECORDED JUNE 21, 1993, WASHOE COUNTY, NEVADA OFFICIAL RECORDS

SECTION 19, T. 16 N., R. 18 E., M.D.B. & M.

NOTES:

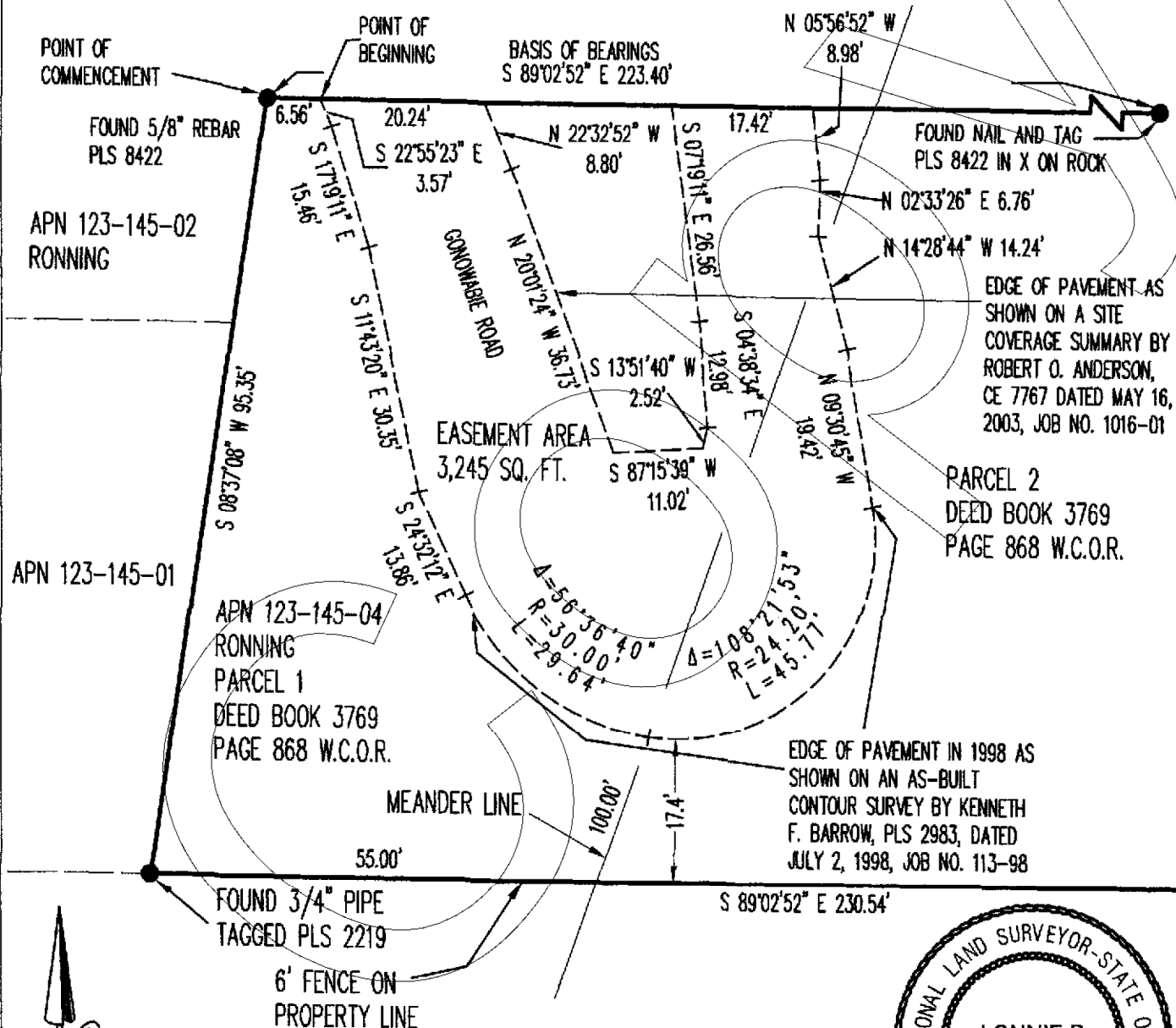
INFORMATION PER DEED, BOOK 3769, PAGE 0868, W.C.O.R.

INFORMATION PER RECORD OF SURVEY S _____ W.C.O.R.

INFORMATION PER AN AS-BUILT CONTOUR SURVEY BY KENNETH F. BARROW, PLS 2983, DATED JULY 2, 1998, JOB NO. 113-98

INFORMATION PER A SITE COVERAGE SUMMARY BY ROBERT O. ANDERSON, CE 7767, DATED MAY 16, 2003, JOB NO. 1016-01

SEE PAGE 2 OF THIS EXHIBIT B FOR OTHER AREAS AND INFORMATION

**BASIS OF BEARINGS:**

THE BEARING S 89°02'52\" E FROM THE NORTHWEST CORNER OF PARCEL 1 A FOUND 5/8\" REBAR PLS 8422 TO A FOUND NAIL AND TAG PLS 8422 ON A ROCK 223.40' ALONG THE NORTH LINE OF PARCELS AS DESCRIBED BY DEED IN BOOK 3769 AT PAGE 868 W.C.O.R. (RECORD PARCEL LINE BEARINGS ROTATED TO WASHOE COUNTY BASIS OF BEARINGS) WAS USED AS THE BASIS OF BEARINGS FOR THIS DESCRIPTION



11/06/2012

License expires 06/30/2013

FILE # 02299

SCALE: 1"=20' WSNR240007

PUBLIC COMMENT

EXHIBIT CONTINUED

LEGAL DESCRIPTION OF ASPHALT PAVEMENT OF A PORTION OF GONOWABIE ROAD AS OF JULY 2, 1998, FOR AN IRREVOCABLE OFFER OF DEDICATION
 WITHIN PARCELS AS DESCRIBED IN DEED BOOK 3789 AT PAGE 0868, RECORDED JUNE 21, 1993, WASHOE COUNTY, NEVADA OFFICIAL RECORDS
 SECTION 19, T. 16 N., R. 18 E., M.D.B. & M.

NOTES:

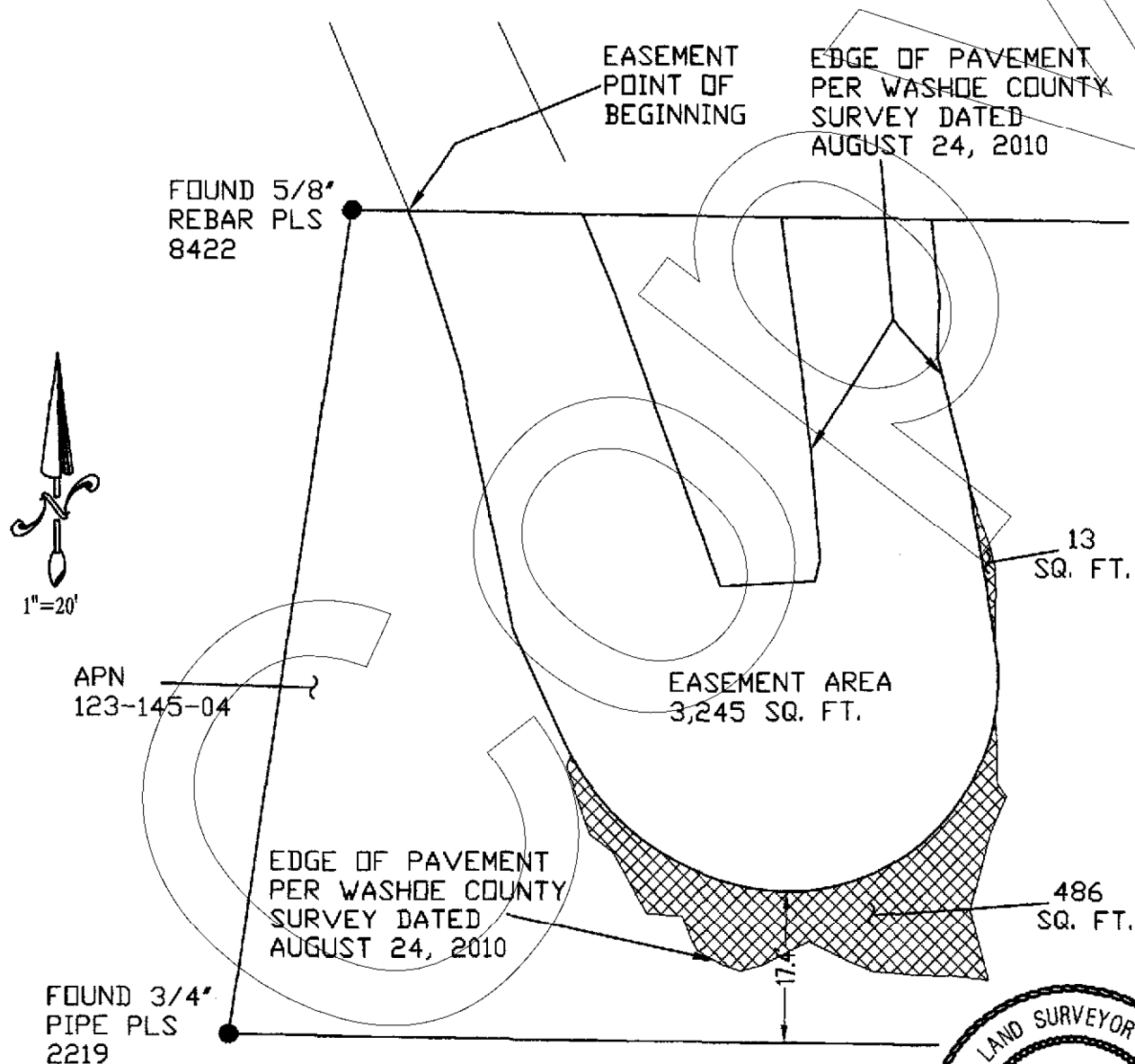
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INFORMATION PER A SITE COVERAGE SUMMARY BY ROBERT O. ANDERSON, CE 7767, DATED MAY 16, 2003, JOB NO. 1016-01

INFORMATION PER WASHOE COUNTY SURVEY DATED AUGUST 24, 2010

**LEGEND**

OWNER'S ORIGINAL PAVED PARKING AREA



K.B.FOSTER
 CIVIL ENGINEERING, INC.

License expires 06/30/2015 FILE # 02299
 SCALE: 1"=20' WSUP24-0007
 PAGE 2 OF 2

PUBLIC COMMENT