



February 14, 2020

Community Services Department
Planning and Building
1011 E. Ninth St., Bldg. A
Reno, NV 89512-2845

Re: Abandonment Application, Incline Village
Lots 4, 5 and 6 Industrial Subdivision No. 2
APN's 132-240-01, 132-240-02, 132-240-03

Dear Community Services Dept.,

The attached application and associated exhibits is for the abandonment of an approximately 5 feet (5') wide parcel of land located between Lots 4, 5 and 6 of the Industrial Subdivision No. 2 ("the subdivision") and the NDOT right of way for Hwy 28 (Tahoe Blvd.) that is currently owned by Washoe County. Our company is currently in the process of purchasing Lots 5 and 6 of the subdivision from the current owner, Ms. Chim for our use in a redevelopment project.

This 5' wide parcel was first determined to be Washoe County property during a review by the Nevada Department of Transportation (NDOT) and communicated to our office on August 28, 2019 as their office was developing a lease agreement for use of the right of way adjacent to lots 5 and 6 of the subdivision (see attached email correspondence). It appears that when the right of way was originally set aside for the highway, Washoe County provided 140' of width with seventy feet (70') to either side of the proposed centerline of the highway. NDOT then claimed 135' of width with seventy feet (70') to the north of the centerline and sixty-five feet (65') to the south of the centerline.

Our office has worked with Wayne Handrock, Washoe County Surveyor, since early September of 2019 to validate the ownership and process for transfer of the parcel to the current owner, Ms. Chim. Mr. Handrock worked with the County Attorney's office and County Engineer's office for the determination. On January 24, Mr. Handrock contacted me via phone call to inform me that the County Attorney's office has determined that the parcel is Washoe County property and they will transfer the land to Lots 5 and 6 through the County's abandonment process. While initially discussing lots 5 and 6 of the subdivision, it makes sense to include the other lot to the immediate west, lot 4, which is also owned by Ms. Chim so that the issue does not arise for her again in future land transactions.

We have completed legal descriptions and exhibits for all three lots individually for ease of final transfer to each lot and included them in the application packet.

If you need additional information or would like to discuss with our team, please do not hesitate to contact me at kevinb@evcdev.com or (785) 670-6223.

Sincerely,
Equity Ventures Commercial Development, LC

A handwritten signature in blue ink that reads "Kevin W. Beck". The signature is fluid and cursive.

Kevin W. Beck, PE, LEED AP
Director of Development

Community Services Department
Planning and Building
ABANDONMENT APPLICATION



Community Services Department
Planning and Building
1001 E. Ninth St., Bldg. A
Reno, NV 89512-2845

Telephone: 775.328.6100

Abandonment

Washoe County Code (WCC) Chapter 110, Article 806, Abandonment, provides for the vacation or abandonment of easements or streets. Applications for the vacation or abandonment of a street or easement owned by the County, or a government patent easement, may be initiated by the Board of County Commissioners, Planning Commission, the Director of Planning and Building or an owner of real property abutting an easement or public street right-of-way. See WCC 110.806, for further information.

Development Application Submittal Requirements

Applications are accepted on the 15th of each month (if the 15th is a non-work day, the first working day after the 15th)

1. **Fees:** See Master Fee Schedule. **Bring payment with your application to Community Services Department (CSD). Make check payable to Washoe County.** There may also be a fee due to the Engineering and Capital Projects for Technical Plan Check
2. **Development Application:** A completed Washoe County Development Application form.
3. **Owner Affidavit:** The Owner Affidavit must be signed and notarized by all owners of the property subject to the application request.
4. **Proof of Property Tax Payment:** The applicant must provide a written statement from the Washoe County Treasurer's Office indicating all property taxes for the current quarter of the fiscal year on the land have been paid.
5. **Application Materials:** The completed Abandonment Application materials.
6. **Title Report:** A preliminary title report, with an effective date of no more than one hundred twenty (120) days of the submittal date, by a title company which provides the following information:
 - Name and address of property owners.
 - Legal description of property.
 - Description of all easements and/or deed restrictions.
 - Description of all liens against property.
 - Any covenants, conditions and restrictions (CC&Rs) that apply.

Submit Title Report with "Original Packet" only. You may be requested to provide additional copies, but do not include Title Report in other copies of the packet.
7. **Site Plan Specifications:**
 - a. Lot size with dimensions drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') showing all streets and ingress/egress to the property.
 - b. Show the location and configuration of all proposed buildings (with distances from the property lines and from each other), all existing buildings that will remain (with distances from the property lines and from each other), all existing buildings that will be removed, and site improvements on a base map with existing and proposed topography expressed in intervals of no more than five (5) feet.
 - c. Show the location and configuration of wells, septic systems and leach fields, overhead utilities, water and sewer lines, and all easements.
 - d. Show locations of parking, landscaping, signage and lighting.
8. **Application Map Specifications:** Map to be drawn using standard engineering scales (e.g. scale 1" = 100', 1" = 200', or 1" = 500') clearly depicting the area subject to the request, in relationship to the exterior property lines. All dimensions and area values shall be clearly labeled and appropriate symbols and/or line types shall be included in the map legend to depict the map intent.

9. **Packets:** Three (3) packets and flash drive or DVD - any digital documents need to have a resolution of 300 dpi. One (1) packet must be labeled "Original" and contain a signed and notarized Owner Affidavit. Each packet shall include one (1) 8.5" x 11" reduction of any applicable site plan, development plan, and/or application map. These materials must be readable. Labeling on these reproductions should be no smaller than 8 point on the 8½ x 11" display. Large format sheets should be included in a slide pocket(s). Any specialized reports identified above shall be included as attachments or appendices and be annotated as such.

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- Notes:
- (i) Application and map submittals must comply with all specific criteria as established in the Washoe County Development Code and/or the Nevada Revised Statutes.
 - (ii) Appropriate map engineering and building architectural scales are subject to the approval of the Planning and Building and/or Engineering and Capital Projects.
 - (iii) All oversized maps and plans must be folded to a 9" x 12" size.
 - (iv) Based on the specific nature of the development request, Washoe County reserves the right to specify additional submittal packets, additional information and/or specialized studies to clarify the potential impacts and potential conditions of development to minimize or mitigate impacts resulting from the project. No application shall be processed until the information necessary to review and evaluate the proposed project is deemed complete by the Director of Planning and Building.
 - (v) **Labels:** If the assigned planner determines the abandonment will affect the access to a mobile home park, the applicant will be required to submit three (3) sets of mailing labels for every tenant residing in the mobile home park.

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name: Incline Village Right of Way Abandonment			
Project Description: Abandon an approximate five feet (5') wide strip of land between NDOT State Route 28 (Tahoe Blvd.) and Lots 4, 5 and 6 of Industrial Subdivision No. 2. The 5' strip was created as there was initially 140' reserved from NDOT right of way taking through the area but NDOT possesses only 135'.			
Project Address: north of 869 and 873 Tahoe Blvd, Incline Village, NV 89451			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets AND area locator):			
Approximately 650' west of the intersection of Village Blvd. and Tahoe Blvd (State Route 28) in Incline Village, NV.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
132-240-02	0.35	132-240-01	1.40
132-240-03	0.30		
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Marilyn M. Chim		Name:	
Address: 930 Tahoe Blvd., STE 802-88		Address:	
Incline Village, NV Zip: 89451		Zip:	
Phone: (510) 882-0688 Fax:		Phone: Fax:	
Email: mchim@yahoo.com		Email:	
Cell: Other:		Cell: Other:	
Contact Person: Marilyn M. Chim		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Equity Ventures Commercial Development, LC		Name:	
Address: 3501 SW Fairlawn Rd., STE 200		Address:	
Topeka, KS Zip: 66614		Zip:	
Phone: 785-670-6223 Fax:		Phone: Fax:	
Email: kevinb@evcdev.com		Email:	
Cell: Other:		Cell: Other:	
Contact Person: Kevin Beck		Contact Person:	
For Office Use Only			
Date Received: Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Abandonment Application Supplemental Information

(All required information may be separately attached)

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

The abandonment is an approximately 5 feet (5') wide strip of land that is between the NDOT right of way for State Route 28 and Lots 4, 5 and 6 of Industrial Subdivision No. 2. It extends the entire width of Lots 4, 5 and 6.

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

Original Plat of Industrial Subdivision No. 2.

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

The land ownership will be transferred to Lots 4, 5 and 6 of Industrial Subdivision No. 2, as applicable per lot, and owned by the current owner.

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

Not applicable

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?

None

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.)

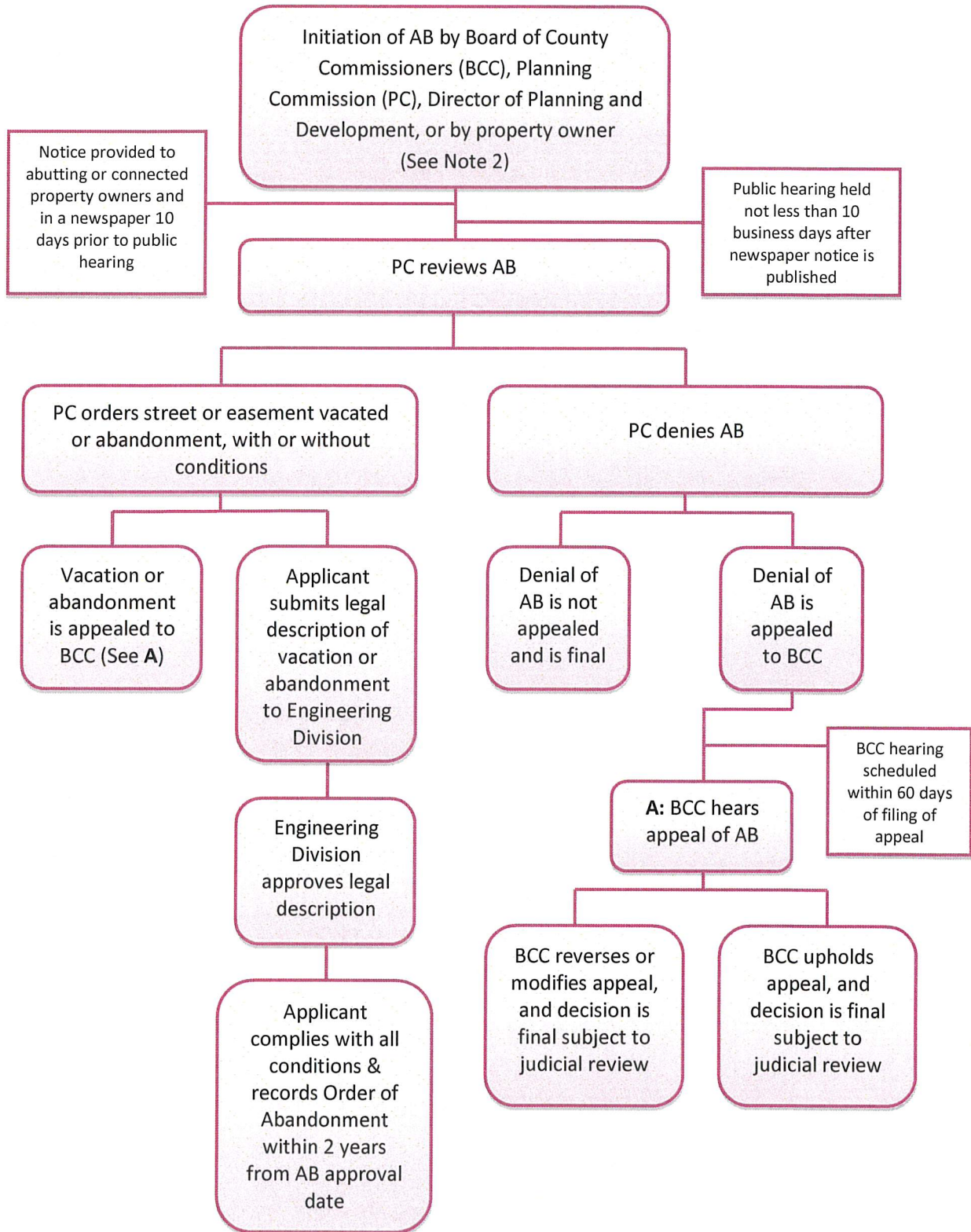
* Yes	* No X
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IMPORTANT

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.

Abandonment (AB) – Article 806 (See Note 1)



Note 1: Identified as vacations or abandonments of easements or streets in WCC Chapter 110.

Note 2: Street or easement must be owned by Washoe County, or is a government patent easement. Property owner must own property abutting the easement or public street right-of-way.

This flowchart is an overview of this development application process and is not intended to be a comprehensive guide. Please refer to the Development Code Article shown above for more complete information about the application, to include specifics on notice, internal and external agency review.

**PLOT
EXHIBIT "A"
RIGHT OF WAY ABANDONMENT
DESCRIPTION**

Being a portion of the Right of Way of the State of Nevada Highway No. 28, adjacent to The Industrial Subdivision Unit No. 2, as filed as Tract No. 883, filed in the Official Records of Washoe County, Nevada. Also located in Section 15, Township 16 North, Range 18 East, M.D.B. & M., and more particularly as described as follows:

Beginning at the northwest corner of Lot 4, as shown on the Industrial Subdivision No.2, Subdivision Tract No.883, Official Records of Washoe County, Nevada, thence from said point of beginning the following four (4) courses:

- 1) North $0^{\circ}00'00''$ E, 5.02 feet;
- 2) along an arc of a non-tangent curve to the left, concave to the North, having a radius of 20,065.00 feet, a central angle of $0^{\circ}17'10''$, a distance of 100.24 feet, said curve being subtended by a chord which bears South $84^{\circ}55'34''$ East, 100.24 feet;
- 3) South $2^{\circ}10'14''$ West 5.01 feet, to the northeast corner of said lot 4;
- 4) along the northerly line of said lot 4, along an arc of a non-tangent curve to the right, concave to the North, having a radius of 20,070.00 feet, a central angle of $0^{\circ}17'08''$, a distance of 100.05 feet, said curve being subtended by a chord which bears North $84^{\circ}55'38''$ West, 100.05 feet, more or less to the point of beginning.

Above described Right of Way Abandonment contains 501 feet, more or less.

The bearings used in this document are based upon those shown on the Industrial Subdivision No.2, Subdivision Tract No.883, Official Records of Washoe County, Nevada.

This easement abandonment affects APN: 132-240-01.

EXHIBIT 'B'
RIGHT OF WAY ABANDONMENT EXHIBIT

BEING A PORTION OF THE RIGHT OF WAY FOR NEVADA STATE HIGHWAY No. 28, ALSO A PORTION OF SECTION 15, TOWNSHIP 16 NORTH, RANGE 18 EAST, M.D.B. & M.

COUNTY OF WASHOE
FEBRUARY 2020

NEVADA
SCALE: 1"=30'



TAHOE BLVD.
STATE ROUTE 28
(135' R.O.W.)

$L=100.24'$
 $R=20065.00'$
 $\Delta=0^{\circ}17'10''$
 $Ch=S84^{\circ}55'34''E$
 $L=100.24'$

R.O.W. ABANDONMENT
AREA = 501 ± SF

$N0^{\circ}00'00''E$
5.02'

$S2^{\circ}10'14''W$
5.01'

P.O.B.

5.0'

PARCEL "D"

$L=100.05'$
 $R=20070.00'$
 $\Delta=0^{\circ}17'08''$
 $Ch=N84^{\circ}55'38''W$
 $L=100.05'$

LOT 5

LOT 4
MARILYN M. CHIM
LIVING TRUST
DOC.# 4678229
APN: 132-240-01

LOT 3

THE BASIS BEARINGS USED IN THIS DESCRIPTION ARE BASED UPON THOSE SHOWN ON THE INDUSTRIAL SUBDIVISION NO.2, SUBDIVISION TRACT NO.883, O.R.W.C.

WLS
WEBB LAND SURVEYING, INC.

3190 Fabian Way, Unit C
Tahoe City, CA 96145
P.O. Box 1222
Carnelian Bay, CA 96140
(530) 581-2599
FAX (530) 581-3231

PREPARED FOR:
CHIM LIVING TRUST
APN: 132-240-01
3177.00
317700-row.dwg

EXHIBIT "A"
RIGHT OF WAY ABANDONMENT
DESCRIPTION

Being a portion of the Right of Way of the State of Nevada Highway No. 28, adjacent to The Industrial Subdivision Unit No. 2, as filed as Tract No. 883, filed in the Official Records of Washoe County, Nevada. Also located in Section 15, Township 16 North, Range 18 East, M.D.B. & M., and more particularly as described as follows:

Beginning at the northwest corner of Lot 5, as shown on the Industrial Subdivision No.2, Subdivision Tract No.883, Official Records of Washoe County, Nevada, thence from said point of beginning the following four (4) courses:

- 1) North 2°10'14" E, 5.01 feet;
- 2) along an arc of a non-tangent curve to the left, concave to the North, having a radius of 20,065.00 feet, a central angle of 0°16'36", a distance of 96.91 feet, said curve being subtended by a chord which bears South 85°12'28" East, 96.91 feet;
- 3) South 4°27'58" East 5.06 feet, to the northeast corner of said lot 5;
- 4) along the northerly line of said lot 5, along an arc of a non-tangent curve to the right, concave to the North, having a radius of 20,070.00 feet, a central angle of 0°16'42", a distance of 97.50 feet, said curve being subtended by a chord which bears North 85°12'33" West, 97.50 feet, more or less to the point of beginning.

Above described Right of Way Abandonment contains 486 feet, more or less.

The bearings used in this document are based upon those shown on the Industrial Subdivision No.2, Subdivision Tract No.883, Official Records of Washoe County, Nevada.

This easement abandonment affects APN: 132-240-02.

EXHIBIT 'B'
RIGHT OF WAY ABANDONMENT EXHIBIT

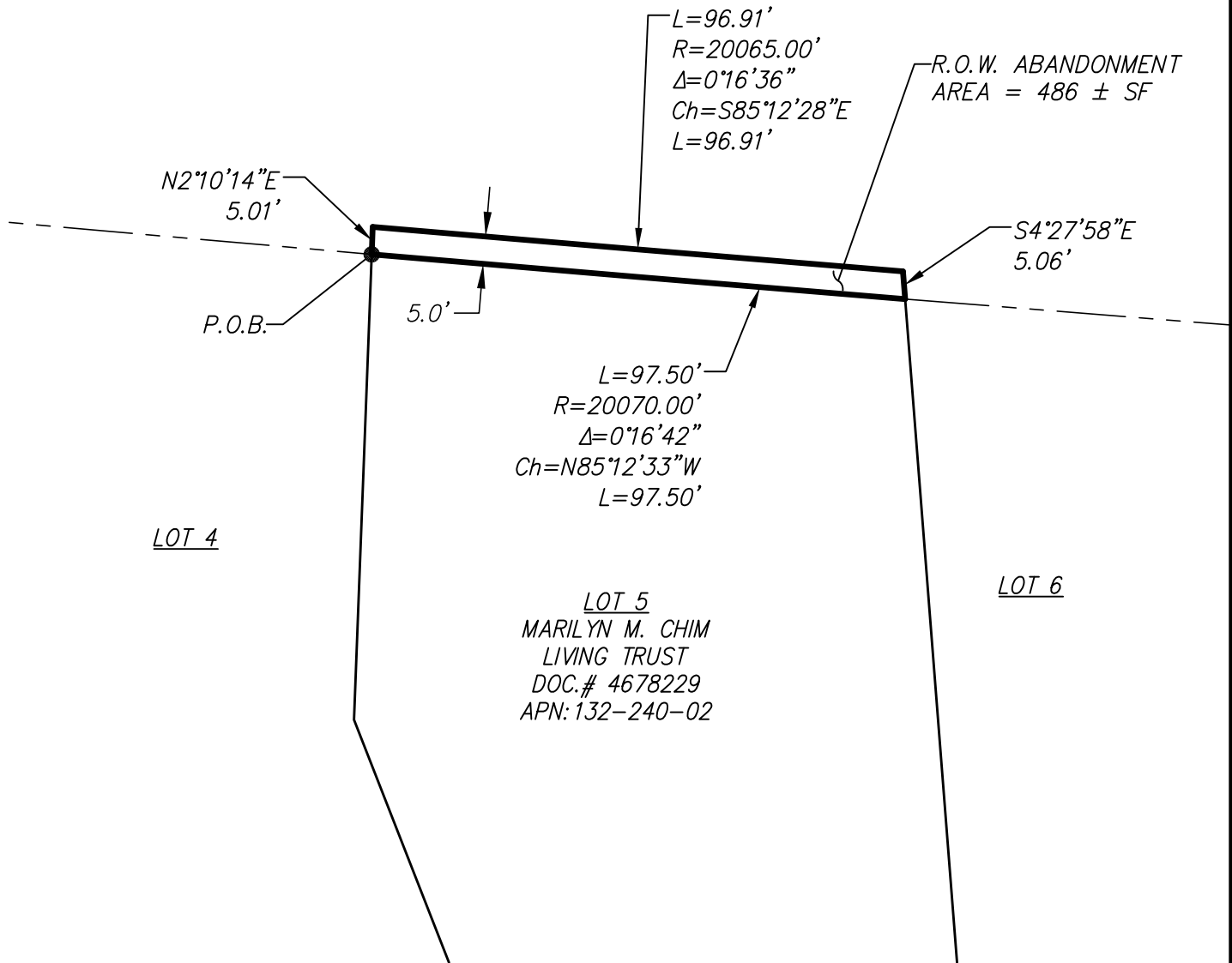
BEING A PORTION OF THE RIGHT OF WAY FOR NEVADA STATE HIGHWAY No. 28, ALSO A
 PORTION OF SECTION 15, TOWNSHIP 16 NORTH, RANGE 18 EAST, M.D.B. & M.

COUNTY OF WASHOE
 FEBRUARY 2020

NEVADA
 SCALE: 1"=30'



TAHOE BLVD.
 STATE ROUTE 28
 (135' R.O.W.)



THE BASIS BEARINGS USED IN THIS DESCRIPTION ARE BASED UPON THOSE SHOWN ON THE INDUSTRIAL
 SUBDIVISION NO.2, SUBDIVISION TRACT NO.883, O.R.W.C.

<p>WLS WEBB LAND SURVEYING, INC.</p>	<p>3190 Fabian Way, Unit C Tahoe City, CA 96145 P.O. Box 1222 Carnelian Bay, CA 96140 (530) 581-2599 FAX (530) 581-3231</p>	<p align="right">PREPARED FOR: CHIM LIVING TRUST 3177.00 317700-row.dwg</p> <p align="center">APN: 132-240-02</p>
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EXHIBIT "A"
RIGHT OF WAY ABANDONMENT
DESCRIPTION

Being a portion of the Right of Way of the State of Nevada Highway No. 28, adjacent to The Industrial Subdivision Unit No. 2, as filed as Tract No. 883, filed in the Official Records of Washoe County, Nevada. Also located in Section 15, Township 16 North, Range 18 East, M.D.B. & M., and more particularly as described as follows:

Beginning at the northwest corner of Lot 6, as shown on the Industrial Subdivision No.2, Subdivision Tract No.883, Official Records of Washoe County, Nevada, thence from said point of beginning the following four (4) courses:

- 1) North 4°27'58" E, 5.06 feet;
- 2) along an arc of a non-tangent curve to the left, concave to the North, having a radius of 20,065.00 feet, a central angle of 0°15'54", a distance of 92.83 feet, said curve being subtended by a chord which bears South 85°28'43" East, 92.83 feet;
- 3) South 6°38'38" East 5.09 feet, to the northeast corner of said lot 6;
- 4) along the northerly line of said lot 6, along an arc of a non-tangent curve to the right, concave to the North, having a radius of 20,070.00 feet, a central angle of 0°15'56", a distance of 93.02 feet, said curve being subtended by a chord which bears North 85°28'52" West, 93.02 feet, more or less to the point of beginning.

Above described Right of Way Abandonment contains 465 feet, more or less.

The bearings used in this document are based upon those shown on the Industrial Subdivision No.2, Subdivision Tract No.883, Official Records of Washoe County, Nevada.

This easement abandonment affects APN: 132-240-03.

EXHIBIT 'B'
RIGHT OF WAY ABANDONMENT EXHIBIT

BEING A PORTION OF THE RIGHT OF WAY FOR NEVADA STATE HIGHWAY No. 28, ALSO A
 PORTION OF SECTION 15, TOWNSHIP 16 NORTH, RANGE 18 EAST, M.D.B. & M.

COUNTY OF WASHOE
 FEBRUARY 2020

NEVADA
 SCALE: 1"=30'



TAHOE BLVD.
 STATE ROUTE 28
 (135' R.O.W.)

$L=92.83'$
 $R=20065.00'$
 $\Delta=0^{\circ}15'54''$
 $Ch=S85^{\circ}28'43''E$
 $L=92.83'$

R.O.W. ABANDONMENT
 AREA = 465 ± SF

$N4^{\circ}27'58''W$
 5.06'

$S6^{\circ}38'38''E$
 5.09'

5.0'

$L=93.02'$
 $R=20070.00'$
 $\Delta=0^{\circ}15'56''$
 $Ch=N85^{\circ}28'52''W$
 $L=93.02'$

LOT 5

LOT 7

LOT 6
 MARILYN M. CHIM
 LIVING TRUST
 DOC.# 4678229
 APN: 132-240-03

THE BASIS BEARINGS USED IN THIS DESCRIPTION ARE BASED UPON THOSE SHOWN ON THE INDUSTRIAL
 SUBDIVISION NO.2, SUBDIVISION TRACT NO.883, O.R.W.C.

WLS
 WEBB LAND SURVEYING, INC.

3190 Fabian Way, Unit C
 Tahoe City, CA 96145
 P.O. Box 1222
 Carnelian Bay, CA 96140
 (530) 581-2599
 FAX (530) 581-3231

PREPARED FOR:
 CHIM LIVING TRUST
 3177.00
 APN: 132-240-03
 317700-row.dwg

Parcel Map Check Report

Client:
Client
Client Company
Address 1
Date: 2/12/2020 1:14:10 PM

Prepared by:
Preparer
Your Company Name
123 Main Street

Parcel Name: Site 1 - lot 4

Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:4,651.1945' East:6,139.5308'

Segment# 1: Line

Course: N0° 00' 00"E Length: 5.02'
North: 4,656.2145' East: 6,139.5308'

Segment# 2: Curve

Length: 100.24' Radius: 20,065.00'
Delta: 0°17'10" Tangent: 50.12'
Chord: 100.24' Course: S84° 55' 34"E
Course In: N5° 13' 01"E Course Out: S4° 55' 50"W
RP North: 24,638.0963' East: 7,963.9830'
End North: 4,647.3448' East: 6,239.4312'

Segment# 3: Line

Course: S2° 10' 14"W Length: 5.01'
North: 4,642.3384' East: 6,239.2415'

Segment# 4: Curve

Length: 100.05' Radius: 20,070.00'
Delta: 0°17'08" Tangent: 50.03'
Chord: 100.05' Course: N84° 55' 38"W
Course In: N4° 55' 48"E Course Out: S5° 12' 56"W
RP North: 24,638.0881' East: 7,964.0291'
End North: 4,651.1828' East: 6,139.6068'

Perimeter: 210.32' Area: 500.73Sq.Ft.
Error Closure: 0.0769 Course: S81° 14' 37"E
Error North : -0.01170 East: 0.07597

Precision 1: 2,734.98

Parcel Name: Site 1 - lot 5

Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:4,640.8030' East:7,356.4982'

Segment# 1: Line

Course: N2° 10' 14"E Length: 5.01'
North: 4,645.8095' East: 7,356.6879'

Segment# 2: Curve

Length: 96.91' Radius: 20,065.00'
Delta: 0°16'36" Tangent: 48.46'
Chord: 96.91' Course: S85° 12' 28"E
Course In: N4° 55' 50"E Course Out: S4° 39' 14"W
RP North: 24,636.5610' East: 9,081.2397'
End North: 4,637.7151' East: 7,453.2379'

Segment# 3: Line

Course: S4° 27' 58"E Length: 5.06'
North: 4,632.6705' East: 7,453.6319'

Segment# 4: Curve
Length: 97.50' Radius: 20,070.00'
Delta: 0°16'42" Tangent: 48.75'
Chord: 97.50' Course: N85° 12' 33"W
Course In: N4° 39' 06"E Course Out: S4° 55' 48"W
RP North: 24,636.5630' East: 9,081.2635'
End North: 4,640.8133' East: 7,356.4759'

Perimeter: 204.48' Area: 486.02Sq.Ft.
Error Closure: 0.0245 Course: N65° 22' 09"W
Error North : 0.01020 East: -0.02226

Precision 1: 8,346.12

Parcel Name: Site 1 - lot 6

Description:
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:4,583.6589' East:8,491.5856'

Segment# 1: Line
Course: N4° 27' 58"W Length: 5.06'
North: 4,588.7035' East: 8,491.1915'

Segment# 2: Curve
Length: 92.83' Radius: 20,065.00'
Delta: 0°15'54" Tangent: 46.41'
Chord: 92.83' Course: S85° 28' 43"E
Course In: N4° 39' 14"E Course Out: S4° 23' 20"W
RP North: 24,587.5494' East: 10,119.1934'
End North: 4,581.3878' East: 8,583.7057'

Segment# 3: Line
Course: S6° 38' 38"E Length: 5.09'
North: 4,576.3320' East: 8,584.2946'

Segment# 4: Curve
Length: 93.02' Radius: 20,070.00'
Delta: 0°15'56" Tangent: 46.51'
Chord: 93.02' Course: N85° 28' 52"W
Course In: N4° 23' 10"E Course Out: S4° 39' 06"W
RP North: 24,587.5534' East: 10,119.1947'
End North: 4,583.6608' East: 8,491.5631'

Perimeter: 196.00' Area: 464.62Sq.Ft.
Error Closure: 0.0226 Course: N85° 04' 50"W
Error North : 0.00194 East: -0.02249

Precision 1: 8,672.57

STATE OF NEVADA
 COUNTY OF WASHOE
 Know all men by these presents that I, **Leonard E. Bowers**, do hereby certify that this plan is a true and accurate map of the lands represented hereon, surveyed by me and brought from the field into the office of the Surveyor for the County of Washoe, Nevada, and that the same are in accordance with the laws and regulations relating to the survey of public lands and that the same are in accordance with the laws and regulations relating to the survey of public lands and that the same are in accordance with the laws and regulations relating to the survey of public lands...

Subscribed and sworn to before me this 15th day of February, 1964.
 My Commission Expires
 Leonard E. Bowers, Professional Engineer, Land Surveyor No. 1967

STATE OF NEVADA
 COUNTY OF WASHOE
 Know all men by these presents that the Board of County Commissioners of Washoe County, Nevada, do hereby certify that the map of the Crystal Bay Development Company, Inc. is a true and accurate map of the lands represented hereon, surveyed by me and brought from the field into the office of the Surveyor for the County of Washoe, Nevada, and that the same are in accordance with the laws and regulations relating to the survey of public lands and that the same are in accordance with the laws and regulations relating to the survey of public lands...

A tentative map of this subdivision was approved by the Regional Planning Commission of Reno, Sparks and Washoe County on the 3rd day of November, 1963.
 Approved and accepted this 25th day of January, 1964, by the Board of County Commissioners of Washoe County, Nevada.
 Chairman
 Chief Deputy

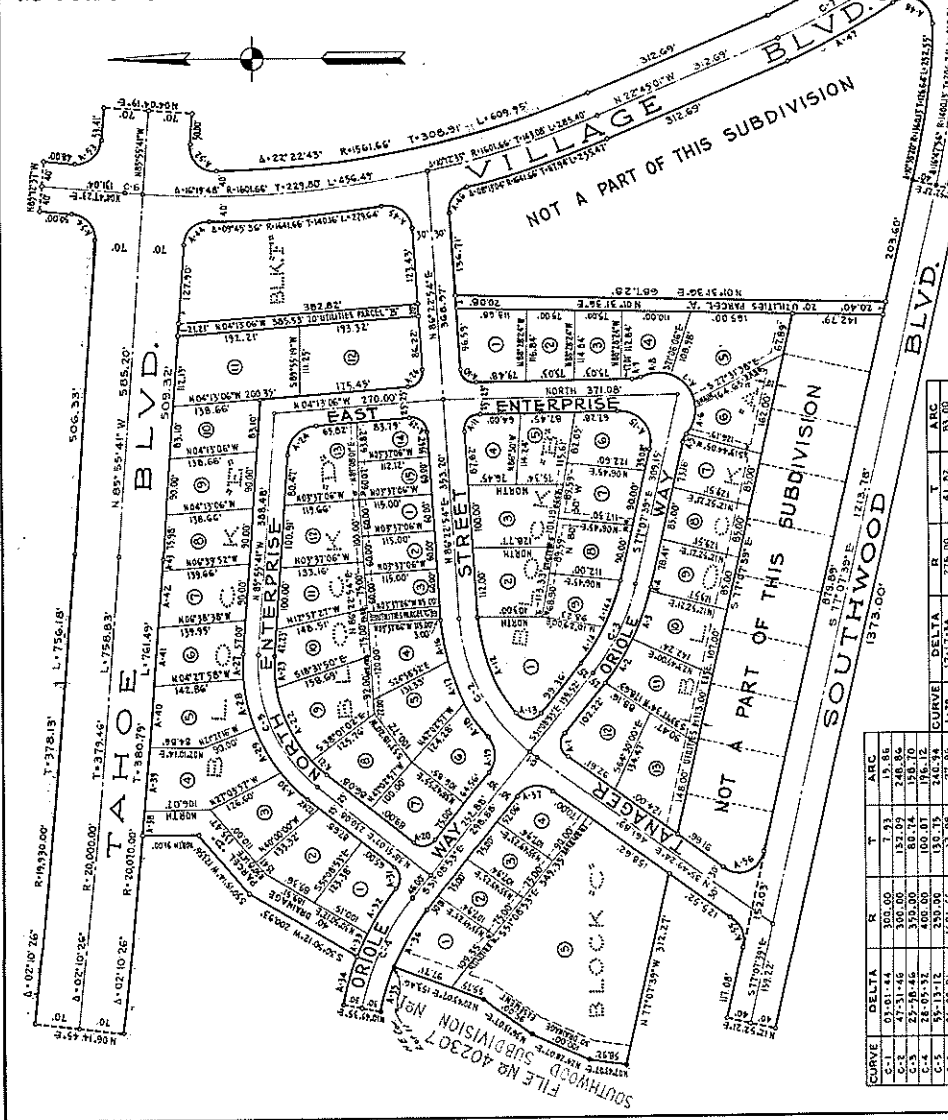
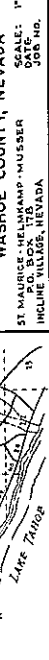
STATE OF NEVADA
 COUNTY OF WASHOE
 I, the undersigned, certify that the undersigned Crystal Bay Development Company, Inc. is the owner of the tract of land represented on this map and plan and that the same is executed in compliance with and subject to the provisions of N.R.S. Chapter 218, and N.R.S. Chapter 116 and the streets, avenues and highways shown on this map or plan are hereby dedicated and set apart to be used as public thoroughfares forever.

In Witness Whereof, the said Crystal Bay Development Company, Inc. has caused the name to be signed and its corporate seal, hereto affixed by its officers, fluorite and duly authorized.
 Subscribed and sworn to before me this 15th day of January, 1964.
 My Commission Expires
 Leonard E. Bowers, Professional Engineer, Land Surveyor No. 1967

I certify that I have examined this map consisting of one sheet and that all provisions of all acts and ordinances applicable have been complied with and that I am satisfied that this map is technically correct.
 Engineer
 County Surveyor

File No. 407369
 File for record of the request of Pioneer Title Insurance Co. of Nevada, on this subdivision of 1964, of 32 minutes past 1 o'clock, P. M. records of Washoe County, Nevada.
 Fee \$1.45

OFFICIAL PLAT
 OF
INDUSTRIAL SUBDIVISION N92
 BEING A PORTION OF SW 1/4 SEC 19 AND OF SE 1/4 SEC 16 OF T16N-R16E-W11M, S.M.
 SHEET NO. 1 OF 1 SHEET
 WASHOE COUNTY, NEVADA
 31 WAASHOE-METAMAP-118558 SCALE: 1"=100'
 DATE: FEB 17 1964
 HOELME VILLAGE, NEVADA JOB NO.



NOTES:
 Basis of bearings: Nevada coordinate system.
 Drainage easements: on lot on each side of the centerline of all natural drains is reserved for drainage easements.
 * Indicates 3/4" iron pin to be set by August, 1964.

CURVE	DELTA	R	T	ARC	CHORD
C-1	01-01-44	300.00	7.93	19.86	128.39
C-2	47-51-46	300.00	132.09	248.96	348.00
C-3	77-28-24	400.00	80.00	160.00	200.00
C-4	35-13-12	250.00	135.00	270.00	360.00
C-5	01-00-01	1607.66	13.98	27.96	31.98
C-6	01-00-01	1607.66	13.98	27.96	31.98
C-7	01-00-01	1607.66	13.98	27.96	31.98
C-8	01-00-01	1607.66	13.98	27.96	31.98
C-9	01-00-01	1607.66	13.98	27.96	31.98
C-10	01-00-01	1607.66	13.98	27.96	31.98
C-11	01-00-01	1607.66	13.98	27.96	31.98
C-12	01-00-01	1607.66	13.98	27.96	31.98
C-13	01-00-01	1607.66	13.98	27.96	31.98
C-14	01-00-01	1607.66	13.98	27.96	31.98
C-15	01-00-01	1607.66	13.98	27.96	31.98
C-16	01-00-01	1607.66	13.98	27.96	31.98
C-17	01-00-01	1607.66	13.98	27.96	31.98
C-18	01-00-01	1607.66	13.98	27.96	31.98
C-19	01-00-01	1607.66	13.98	27.96	31.98
C-20	01-00-01	1607.66	13.98	27.96	31.98
C-21	01-00-01	1607.66	13.98	27.96	31.98
C-22	01-00-01	1607.66	13.98	27.96	31.98
C-23	01-00-01	1607.66	13.98	27.96	31.98
C-24	01-00-01	1607.66	13.98	27.96	31.98
C-25	01-00-01	1607.66	13.98	27.96	31.98
C-26	01-00-01	1607.66	13.98	27.96	31.98
C-27	01-00-01	1607.66	13.98	27.96	31.98
C-28	01-00-01	1607.66	13.98	27.96	31.98
C-29	01-00-01	1607.66	13.98	27.96	31.98
C-30	01-00-01	1607.66	13.98	27.96	31.98

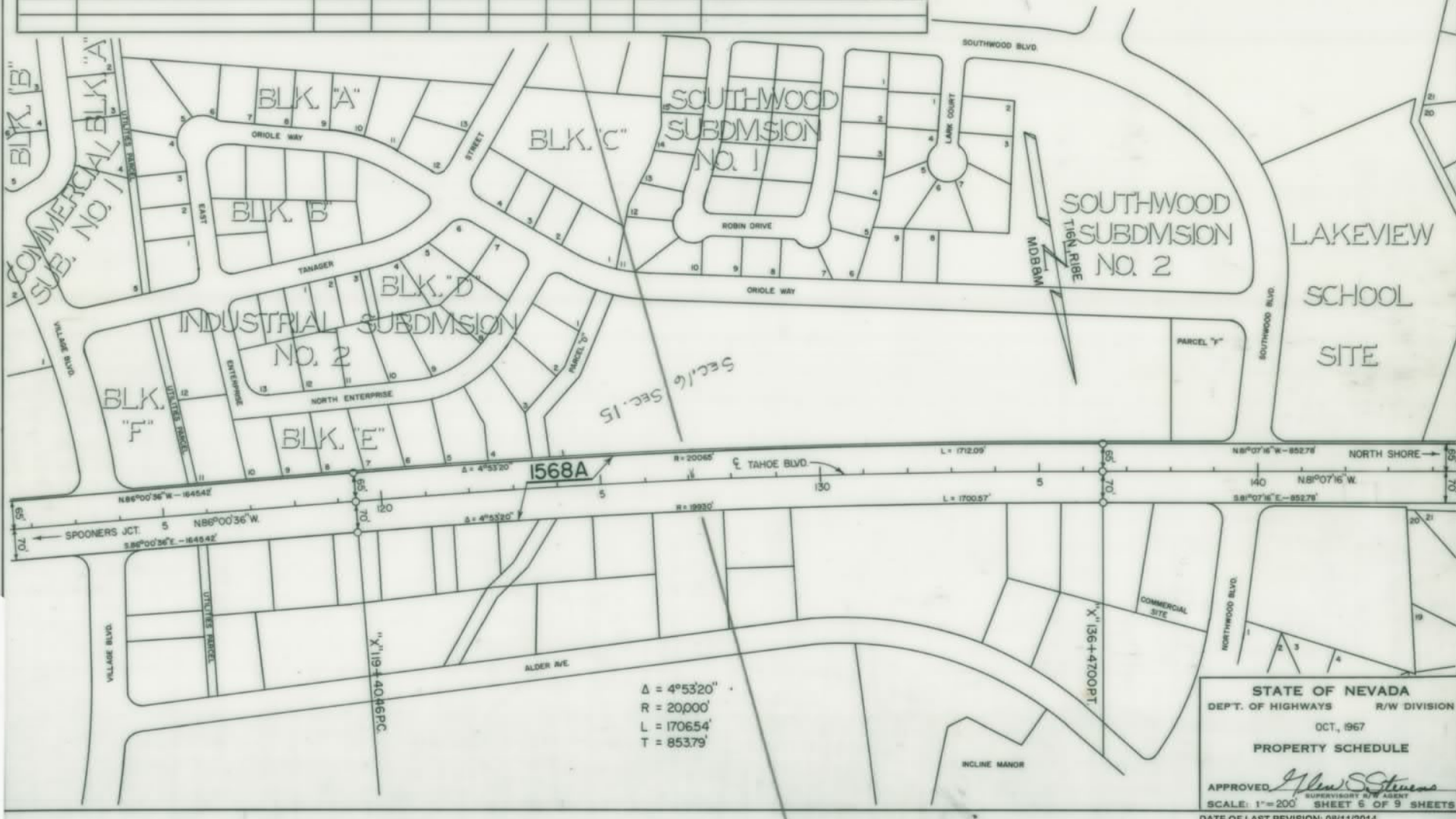
Approved and accepted, Robert B. Health, 1964.
 Director - Bureau of Environmental Health.

PROPERTY SCHEDULE

STATE OF NEVADA DEPT. OF HIGHWAYS

PARCEL NO.	GRANTOR	GROSS AREA	PREV. ACQU.	NET AREA	EXCESS AREA	RECORDING DATA			REMARKS
						BK.	PG.	DATE	
1568A	INCLINE VILLAGE, INC.	82.15 AC.	19.74 AC.	62.41 AC.		348	39	10-7-68	G.S. Doc. 12657A

FED. ROAD DIV. NO.	STATE	PROJECT NO.	COUNTY	CONTROL SECTION	STATE ROUTE	SHEET NO.	TOTAL SHEETS
7	NEVADA		WASHOE			6	9

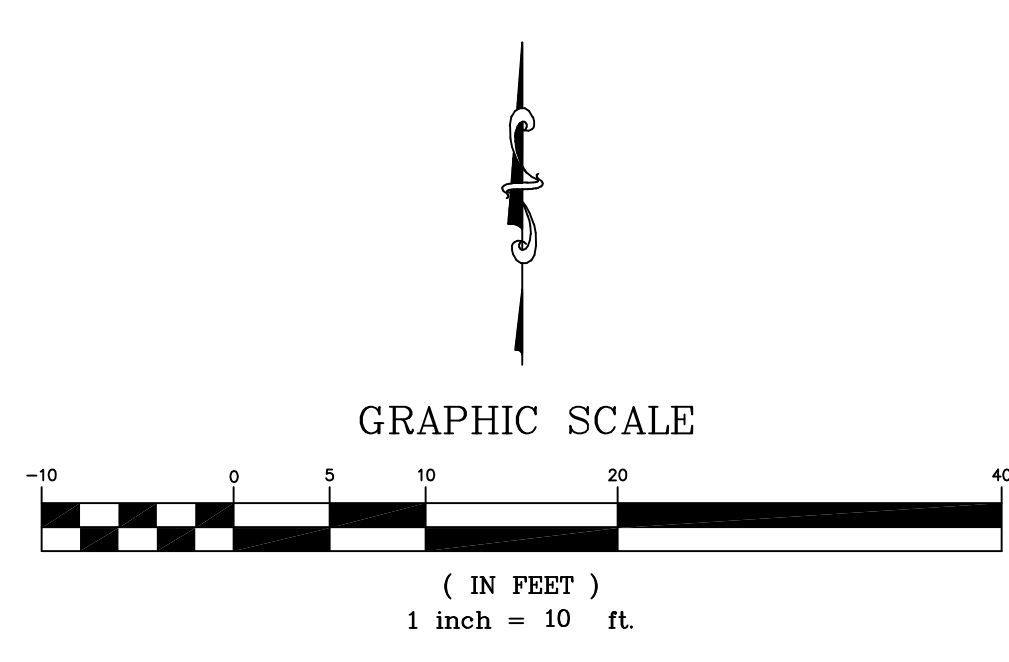
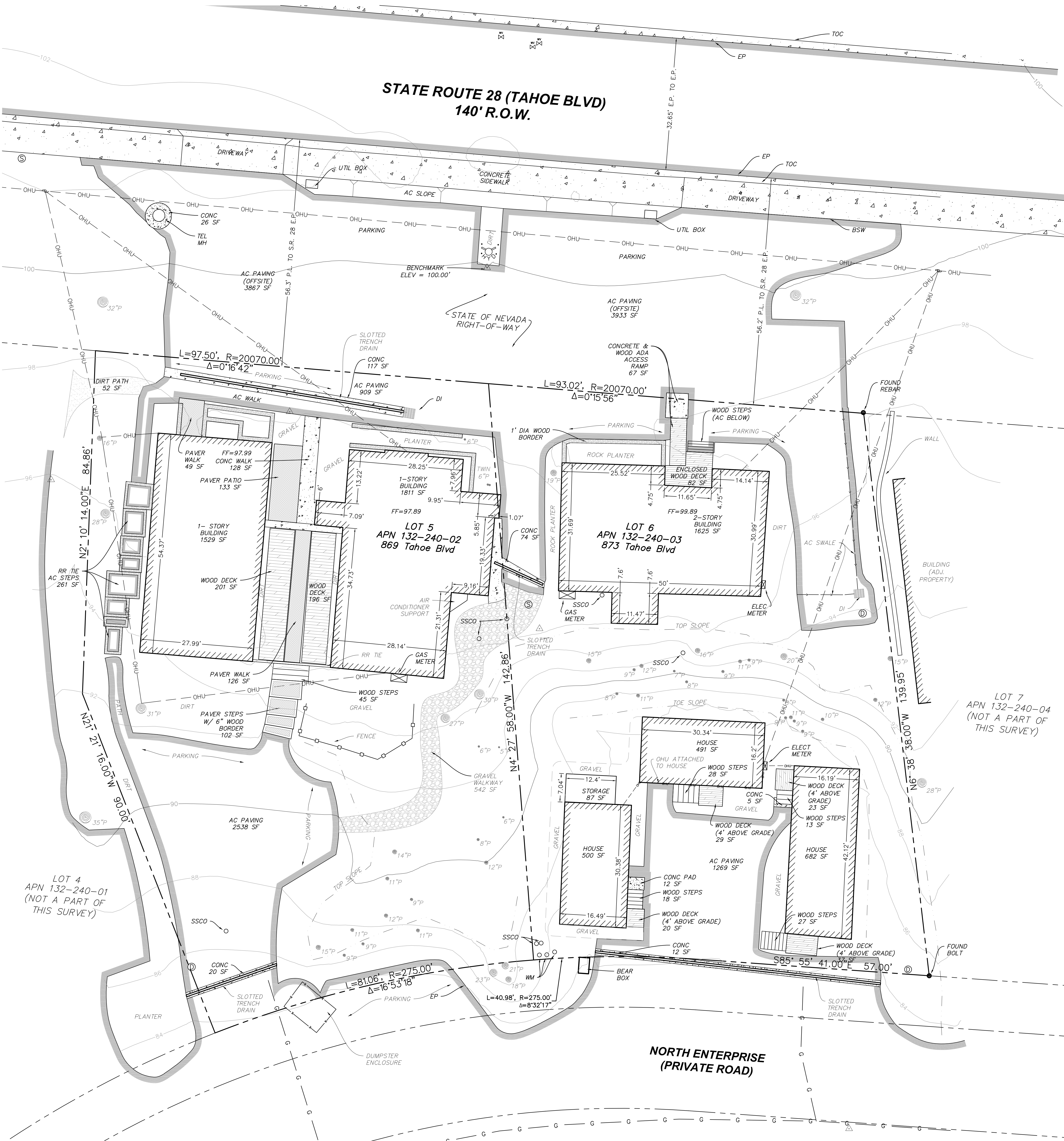


$\Delta = 4^{\circ}53'20''$
 $R = 20,000'$
 $L = 170654'$
 $T = 85379'$

STATE OF NEVADA
 DEPT. OF HIGHWAYS R/W DIVISION
 OCT, 1967
 PROPERTY SCHEDULE
 APPROVED *Allen S. Stevens*
SUPERVISOR R/W AGENT
 SCALE: 1"=200' SHEET 6 OF 9 SHEETS
 DATE OF LAST REVISION: 08/11/2014

70326-0





STATE ROUTE 28 (TAHOE BLVD)
140' R.O.W.

LOT 5
APN 132-240-02
869 Tahoe Blvd

LOT 6
APN 132-240-03
873 Tahoe Blvd

LOT 7
APN 132-240-04
(NOT A PART OF THIS SURVEY)

LOT 4
APN 132-240-01
(NOT A PART OF THIS SURVEY)

BENCHMARK DATUM

SET NAIL IN NORTHERLY PARKING LOT ADJACENT TO FIRE HYDRANT
ELEVATION: 100.00'
DATUM: ASSUMED

OWNER:

MARILYN M CHIM LIVING TRUST
1660 S LOOP RD
ALAMEDA CA 94502

NOTES

- UNDERGROUND UTILITIES SHOWN HEREON ARE INCOMPLETE AND THEIR LOCATIONS SHOULD BE VERIFIED BY CONTACTING THE VARIOUS UTILITY COMPANIES.
- EASEMENTS AFFECTING THIS PROPERTY HAVE NOT BEEN SHOWN. RECOMMEND THAT A TITLE REPORT BE PREPARED ON THE SUBJECT PROPERTIES TO ADDRESS EASEMENTS AND OTHER TITLE ISSUES.
- PROPERTY LINES SHOWN HEREON ARE BASED ON RECORD INFORMATION WITHOUT THE BENEFIT OF A TITLE REPORT.
- LOT SQUARE FOOTAGE:
APN 132-240-02 = 15,138 SF (1.348 AC)
APN 132-240-03 = 13,220 SF (1.303 AC)

LEGEND

- FOUND MONUMENT AS NOTED
- PROPERTY LINE
- EXISTING TREE AS NOTED
- 100/-110 EXISTING CONTOURS (2' & 10')
- EDGE OF PAVEMENT
- ▨ WOOD DECK
- ▨ PAVERS
- ▨ GRAVEL WALKWAY
- ▨ CONCRETE WALKWAY
- ROOF LINE & SLOPE DIRECTION
- EXISTING WOODEN FENCE
- OHU OVERHEAD UTILITY

COVERAGE, APN 132-240-02

LOT AREA = 15,138 SF (1.348 acres)

ON-SITE COVERAGE	
AC PAVING	3,447 SF
AC STEPS	261 SF
BUILDINGS	3,337 SF
DIRT PATH	52 SF
CONCRETE WALK	128 SF
OTHER CONCRETE	191 SF
PAVER WALKS	175 SF
PAVER PATIO	133 SF
PAVER STEPS	102 SF
WOOD STEPS	45 SF
WOOD DECK	397 SF
GRAVEL WALK	542 SF
TOTAL ON-SITE COVERAGE	8,810 SF (58.2%)

OFF-SITE COVERAGE	
AC PAVING	3,867 SF
CONCRETE	26 SF
TOTAL OFF-SITE COVERAGE	3,893 SF

COVERAGE, APN 132-240-03

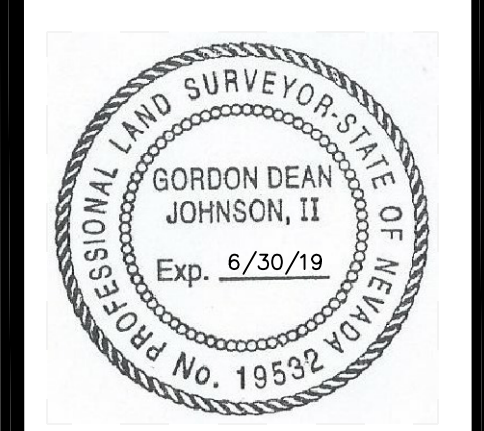
LOT AREA = 13,220 SF (1.303 acres)

ON-SITE COVERAGE	
AC PAVING	3,362 SF
BUILDINGS (FRONT)	1,628 SF
HOUSES (REAR)	1,673 SF
WOOD ADA RAMP	47 SF
CONCRETE ADA RAMP	20 SF
OTHER CONCRETE	55 SF
RAISED WOOD DECKS (WITH OFFSET)	69 SF
WOOD STEPS	69 SF
ENCLOSED WOOD DECK	62 SF
TOTAL ON-SITE COVERAGE	7,003 SF (53.0%)

OFF-SITE COVERAGE	
CONCRETE ADA RAMP	13 SF
AC PAVING	3,933 SF
TOTAL OFF-SITE COVERAGE	3,946 SF

REV.	DATE	DESCRIPTION	APPROVED

TIESLAU CIVIL ENGINEERING, INC.
3080 NORTH LAKE BLVD
TAHOE CITY, CA 96145
P.O. BOX 412
TAHOE VISTA, CA 96145
TCE@TIESLAU.COM
(530) 546-4805



BOUNDARY AND TOPOGRAPHIC SURVEY
VITAMIN COTTAGE
869, 873 TAHOE BLVD (STATE ROUTE 28)
APN 132-240-02, -03

COMP: _____ DESIGN: _____
DRWN: _____ PRJ.ENG: AT
PROJECT #: 17.034
SCALE: 1" = 20'
HORIZONTAL: N/A
VERTICAL: N/A
DATE: 8/22/2017

STATE OF NEVADA... COUNTY OF WASHOE... I, Leonard E. Bower, being duly sworn, do hereby certify that this plat is a true and correct map of the lands presented hereon, surveyed by me and laid out into lots, blocks, streets and public places of the subdivision, and that the location of said lots, blocks, streets and public places have been definitely established and delineated on this plat...

Subscribed and sworn to before me this 1st day of February, 1964... My Commission Expires... Leonard E. Bower, Notary Public... Approved and approved by the REGIONAL PLANNING COMMISSION OF SPARKS and WASHOE COUNTY on the 25th day of February, 1964...

STATE OF NEVADA... COUNTY OF WASHOE... I, Leonard E. Bower, being duly sworn, do hereby certify that the undersigned CRISTAL BAY DEVELOPMENT COMPANY, is the owner of the tract of land represented on this map or plat and that the same is located in compliance with and subject to the provisions of N.R.S. chapter 210, and N.R.S. chapters 116 and 117, and that the streets, avenues and thoroughfares shown hereon are hereby dedicated and set apart to be used as public thoroughfares forever.

IN WITNESS WHEREOF the said CRISTAL BAY DEVELOPMENT COMPANY, has caused its name to be signed and its corporate seal, hereto affixed by its officers hereunto duly authorized.

Subscribed and sworn to before me this 1st day of February, 1964... My Commission Expires... I certify that I have examined this map consisting of one sheet and that all provisions of all acts and ordinances applicable hereto have been complied with and that I am satisfied that the map is lawfully and properly carried out...

FILE NO. 407988... 407988... I certify that I have examined this map consisting of one sheet and that all provisions of all acts and ordinances applicable hereto have been complied with and that I am satisfied that the map is lawfully and properly carried out...

OFFICIAL PLAT OF INDUSTRIAL SUBDIVISION No 2... WASHOE COUNTY, NEVADA... SCALE: 1" = 100'

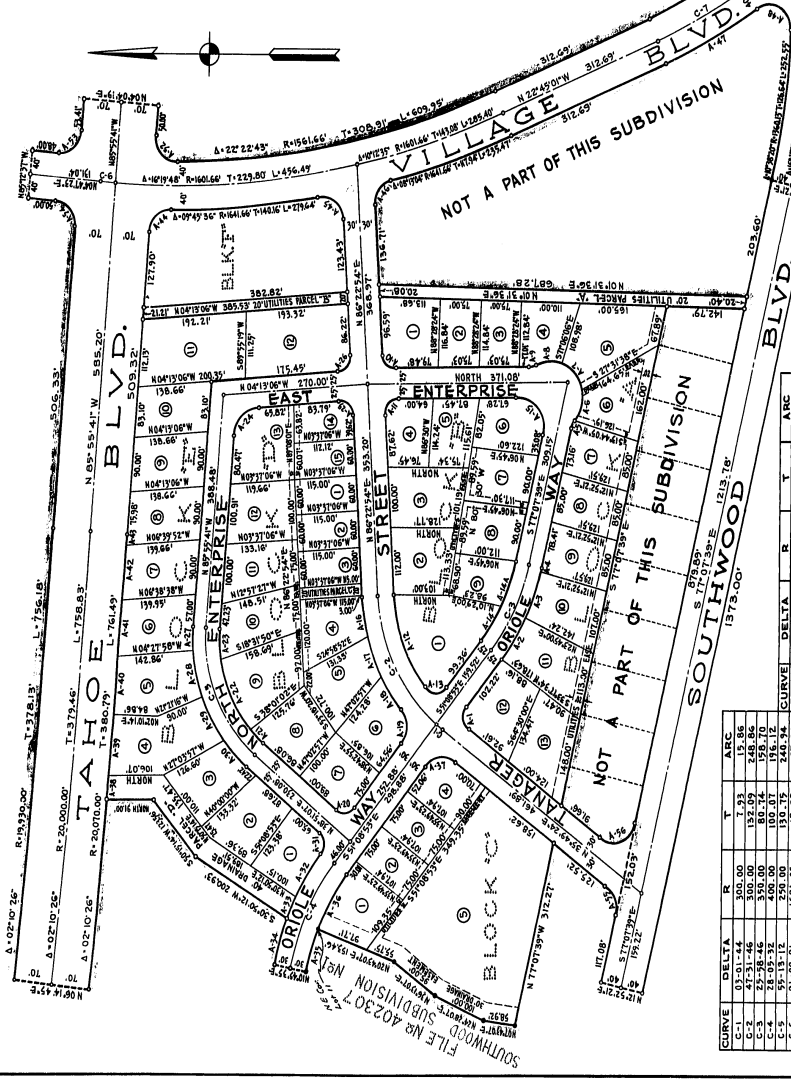


Table with columns: CURVE, DELTA, R, T, ARC, L, B, C. Contains data for curves C-1 through C-7 and A-1 through A-28.

NOTES: Basis of bearings: Nevada meridians system. Drainage easements: 100 feet on each side of the centerline of all natural drainage courses. o Indicates 3/4" iron pin to be set by August, 1964. * Indicates found 3/4" iron pin.

Approved and accepted by the Board of County Commissioners of Washoe County, Nevada, on the 25th day of February, 1964. Director of Public Health.

From: [Handrock, Wayne](#)
To: [Kevin Beck](#)
Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue
Date: Friday, December 13, 2019 5:45:35 PM

Hi Kevin,

Sorry for the delay in getting back to you. Not yet, but I am also trying to get some feedback from the County Engineer on the project.

I apologize that this is taking so long.

Sincerely,

Wayne Handrock, PLS 20464, CFedS
County Surveyor
Washoe County
CSD - Engineering & Capital Projects Div.
(775) 328-2318
whandrock@washoecounty.us

From: Kevin Beck <KevinB@evcdev.com>
Sent: Monday, December 9, 2019 6:25 AM
To: Handrock, Wayne <WHandrock@washoecounty.us>
Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

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

Wayne,
Good morning. Hope you had a great weekend.

Have you received any guidance/feedback from the attorney regarding how best to proceed with land transfer of the 5' sliver?

Thank you.

Kevin Beck | Director of Development
(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)
3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200
[Email](#) | [Website](#)

From: Kevin Beck
Sent: Wednesday, November 6, 2019 9:06 AM
To: Handrock, Wayne <WHandrock@washoecounty.us>
Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

Good morning, Wayne.

We have 9:00 am (your time) open which would work great. I will send a calendar invitation that will include call in information for the call. As mentioned, Luke Spellmeier is our resident guru for land related items and will be joining us on the call.

Thank you for working with us on this item.

Sincerely,

Kevin Beck | Director of Development
(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)
3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200
[Email](#) | [Website](#)

From: Handrock, Wayne <WHandrock@washoecounty.us>
Sent: Wednesday, November 6, 2019 8:57 AM
To: Kevin Beck <KevinB@evcdev.com>
Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

Hi Kevin,

I should be available almost all day tomorrow (11/07). Let me know a time that works and I will make sure I am in my office. I have a meeting from 1:30- 2:30, but other than that I should be available. Just let me know a time that works for you.

Thanks,

Wayne Handrock, PLS 20464, CFedS
County Surveyor
Washoe County
CSD - Engineering & Capital Projects Div.
(775) 328-2318
whandrock@washoecounty.us

From: Kevin Beck <KevinB@evcdev.com>

Sent: Tuesday, November 5, 2019 10:41 AM

To: Handrock, Wayne <WHandrock@washoecounty.us>

Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

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

Good afternoon, Wayne. Would there be a good time in the next few days that I can call you to discuss this further? Basically we can't move forward with our plans for these properties without this issue being resolved. I think we have a game plan that works if you agree and want to go through it with you. My colleague, Luke Spellmeier, would like to be on the call too as he knows the legalities of the property and resolution and can speak to those very well.

Thank you.

Sincerely,

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Kevin Beck

Sent: Tuesday, October 15, 2019 11:02 AM

To: Handrock, Wayne <WHandrock@washoecounty.us>

Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

Good morning, Wayne. Just checking with you to see if you have any information on this so we can move forward. There are several items hinging on this sliver of land and we would like to get it finalized.

Thank you.

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Kevin Beck

Sent: Tuesday, October 1, 2019 3:16 PM

To: Handrock, Wayne <WHandrock@washoecounty.us>

Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

Good afternoon, Wayne. Hope all is well this week.

Have you been able to finalize anything on this sliver of property? How can we proceed to add the property to the two parcels we are purchasing?

Thank you again for your help.

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Handrock, Wayne <WHandrock@washoecounty.us>

Sent: Wednesday, September 11, 2019 1:53 PM

To: Kevin Beck <KevinB@evcdev.com>

Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

Hi Kevin,

It looks like the 140 feet were dedicated, but NDOT only accepted the 135'. I am still following up with a couple people, but it looks like that 5' may be the counties.

I will touch base with you again next week.

Sincerely,

Wayne Handrock, PLS 20464, CFedS
County Surveyor
Washoe County
CSD - Engineering & Capital Projects Div.
(775) 328-2318
whandrock@washoecounty.us

From: Kevin Beck [<mailto:KevinB@evcdev.com>]

Sent: Tuesday, September 10, 2019 8:59 AM

To: Handrock, Wayne

Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

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

Good morning, Wayne.

Have you been able to find anything that would shed some light on this issue?

Thank you.

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Handrock, Wayne <WHandrock@washoecounty.us>

Sent: Tuesday, September 3, 2019 12:03 PM

To: Kevin Beck <KevinB@evcdev.com>

Subject: RE: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

Hi Kevin,

Let me do a bit of research and I will give you a call. Ndot does not always have great records on land that is not theirs.

Sincerely,

Wayne Handrock, PLS 20464, CFedS
County Surveyor
Washoe County
CSD - Engineering & Capital Projects Div.
(775) 328-2318
whandrock@washoecounty.us

From: Kevin Beck [<mailto:KevinB@evcdev.com>]

Sent: Tuesday, September 3, 2019 9:46 AM

To: Handrock, Wayne

Subject: 869 & 873 Tahoe Blvd (Incline Village) property boundary issue

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

Good morning, Mr. Handrock.

Our company is currently working to redevelop the two noted properties above. As part of our processes, we have contacted NDOT to develop a lease for use of the right of way for parking. During that process, NDOT's right of way department discovered that there is a discrepancy between the recorded State right of way and the recorded property lines of these two properties. The State right of way is shown as 135' wide instead of the 140' that was used on the subdivision plat. Therefore, there is a 5' space between the NDOT right of way and the north property line that

the State says is Washoe County property.

Obviously this was an oversight in the correct NDOT right of way when the subdivision was created. I have attached the plat and a page from the NDOT property schedule. It is easy to see the discrepancy between the two plans and the gap is shown on the NDOT plan.

NDOT currently has placed our lease on hold being that we currently don't abut their right of way.

We were wondering if we could clear this up with a simple quit claim process or how you would like to proceed. Please take a moment to review the two documents and give me a call to discuss how we move forward.

Thank you for your help on this situation.

Sincerely,



Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: [Hirt, Dawnne B](#)
To: [Kevin Beck](#)
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN"s 132-240-02 & 132-240-03
Date: Wednesday, August 28, 2019 3:22:42 PM
Attachments: [image001.png](#)
[Pages from WA-30.pdf](#)

Hi Kevin,

Yes, you can. The attached page shows SR28 between Southwood Blvd and Village Blvd with Ms. Chim's properties being #5 and #6. You will see that there is a double line between the private properties and NDOT right-of-way. The pink highlight just indicates that that NDOT owns the road in fee.

Let me know if you need anything else.

Dawnne B Hirt

Right-of-Way Agent, Utilities
State of Nevada | Department of Transportation
1263 S. Stewart Street, Carson City, NV 89712
(775) 888-7394 dhirt@dot.nv.gov



From: Kevin Beck <KevinB@evcdev.com>
Sent: Wednesday, August 28, 2019 1:02 PM
To: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Subject: Re: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Dawnne,

May I please get a copy of the supporting documents that lead to the 5' gap? Do they have a drawing showing it?

Any info available would be much appreciated.

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

[3501 South West Fairlawn Road, Topeka Kansas 66614](#) | Suite 200

[Email](#) | [Website](#)

(Sent From Mobile)

On Aug 28, 2019, at 11:22 AM, Hirt, Dawnne B <Dhirt@dot.nv.gov> wrote:

You're welcome. I'm sorry that it took so long to be able to share this information with

you.

From: Kevin Beck <KevinB@evcdev.com>
Sent: Wednesday, August 28, 2019 11:18 AM
To: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Subject: Re: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Thank you, Dawnne. We will get right on this situation. .

Kevin Beck | Director of Development
(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)
[3501 South West Fairlawn Road, Topeka Kansas 66614](#) | Suite 200
[Email](#) | [Website](#)
(Sent From Mobile)

On Aug 28, 2019, at 9:32 AM, Hirt, Dawnne B <Dhirt@dot.nv.gov> wrote:

Good morning Kevin,

I apologize that I haven't been able to provide you with a straight answer until today. The official response from NDOT is, "on the south side of SR-28 (Tahoe Blvd.) between Village Blvd. and Southwood Blvd. there is a 5-foot gap between NDOT right-of-way and the INDUSTRIAL SUBDIVISION NO. 2. It is NDOT's position that this 5-foot wide strip belongs to Washoe County. The Department has no involvement or ownership interest of any kind in this strip. Once the property owner(s) has secured the appropriate property rights from Washoe County then the Department could accommodate a request (permit, lease, etc) for a property right from the Department."

The issue that came up when I was communicating with NDOT's Survey Services is that between Ms. Chim's properties and NDOT's right-of-way, there is a 5 foot wide strip of land that we think Washoe County owns. It is NDOT's position that until permissions are acquired from Washoe County to use their 5 ft strip, that there is no point for NDOT to give permissions or a Lease to use NDOT right-of-way.

Hopefully this response helps you and Ms. Chim,

Dawnne B Hirt
Right-of-Way Agent, Utilities
State of Nevada | Department of Transportation
1263 S. Stewart Street, Carson City, NV 89712
(775) 888-7394 dhirt@dot.nv.gov
<image001.png>

From: Kevin Beck <KevinB@evcdev.com>
Sent: Tuesday, August 27, 2019 7:15 PM
To: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good evening, Dawnne. Is there any news on our lease request? We are meeting with Washoe County tomorrow and I wanted to give them a current status.
Thank you.

Kevin Beck | Director of Development
(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)
3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200
[Email](#) | [Website](#)

From: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Sent: Wednesday, June 26, 2019 6:30 PM
To: Kevin Beck <KevinB@evcdev.com>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Hi Mr. Beck,

Thanks for periodically checking in to see the status of the Lease. I am still unable to give you details, however. Apparently my request for a legal description and sketch map as Exhibits to the Lease uncovered something that required further exploration on NDOT's part. The research that is currently being conducted is not specific to your property and it may be several more months before we are given permission to move forward with the Lease.

Dawnne B Hirt
Right-of-Way Agent, Utilities
State of Nevada | Department of Transportation
1263 S. Stewart Street, Carson City, NV 89712
(775) 888-7394 dhirt@dot.nv.gov
<image001.png>

From: Kevin Beck <KevinB@evcdev.com>

Sent: Wednesday, June 26, 2019 2:08 PM
To: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good afternoon, Ms. Hirt.
It has been a little while since I checked on this. Can you please let me know the status of the leases?

Thank you.

Kevin Beck | Director of Development
(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)
3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200
[Email](#) | [Website](#)

From: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Sent: Thursday, April 18, 2019 11:32 AM
To: Kevin Beck <KevinB@evcdev.com>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good morning Mr Beck,

Basically, NDOT is bound by NRS and NAC 408.507 (lease or rental of property). By law, NDOT must charge fair market value of space that is being occupied within the right-of-way. The other option is to not use NDOT right-of-way. Unfortunately, NDOT does not have the authority to except certain properties once we are aware that an encroachment exists.

You are welcome to communicate with my supervisor, Dave Lauffer.

Dawnne B Hirt
Right-of-Way Agent, Utilities
State of Nevada | Department of Transportation
1263 S. Stewart Street, Carson City, NV 89712
(775) 888-7394 dhirt@dot.nv.gov
<image001.png>

From: Kevin Beck <KevinB@evcdev.com>
Sent: Thursday, April 18, 2019 6:29 AM
To: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Dawnne,
Being that Ms. Chim would be looking at around twice that cost (understanding it is a different situation yet similar sf and could be different costs), she won't likely be interested in moving forward. Being that these properties (and others along Tahoe Blvd.) have been parking in the right of way for a long time (since around 1990), isn't there a way to waive the annual fees for these properties as they voluntarily bring the properties into a proper permitted situation?

If there is someone that controls that side that we can talk with, please provide contact info and we will reach out.

Thank you again.

Kevin Beck | Director of Development
(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)
3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200
[Email](#) | [Website](#)

From: Hirt, Dawnne B <Dhirt@dot.nv.gov>
Sent: Wednesday, April 17, 2019 7:05 PM
To: Kevin Beck <KevinB@evcdev.com>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good afternoon Mr. Beck,

I recently prepared a lease for a restaurant in Reno to occupy NDOT right-of-way for the purpose of overflow parking for their staff. The leased space was approximately 3500 sq ft and the annual fee was a bit more than \$3000. I have prepared a preliminary rental determination for Ms. Chim's properties but I'd like to pass them by our Staff Specialist first before I share them with you.

Dawnne B Hirt
Right-of-Way Agent, Utilities
State of Nevada | Department of Transportation
1263 S. Stewart Street, Carson City, NV 89712
(775) 888-7394 dhirt@dot.nv.gov
<image001.png>

From: Kevin Beck <KevinB@evcdev.com>
Sent: Wednesday, April 17, 2019 2:00 PM
To: Hirt, Dawnne B <Dhirt@dot.nv.gov>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Ms. Hirt,

I was discussing the lease fees with our team and this has sounded an alarm with us. We completely understand the one time permit fee but the unknown of the lease rates is very concerning. The tenant rates currently in place are not great enough to withstand a large hit on an annual basis and the income for the tenants doesn't justify the added expense and subsequent increase in rent for these two properties. Do you have any example of a similar situation and lease fee that you could share with us?

Thank you.

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Hirt, Dawnne B <Dhirt@dot.nv.gov>

Sent: Wednesday, April 17, 2019 11:33 AM

To: Kevin Beck <KevinB@evcdev.com>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

You're welcome, Mr. Beck.

From: Kevin Beck <KevinB@evcdev.com>

Sent: Wednesday, April 17, 2019 9:25 AM

To: Hirt, Dawnne B <Dhirt@dot.nv.gov>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Thank you for the explanation, Ms. Hirt. I will await the final determinations..

I appreciate your help.

Kevin Beck | Director of Development

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3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Hirt, Dawnne B <Dhirt@dot.nv.gov>

Sent: Wednesday, April 17, 2019 11:23 AM

To: Kevin Beck <KevinB@evcdev.com>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good morning Mr. Beck,

Thank you for the outline on both the aerial photo and topo map. Carrying the property corners perpendicular is exactly what we are looking for.

There are 2 parts to occupying NDOT right-of-way long term. The first step is to apply for the encroachment permit which involves a one time fee and is the enforcement side to the second step. The second step is the lease, which involves an annual fee. The lease is usually written for 5 years with 3 options to extend for 5 years each.

The annual lease value is based on fair market value of the usable area. So, within the NDOT right-of-way in front of 869 and 873 Tahoe Blvd, there may be a portion of right-of-way that must always be clear (the Clear Zone) . The square footage of the Clear Zone and any landscaping are removed from the annual lease cost, if applicable. I haven't yet completed the rental determination but I will be sure to share it with you when I have completed it.

Does that help clarify the process at all?

Dawne B Hirt

Right-of-Way Agent, Utilities

State of Nevada | Department of Transportation

1263 S. Stewart Street, Carson City, NV 89712

(775) 888-7394 dhirt@dot.nv.gov

<image001.png>

From: Kevin Beck <KevinB@evcdev.com>

Sent: Wednesday, April 17, 2019 7:05 AM

To: Hirt, Dawne B <Dhirt@dot.nv.gov>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good morning Ms. Hirt.

Please see attached aerial as well as a topographic and boundary survey of the property with areas delineated for each property. It is essentially carrying the property corners perpendicular to the right of way line out to the existing sidewalk.

There are small areas of landscaping in the right of way now to the west side of the 869 property and the east side of the 873 property. There is desire to re-construct the parking lot to be more defined and functional so we are not clear on how much landscape area will be within the right of way if that occurs.

With the lease, do we have the ability to change the areas later, if they change?

When you say “charge fees” are you suggesting there will be fees associated with the right of use permit? We were under the impression that since it has been a parking lot for a long time (at least the early 1990s) that this was a formality to have the appropriate paperwork on file with the State. No fees associated with this.

If the State is intending to charge a fee for this permit, what value is being suggested?

Please let me know if you need anything else from me. Thank you for working with us.

Sincerely,

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Hirt, Dawnne B <Dhirt@dot.nv.gov>

Sent: Tuesday, April 16, 2019 1:32 PM

To: Kevin Beck <KevinB@evcdev.com>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good morning Mr. Beck,

I am an employee of NDOT, a right-of-way agent under the supervision of Dave Lauffer. Dave has asked me to prepare the Leases between NDOT and Marilyn Chim for 869 and 873 Tahoe Blvd (SR 28) for the land that is being occupied within the NDOT right-of-way. I have requested a legal description and sketch map from a section of NDOT, Right-of-Way called Survey Services. I have attached a screen shot from the Washoe County Assessor GIS site, on which Survey Services has requested that you outline the NDOT right-of-way that is wished to be leased with each property. Also, those areas that are landscaped should be noted and delineated because NDOT does not charge fees associated with landscaped areas.

Thank you for submitting the letters of intent to occupy NDOT right-of-

way for each of the properties, as well as the Permit Application and supporting documentation. It looks like the application was also sent to the NDOT District II office in Reno. The District II office will process the Permit portion of the occupancy of NDOT right-of-way while I will process the Leases.

If you have any questions, let me know,

Dawnne B Hirt

Right-of-Way Agent, Utilities

State of Nevada | Department of Transportation

1263 S. Stewart Street, Carson City, NV 89712

(775) 888-7394 dhirt@dot.nv.gov

<image001.png>

From: Kevin Beck <KevinB@evcdev.com>

Sent: Monday, April 15, 2019 12:07 PM

To: Lauffer, David <DLauffer@dot.nv.gov>; Oujevolk, Richard <ROujevolk@dot.nv.gov>; Smaltz, Tara <TSmaltz@dot.nv.gov>; Wolfson, Alexander <AWolfson@dot.nv.gov>; Hirt, Dawnne B <Dhirt@dot.nv.gov>

Cc: Grennan, William <WGrennan@dot.nv.gov>; Fuess, Michael <MFuess@dot.nv.gov>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Mr. Lauffer,

Please see the attached application packets (both are in one attachment) for use of Right of Way along 869 and 873 Tahoe Blvd.

If you need anything else from me, please let me know.

Sincerely,

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Lauffer, David <DLauffer@dot.nv.gov>

Sent: Wednesday, April 10, 2019 5:12 PM

To: Kevin Beck <KevinB@evcdev.com>; Oujevolk, Richard <ROujevolk@dot.nv.gov>; Smaltz, Tara <TSmaltz@dot.nv.gov>; Wolfson, Alexander <AWolfson@dot.nv.gov>; Hirt, Dawnne B <Dhirt@dot.nv.gov>

Cc: Grennan, William <WGrennan@dot.nv.gov>; Fuess, Michael

<MFuess@dot.nv.gov>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Mr. Beck,

I apologize for the delay in the response regarding the properties. I believe that we will have to proceed with a lease/license request for each property, individually. We will research the underlying fee owner to determine if it will be a lease or license.

What we will need to start that process is a letter from the proposed lessee/licensee to NDOT indicating the request to use the property, along with the proposed use. I am attaching a form which lists the items needed for the request submittal. I will assign a Right of Way Agent to work with you through the lease/license process.

If you have any questions, feel free to contact me either by phone or email.

David Lauffer
Supervisory Right of Way Agent, Utilities/Property Management
Nevada Department of Transportation
1263 S. Stewart St.
Carson City, NV 89712
775-888-7269

<[image002.png](#)>

"If there are no dogs in Heaven, then when I die, I want to go where they went." -- Will Rogers

From: Kevin Beck <KevinB@evcdev.com>

Sent: Tuesday, April 09, 2019 9:25 AM

To: Oujevolk, Richard <ROujevolk@dot.nv.gov>; Smaltz, Tara <TSmaltz@dot.nv.gov>; Lauffer, David <DLauffer@dot.nv.gov>; Wolfson, Alexander <AWolfson@dot.nv.gov>

Cc: Grennan, William <WGrennan@dot.nv.gov>; Fuess, Michael <MFuess@dot.nv.gov>

Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good afternoon all. I wanted to follow up on this to see if a decision has been made regarding how to proceed.

Thank you.

Sincerely,

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Oujevolk, Richard <ROujevolk@dot.nv.gov>
Sent: Thursday, March 28, 2019 3:48 PM
To: Kevin Beck <KevinB@evcdev.com>; Smaltz, Tara <TSmaltz@dot.nv.gov>; Lauffer, David <DLauffer@dot.nv.gov>; Wolfson, Alexander <AWolfson@dot.nv.gov>
Cc: Grennan, William <WGrennan@dot.nv.gov>; Fuess, Michael <MFuess@dot.nv.gov>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Hi Mr. Beck – I have attached the permit handbook to this email. Based on the lot sizes, etc. this would be a minor commercial approach with a 1 time application fee of \$500.00 (Type IV Commercial Access w/o Traffic Study). However in lieu of a traffic study a “letter” format analysis with trip generation for the driveway will be required based on the information below.

Let’s see how our ROW Division wants to proceed.

OJ

From: Kevin Beck <KevinB@evcdev.com>
Sent: Thursday, March 28, 2019 12:57 PM
To: Oujevolk, Richard <ROujevolk@dot.nv.gov>; Smaltz, Tara <TSmaltz@dot.nv.gov>; Lauffer, David <DLauffer@dot.nv.gov>; Wolfson, Alexander <AWolfson@dot.nv.gov>
Cc: Grennan, William <WGrennan@dot.nv.gov>; Fuess, Michael <MFuess@dot.nv.gov>
Subject: RE: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Good afternoon and thank you for getting us connected, OJ. We re most interested in potentially redeveloping the two properties with one building and associated parking. We would like to have the ability to continue the sidewalk and parking arrangement within the right of way similar to today through an encroachment permit/agreement. Please

note that there are two accesses to Tahoe Blvd. on these properties and we would propose to drop to one for the redeveloped condition.

If we need to submit a formal encroachment permit request, we can do that. Just let me know what we need to do. If you need anything else from me, please let me know.

Thank you all for assisting us with this inquiry/permit.

Sincerely,

Kevin Beck | Director of Development

(O) [785-422-7220](tel:785-422-7220) | (D) [785-670-6223](tel:785-670-6223) | (M) [785-224-0489](tel:785-224-0489)

3501 South West Fairlawn Road, Topeka Kansas 66614 | Suite 200

[Email](#) | [Website](#)

From: Oujevolk, Richard <ROujevolk@dot.nv.gov>

Sent: Thursday, March 28, 2019 1:16 PM

To: Kevin Beck <KevinB@evcdev.com>; Smaltz, Tara <TSmaltz@dot.nv.gov>; Lauffer, David <DLauffer@dot.nv.gov>; Wolfson, Alexander <AWolfson@dot.nv.gov>

Cc: Grennan, William <WGrennan@dot.nv.gov>; Fuess, Michael <MFuess@dot.nv.gov>

Subject: 869 & 873 Tahoe Blvd/SR 28 Incline Village/APN's 132-240-02 & 132-240-03

Hi All – Below is a map showing the two parcels in question *869 Tahoe Blvd & 873 Tahoe Blvd (SR 28). Mr. Beck represents a firm that is interested in the two parcels (APN 132-240-02 & 132-240-03) and in doing “do diligence” need to know what requirements NDOT will have in transferring access, etc. So I am sending the emails to Dave Lauffer and cc’d Bill Grennan from our ROW Division as this one will be “interesting”.

Happy Week,

OJ

<image003.png>

Traffic Engineering Supervisor

NDOT District II

(775) 834-8304

roujevolk@dot.nv.gov

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