

MEMORANDUM

TO: Board of Trustees

THROUGH: Steven J. Pinkerton
General Manager

FROM: Bradley A. Johnson, P.E.
Director of Asset Management

Indra Winquest
Director of Parks & Recreation

SUBJECT: Review, discuss and possibly approve a grant of an Emergency Access Easement on District Property to North Lake Tahoe Fire Protection District, APN 127-040-07, 964 Incline Way

STRATEGIC PLAN: Long Range Principle #5 – Assets and Infrastructure

DATE: August 4, 2017

I. RECOMMENDATIONS

That the Board of Trustees moves to:

1. Approve granting a permanent, non-exclusive, emergency access easement to North Lake Tahoe Fire Protection District on APN: 127-040-07 – 964 Incline Way (the Recreation Center parcel).
2. Authorize Staff to execute all necessary legal documents upon review by Staff and General Counsel.

II. DISTRICT STRATEGIC PLAN

Long Range Principle #5 – Assets and Infrastructure – The District will practice perpetual asset renewal, replacement, and improvement to provide safe and superior long term utility services and recreation activities.

III. BACKGROUND

North Lake Tahoe Fire Protection District (NLTFPD) has approached the District about securing a permanent, non-exclusive, emergency access easement to allow emergency vehicle ingress and egress between the Recreation Center parking lot and the neighboring properties to the north. Doing so would allow emergency vehicles (including the District's) to access the Recreation Center parcel from State Route 28 in the event that Incline Way were closed or blocked due to an accident, heavy traffic, or a special event. Similarly, the neighboring parcels to the north of the Recreation Center would be accessible to emergency vehicles from Incline Way.

The proposed easement language and exhibits are attached to this memorandum along with a sketch outlining the proposed improvements as well as vicinity maps showing the areas in question.

The proposed easement would be limited to emergency vehicles and use and would not be utilized for routine access. A locking gate or removable bollards will be installed to prevent unauthorized vehicle access or use by unauthorized parties.

The proposed easement would result in the loss of three parking spots as currently striped. District Staff does not believe the loss of three parking spots will have a net negative impact on Recreation Center operations and property use.

IV. FINANCIAL IMPACT AND BUDGET

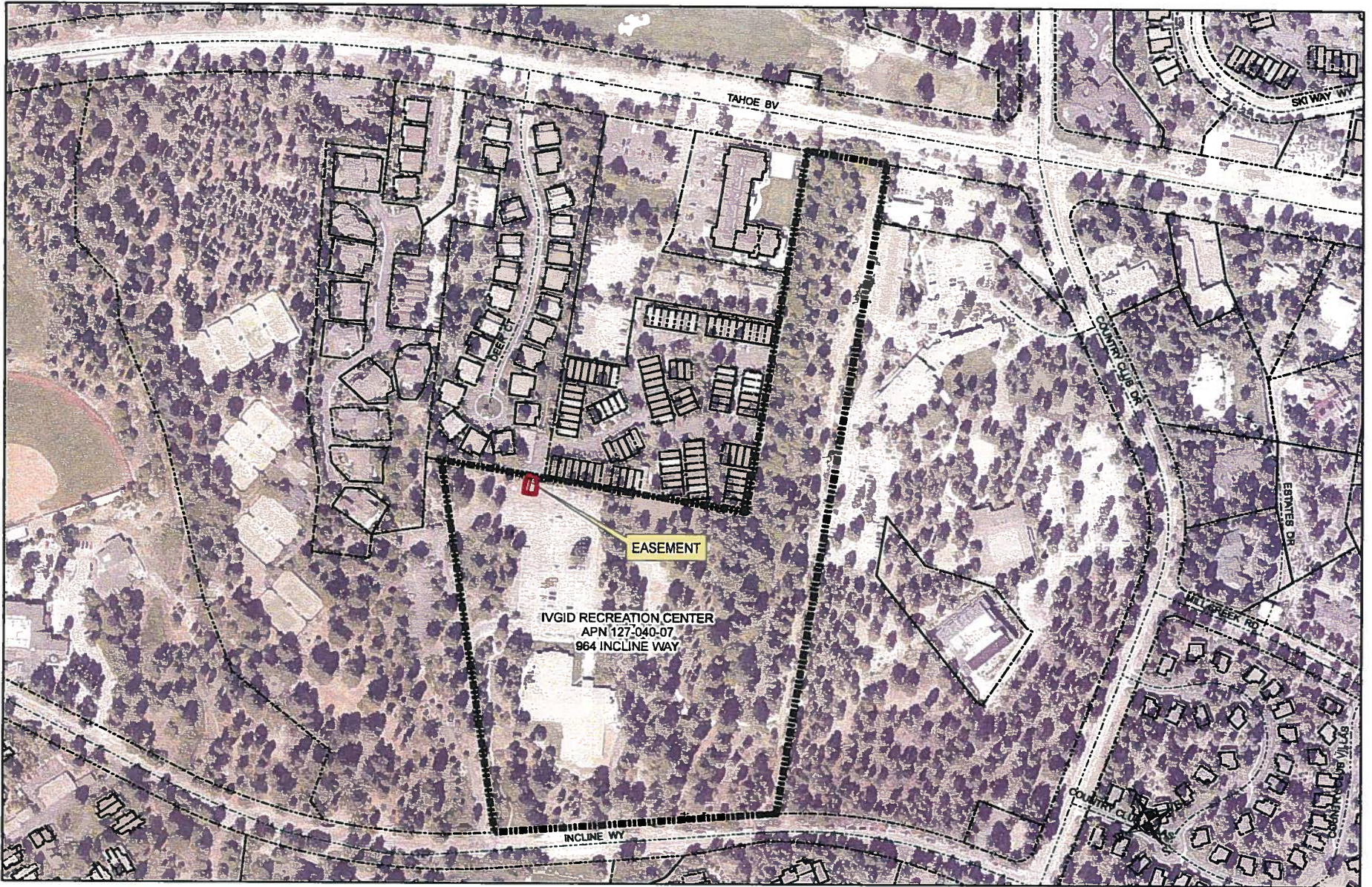
NLTFPD will be responsible for ensuring the improvements are constructed at no cost to the District and for preparing and recording the necessary legal documents for the easement.

V. ALTERNATIVES

Not approve the granting of the easement. Doing so limits the ability of emergency responders to access the Recreation Center parcel and neighboring parcels to the north.

VI. BUSINESS IMPACT

This item is not a "rule" within the meaning of NRS, Chapter 237, and does not require a Business Impact Statement.



EASEMENT REQUEST
Date: 7/25/2017



APN: 127-040-07

AFTER RECORDING, Mail to:
Incline Village GID
1220 Sweetwater Road
Incline Village, Nevada 89451
Attention: Tim Buxton

For Recorder's Use Only

964 INCLINE WAY
ACCESS EASEMENT

THIS INDENTURE, made this _____ day of _____, 20____, by and between **INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT**, hereinafter referred to as the "Party of the First Part," and the **NORTH LAKE TAHOE FIRE PROTECTION DISTRICT**, hereinafter referred to as the "Party of the Second Part,"

WITNESSETH:

THAT FOR AND IN CONSIDERATION OF the sum of ONE DOLLAR (\$1.00), cash-in-hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, the Party of the First Part has this day bargained and sold and by these presents does bargain and sell, transfer, and deliver unto the Party of the Second Part, a perpetual non-exclusive easement for ingress and egress, for the purpose of providing emergency services over, across, and through the lands hereinafter described, provided the Party of the Second Part has the obligation to maintain the site in its as-found condition except where authorized to facilitate ingress and egress.

THE PARTY OF THE SECOND PART covenants that no improvements to facilitate ingress and egress shall be placed or erected on subject property without prior written approval by the Party of the First Part. Maintenance associated with any authorized improvements installed by the Party of the Second Part shall be the responsibility of the Party of the Second Part.

THE PARTY OF THE FIRST PART covenants that no improvements which limit ingress and egress shall be placed or erected on subject property without prior written approval by the Party of the Second Part.

THE LAND AFFECTED by the grant of this easement and right of way is located in the County of Washoe, State of Nevada, and is more particularly described in the attached Exhibit "A" and is depicted in the attached Exhibit "A-1."

TO HAVE AND TO HOLD said easements and rights of way unto the Party of the Second Part and unto its successors and assigns forever.

IN WITNESS WHEREOF, the Party of the First Part has executed these presents the day and year first above written.

INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT, a political subdivision:

By: _____

Joseph J. Pomroy, P.E., Director of Public Works
Incline Village General Improvement District

STATE OF)
) ss
COUNTY OF)

On this ____ day of _____, 20____, personally appeared before me, a Notary Public in and for the said County and State, Joseph J. Pomroy, a duly authorized representative of the Incline Village General Improvement District, known to me to be the persons described herein and who executed the foregoing instrument and duly acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes mentioned therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above in this certificate.

NOTARY PUBLIC

IN WITNESS WHEREOF, the Party of the First Part has executed these presents the day and year first above written.

NORTH LAKE TAHOE FIRE PROTECTION DISTRICT, a political subdivision:

By: _____

Ryan E. Sommers, Fire Chief
North Lake Tahoe Fire Protection District

STATE OF)
) ss
COUNTY OF)

On this ____ day of _____, 20____ , personally appeared before me, a Notary Public in and for the said County and State, **Ryan E. Sommers**, a duly authorized representative of the **North Lake Tahoe Fire Protection District**, known to me to be the persons described herein and who executed the foregoing instrument and duly acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes mentioned therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first written above in this certificate.

Notary Public

EXHIBIT A

LEGAL DESCRIPTION
EASEMENT AREA

Being a portion of those certain lands of Incline Village General Improvement District as described in File No. 2147124, Washoe County Official Records, more particularly described as follows:

Being a portion of Parcel 2 as shown on Parcel Map No. 946, File No. 631771, Washoe County Official Records, situate in the Sections 14, 15 and 22, Township 16 North, Range 18 East, M.D.B.&M., Washoe County, Nevada, more particularly described as follows:

COMMENCING at the section corner common to Sections 14, 15, 22 and 23, Township 16 North, Range 18 East, M.D.B.&M. as shown on the Official Plat for Commercial Subdivision No. 1, File No. 21501, filed March 2, 1962 in the Office of the Washoe County Recorder; thence North $4^{\circ}24'59''$ West 530.60 feet to a point on the southerly right of way of Tahoe Boulevard and the Northern most point of Parcel 2 as shown on Parcel Map No. 946, File No. 631771, filed September 26, 1979, in the Office of the Washoe County Recorder; thence along the northwesterly line of said Parcel 2, South $39^{\circ}26'58''$ West 822.53 feet; thence along the northeasterly line of said Parcel 2, North $50^{\circ}33'02''$ West 474.37 feet to the POINT OF BEGINNING of the easement area hereby described; thence from said Point of Beginning, leaving the northeasterly line of said Parcel 2, South $34^{\circ}35'33''$ West 22.36 feet; thence South $39^{\circ}26'58''$ West 17.00 feet; thence North $50^{\circ}33'02''$ West 27.00 feet; thence North $39^{\circ}26'58''$ East 17.00 feet; thence North $52^{\circ}21'31''$ East 22.85 feet to a point on the northeasterly line of said Parcel 2; thence along the northeasterly line of said Parcel 2 South $50^{\circ}33'02''$ East 20.00 feet, more or less, to the Point of Beginning.

End of Description



Prepared by:

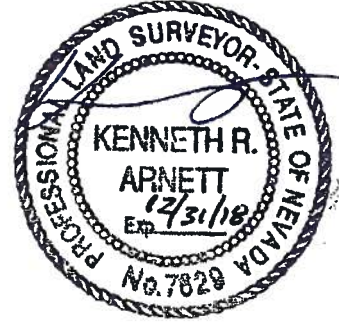
A handwritten signature in black ink, appearing to read "Kenneth R. Arnett".

Kenneth R. Arnett P.L.S. 7629

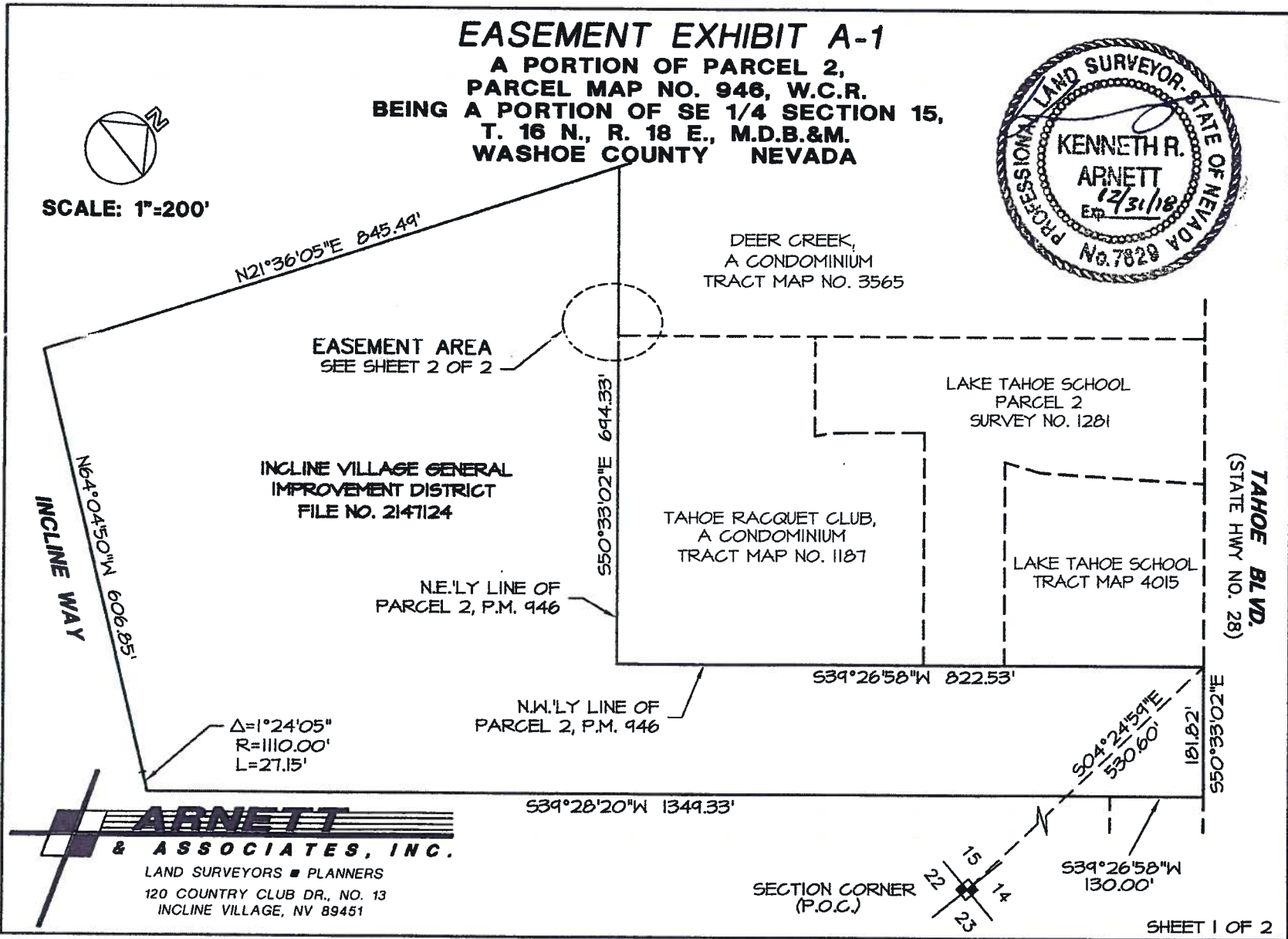
License expires: 12/31/18

EASEMENT EXHIBIT A-1

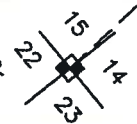
A PORTION OF PARCEL 2,
 PARCEL MAP NO. 946, W.C.R.
 BEING A PORTION OF SE 1/4 SECTION 15,
 T. 16 N., R. 18 E., M.D.B.&M.
 WASHOE COUNTY NEVADA



SCALE: 1"=200'



ARNETT
 & ASSOCIATES, INC.
 LAND SURVEYORS ■ PLANNERS
 120 COUNTRY CLUB DR., NO. 13
 INCLINE VILLAGE, NV 89451

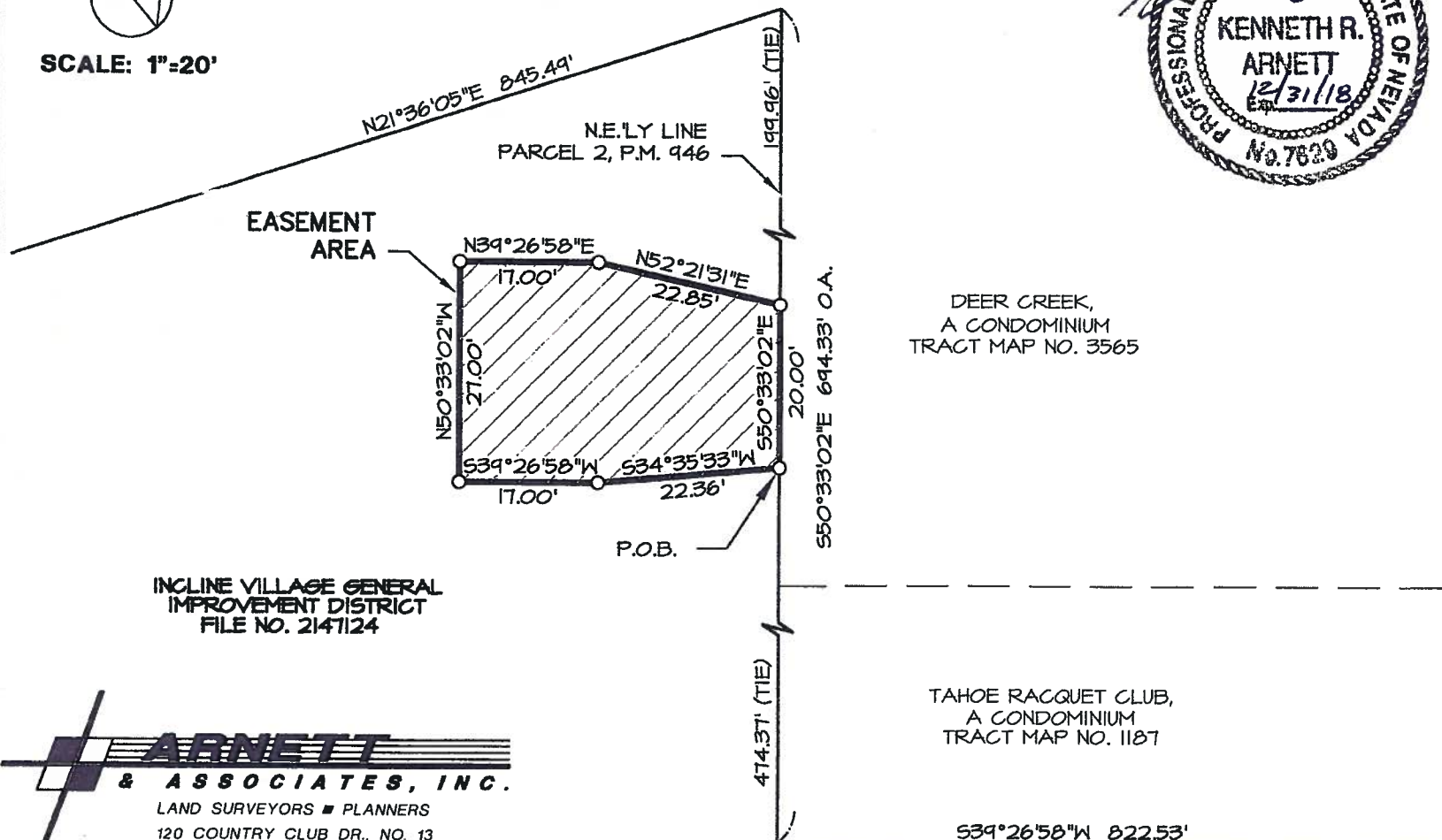


SHEET 1 OF 2

EASEMENT EXHIBIT A-1
A PORTION OF PARCEL 2,
PARCEL MAP NO. 946, W.C.R.
BEING A PORTION OF SE 1/4 SECTION 15,
T. 16 N., R. 18 E., M.D.B.&M.
WASHOE COUNTY NEVADA

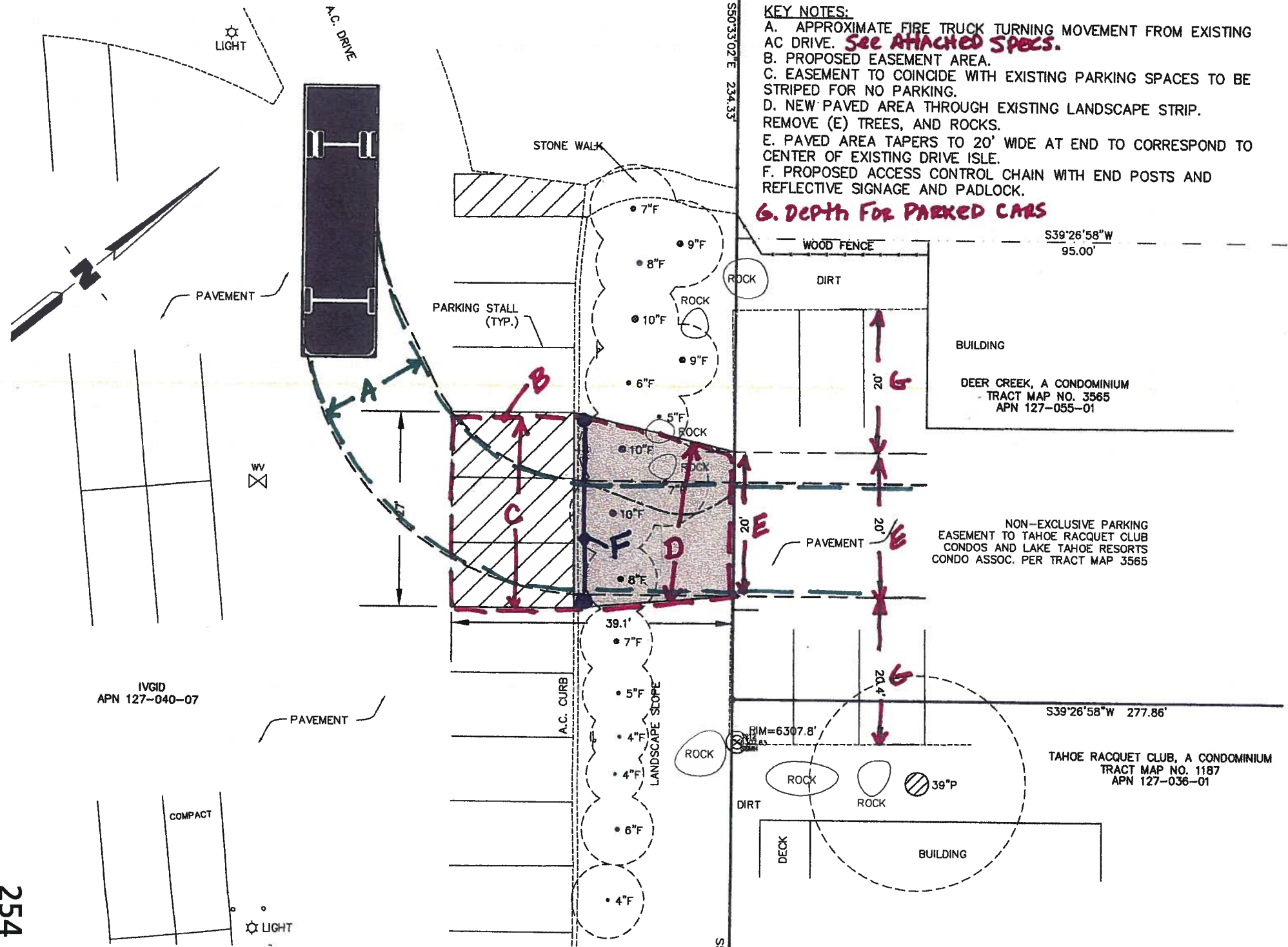


SCALE: 1"=20'



INCLINE VILLAGE GENERAL
IMPROVEMENT DISTRICT
FILE NO. 2147124

ARNETT
& ASSOCIATES, INC.
 LAND SURVEYORS ■ PLANNERS
 120 COUNTRY CLUB DR., NO. 13
 INCLINE VILLAGE, NV 89451



- KEY NOTES:**
- A. APPROXIMATE FIRE TRUCK TURNING MOVEMENT FROM EXISTING AC DRIVE. *See Attached Specs.*
 - B. PROPOSED EASEMENT AREA.
 - C. EASEMENT TO COINCIDE WITH EXISTING PARKING SPACES TO BE STRIPED FOR NO PARKING.
 - D. NEW PAVED AREA THROUGH EXISTING LANDSCAPE STRIP. REMOVE (E) TREES, AND ROCKS.
 - E. PAVED AREA TAPERS TO 20' WIDE AT END TO CORRESPOND TO CENTER OF EXISTING DRIVE ISLE.
 - F. PROPOSED ACCESS CONTROL CHAIN WITH END POSTS AND REFLECTIVE SIGNAGE AND PADLOCK.

G. DEPTH FOR PARKED CARS

S39°26'58"W
95.00'

BUILDING
DEER CREEK, A CONDOMINIUM
TRACT MAP NO. 3565
APN 127-055-01

NON-EXCLUSIVE PARKING
EASEMENT TO TAHOE RACQUET CLUB
CONDOS AND LAKE TAHOE RESORTS
CONDO ASSOC. PER TRACT MAP 3565

S39°26'58"W 277.86'

TAHOE RACQUET CLUB, A CONDOMINIUM
TRACT MAP NO. 1187
APN 127-036-01

S50°33'02"E 234.33'

S

IVGID
APN 127-040-07