

APN: 040-581-20 (Mil Drae Lane)

Benefitted Parcels: APNs 040-581-09, 040-581-12, 040-581-13, 040-581-14, 040-581-19, 040-582-02, 040-582-03, 040-582-04, 040-582-09, 040-582-10, and 040-582-12

When recorded return to:  
Washoe County  
Community Service Department, Engineering Division  
1001 East 9<sup>th</sup> Street  
Reno, NV 89512  
Attn: Dwayne Smith

**AMENDED**  
**RESOLUTION AND ORDER OF ABANDONMENT**

WHEREAS, the Resolution and Order of Abandonment recorded on October 2, 2018 as document #4855471 is amended by this Amended Resolution and Order of Abandonment, which is made to correct current inaccuracies of vested owners of record with the Washoe County Assessor; and

WHEREAS, pursuant to NRS 278.480, the Washoe County Commission did receive a petition to abandon Mil Drae Lane as shown on Mil Drae Country Estates Tract Map #1568 ("Mil Drae Lane" or the "Abandoned Property"), which petition was granted pursuant to the Resolution and Order of Abandonment recorded as Document No. 4855471 ("Order of Abandonment") and designated Mil Drae Lane as a separate parcel APN 040-581-20; and

WHEREAS, the eleven (11) parcels which abut Mil Drae Lane (the "Abutting Parcels") are defined herein as APNs 040-581-09, 040-581-12, 040-581-13, 040-581-14, 040-581-19, 040-582-02, 040-582-03, 040-582-04, 040-582-09, 040-582-10, and 040-582-12. Mil Drae Lane and the Abutting Parcels are situated in Section 01, T18N, R19E, M.D.B. & M. Washoe County, Nevada; and

WHEREAS, the Order of Abandonment created Mil Drae Lane as a separate parcel and was to be abandoned to the owners of the Abutting Parcels as joint owners of Mil Drae Lane, and who would thereafter by deed convey Mil Drae Lane to an association which would maintain Mil Drae Lane;

WHEREAS, per the Order of Abandonment Mil Drae Lane is identified as a separate parcel APN 040-581-20, but the Washoe County Assessor's records currently and incorrectly reflect title to the Abandoned Property as vested in less than all of the current owners of the Abutting Parcels and in prior owners who no longer have vested ownership in any of the Abutting Parcels; and

*RESOLUTION AND ORDER OF ABANDONMENT 040-581-20, CONTINUED*

WHEREAS, the owners of a portion of the Abutting Parcels that was subdivided into 7 lots pursuant to Tract Map #1568 in April of 1976 and the owners of the portion of the property that was divided into 3 lots pursuant to Parcel Map #275 in June of 1976, were the same 4 people, namely: Mick A. Dragoo, Mary G. Dragoo, Lewis W. Milabar and Allyene M. Milabar ("Original Owners"); and

WHEREAS, the current owners of ten (10) Abutting Parcels (7 subdivision parcels created by Tract Map # 1568 and 3 parcels created by Parcel Map #275), are the successors in interest to the four Original Owners who obtained approval for the subdivision of the property, created Mil Drae Lane, and offered Mil Drae Lane for dedication; and

WHEREAS, the property known as 2450 Del Monte Lane (APN 040-581-03) was not part of the property divided by Tract Map #1568 nor Parcel Map #275 and is not now and never was property abutting Mil Drae Lane for the purposes of the abandonment statute (NRS 278.480); and

WHEREAS, the property known as 420 Mil Drae Lane (APN 040-582-12) was not part of the property divided by Tract Map #1568 nor Parcel Map #275; however, was created by Record of Survey Map #5180 with access from Mil Drae Lane; and

WHEREAS, as shown on Mil Drae Country Estates Tract Map #1568, Mil Drae Lane street dedication was never accepted by the Washoe County Board of County Commissioners, but the offer of dedication remained open under NRS 278.390;

WHEREAS, the Washoe County Commission has not previously accepted dedication of Mil Drae Lane as a county roadway; and

WHEREAS, pursuant to NRS 244.276 and 278.480, the County of Washoe has the power to vacate Mil Drae Lane as a county right-of-way; and

WHEREAS, the Abandoned Property is subject to reservation of easements for public utilities and drainage and is legally described as set forth on the attached Exhibit "A" and depicted on the attached Exhibit "B"; and

WHEREAS, an access and utility easement agreement was recorded with the Office of the Washoe County Recorder, Document No. 4853208 is expected to be abandoned, released, revoked, rescinded and extinguished; and

WHEREAS, notice to each of the owners of the Abutting Parcels of the date of the hearing on this resolution was provided by mail pursuant to a method that provides confirmation of delivery and does not require the signature of the recipient, and a notice setting forth the extent of the proposed abandonment and including the date for a public hearing has been published at least once in a newspaper of general circulation in the county; and

WHEREAS, upon evidence presented by the County Engineer and other interested persons, the Washoe County Board of County Commissioners confirms the findings in the Order of

*RESOLUTION AND ORDER OF ABANDONMENT 040-581-20, CONTINUED*

Abandonment that 1) the public will not be materially injured by the abandonment; and 2) the abandonment is in the best interests of the County; and 3) the Board of Commissioners gave reasoned consideration to information presented.

WHEREAS, upon evidence presented by the County Engineer and other interested persons, the Washoe County Board of County Commissioners further finds 1) that the public will not be materially injured by the correction of the accurate designation of owners of the Abutting Parcels in the Washoe County Records; and 2) that the correction of the accurate designation of owners of the Abutting Parcels in the Washoe County Records is in the best interests of the County; and 3) that the Board of Commissioners gave reasoned consideration to information presented; and

WHEREAS, the Washoe County Board of County Commissioners ordered on October 25, 2016, the abandonment of Mil Drae Lane:

NOW, THEREFORE, BE IT RESOLVED AND AS ORDERED BY THE WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS, that:

1. The proposed right-of-way commonly known as Mil Drae Lane (APN 040-581-20) as described and depicted on Exhibits "A" and "B" attached hereto, which was offered for dedication pursuant to Tract Map 1568 (April 4, 1976), is abandoned as to any ownership interest of Washoe County in Mil Drae Lane, along with any future right to accept all or any portion of Mil Drae Lane as a county right-of-way.

2. Title to the proportionate part of the Abandoned Property, from the approximate center line of the Abandoned Property, reverts to each Abutting Parcel owner without cost, and shall inure to the benefit of their successors-in-interest and grantees in title to the Abutting Parcels, and that this Amended Order of Abandonment be recorded in the Office of the Washoe County Recorder pursuant to NRS 278.480.

3. The abandonment is subject to the following conditions:

a. Perpetuation of all public utility easements and/or relocation of all public utility easements to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.

b. Perpetuation of all drainage facilities and/or easements or relocation of said drainage facilities and/or easements to the satisfaction of and at no expense to Washoe County. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of the new easements.

c. The owners of the parcel known by the APN designation 040-582-11 shall be provided access across and over Mil Drae Lane, the property described and depicted

*RESOLUTION AND ORDER OF ABANDONMENT 040-581-20, CONTINUED*

on Exhibits "A" and "B", if the owners take all actions necessary to subject themselves to the CC&Rs that govern the Mil Drae Country Estates including the maintenance and other obligations contained therein.

4. This Amended Resolution and Order supersedes and replaces in its entirety the Order of Abandonment recorded on October 2, 2018.

See attached: Exhibit " A" Legal Description for Mil Drae Lane, the Abandoned Property  
Exhibit " B" Map to Accompany Description of Abandoned Property

By: \_\_\_\_\_  
Chair, Washoe County Commission

Date: \_\_\_\_\_

## EXHIBIT A

Washoe County  
Legal Description  
APN 040-581-20

### ***ABANDONMENT OF MIL DRAE LANE***

All that certain real property, situate within a portion of Section 1, Township 18 North, Range 19 East, Mount Diablo Meridian, County of Washoe, State of Nevada, being Mil Drae Lane as shown on that certain "Subdivision Tract Map of Mil Drae Country Estates", recorded on April 16, 1976, as Subdivision Tract Map No. 1568, File No. 404602, Official Records of Washoe County, Nevada, the centerline of which is more particularly described as follows:

**COMMENCING** at the North One Quarter corner of said Section 1, thence South  $01^{\circ}36'05''$  West a distance of 1111.71 feet to the intersection of the centerline of said Mil Drae Lane and the Easterly right of way line of Del Monte Lane and the **TRUE POINT OF BEGINNING**;

Thence along the centerline of the 50.00 foot wide Mil Drae Lane, said right of way being 25.00 feet each side of centerline, North  $89^{\circ}47'00''$  East a distance of 647.31 feet to the beginning of a 100.00 foot radius curve concave Northwesterly;

Thence along said 100.00 foot radius curve to the left, through a delta angle of  $71^{\circ}44'00''$  and an arc length of 125.20 feet to a point of tangent;

Thence North  $18^{\circ}03'00''$  East a distance of 509.07 feet to the beginning of a 200.00 foot radius curve concave Westerly;

Thence along said 200.00 foot radius curve to the left, through a delta angle of  $18^{\circ}16'00''$  and an arc length of 63.76 feet to a point of tangent;

Thence North  $00^{\circ}13'00''$  West a distance of 131.85 feet to the beginning of a 100.00 foot radius curve concave Southwesterly;

Thence along said 100.00 foot radius curve to the left, through a delta angle of  $90^{\circ}00'00''$  and an arc length of 157.08 feet to a point of tangent;

Thence South  $89^{\circ}47'00''$  West a distance of 105.00 feet to the intersection of the previously abandoned centerline of Allyene Way (also known as Milabar Way);

Thence continuing along the centerline of Mil Drae Lane South  $89^{\circ}47'00''$  West a distance of 350.00 feet to the center of a 50.00 foot radius Cul-de-Sac and the Northwesterly end of Mil Drae Lane.

The Right of Way abandonment of the Cul-de-Sac at the Northwesterly end of Mil Drae Lane is further described as follows:

**COMMENCING** at the center of said 50.00 foot Cul-de-Sac of Mil Drae Lane, thence North  $63^{\circ}46'24''$  East a distance of 57.01 to a point on the Northerly Right of Way line of Mil Drae Lane and the beginning of a 15.00 foot curve concave to the Northeast and the **TRUE POINT OF BEGINNING** of said Cul-de-Sac Right of Way abandonment;

Thence along said 15.00 foot radius curve to the right, from a tangent bearing of South  $89^{\circ}47'00''$  West, through a delta of  $52^{\circ}01'13''$  and an arc length of 13.62 feet to the point of reverse curvature and a 50.00 foot radius curve concave to the East;

Thence along said 50.00 foot radius curve through a delta of  $284^{\circ}02'26''$  and an arc length of 247.87 feet to the point of reverse curvature and a 15.00 foot radius curve concave to the Southeast;

Thence along said 15.00 foot radius curve to the right, through a delta of  $52^{\circ}01'13''$  and an arc length of 13.62 feet to a point on the Southerly Right of Way line of Mil Drae Lane; said point also being South  $00^{\circ}13'00''$  East a distance of 50.00 feet from the **TRUE POINT OF BEGINNING** of said Cul-de-Sac Right of Way abandonment;

Said Mil Drae Lane abandonment shall include any necessary extension or reduction of both sides of said 50.00 foot wide Mil Drae Lane Right of Way Lines to match the Easterly Right of Way line of Del Monte Lane, the 50.00 foot radius Cul-de-Sac and 15.00 foot reverse curves at the Northwesterly end of Mil Drae Lane as shown on the attached Exhibit.

This abandonment of Mil Drae Lane contains an area of 109,930 square feet of land, more or less.

**BASIS OF BEARINGS:** The North line of the Northeast Quarter of said Section 1 as shown on the "Subdivision Tract Map of Mil Drae Estates", recorded on April 16, 1976, as Subdivision Tract Map No. 1568, File No. 404602, Official Records of Washoe County, Nevada, shown as North  $89^{\circ}49'00''$  West.

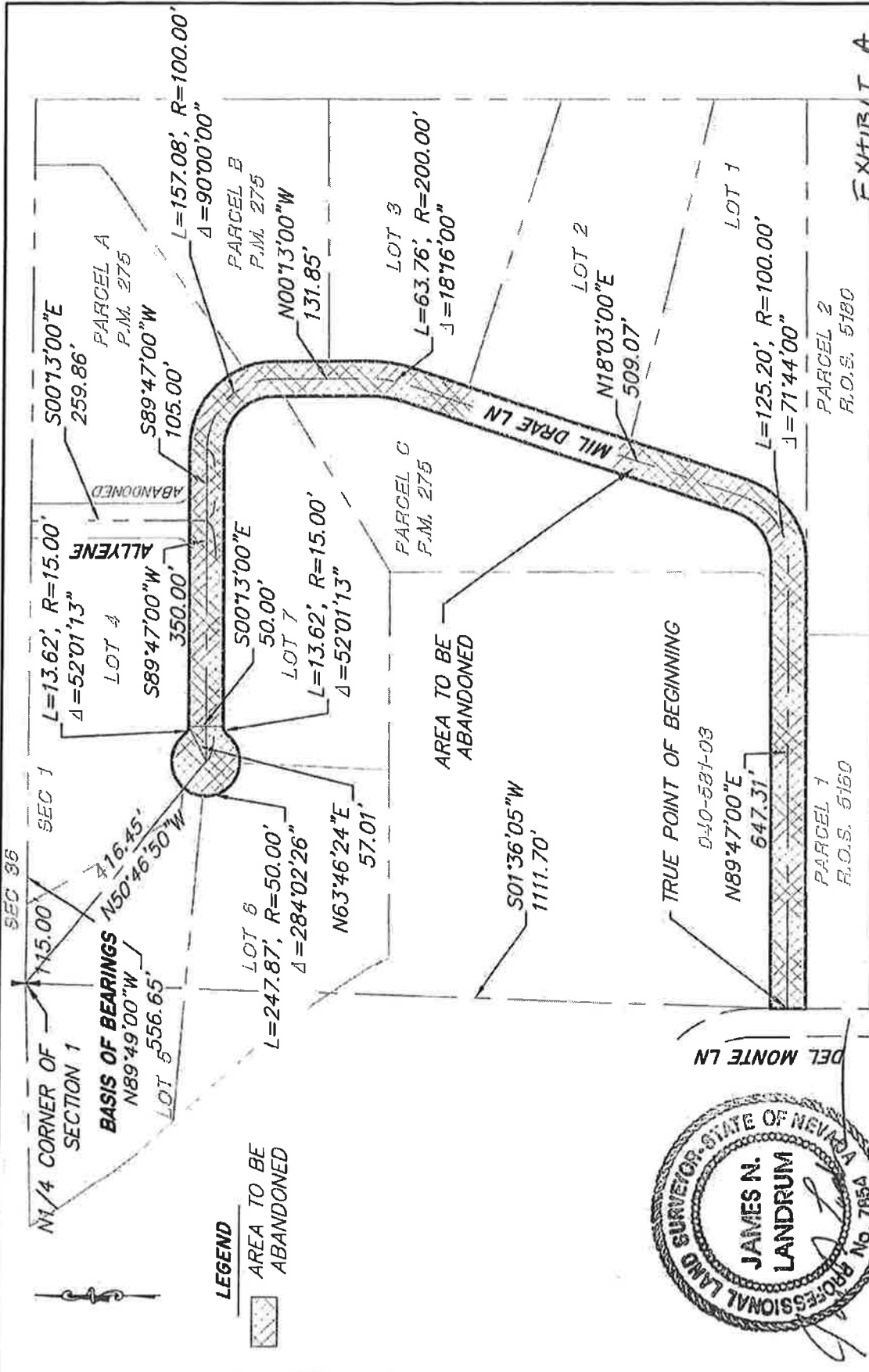
Prepared by:  
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Modesto, Ca. 95354  
866-526-4214



Expires 12/31/2019

Dated: \_\_\_\_\_

6/28/18



**EXHIBIT A**

**SHEET 1 OF 1**

**MVE inc.**  
 1111 L Street, Reno, NV 89501  
 (775) 785-1111  
 mve@me.net

**Drawn By:** DAM  
**Date:** 7/14/15  
**Scale:** 1"=200'  
**Job No.:** NV15002  
**Phone:** 866.526.4214

**ABANDONMENT OF MIL DRAE LANE FOR WASHOE COUNTY**  
**POR. OF SEC. 1, T18N, R19E, WDM**  
**WASHOE COUNTY NEVADA**

**6/28/18**