

**RESOLUTION No. R21-006**

RESOLUTION OF INTENT TO EXECUTE AN AMENDED EASEMENT AGREEMENT AND AMENDED EASEMENT DEED BETWEEN WASHOE COUNTY AND THE TRUCKEE MEADOWS WATER AUTHORITY TO CHANGE AN EXISTING ACCESS AND WATER FACILITIES EASEMENT FROM  $\pm 11,802$  SQUARE FEET TO  $\pm 20,425$  SQUARE FEET AND TO AMEND THE TERMS OF A TEMPORARY EASEMENT TOTALING  $\pm 23,588$  SQUARE FEET TO ALLOW FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF A TEMPORARY BELOW-GROUND WATERLINE ON APN 534-521-01, PART OF SUGARLOAF PEAK OPEN SPACE [AT THE ADDITIONAL APPRAISED VALUE OF \$1,485.00]; AND, IF ADOPTED, SET A PUBLIC HEARING ON THE MATTER FOR APRIL 27, 2021.

**WHEREAS**, Washoe County owns a parcel of real property (APN 534-521-01) located approximately one (1) mile east of Pyramid Highway in Spanish Springs, Nevada; and

**WHEREAS**, in 2019 the Truckee Meadows Water Authority (TMWA) requested an access and water facilities easement totaling  $\pm 11,802$  square feet and a temporary construction easement totaling  $\pm 23,588$  square feet across the subject parcel for the purpose of constructing and maintaining an underground waterline and access road to provide system redundancy and potable water supply; and

**WHEREAS**, in 2019 the TMWA also requested a temporary easement totaling  $\pm 23,588$  square feet to allow for the installation of waterline facilities; and

**WHEREAS**, on January 14, 2020, the Washoe County Board of County Commissioners adopted a Resolution of Intent (R20-001) to execute an easement agreement and easement deed between Washoe County and the Truckee Meadows Water Authority (TMWA) for an access and water facilities easement totaling  $\pm 11,802$  square feet and a temporary easement totaling  $\pm 23,588$  square feet on APN 534-521-01, part of Sugarloaf Peak Open Space [at the appraised value of \$2,033.00]; and

**WHEREAS**, on January 28, 2020, the Washoe County Board of County Commissioners set a public hearing on the matter to consider any objections to said Resolution of Intent; and

**WHEREAS**, on January 28, 2020, the Washoe County Board of County Commissioners approved said easement agreement and easement deed, and authorized the Chair to execute the agreement and deed to that effect; and

**WHEREAS**, the TMWA has requested an amendment of that access and water facilities easement from  $\pm 11,802$  square feet to  $\pm 20,425$  square feet to accommodate engineering requirements; and

**WHEREAS**, the TMWA has also requested an amendment of the temporary easement to allow for the installation and maintenance of temporary below-ground waterline facilities to support construction activities; and

**WHEREAS**, on April 6, 2021, the Washoe County Regional Parks and Open Space Commission recommended that the Board of County Commissioners approve said amendments to the access and water facilities easement and temporary easement; and

**WHEREAS**, Nevada Revised Statutes 277.050 authorizes the Board of County Commissioners of Washoe County, Nevada, to sell or lease to another public agency, the State of Nevada or a department or agency of the State or an Indian tribe, any real property belonging to it under certain conditions; and

**WHEREAS**, TMWA is a Joint Powers Authority, a public agency defined in NRS 277.050 and has requested an amendment to the access and water facilities easement and temporary construction easement for the appraised value of \$1,485.00; and

**WHEREAS**, Nevada Revised Statutes 277.050 authorizes the Board of County Commissioners to sell real property to a public agency without advertising for public bids, subject to the adoption of a resolution declaring its intention to sell the property; and

**WHEREAS**, in order to sell this property, Nevada Revised Statutes 277.050 requires the Board of County Commissioners to hold a public hearing no less than two (2) weeks after the adoption of the resolution at which objections to the sale may be made by the electors of the public agency; and

**WHEREAS**, Washoe County will schedule this proposed easement agreement for its next public meeting on April 27, 2021, to allow for any objections to this action; and

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners:

1. That it has the authority to sell said property to the Truckee Meadows Water Authority, without offering said real property to the public as authorized within NRS 277.050; and
2. The Truckee Meadows Water Authority has proposed to purchase this expanded easement area at the appraised value of \$1,485.00; and

3. The Board of County Commissioners will consider this proposal on April 27, 2021 to allow for any objections to this action; and
4. Upon approval by the Washoe County Board of Commissioners and satisfaction of all terms and conditions, the Chair shall be authorized to execute the proposed easement agreement and deliver it to the Truckee Meadows Water Authority upon the performance and compliance of all the terms and conditions of the easement to be performed concurrently with the delivery.

The motion to adopt the above resolution was made by County Commissioner

\_\_\_\_\_ and seconded by County Commissioner  
\_\_\_\_\_ and the vote of said motion is as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Chair,  
Washoe County Commission

ATTEST:

\_\_\_\_\_  
Washoe County Clerk