



STAFF REPORT

TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: John Erwin, Director of Natural Resources
DATE: March 6, 2015
SUBJECT: **Request for Board adoption of Resolution No. 225 approving the sale of surplus property adjacent TMWA’s Peckham Well (APN: 025-263-21) consisting of approximately 9,935 square feet to the adjoining property owner, and to authorize the General Manager to execute documents to complete the transaction**

RECOMMENDATION

Staff recommends the Board adopt a resolution declaring its intention to sell the surplus property adjacent to its Peckham Well property, directing and authorizing the General Manager to execute the documents to complete the transaction.

DISCUSSION

Map 1 shows the original Peckham Lane Well parcel (Well Parcel) acquired by TMWA when TMWA purchased the water utility assets from Sierra Pacific Power Company (NVEnergy) on June 11, 2001. In 2004, the Regional Transportation Commission (RTC) was acquiring rights-of ways and land to accommodate the extension of Moana Lane to McCarran Blvd. The proposed widening cut off a portion of TMWA’s Well Parcel. Through an exchange with RTC, TMWA gave up some of its Well Parcel for APN: 025-263-21 (Acquired Parcel) which is north and adjacent to TMWA’s Well Parcel (see Map 2). In 2014, the City of Reno abandoned the right-of-way on the west boundary of the Acquired Parcel which resulted in expanding the Acquired Parcel to its present shape shown in Map 3.

Map 4 shows the final configuration of parcel APN 025-263-21.

It has been determined that TMWA does not need the parcel for the operation of the Peckham Well, and given the small size and location of this property, it is too small to establish an economically viable use by anyone other than the person who owns the adjoining real property. A copy of the Certification to Dispose of Surplus Property by the General Manager is attached along with a map showing the existing parcel.

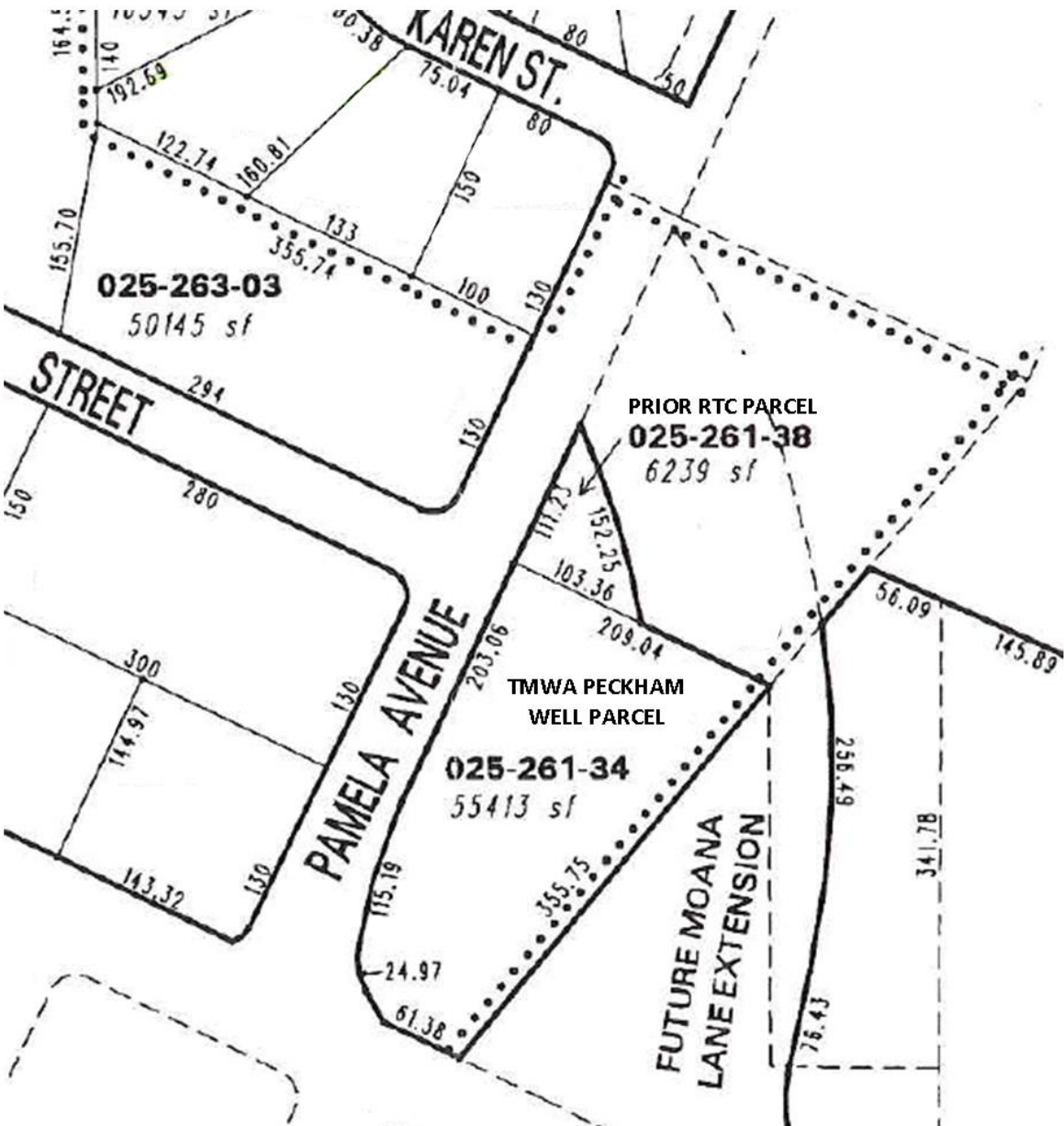
The property was appraised in November, 2014 and was determined to have a fair market value of \$10,000.

Under Nevada law, TMWA may sell any real property without the necessity of publishing notice and receiving competitive bids if the property is sold to a “person who owns real property located adjacent to the real property to be sold” and the TMWA Board determines by resolution that the real property is either (i) a “remnant that was separated from its original parcel due to the construction of a street, alley, avenue or other thoroughfare, or portion thereof, flood control facility or other public facility” or (ii) a “parcel that, as a result of its size, is too small to establish an economically viable use by anyone other than the person who owns real property adjacent to the real property offered for sale or lease.” See NRS 268.062; NRS 244.082.

This property is too small to establish an economically viable use by anyone other than the person who owns real property adjacent to the property offered for sale. Therefore, the sale of the property is exempt from the notice and competitive bidding requirements of NRS 268.062 and 244.082.

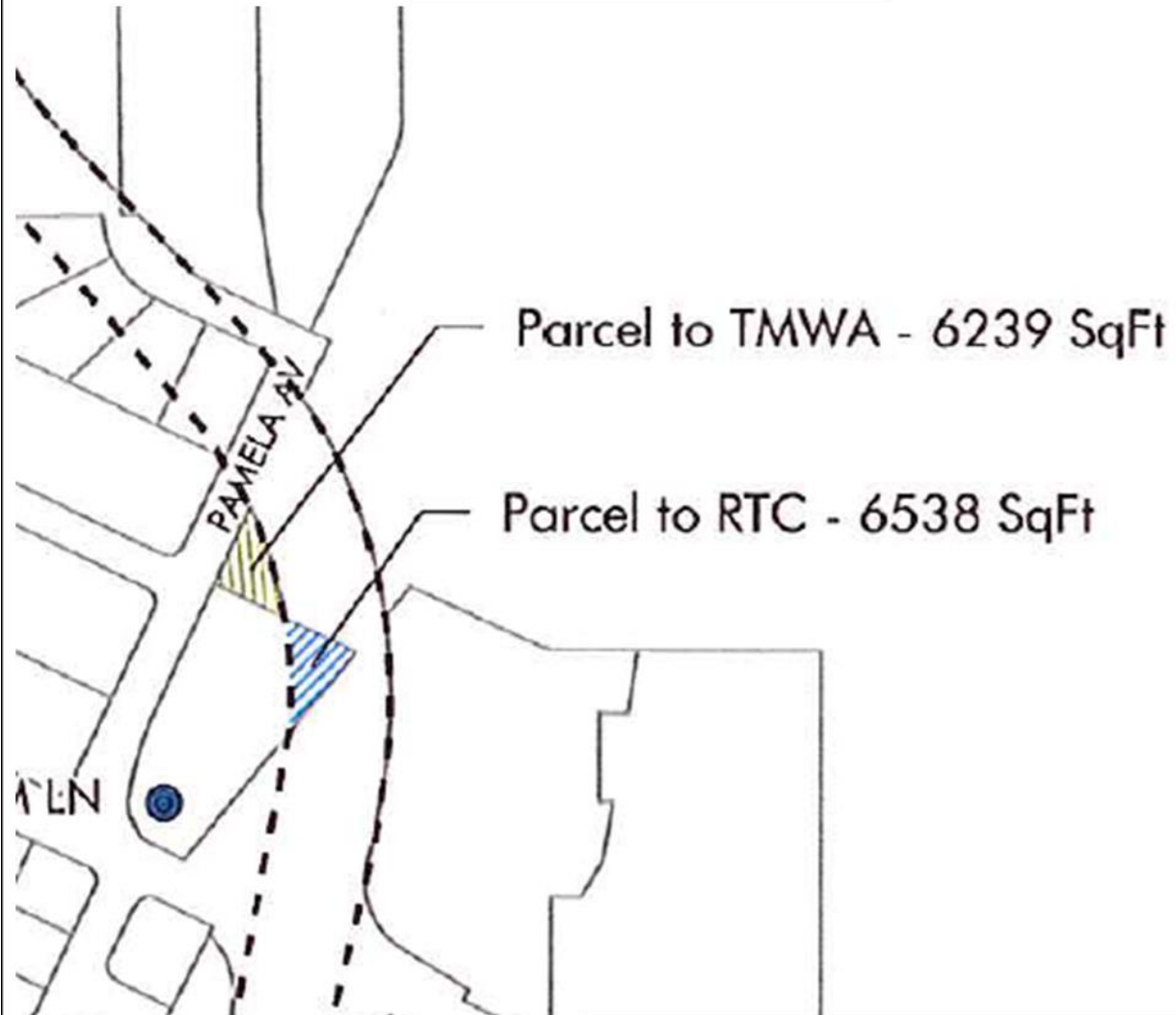
Staff recommends the Board adopt a resolution in the form attached declaring it in the best interests of TMWA to sell the surplus Peckham Well Property to the adjoining property owner on an “as is” basis on the terms and conditions contained in the purchase agreement attached, for a minimum price of \$10,000.00 to be paid in cash at the closing.

MAP 1



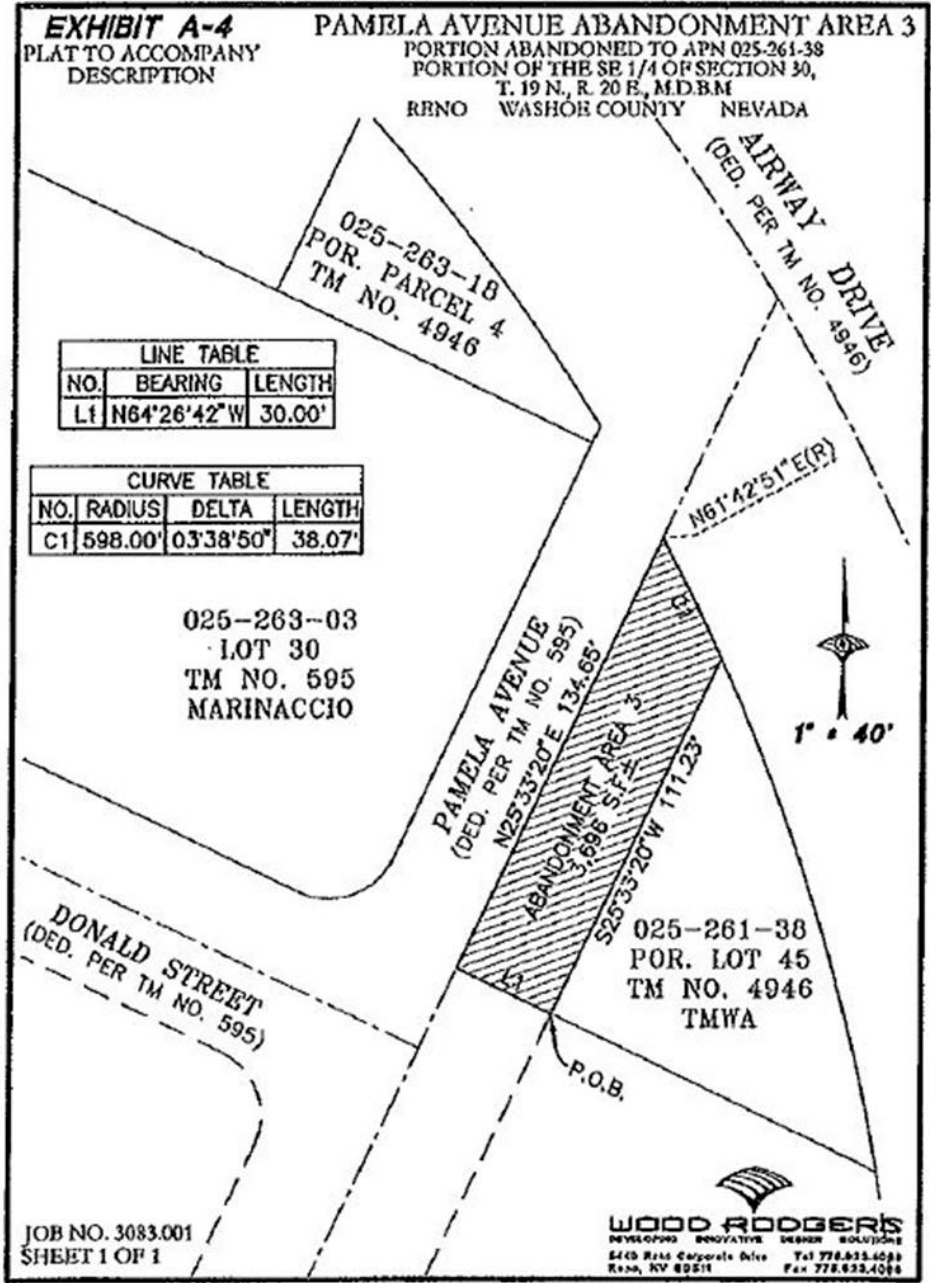
**RESOLUTION TO SELL SURPLUS
PECKHAM WELL PROPERTY
MAP 1
HISTORICAL DEPICTION**

MAP 2



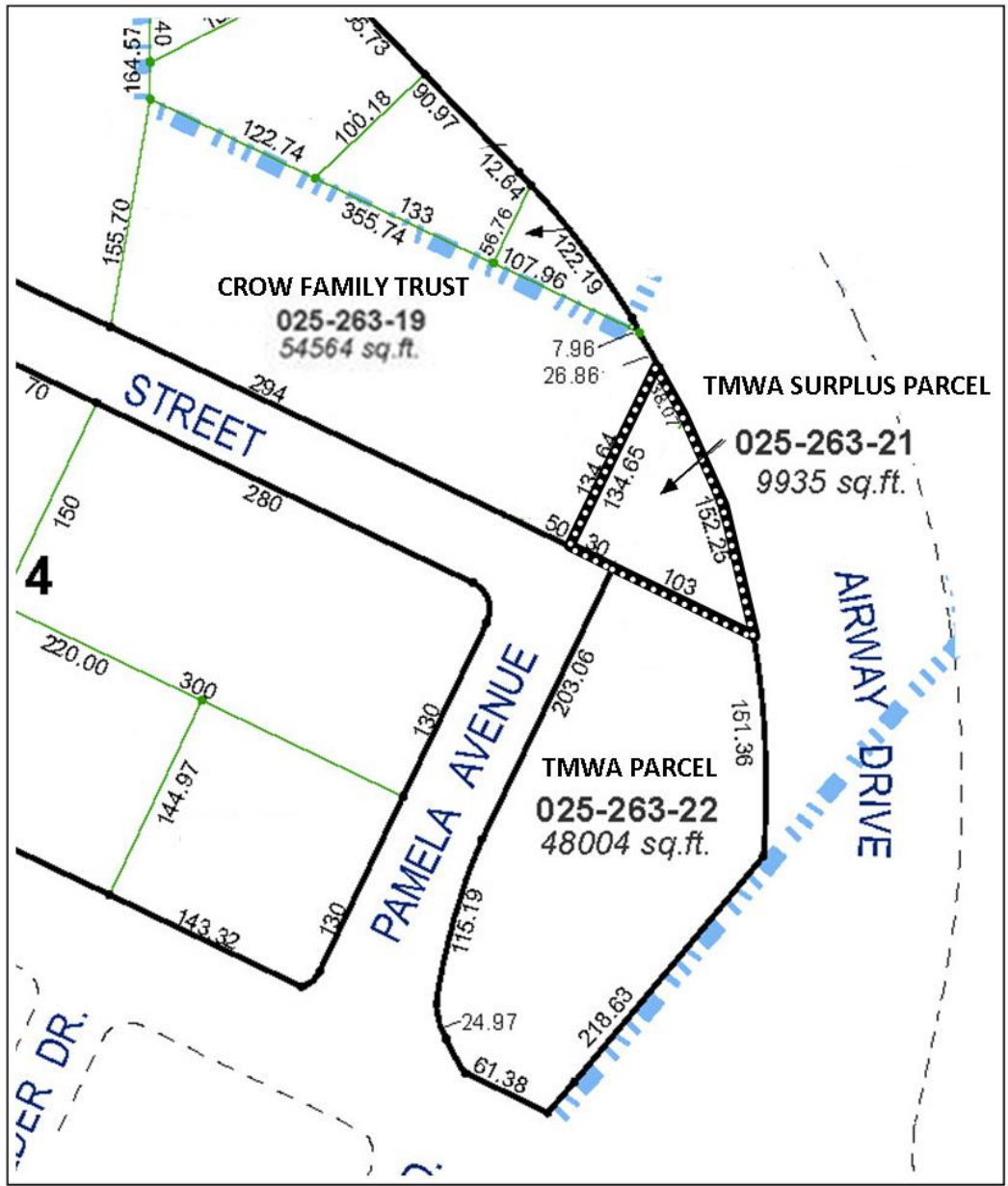
**RESOLUTION TO SELL SURPLUS
PECKHAM WELL PROPERTY
MAP 2
HISTORICAL DEPICTION**

MAP 3



**RESOLUTION TO SELL SURPLUS
 PECKHAM WELL PROPERTY
 MAP 3
 HISTORICAL DEPICTION**

MAP 4



**RESOLUTION TO SELL SURPLUS
PECKHAM WELL PROPERTY
MAP 4
PRESENT DAY DEPICTION**



STAFF REPORT

TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: John Erwin, Director of Natural Resources
DATE: March 6, 2015
**SUBJECT: CERTIFICATION TO DISPOSE OF SURPLUS PROPERTY
Peckham Well, Reno, NV**

The original Peckham Lane Well parcel (Well Parcel) was acquired by TMWA when TMWA purchased the water utility assets from Sierra Pacific Power Company (NVEnergy) on June 11, 2001. In 2004, the Regional Transportation Commission (RTC) was acquiring rights-of ways and land to accommodate the extension of Moana Lane to McCarran Blvd. The proposed widening cut off a portion of TMWA's Well Parcel. Through an exchange with RTC, TMWA gave up some of its Well Parcel for APN: 025-263-21 (Acquired Parcel) which is north and adjacent to TMWA's Well Parcel. In 2014, the City of Reno abandoned the right-of-way on the west boundary of the Acquired Parcel which resulted in expanding the Acquired Parcel.

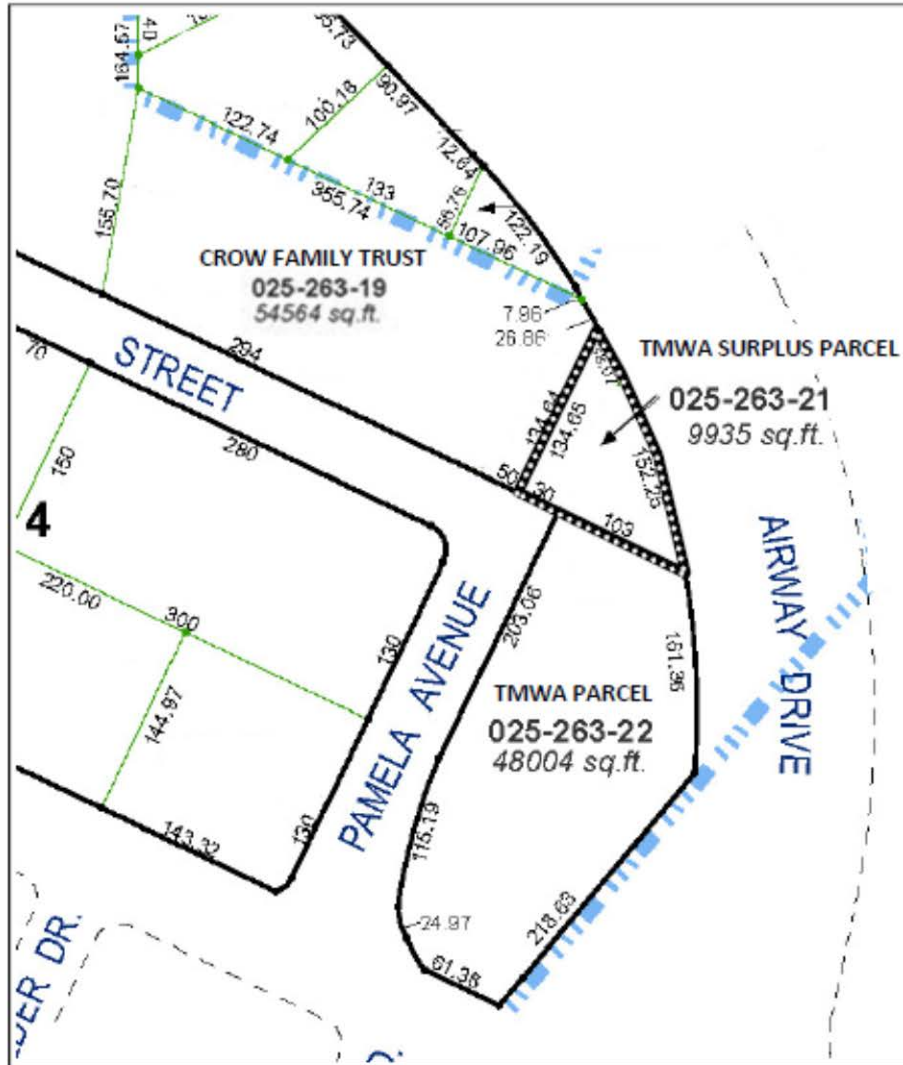
The property was appraised in November, 2014 and was determined to have a fair market value of \$10,000.

Based on staff review of the property associated with the Peckham Well, it is staff's conclusion that the property APN 025-263-21, approximately 9,935 square feet of land shown in the attached map; the small size and location of this property, it is too small to establish an economically viable use by TMWA; and the adjacent property owner has expressed interest in acquiring the property at the appraised value, and in accordance with the surplus property disposal policy I certify that the Property is not useful and has ceased to be necessary for the efficient operation of the Water Systems and recommend the Board sell the surplus property.

Therefore, in accordance with the surplus property disposal policy adopted June 18, 2014, I certify that i) the property being exchanged is too small to establish an economically viable use by any party other than the adjacent property owner of APN 025-263-21 and ii) the proposed sale at appraised value is in the best interest of TMWA. For these reasons, I recommend the Board dispose of the surplus property.

MARK FOREE
General Manager

EXHIBIT A



**Certificate of Disposal
of Surplus Property
Peckham Well
APN: 025-263-21**

TRUCKEE MEADOWS WATER AUTHORITY

RESOLUTION NO. 225

**A RESOLUTION TO SELL AND TRANSFER
THE TRUCKEE MEADOWS WATER AUTHORITY'S
SURPLUS PECKHAM WELL PROPERTY**

WHEREAS, the Authority owns certain real property commonly known as APN 025-263-21 located in Reno, Nevada described in Exhibit "A" (the "TMWA Parcel"); and

WHEREAS, the General Manager has certified in writing to the Board that the TMWA Parcel consisting of approximately 9,935 square feet (the "Property") is not useful to or necessary for the efficient operation of the system and Authority staff believes it in the best interests of the Authority to sell the TMWA Parcel for its fair market value because it is a remnant that is too small to establish an economically viable use by anyone other than the person who owns real property adjacent to the TMWA Parcel and it is not useful to or necessary for the efficient operation of the system;

WHEREAS, the Authority has obtained an appraisal of the Property from an independent qualified appraiser;

WHEREAS, Authority staff has conferred with bond counsel and determined there is no adverse potential bond implications with proceeding with the sale and disposition of the surplus Property;

WHEREAS, the transfer of the Property is exempt from the bidding procedures set forth in NRS 268.062 and NRS 244.082;

WHEREAS, the Board has concluded that the staff report attached hereto and incorporated herein by reference as Attachment A is appropriate and justified in determining that the consideration received is fair and adequate for conveyance of the Property.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TRUCKEE MEADOWS WATER AUTHORITY DOES RESOLVE:

The sale of the Property upon the terms and conditions set forth in the staff report, and conditional upon the purchaser signing the purchase agreement, is hereby approved. The General Manager is authorized to execute a purchase and sale agreement and deed consistent with the terms and conditions outlined by staff and as necessary to transfer the surplus Property as approved by the Board.

Truckee Meadows Water Authority
Resolution No. 225 (continued)

Upon motion of Member _____, seconded by Member _____, the foregoing Resolution was passed and adopted _____, by the following vote of the Board:

Ayes: _____

Nays: _____

Abstain: None _____ Absent: None _____

Approved March ____, 2015

Chairman

Truckee Meadows Water Authority
Resolution No. 225 (continued)

EXHIBIT A

PARCEL 1

All that certain real property being a portion of Lot 45 as shown on the plat of Rewana Subdivision No. 2, recorded on June 26, 1958, as Tract Map 595, File No. 289029, Official Records of Washoe County, Nevada, situate within a portion of Section 30, T19N, R20E, MDM, City of Reno, County of Washoe, State of Nevada, more particularly described as follows:

BEGINNING at the southwest corner of said Lot 45;

Thence along the westerly line of said Lot 45 also being the easterly right-of-way of Pamela Avenue, N 25°33'31" E, 111.23 feet;

Thence departing said westerly line and said easterly right-of-way, along the arc of a non-tangent curve to the right, from a tangent which bears S 24°38'08" E, having a radius of 598.00 feet, through a central angle of 14°35'14" and an arc length of 152.25 feet to the southerly line of said Lot 45;

Thence along said southerly line, N 64°26'30" W, 103.36 feet to the Point of Beginning;

Containing an area of 0.14 acres (6,239 square feet) of land, more or less.

The above described parcel is subject to all easements and reservations of record.

BASIS OF BEARINGS: NAD 1983, Nevada State Plane Coordinate System, West Zone, based upon GPS observations to Hubbard and Vista 2.

[Above legal description referenced from that "Grant, Bargain and Sale Deed" recorded as Document Number 3133483 on November 24, 2004 in the official records of the County Recorder of Washoe County, Nevada.]

PARCEL 2

BEGINNING at the southwesterly corner of Portion Lot 45 as shown on the Dedication Map of "Airway Drive", recorded as Dedication Tract Map No. 4946, on June 30, 2010 as File No. 3897487, filed in the Official Records of Washoe County, Nevada, also being on the southeasterly right-of-way line of said Pamela Avenue;

THENCE departing said southeasterly right-of-way line, North 64°26'42" West a distance of 30.00 feet to the centerline of said Pamela Avenue;

THENCE along said centerline, North 25°33'20" East a distance of 134.65 feet to the beginning of a non-tangent curve;

Truckee Meadows Water Authority
Resolution No. 225 (continued)

THENCE from a radial line which bears South $61^{\circ}42'51''$ West, 38.07 feet along the arc of a 598.00 foot radius curve to the right through a central angle of $03^{\circ}38'50''$ to said southeasterly right-of-way line, also being on the southwesterly right-of-way line of Airway Drive as shown on said Dedication Tract Map No. 4946;

THENCE departing said southwesterly right-of-way line and along said southeasterly right-of-way line, South $25^{\circ}33'20''$ West a distance of 111.23 feet to the POINT OF BEGINNING;

Containing 3,696 square feet of land, more or less.

The Basis of Bearings for this description is identical to that as shown on the Dedication Map of "Airway Drive", recorded as Dedication Tract Map No. 4946, recorded on June 30, 2010 as File No. 3897487, filed in the Official Records of Washoe County, Nevada.

[Above legal description referenced from that "Order of Abandonment ABN14-00003 A Portion of Pamela Avenue" recorded as Document Number 4368806 on July 02, 2014 in the official records of the County Recorder of Washoe County, Nevada.]

APN: 025-263-21

Truckee Meadows Water Authority
Resolution No. 225 (continued)

