



Department of Transportation
Board of Directors
Notice of Public Meeting
1263 South Stewart Street
Third Floor Conference Room
Carson City, Nevada
October 8, 2012 – 9:00 a.m.

AGENDA

1. Presentation of Retirement Plaques to 25+ Year Employees – *Informational item only.*
2. Presentation of Awards – *Informational item only.*
3. Receive Director's Report – *Informational item only.*
4. Public Comment – limited to no more than three (3) minutes. The public may comment on Agenda items prior to action by submitting a request to speak to the Chairman before the Meeting begins. *Informational item only.*
5. Approval of September 10, 2012 Nevada Department of Transportation Board of Directors Meeting Minutes – *For possible action.*
6. Approval of Agreements over \$300,000 – *For possible action.*
7. Contracts, Agreements, and Settlements – *Informational item only.*
8. Condemnation Resolution – *For possible action.*
 - a. Condemnation Resolution No. 436 – I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange; Project NEON; in the City of Las Vegas, Clark County, NV
9. Relinquishments – *For possible action.*
 - a. Disposal of NDOT property located along a portion of County Road 716A (Smith Creek Road) in Elko County, NV SUR 07-07
 - b. Disposal of NDOT property located along SR-529 (Carson Street) south of Fairview Drive in Carson City, NV SUR 12-01
10. Quitclaim Deed – *For possible action.*
 - a. Disposal of NDOT property located along portions of SR-564 (Lake Mead Drive) west of Boulder Highway in the City of Henderson, Clark County, NV SUR 11-06
11. Public Auction – *For possible action.*
 - a. Disposal of NDOT property located at 147 Broadleaf Lane in Carson City, NV SUR 11-13
12. Approval of Amendments and Administrative Modifications to the FFY 2012-2015 Statewide Transportation Improvement Program (STIP) – *For possible action.*
13. Briefing on I-15 Mobility Alliance – *Informational item only.*

14. Old Business
 - a. Report of Outside Counsel Costs on Open Matters – *Informational item only.*
 - b. Briefing on Freeway Service Patrol – *Informational Item only.*

15. Public Comment – limited to no more than three (3) minutes. The public may comment on Agenda items prior to action by submitting a request to speak to the Chairman before the Meeting begins. *Informational item only.*

16. Adjournment – *For possible action.*

Notes:

- Items on the agenda may be taken out of order.
- The Board may combine two or more agenda items for consideration
- The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Requests for auxiliary aids or services to assist individuals with disabilities or limited English proficiency should be made with as much advance notice as possible to the Department of Transportation at (775) 888-7440.
- This meeting is also expected to be available via video-conferencing, but is at least available via teleconferencing, at the Nevada Department of Transportation District One Office located at 123 East Washington, Las Vegas, Nevada in the Conference Room and at the District III Office located at 1951 Idaho Street, Elko, Nevada.
- Copies of non-confidential supporting materials provided to the Board are available upon request.

This agenda was posted at www.nevadadot.com and at the following locations:

Nevada Dept. of Transportation
1263 South Stewart Street
Carson City, Nevada

Nevada Dept. of Transportation
123 East Washington
Las Vegas, Nevada

Nevada Dept. of Transportation
310 Galletti Way
Sparks, Nevada

Nevada Dept. of Transportation
1951 Idaho Street
Elko, Nevada

Governor's Office
Capitol Building
Carson City, Nevada

Carson City
885 East Musser Street
Carson City, Nevada

Clark County
200 Lewis Avenue
Las Vegas, Nevada

Elko County
571 Idaho Street
Elko, Nevada



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

September 17, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: October 8, 2012, Transportation Board of Directors Meeting
Item # 2: Presentation of Awards – Informational Item Only

Summary:

This item is to recognize the Department of Transportation and staff for awards and recognition received.

Background:

***American Association of State Highway and Transportation Officials
AMERICA'S TRANSPORTATION AWARD- America's Top 10 Road Projects
Northbound 395 Improvement Project***

NDOT's Northbound 395 Improvement Project was recognized as one of the nation's top 10 road construction projects and is now in the running to be named the nation's top project in the American Association of State Highway and Transportation Officials' America's Transportation Award competition.

The project was recognized for early completion of quality, innovative road improvements that save both taxpayer time and money. Dynamic construction scheduling, partnering and innovative construction techniques were used to save approximately \$188,000 and substantially complete five months ahead of schedule.

Drivers can vote for the project to win the People's Choice Award through Oct. 19 by logging onto www.americastransportationaward.org. The winners of both the Grand Prize and the People's Choice Award will be announced on Nov. 18 and will be awarded \$10,000 each to be donated to a charity or scholarship.

***Nevada Strategic Highway Safety Plan Awards
EMERITUS AWARD- Susan Martinovich, Former Director
LANE DEPARTURE SAFETY AWARD- Jim Ceragioli, Safety Engineer
STRATEGIC COMMUNICATIONS ALLIANCE AWARD- Meg Ragonese, Public Information Officer***

Transportation, safety and public health agencies and groups across Nevada have implemented the Strategic Highway Safety Plan to reduce traffic deaths and serious injuries in five primary focus areas. Three NDOT staff members have been named for their efforts in increasing driving safety and saving lives.

Former NDOT Director Susan Martinovich has been named as the emeritus award recipient for years of dedicated executive leadership of Nevada's life-saving traffic safety initiatives.

Almost 800 people died in a recent five-year period in Nevada traffic crashes in which a vehicle unintentionally left their lane due to unsafe driving or other causes. NDOT safety engineer Jim Ceragioli has been recognized for leading multi-agency efforts to reduce these deaths through engineering and other solutions.

NDOT Public Information Officer Meg Ragonese was named for helping to lead the state's integrated traffic safety public education campaigns, including the Zero Fatalities traffic safety awareness campaign which has reached more than 85 percent of urban Nevadans with important safe driving information.

The White House

TRANSPORTATION INNOVATORS CHAMPIONS OF CHANGE

Former NDOT Director Susan Martinovich was recognized by the White House as a Transportation Innovators Champion of Change. The honor recognizes leaders who spearhead innovative ways for transportation to help their community reach new heights.

The honor specifically recognized Nevada Department of Transportation project delivery innovations such as the accelerated delivery program, which is accelerating nearly 30 road projects to completion to immediately benefit Nevada roads and economy. Also highlighted was the state's Zero Fatalities traffic safety goal and public outreach campaign, which has brought agencies, groups and individuals across the state together to save lives on Nevada roads.

Telly Awards

BRONZE AWARD – Local TV/Cable Public Service

Zero Fatalities “Crash” TV Public Service Announcement

With traffic safety a top priority, NDOT has joined with partnering agencies to oversee the state's Zero Fatalities traffic safety outreach campaign to save lives by educating motorists to drive safely. To date, the campaign has resulted in more than 63 million impressions and has reached over 85 percent of urban Nevadans.

One extremely successful campaign element is television public service announcements. One of these TV ads features footage that reminds drivers to always drive safely by recreating the emotional impact of driving through a traffic crash scene.

The TV spot received a bronze Telly Award. The awards are a competition honoring the very best film and video productions and outstanding local, regional and cable TV commercials and programs.

American Society of Landscape Architects, California/Sierra Chapter

PRESIDENT'S AWARD

HONOR AWARD

NDOT Statewide Landscape and Aesthetics Corridor Plan

Landscape and aesthetic improvements to our highways not only enhance Nevada's transportation system, but also improve and define cities and tourism.

With the valuable input of stakeholders and community members, NDOT's Statewide Landscape and Aesthetics Corridor Plan defines fundamental ways of planning, designing,

building and maintaining these important landscape and aesthetic improvements as part of NDOT road projects.

The comprehensive plan and its associated road projects received two separate recognitions from the California Sierra Chapter of the American Society of Landscape Architects for enhancing the quality of life of Nevada's citizens and tourism through roadside aesthetics.

Institute of Transportation Engineers – Intermountain Chapter
TRANSPORTATION PROJECT OF THE YEAR
West Mesquite Interchange Design-Build Project

As part of the recently-completed West Mesquite Interchange Design-Build Project, NDOT utilized an innovative Accelerated Bridge Construction technique. New I-15 bridges were constructed next to existing bridges. Each existing bridge was then demolished, and new bridges slid into place overnight, reducing bridge construction time by six months while still allowing interstate traffic to flow smoothly using exit and on-ramps.

Recognizing innovative design, construction and partnership between NDOT and the design-build team of Horrocks Engineers and W.W. Clyde, the project was named the transportation project of the year in the intermountain region by the Institute of Transportation Engineers. The project was also previously recognized as the Nevada transportation project of the year by the Institute of Transportation Engineers.

The project was constructed using the design-build method in which design and construction are more closely linked to produce time and cost efficiencies. Close interaction with local agencies and the public, as well as extensive partnering with the contractor, was also vital to the project.

Recommendation for Board Action:

This is an informational item only.

Attachments:

None

Prepared by:

Meg Ragonese, Public Information Officer

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Governor Brian Sandoval
Attorney General Catherine Cortez Masto
Controller Kim Wallin
Frank Martin
Len Savage
Tom Fransway
Rudy Malfabon
Lou Holland

Sandoval: Good morning, ladies and gentlemen. I'd like to call the Department of Transportation Board Director's meeting to order. I understand that the Lieutenant Governor and the Attorney General are on their way, but we do have a quorum to begin. So we'll begin with Agenda Item No. 1 which is to receive the Director's Report. Mr. Malfabon.

Malfabon: Good morning, Governor, Board members. It's been a while since we had our last meeting. It was quite eventful as you recall, but I'm pleased to report that I've done a lot to talk to our divisions here at NDOT to find out where we need to change directions, where they have some things that are already in the works.

I wanted to know about where their contracts were with consultants and service providers, so we could get a good handle on cash flow. We've been talking a lot about Project Neon, and we will present Project Neon at a later Board meeting, next month. Also did a lot of talking with individuals that were interested in positions of leadership in the front office. And I apologize to both Board members I wasn't able to contact after speaking with you last Friday, Governor, but after receiving your blessing and trying to contact some folks that I was going to offer the positions to, I wasn't able to reach a lot of the people that had contacted me about their interest, so I wanted to apologize to them as well for not getting back to them in person.

But I'm ready today to announce the leadership positions at NDOT. For Deputy Director, I've selected Bill Hoffman. Bill's got a lot of experience in different divisions at NDOT, but I saw certain qualities in his leadership responsibilities recently, that he's not defensive about NDOT when he's working with other agencies or people within the department. He's always used a lot of thought and judgment in his thinking -- I mean, his

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decision-making process and I saw that it would also provide an opportunity for the future of NDOT. I hope to work six more years, hopefully, as Director of NDOT under your leadership, Governor, if you run for reelection, hopefully, but...

Sandoval: I'm in, I'm in.

Malfabon: You and me both. But I thought that for succession planning it would be good to get someone in there that's got a few more years before retirement, so wanted to announce that Bill Hoffman will be the Deputy Director for NDOT up here in Carson City. As Deputy Director for Southern Nevada, that's a key position that somebody that works a lot with the local agencies, with the RTC of Southern Nevada, in particular, but also has the responsibility for overseeing the district engineer statewide, and I thought that Tracy Larkin Thomason was a good fit for that position.

She's worked previously in District 2. She's worked tirelessly in the planning efforts and coordination with local agencies all across the state. And when she expressed her interest in relocating to Southern Nevada, I was quick to take her up on that offer after considering other folks that had expressed interest. Tracy will do great down there in Southern Nevada.

For Assistant Director for Engineering, a lot of great candidates and this was a really tough decision for me because there are people up here in Carson City that have worked many years in engineering, understand the engineering challenges of the State of Nevada, but I've decided to appoint John Terry. He's in Southern Nevada right now as an Assistant Division Chief in project management.

John, like me, has worked for a consulting engineering company. He worked for NDOT earlier in his career, left for about a dozen years or so, working for Sverdrup Civil, became Jacobs Engineering. And he worked on the -- being project manager on that large design-build project in Salt Lake City right before the Olympics, so he's got a lot of great engineering experience.

As I mentioned, Governor, he was instrumental along with me when we approached former Director Jeff Fontaine about developing an HOV plan in Las Vegas. We saw that it needed to be a regional perspective and John was very instrumental in achieving that plan and bringing it to fruition, so

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I'm very comfortable with appointing him. I think that bringing a Southern Nevada perspective up here, as I do to the Director's position, will be good for the department.

And John is a great engineer. And I'm also moving the Chief Engineer title to that Assistant Director of Engineering. In years past that's where it was before when Susan was the Assistant Director for Engineering, and I'm going to move it back to that position, which I think is appropriate.

Had quite a struggle also for Assistant Director for Planning. There was a lot of good candidates, people within our own department. I've decided to go with someone from outside the department who used to work for NDOT, Tom Greco. Is Tom present today?

Greco: Yes.

Malfabon: Tom has worked about six years for RTC in Washoe County. And he's worked in the planning area there, primarily in the engineering areas at NDOT before he retired from NDOT. Now he's coming back to the fold and I appreciated him expressing his interest.

I think in planning, we want to get more into the -- getting an electronic STIP document rather than paper. That's one thing that I've noticed that we just need to improve on in several areas of NDOT. We need to get more electronic, more digital, use less paper and, as you know, paper will clutter your desk before you know it. It's better to just get it in an email or have it linked on a server. The STIP document is something that our folks in planning have shepherded and taken care of the whole time, but I want to get to the point where it's more of an automated process.

The entries to the FHWA for their approval would be an electronic means and get more modern in that area. And also I feel that in the planning area that we need to reach out more with the planning folks. Typically we do a good job of reaching out to the public work folks that deliver the capital improvement projects in all those local agencies, but we don't reach out as much to the planners as often as we do the public works folks, so I would like to have Tom lead that effort at NDOT.

And then with that, I have a great Assistant Director for Operations in Rick Nelson and a great Assistant Director for Administration in Scott Sisco. Definitely I think that altogether we're going to make a great team

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at NDOT and lead the way to a better future, one that's going to be more focused on cash flow and doing the right projects.

And I think that we had our division chiefs working with their assistant directors on some things to select the right projects, and we're going to go forward with those efforts, but we want to just focus on some future changes at NDOT, recognizing that we don't have as much money in the highway fund as we used to, so we have to be very deliberative and focus on the right projects and programs.

Other things to mention in the Director's Report, we underwent an audit about a year ago from the Environmental Protection Agency on our storm water program, which is part of the Clean Water Act. They didn't have any fines, I'm pleased to say, but we have a lot of work to do. We've met with environmental and the EPA as well as our state folks that deal with natural resources.

So we're going to work together and implement a better process and program here at NDOT so that we can do the right thing according to the Clean Water Act, but also avoid any kind of fines that would -- definitely we wouldn't have the wherewithal to face what other states have faced in those areas where they've received substantial fines from EPA. So we're glad that we're working with the EPA representatives. They acknowledge the fact that they were impressed that several members of our front office met with them to commit to achieving those goals in the storm water pollution prevention program.

Governor, as you know, you were part of several celebrations the last couple of months on opening 580. The Bowers Mansion Interchange will open in about a month. I-80 substantially complete, probably late September, this month. I've driven on it this weekend and a lot of the lanes are open but still some work being done there, so we'll try to get all those barrels and cones out of the way by the end of the month.

I-15 South Design-Build, Governor, you were present at the deal opening, or the celebration with the Las Vegas Convention Visitors Authority. I will be giving a presentation to the authority tomorrow morning to kind of recap the project which was funded primarily by them, as well as a little bit by Clark County for the Sunset Bridge.

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One of the issues that's been coming up a lot lately is in rural areas of the state, a lot of speed limit reduction requests and we are going to give an opportunity in public comment hopefully. I think Garth Dall wanted to address the Board about Armargosa Valley on U.S. 95. We had a request from Pioche on U.S. 93 and a small community called Palm Gardens. It's actually near the cutoff to Laughlin on U.S. 95.

So all of these small, rural communities have speed concerns. NDOT does follow a certain process as well as it's a consistent process throughout the nation for all the DOTs on how they assess that 85 percentile or 85 percent of the traffic is going a certain speed, and that's what's considered safe. So we do speed studies and we have a certain procedure from an engineering perspective.

Obviously there's personal concerns with safety in some of these rural communities, so in order to avoid liability though we follow our engineering process in establishing speed limits. We also have a study going on by the University of Nevada, Las Vegas, that's looking at consistency in establishing rural speed limits because a lot of -- you go to some rural communities, you'll slow down to 25. Others it seems like it slows down to 45 or 35. So we want to see is there some inconsistencies and UNLV will have that report done in few more months, but interested to see what their findings are in that aspect of rural speed limits.

Sandoval: Before you move on, there was a story in the Gazette Journal today about Texas has gone up to 85 miles an hour. Is that something we're looking at here in the State of Nevada?

Malfabon: By a show of hands? No. I think that because of our focus on safety, Governor, we want to keep it at 70. I think that that's a good balance between our long distances between some of our communities, but it's a safety issue. And as you know, in Nevada, we have a lot of straight stretches with not a lot of stuff to keep people attentive, so we want to keep it at 70, I think I would recommend. We'll have to see how that goes, though, with Texas and their higher speed limits.

Sandoval: Well, I just heard someone say they thought it was 85 already, so...

Malfabon: As I said, we will bring back more specific information on the Project Neon unsolicited proposal. This will give us time to really look at those numbers and present information individually to all the Board members so

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that they understand it clearly. Oftentimes you'll receive a Board packet and not have enough time to digest the information in it. And Project Neon's such a huge commitment that we want all of the Board members to be briefed on the specifics of that unsolicited proposal and the financial aspects of that and the risks to the state, and the benefits. So with that, that concludes my Director's Report.

Sandoval: Thank you very much. Questions from Board members? Tom?

Fransway: Thank you, Governor. Thank you, Rudy. Just one short question about the speed limit requests. Are they coming from a particular entity or is it just...

Malfabon: We typically receive them from town advisory boards or county commissions, sometimes cities or towns will send in those requests. Usually it's a government or a government related agency that sends them in. Occasionally there might be a personal letter from an individual, but typically it's associated with a local government.

Fransway: Okay. And you did say UNLV is studying that?

Malfabon: Yes.

Fransway: And when did you say that they would come back with some conclusions?

Malfabon: Is Ken Chambers in the audience? June of 2013 is the date that -- so mid-2013 is when they'll have their findings.

Fransway: Thank you, Governor.

Sandoval: Any further questions. Southern Nevada, do you have any questions for the director?

Martin: No, sir.

Sandoval: One last question, Mr. Director, is that I-80 east to get off onto 395 which is to be 580, I guess, pretty soon here permanently. I'd like an explanation why 395 won't be 395 anymore, just out of curiosity. But in any event, the traffic was queued all the way back to almost South Virginia Street. Is that just a function of that there's only one lane and soon there will be two? Going southbound.

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Malfabon: It was because of the work going on and I know that they had some accidents also last week that delayed traffic. As far as the 580 designation, it was always intended. We had to get federal approval of that. As long as the highway meets certain criteria for interstate standards, we can make that type of request, but we were able to get the Federal Highway Administration's approval and get those shield signs up for 580 so that now it's signed all the way into Carson City as 580.

Sandoval: Any further questions?

Malfabon: That also, Governor, makes it eligible for interstate maintenance funds, so that's a good thing too. That makes us more flexible in accessing federal funds for that.

Sandoval: Excellent. We'll move on to Agenda Item 2, public comment. Is there any member of the public in Southern Nevada that would like to provide public comment to the Board?

Martin: No, there's none.

Sandoval: Is there anybody here in Carson City? Yes, sir.

Operator: Hello. Welcome to the conferencing system. Please enter the conference number followed by the pound key or press star to create a new conference.

Hof: Good morning. My name is Dennis Hof, Garth Dull represents me and he couldn't be here today, so I'm here to give --

Operator: Please enter the conference number followed by the pound key.

Hof: I don't know it.

Operator: Or press star to create a new conference.

Sandoval: Excuse me, Mr. Hof. Is there a technical issue that we need to handle? Please proceed.

Operator: Please enter the conference number followed by the pound key or press star to create a new conference.

Hof: So just go for it?

Sandoval: Yes, please.

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Hof: Okay. I'll make this brief. I just had a knee replacement so it's a little hard for me to get around. I bought a piece of property in Southern Nevada, right at the corner of Intersection 95 and 373.

Operator: Please enter the conference number followed by the pound key or press star to create a new conference.

Hof: It's a combination of a truck stop, gas station, restaurant, bar, convenience store and a brothel. And as I bought this property, I didn't understand the traffic patterns there. And what it is it's 70 miles an hour coming from Beatty or coming from Indian Springs all the way. People don't slow down...

Operator: Please enter the conference number followed by the pound key or press star to create a new conference.

Hof: ...in this area. (Inaudible) brothel than the population of Luning, Mina and Goldfield combined every day. And you have a lot of tourists there coming to Death Valley on the 373 which is very confusing. It's a very dangerous area and I'd like to get that speed limit lowered to just like Goldfield, Tonopah, Mina and Luning and Indian Springs, 25 miles an hour. I've got letters from the state assemblymen. There's also a letter from the Armargosa Town Board that went to NDOT. And that's my concern. We need to slow that traffic down before it becomes a huge problem.

You've got all these tourists coming through there. They don't know where they're going. They're European tourists. They're looking to go to Death Valley. And then you've got the truckers rolling through there and as everybody knows, 70 doesn't mean 70, 70 means about 79 because they'll ticket them at 80. The NHP does not ticket until you get to 80. And everybody knows it, including myself, so I need your help.

Sandoval: Thank you, Mr. Hof. I won't comment on the NHP. I'm sure they have their own policy, but I would encourage you to work with NDOT staff because, as you've heard the Director's Report, there were some other communities that had requested reductions in speed limits, so that's certainly front and center with regard to some of the issues that are before the Director.

Hof: Thank you.

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- Sandoval: You're welcome. Is there anyone else present who would like to provide public comment to the Board? Hearing none, we will move on to Agenda Item No. 3, approval of July 23, 2012 Nevada Department of Transportation Board of Director's Minutes. And I think we set a record for the number of pages and length of time, but whoever did this, thank you. I know that was a lot of work to get this down. But do any Board members have any changes or corrections they'd like to make? Hearing none, the chair will accept a motion for approval.
- Wallin: Move to approve.
- Martin: Second.
- Sandoval: There's a motion by Madam Controller for approval, second by Member Martin. Any questions or discussions on the motion? Hearing none, all in favor, please say aye.
- Group: Aye.
- Sandoval: Opposed, no?
- Cortez Masto: Governor, this is Catherine. Because I wasn't at the meeting, I'm going to abstain from approving the Minutes.
- Sandoval: All right. So the vote is unanimous in approval. Madam Attorney General has abstained from the vote. Agenda Item No. 4, approval of contracts over F dollars.
- Malfabon: Governor, Scott Sisco, Assistant Director for Administration, will address this.
- Sisco: Thank you. Governor, members of the Board, before I get in on No. 4 real fast, I just want to give you an update on the aircraft situation. The recruitment has closed now. We're waiting on HR to go through the applications for a chief pilot. Hopefully, probably three weeks we're going to be down. We'll get the chief pilot positions filled and then, as you all know, or most of you that fly the plane regularly know, the secondary pilot also left his position. And as soon as we get the chief pilot filled, we'll get that position filled.
- Now, depending on if they have a certain number of hours in this particular plane, it may take us a little while to get them certified and into

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it, so we are probably looking at still probably three to four more weeks of you making alternate accommodations. And I apologize. It happens when you have a small flight operation, but we'll get on it just as quickly as we can.

Sandoval: Thank you. And just a comment. We're going to miss Marcus and Brian. They were wonderful public servants and they did a great job for our state and I wish them well. But I also understand that we're taking advantage of this time to do any deferred maintenance that needs to be done on the planes.

Sisco: That is correct. We actually have it in Sacramento right now trying to get some things taken care of.

Sandoval: Okay. Great. Member Fransway.

Fransway: Thank you. Scott, when did you say you were going to be taking the applications?

Sisco: They've been taken and the recruitment closed, I believe, last week. And HR, like I say, is going through them. One of the difficulties is the class specification calls for 300 hours in the previous year on that exact plane and we're looking at that. Hopefully, we're going to get some good, qualified apps. If not, we may end up having to slightly change it. In the future, when we look at that class specification, we may take it for that type of plane versus that specific plane, turbo jet.

Fransway: Thank you. Thank you, Governor.

Sisco: Thank you, Governor. I apologize for jumping in there, but I know I've had several questions and there's some interest there, so I thought I would go ahead and take advantage of that. Moving on, Item No. 4, approval of contracts over \$5 million. This particular case this month we just have one contract, and this is unique. You'll notice a slight change in the memo because this is a CMAR agreement for the Moana Lane Interchange.

On Page 3 of 23, after Attachment A, you will see we're recommending awarding of this contract to Granite Construction in the amount of \$6,970,978. This is a little bit confusing because right above that, you'll see it says Surety Consultants at a \$6.9 million. That's actually our independent cost estimator's amount. The way that CMAR works is we plugged that in there to make sure that we're on track as we go through

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this process. And Granite Construction is who we are recommending award to. Now, I do have Bill Hoffman here. If you're interested in hearing more about this project, I will get him up here.

Sandoval: Questions from Board members? Madam Controller?

Wallin: Yes, I have a question on it. Since this is -- and CMAR's new to me and to the Board as well. Maybe the Board understands it better than me here. But we have in here, in the contract, we're giving them a risk reserve of \$280,000. And my understanding of the CMAR is that the contractor takes the risk and we talk about the significant terms and conditions of construction documents starts out, says, "All costs associated with change orders or extra work resulting from conflicts, ambiguities, errors or omissions in the documents will be borne by the contractor without reimbursement by the department."

The next item says that, "In no case shall the amount paid to the contractor exceed the GMP construction bid regardless of increases or decreases in the actual quantity of any particular item." And then we have a risk reserve, so I'm kind of confused what this is. And if the contractor doesn't use it, if we have to have this, do we get this money back? That's my other question too.

Hoffman: Good morning. Bill Hoffman, for the record, Governor. To you, Madam Controller, there were a series of risk workshops that Granite and NDOT and Stanley consultants worked through during the course of the negotiation and they identified four risks; high ground water, coordination with the RTC widening project that's currently going on, underground utilities and weather delays. Those were risks that they tried to mitigate and avoid the best they possibly could, but there was still some risk left that we needed to share with the contractor.

Just in terms of our normal project process, design-bid-build, there were still risks that we thought we mitigated to the best possibility that we could of mitigating those, but we have parked those in this risk reserve area of \$280,000. So if we get into one of these areas or a couple of these areas and we need to pay for this work, we're going to have to go into that risk reserve. If we don't use any of the risk reserve, that \$280,000 is a savings to the State of Nevada, so it will not be used.

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Malfabon: Madam Controller, just to add, it's really case of do we want the contractor to bid that risk and then we pay that without them running into that problem, or do we want to share that risk and then we'll end up paying rather than them getting a windfall or them getting an out-of-pocket to the extent that it really hurts them on making a profit. So it is a philosophy that we commonly see on these where we have to share the risk.

Wallin: Okay. Thank you.

Sandoval: Any further questions from Board members? Member Fransway?

Fransway: Thank you. I just noticed on the first page where it mentioned in the background that there was a separate preconstruction agreement. And this is our first CMAR, but will there be -- will that be the norm or is separate separate?

Hoffman: Actually, I had this prepared, so I might as well use it.

Fransway: Because it seems that it was very beneficial for the department.

Hoffman: Yes, Member Fransway, I would agree wholeheartedly that this was a very, very good process and it was a huge benefit for NDOT, State of Nevada. I want to thank Granite Construction, Stanley Consultants, Jacobs Engineering and all the NDOT staff that worked on this. They did a tremendous job, but what I was going to go over very briefly was just the process here.

So this was the process that the Board approved back in December. In March we did move forward. There was an approval to move forward with this process, so we had negotiated the preconstruction contract. So those are the services that the contractor will come in during the design phase and help NDOT understand the project.

And then we're here today and that's Board approval of the GMP and all the documents that you have in your binder. And we will, just as a note, we will be back next month and the month after with Board approval for the preconstruction services piece of future CMAR contracts.

Fransway: Okay. So basically then, the memo that states it's a separate preconstruction agreement really wasn't separate? It's part of the process.

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- Hoffman: It's part of -- yes. It's part of the process and it's part of the project, but there are two phases in this process, because if we move forward and have the contractor come in and help with the design, we still have the option. If we can't reach a GMP, we still have the option to advertise the project.
- Fransway: Okay. Thank you, Governor.
- Sandoval: Any questions from Southern Nevada?
- Martin: Yes, sir, I have two. The \$500,000 that we previously awarded is included within the \$6.9 million; is that correct?
- Hoffman: That is correct, Member Martin.
- Martin: And the 6.9 -- I'm sorry, go ahead.
- Hoffman: Well, what I was going to point out is if you turn back to the -- we actually included a bid tab, a series of -- well, it's actually the bid tab sheets for this project. Anywhere you see state furnished items, those are the items that we went out with and purchased earlier. That was part of the amendment that we made to the precon services contract. But anywhere you see installation of state furnished materials, those are the items and those are part of the 6.9 million, yes.
- Martin: Can you tell me what page that's on, 'cause I haven't found it yet?
- Hoffman: It is -- well, it's in the very back of your packet, Member Martin.
- Malfabon: It's on Page 5 of 8.
- Martin: Okay. Now I've got it. So just to clarify one more time, the 500 grand that we approved for pre-purchase of materials is included in the 6.9?
- Hoffman: Well, I just had -- Jenica Fenidy (sp?) just came up, she works in project management. The 500,000 was the purchase just for the material. That was just to buy the materials. Now we're paying the contractor, so that was separate, so that material purchase is separate from the 6.9 million. What we're doing is paying the contractor to now install the signal poles, the soil nail walls, you know, some of those other long lead items that we needed previously.
- Martin: So the true budget on this thing is 7.4?
- Hoffman: Yes, that's true.

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- Martin: And how much was the preconstruction contract?
- Hoffman: We paid Granite, so far, I believe it's \$280,000.
- Martin: And that's not included in the 6.9 either?
- Hoffman: No, it is not.
- Martin: So you're really talking about \$7,700,000, not 6.9 million?
- Hoffman: That's correct.
- Martin: Okay. Could I request the next time you present one of these things you give us the entire picture?
- Hoffman: Yes, sir.
- Martin: Len, do you understand where I'm going here?
- Savage: Yes, I do, Member Martin. At the same token, I would like to commend the staff and the contractor. I know, I look back on the March and April meeting minutes and very close to the original budget amount. And I know there's a very quick start and completion on this project, completion by mid-November. And I think that's exactly what the CMAR project process is for, but I'm in agreement with Member Martin, for future, that the entire numbers be presented. That's all I have at this time.
- Martin: I agree. In this instance CMAR does work and I'm a supporter of CMAR absolutely, but I just -- without having to go back one, two or six months, when we're asked to approve something finally, I think it behooves us as a Board to know exactly what the total commitment has been from the State of Nevada.
- Hoffman: Okay. That was an oversight on my part, so I apologize, and we'll make sure that we have all costs associated with the next CMAR project when we present at each stage throughout the process to ask for approval.
- Sandoval: Just have a cumulative...
- Martin: Thank you.
- Sandoval: ...sheet from here on.
- Hoffman: Yes, Governor.

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- Sandoval: We're good.
- Hoffman: That'll be no problem.
- Sandoval: Any further questions? And will you be this close on all the estimates in the future?
- Hoffman: We hope so. Actually, through that process, we think we can get that close. We think we can. We do. We worked with a very good contractor, Granite Construction Company. NDOT staff did a wonderful job.
- Sandoval: Very impressive.
- Hoffman: It was good.
- Sandoval: Any further questions from Board members? Hearing none, the chair will accept a motion for approval.
- Savage: Governor...
- Martin: So moved.
- Savage: I'd like to make a motion to approve Contract 3518 to Granite Construction.
- Sandoval: And that would be in the sum of...
- Savage: \$6,978,978.
- Sandoval: There's a motion by Member Savage, a second by Member Martin. Question from Member Fransway.
- Fransway: Thank you, Governor. Do we need to make reference of the other costs that were involved in preconstruction as we discussed?
- Sandoval: I think not because we already approved those.
- Fransway: Okay.
- Sandoval: As I said, I think the point today is just if we have a running total of how much the cost of the project is, that'll be beneficial to the Board. Any further questions or discussion on the motion? Hearing none, all in favor, please say aye.
- Group: Aye.

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- Sandoval: Opposed, no. Motion passes unanimously. Thank you very much. You did great work.
- Malfabon: Thank you, Governor. And we will request that you be available after the Board meeting adjourns to sign the contract so that we can keep going on the project.
- Sisco: Thank you. Governor, I'll just mention on there, when we put this package together, we were trying real hard to be consistent with previous contracts, so in the future, what I heard here today was if it's a CMAR, we'll just add an additional summary on there and then reference it. But we were trying to keep -- we worked so hard to get a format down that moved smoothly for everybody, that I know Bill took the blame, but mostly it was mine in trying to get the format here.
- Sandoval: And, again, I don't think anyone's being pejorative here. It's just a matter of being up-to-date on what the costs are, and we all learn. This is a new process, and so we've learned something today and we will include that in future CMAR contracts. That's all we have for Agenda Item No. 4, correct?
- Malfabon: That's correct.
- Sandoval: All right. Well move on to Agenda Item No. 5, approval of agreements over \$300,000.
- Sisco: Thank you, Governor, members of the Board. Behind Tab No. 5, and in particular on Pages 2, 3, 4, 5 and 6, we have four different agreements that are over \$300,000. Most of them are just regular type of operating agreements. I'll just kind of open it up if there's any questions that you all would have on those four agreements.
- Sandoval: Questions from Board members with regard to Agenda Item No. 5.
- Savage: Yes, Governor.
- Sandoval: Member Savage.
- Savage: Thank you, Governor. It's regarding Line Item No. 1 to Mandalay Communications Incorporated. I'd just like to know has this been done historically? And if so, how long and where?

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Larkin Thomason: Tracey Larkin Thomason. Yes, it has been. This is a slightly different form this year. We have been doing this for at least a dozen or more years that I'm aware of. Basically, they go out and they take pictures. They run. It's a photo logging of all the highways, and it's used as a reference system within the department. You can access it online so you can quickly check, like, number of lanes, lane widths, signage.

This year it's a little bit more, we combined with the materials division and with the location division so that when going out we're also picking up additional information specific to their areas. So it's one contract covering three divisions instead of having three different areas go out.

Savage: Thank you, Tracey. And has this contractor worked for the department in the past?

Larkin Thomason: Yes, it has.

Savage: On the same issue?

Larkin Thomason: Yes.

Savage: Thank you.

Sandoval: Further questions from Board members?

Wallin: Governor?

Sandoval: Madam Controller.

Wallin: Thank you, Governor. I have a question on Item No. 4, that's the Clean Street. There's only one bidder on that. Can you comment and...

Sisco: Let me bring...

Wallin: Have they done work for us before and...

Malfabon: Madam Controller, Clean Street has worked for us before in District 1. We had identified street sweeping and highway sweeping as one of the areas that we could contract out. We put several requirements in there so that we know that we avoid the problems that the City of Sparks had with their sweeping contract when they privatized some of that work. We still intend to keep our sweeping crews busy.

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Often we can increase the frequency on some of the other routes that we sweep, but we feel that even though that it was only one bidder on this, it's very specialized work and they have to use specialized equipment for air quality purposes. So we were comfortable in proceeding with the agreement.

Wallin: Okay. Thank you.

Malfabon: We will also have a report to the Board about the pros and cons of this type of proposition effort, collecting the information that's -- the part in the contract and will present that to the Board later after we have enough information to access how effective this program is working.

Sandoval: And that was going to be my question. So this was work that was formerly done by the department that we're now outsourcing?

Malfabon: Yes. So it's a certain amount of what we call arterial streets in Las Vegas. This one is freeway sweeping in District 2 in Reno, so we'll get a good take on both types of sweeping operations and how they do it effectively and compare the costs to what in-house is.

Sandoval: So this is exclusively for freeway sweeping 'cause my next question was are we cleaning some of these -- is this an expense associated with our cleaning of roads that are state highways but are more local streets?

Malfabon: Yes. The one in Vegas is more local streets and we'll have that comparison in the report.

Sandoval: Madam Controller?

Wallin: So you'll come back to us with what their performance is and...

Malfabon: Yes.

Wallin: ...what it would cost us and stuff. And then to that same point, I know, I think last time we met we approved the striping contract or whatever that's performance-based and you'll give us some follow-up on that too as well.

Malfabon: Yes.

Wallin: Okay. Thank you.

Sandoval: Are there any questions in Southern Nevada?

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- Martin: None from here. Thank you.
- Sandoval: Any other questions from Board members? Hearing none, the chair will accept a motion for approval of the agreements over \$300,000 as described in Agenda Item No. 5.
- Fransway: Governor, I would move to approve the agreements over 300,000 as presented.
- Sandoval: We have a motion by Member Fransway. Is there a second?
- Wallin: Second.
- Sandoval: Second by Madam Controller. Any questions or discussion on the motion? Hearing none, all in favor, please say aye.
- Group: Aye.
- Sandoval: Opposed, no. Motion passes unanimously. We will move on to Agenda Item No. 6, contracts, agreements and settlements.
- Sisco: Thank you, Governor. You'll all notice that you have quite a collection of them this time around. You basically have three months worth 'cause we didn't have a meeting in July. In August we set aside information only items as a result of the interviews and everything else (inaudible) so you have three full months worth here.
- As we always do, we've reviewed these prior to the meeting and went down and looked to see if there was any that we wanted to specifically call your attention to. We really didn't have that, so I'll just open it up to any questions and everybody here is prepared to respond to any of the specific ones you may have.
- Sandoval: Thank you. Questions from Board members?
- Savage: Yes, Governor.
- Sandoval: Member Savage.
- Savage: Thank you. Mr. Sisco, I have a few items of questions here, beginning with Line Item No. 25 with Clean Harbors Environmental on the culvert cleaning in Lake Tahoe. Rudy had acknowledged that there had been some environmental reviews and audits. And I'd just like to be reassured that the contractor is partnering with the department in the same respect

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with this audit and any concerns they might have. I guess what I'm asking, have there been any issues with the contractor regarding this culvert cleaning in Lake Tahoe?

Hoffman: Good morning. Bill Hoffman again. Line Item 25, this is at the south end of Washoe Valley and was part of McClary (sp?) legal settlement and we're outsourcing the cleaning of these reinforced concrete boxes as part of that settlement.

Savage: So it's more than Lake Tahoe?

Hoffman: It's part of that, so we've amended the contract to include cleaning of this reinforced concrete box. We needed it done on short order, and in order to save the state money in terms of state forces work and to free up and to be flexible with our district maintenance folks, we decided to outsource this work.

Savage: So it was an extension of the current contract?

Hoffman: Yes.

Savage: Okay. Thank you. Next question, Governor, is No. 55. On this lease if you could please explain to me, it comes out to about \$12,500 per month and what takes place on this property?

Sisco: Let's bring up our Right of Way Chief here. Paul.

Saucedo: So for the record, Paul Saucedo, Chief Right of Way Agent. Mr. Savage, that's a piece of property that we're currently in discussions with. We've made an offer on the property. And a lot of times when a tenant will move out of a piece of property, we will rent that property to hold vacant, to avoid damages to the property. And so this is part of the federal program that allows us to do that. And so we are leasing it; we are in ownership of it, or not ownership, but possession of it as far as the lease is concerned, but this is really part of the acquisition process and part of ongoing negotiations with the property owner.

Savage: Is it occupied by the department?

Saucedo: No, it is not. It's vacant.

Savage: And it's a structure?

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- Saucedo: Yes, sir, it's part of the Neon Project. We're going to be acquiring the entire parcel. And the tenants of that property have vacated and so this is a lease from the actual owner to hold vacant.
- Savage: And how large is the property?
- Saucedo: I don't have that off the top of my head, I'm sorry.
- Malfabon: Paul, the lease amount is typically determined from the amount of the appraisal of the property, right? There's a certain process that you use to establish the amount of the monthly...
- Saucedo: Yes, sir. I'm sorry, that's what you're getting at. Yeah, the appraisal will set that lease rate or depending on what the actual property owner was receiving for that lease, and I believe, in this case, we matched what the property owner was receiving because he did have a lease with the tenant, long-term lease. And so this is kind of a loss for him, or for them, because their tenants are now gone, and so we've picked up that lease -- actually, entered into a new lease, but we picked up that amount from that existing lease.
- Savage: So he still benefits with the revenue of the lease, but I would imagine that this is a final negotiation where this \$150,000 would come off the final sale price?
- Saucedo: Well, no. Because it's kind of more of a loss of income. He would have received this -- if we wouldn't have shown up on the doorstep, that tenant would still be there, and so because of our relocation program, we relocated the tenant, and so we're picking up this loss. This is kind of a loss for the property owner. In other words, if we wouldn't have come along, this lease would have been ongoing, he would have been receiving the income from that lease, and because of our actions, his tenant has now vacated and we're trying to maintain that so we don't have a loss of income for that owner.
- Savage: I'm just concerned about the department's action and concerned of occupying the building, possibly by the department.
- Saucedo: That's something we could look at. Like I said, we do have a lease with the property owner. We could look at that as an option. It's something we'll put forward to the district to see if there's some need.

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- Savage: Okay.
- Saucedo: We can do that.
- Savage: Thank you. Moving on to the next item, No. 8...
- Sandoval: Member Savage, before you move on, may I ask a question in regards to the 55? So how long do you expect to be paying the lease amount for the empty space? I guess that's one of the...
- Savage: That's the key question. That's what it looks like here.
- Saucedo: On this particular one, Governor, it's going to turn into a legal question. We are negotiating with the property owner. I would imagine at the time that we obtained legal right of entry from the courts, that would be when we would stop that payment. But this particular property, it will be referred for condemnation I believe soon, if it already has not.
- Sandoval: No, and I understand the policy of it. It's just, if I may, I think Member Savage's concern and my thought was we're paying a lot of money for an empty space and we'd like to convert that money to a purchase rather than continuing to pay for that.
- Saucedo: Yes, sir.
- Sandoval: Please proceed, Member Savage.
- Savage: Thank you, Governor. Moving on to Line Item No. 87. Again, the tech side is not my (inaudible), so please understand, but what I was noticing, the original contract was a \$10,000 amount issued in June of 2010 and now we're at \$594,000 in June of 2013. And I guess my question is, I just wanted a little explanation as to why the small amount to begin with and why the 594.
- Sisco: We've been trying to get more narrative into these descriptions and there's two different things that you see on here on a regular basis; approved by the BOE or these MSA contracts. And in order to try to get everything out and open and be as transparent as possible, we've been putting these on these things. But these are actually a state purchasing contract. And what we do when we need something from a master services agreement, from state purchasing, we go out. And in this particular case, they started way back when and they got this database administrator and the initial

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agreement for whatever period of time it was that they gave to, through this MSA, through state purchasing, to this contractor was for \$10,000.

And then, literally, each month they go back or a couple months at a time they'll go back, project that they need him for this much more time and this much more time. So that's one of the things that I've discovered is going through these and trying to add up original plus a minimum, plus a minimum, plus a minimum, they just don't because we give these agreements in that amount of money, but we may not ultimately use that amount of money. It's an estimate on what we're going to use, and it's state purchasing's contract. So it's somewhat confusing to the process because we're trying to put them out there so you all see them, but the numbers never add up.

Savage: So I guess my next question is, what time would it go out to bid?

Sisco: They state purchasing division goes out to bid on these MSAs every two years.

Savage: Every two years. Okay.

Sisco: But you don't see those through us because the Board of Examiners sees them.

Savage: Okay.

Sisco: They're multi-million dollar contracts.

Savage: Thank you.

Wallin: Governor, can I do a follow-up question on this? I know that the state has lots of these MSAs and we have all these computer consultants and what have you. And in our office, if we have to hire people from the outside, we make sure that we train somebody inside so we don't have to keep hiring because they're doing work for the state on the outside. The lowest one we've seen was 125 an hour and usually they're \$250 an hour, and we're paying our people maybe \$40 an hour. So are you guys trying to take that knowledge transfer and put it in-house so we can...

Sisco: It's actually -- yes. And I'm glad you brought that up because it's a little bit of both. One is yes, wherever it's a temporary program that's not going to go on, we have an end date on these and we try to transfer that

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knowledge to our people. But in our budget process that's being submitted at this time, we've actually taken five of these MSAs that we've identified that we could hire state employees less expensive for and convert them to FTEs and we'll actually have a sizeable savings. It'll be a decision unit within our budget that will be a negative amount because we will pay less for a state employee than we will.

There's some of these, such as database administrators, we just can't compete. For what the state pays for IT people and database administrators, we just can't compete on them, but we have identified the majority of them where we can convert them over to state positions and save money.

Wallin: Yeah, I know it's hard for the database administrators. I mean, we lucked out in our office. We do have somebody that does that so we save money. But the savings are substantial. I think we've saved probably about \$900,000 by not having to go outside this last year, so...

Sisco: It is, and we're trying to do that wherever we can.

Savage: And the last question, Governor, would be Line Item No. 89. Just need a further explanation on the amount that was granted to HDR. To me it looked like the original amount was 1,485,000. The new amount is 3,194,000, which is almost double the original amount and it says allowing for contract closeout. And that just caught my eye. I would like to hear further explanation.

Hoffman: Governor, Bill Hoffman, for the record. The amendment that actually adjusted the cost or increased the funding amount for this was approved July 18, 2011. So I went back and dug into this a little bit knowing that this would probably garner a question. What we're working on just today is just to extend the -- we've just extended the contract timeframe to allow closeout of that project. So in order to wrap that project up and get it complete, we needed a little bit more time.

We weren't going to add any scope or budget at this point, but just over a year ago, we did add -- we did take it from 1.4 million to 3.1 million. The contract or the agreement was for original procurement support, so when we went out and solicited for proposals, HDR was assisting us in doing that. So with their knowledge that they brought in, design-build

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knowledge, procurement of design-build contractors, and going through that process, that's who we had hired originally for that 1.4 million.

Now, as we were moving down the path and we were starting down the design-build contract side, we needed support services, consultant support services, to actually help administer the projects, so project management support. We also had design review support and all of those support activities and services that are part of a design-build contract. And because HDR was so familiar with that contract and those services to procure, we amended the agreement and allowed HDR to then continue those services during the construction phase of the project, design and construction.

Savage: So, Mr. Hoffman, simply said, this is much more than contract closeout?

Hoffman: Yes, yes, it is. It is. So the description or the note probably doesn't do it justice or service. The time extension that we just went through is to help -- we're looking beyond the closeout time period. We want them to help us do that, is close that project out. I know you and other Board members are very concerned about closing projects out as quickly as we can, and we're having HDR help us do that; develop procedures, processes, guidelines to do that for all design-build projects. So we're just trying to get to the tail end. So to hurry up and answer your question, it was more than that originally.

Malfabon: That is a standard on design-build contacts, we procure the -- or we get into an agreement with that firm to help us procure the design-build firm, and then we have a second -- we have an amendment to add those services should we decide to go forward with the project.

Savage: Okay. Thank you, Mr. Director. And thank you, Mr. Hoffman. You answered my questions and I think it's something we can discuss further at the next CWG meeting as well. So I thank you for your answers. Thank you, Governor.

Sandoval: Member Fransway.

Fransway: Thank you, Governor. Could whoever, I just need an explanation on something that's foggy for me. And I want to go back to Line Item No. 25, King Harbor's Environmental culvert cleaning, Lake Tahoe. I notice on the note that it states legal settlement requiring the cleaning of box

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vaults and culverts under 395 and old 395 at the southern end of Washoe Valley. Was does that have to do with Lake Tahoe?

Hoffman: Member Fransway, Bill Hoffman, for the record. It doesn't have anything to do with Lake Tahoe per se. What we wanted to do is bring a contractor onboard immediately so that we could abide by this legal settlement of having the box culvert cleaned as soon as possible, right away, and then on an as-needed basis, at least annually. But it's the same contractor that is helping us clean out drop inlets and do, you know, sediment removal from Lake Tahoe.

Fransway: Okay. What I understand, it relates to regulations established by the TRPA. And some time ago I asked Ms. Martinovich if the State of California was also participating in the effort to keep sediment out of the lake. Obviously, Nevada is and being that that's a regional treasure, I want to make sure we're not the only one that is onboard to protect it.

Hoffman: Yes, Member Fransway, that is taking place. Caltrans is towing the line, so to speak, and they're in this with us just as much and we're all trying to reduce sediment load into the lake, work on total maximum daily load, this newer, more stringent process of the lake. But this box culvert is separate from the Lake Tahoe work. It just happens that that same contractor is doing work up at Lake Tahoe and down in Washoe Valley just because they could respond very quickly.

Malfabon: I think that what we can gather from the Board's concern is that we need to look a little bit into procuring these services rather than extending or amending agreements to get more competition and get a competitive bid on these. We do have the ability to do the smaller contracts using a quote process if it's an issue of timeliness. We can get those done very quickly. So we'll take those concerns to heart and try to have competitive bids on these rather than amendments to existing agreements.

Fransway: Okay. Thank you. Thank you, Bill. Thank you, Governor.

Sandoval: Further questions from Board members?

Wallin: Yes, Governor.

Sandoval: Madam Controller.

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- Wallin: Line Item No. 100. That is Solberg Ovenchink (sp?) Consulting. They're doing government-auditing services. Can you just comment on what they're providing for us or what they're doing?
- Malfabon: Each one of our agreements has to be audited and this is for internal audit division to have outside assistance in closing out our projects in a more timely manner. They do the auditing that we would normally do in-house with internal audit. Typically all consultant agreements, all of the federal aid agreements are audited so that we make sure that if we find that either we owe them money or they owe us money, the auditors find that out and then we act upon those findings.
- Wallin: I know that one of the issues that came up in CWG is the fact that when our own internal audit does the audits on the closeouts, they audit 100 percent of everything, which is not what you do in auditing. You do a risk assessment. Is this the same company that's going to design a manual so our staff can start doing a risk assessment?
- Malfabon: No. I think it's a separate company and it is two different things. One is the agreements that are audited are usually using the best practices for auditing, for CPAs. But what we're talking about, 100 percent audit was on the construction projects. We check 100 percent of the bid items, so every quantity is checked in those documentation books that we keep. On these agreement audits, it's a different process and they don't do 100 percent. They do the standard practices for generally accepted accounting purposes.
- Wallin: Are these the ones that are auditing our consultants to make sure our consultants have done the performance or is this...
- Malfabon: Yes, they do audit consultant agreements.
- Wallin: Okay. Would it be possible to share with the Board the results of some of these audits?
- Malfabon: Sure.
- Wallin: Their audit report? Thank you.
- Sandoval: Questions from Southern Nevada?
- Martin: None here, sir.

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- Sandoval: I have just a couple. Contract 37, the contract with the Tahoe transportation district and the bikeways. Whereabouts are those, do you know? It says Douglas. I know it's Douglas County, but specifically where in Tahoe.
- Hoffman: Bill Hoffman, for the record. Tracey, I'm not -- is this the bike path? So this is between Nevada Beach Road and South Shore Stateline; is that right? I know I kind of answered with a question, but we believe that this, yes, is from Stateline to Nevada Beach Road or Elks Point Road. There's a portion of a multi-use path that needs to be completed. It's part of the Tahoe Transportation District's regional plan and it's just part of that...
- Sandoval: I'm glad to see that. I just wanted specifically where it is and it alleviates traffic up there and gives an improved outdoor experience for the people who go up there is a good thing. I was just curious specifically where it is.
- Hoffman: Sure. And we can provide all the Board members with maybe a little one-page info sheet on the project, where it is, how it's going to be phased and funded. Would that -- we could do that if it would be helpful.
- Sandoval: No. And, again, this is me putting on a few hats, but we're working on it with the Department of Tourism to continue to portray Lake Tahoe as such a great destination, and if a piece of that is the hiking and the biking, that you can do things up there that you can't do anywhere else, and the accessibility. And if we can continue to work together, so if you could provide that to Tourism as well, they're coming up with a new branding plan and a big piece of that is going to be the outdoor experience that you can have here. And the more they're familiar with the resources that we have, the better.
- Hoffman: Will do, governor.
- Sandoval: So that's what that is. And then on 47, which is the funding for historical markers, and this is kind of, again, where I've been having the opportunity and privilege to be seeing a lot of faraway places in the State of Nevada, and those historical markers are a great part of that experience. I know there are a lot of people that like to have their picture taken and want to have their picture taken by every single one of those. So the contractor is the State Historical Preservation Office?

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- Sisco: That is correct. And although this is under another division, I used to be over that department, so I can share, the State Historical Preservation Officer receives money from us in order to hire somebody that goes out and restores and adapts those historical markers throughout the state.
- Sandoval: So the State Historical Preservation Office will, in turn, find a contractor to take care of that?
- Sisco: That is correct.
- Sandoval: Okay. That's all I have. Member Fransway.
- Fransway: Thank you, Governor. As you mentioned, Line Item 37, I just have a question on that. Would that be a potential funding resource for the TIGER Grant?
- Malfabon: I think that this one was funded by -- is this the SNPLA? Oh, this was with the...
- Larkin Thomason: Tracy Larkin Thomason. I'm not sure I'm going to be able to answer it fully. There was a large number of funding sources for this and the primary project, of course, is from the Tahoe, the TRPA, I'm sorry, Tahoe Transportation District has been putting it together. We are participating with them on different sources and they applied for some -- the project's middle program, they've got some money via that from us.
- There were some other funding sources. And I'm sorry, I don't have all of them off the top of my head. But it could be, and mostly likely they have put in for different grant monies, but I don't know -- I know it has not been successful going for TIGER and I do not believe it's been one of the ones that was submitted. Normally we submit for about four or five TIGER Grants throughout the state and it usually has to be ones that are very ready to go and they're usually considerably more. We're usually asking for much larger amounts than this type of project.
- Fransway: Okay. The reason I asked that is it was brought up to me by Douglas County and they were concerned that we did not get the TIGER Grant allocation last time. And I explained to them that it was kind of deferred to Arizona because of the situation with the bridges and that. And he mentioned it and I believe his concern was this project, about the bike trails. And so I just want to go to him and tell him that the bike trail was still funded.

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Larkin Thomason: The bike trail for Southern Nevada -- which is the Douglas County. I'm sorry. South Shore demo. The South Shore demo for the bike path is funded.

Fransway: Okay.

Larkin Thomason: They did lose some funding -- which funding was it? Dennis, it wasn't SNPLA. I can't remember if it was SNPLA Funds or some other funding that they -- it was a question, I'm sorry. It was like Question 10, so they had lost some funding up there with that. Some of that was made up with the project submittal funding, which NDOT did. It went through a bidding process within NDOT. It was prioritized and it met the criteria and we've provided the funding for that portion. This is the Phase 2A and I think there's another one, 2B, coming up which is one of our CMAR projects. It'll be coming up soon. Does that answer your question?

Fransway: It does.

Larkin Thomason: One thing about the TIGER Grants though, it is the federal government when it goes in that actually does the selection of what gets forwarded -- I mean, what gets allocated.

Fransway: Okay. Thank you, (inaudible). Thank you, Governor.

Sandoval: Hearing no further questions, Agenda Item 6 is an informational item only, so we will not be taking any action on that. We will move on. Unless you had anything further?

Sisco: We have, yes, two more sections there. That was B and we have C. Sorry. 6C is emergency agreements. We have two emergency agreements to tell you about under Attachment C. And it's basically just the continuation of the FAST program in Northern Nevada as well as in Southern Nevada during the time in which we're trying to complete the RFP process. As you all recall, we had some concerns on the MBE requirements and what not, so we took it back out to bid, and unfortunately it's just not going as fast as we would like, and so we had to extend it yet again. And I won't promise you that you won't see it one more time.

Sandoval: All right. And then at some point, and this is a thought I just had, can we get an analysis of what the cost per service is, so every time they assist somebody?

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- Sisco: Okay.
- Sandoval: Thank you.
- Sisco: Cost per service.
- Sandoval: Member Savage.
- Savage: Governor, along the same lines, I had a couple of questions on this because I know this came up in the March and April meetings. And the concerns follow the Governor's regarding the cost benefit analysis. I think it would be very helpful to get a report over the past two years from the contractor for the incidents and the reports of those individual incidents, because I notice that we spend close to -- over \$12 million over the last five years for this service. And I know it's a very good service. I'm concerned about the cost benefit analysis to ensure that the dollars are correct for the value. Thank you.
- Sisco: Okay. We'll add that to the list. And then we have also 6D, which is a report on the settlement of the last BOE meeting. And, Mr. Holland, did you want to touch base on that?
- Holland: I'm sorry.
- Sisco: Item No. 6D is a report on the settlement at the last Board of Examiners meeting.
- Holland: I don't have the...
- Malfabon: This is the one, Governor. I was present at the Board of Examiners meeting. It was a parcel along Blue Diamond Road that became landlocked or located by the railroad tracks. And we built a new bridge over the railroad tracks, so this property owner was landlocked. And we achieved a settlement with the owner and also talked to Clark County about paving some local roads for access to this parcel.
- Clark County, by agreement, owed us some -- we're amending the agreement with Clark County on the Blue Diamond Project because we put in some flood control improvements. And they actually are admitting that agreement to give us nearly \$1 million of other fees that they collected from developers in that area because NDOT made some other improvements such as traffic signals.

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So they'll be spending some of that money on paving their local roads to give access to this parcel, and the surplus of those funds will come to NDOT. So it's a good settlement. Clark County's participating by transferring some of their collected fees from developers and everybody will be okay in the end, that he'll get his paved road.

It also affected another settlement property. It actually wasn't a settlement, but we went to court and prevailed in court and you previously heard about that issue. We were being sued for several millions of dollars and settled for hundreds of thousands of dollars -- I mean, the judge's decision was for hundreds of thousands.

Sandoval: And even in this case, if I recall correctly, we settled for less than the value -- I mean, yes, we settled for less than the value of the property, so this was a very good result for the department and the state.

Malfabon: Yes.

Sandoval: Any questions for Board members from the remainder of Agenda Item No. 6?

Sisco: Thank you.

Sandoval: Thank you, sir. Agenda Item No. 7, public auctions.

Malfabon: Governor, when there's a -- when a parcel is over 5,000 square feet, we do put it out for public auction. You'll see in Item No. 8 that's coming up, there's some direct sales to adjacent property owners, but that has to do with the size of the parcel. So No. 7 is for disposal of NDOT property and all of those parcels over 5,000 square feet in size.

Sandoval: Do any Board members have any questions with regard to Agenda Item No. 7? Member Fransway.

Fransway: Thank you, Governor. It mentions a fair market value being obtained for these different parcels. My question is, is that where they start with the opening bids on these as the lowest bid acceptable?

Saucedo: Paul Saucedo, for the record, Chief Right-of-Way Agent. Yes, Mr. Fransway. Typically on these we will get a fair market value for the property and then the bids start at 10 percent below fair market value and that's in the NRS statute.

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- Fransway: Okay. That answers that. Thank you.
- Saucedo: You're welcome.
- Sandoval: Any further questions? Southern Nevada, do you have any questions with regard to Agenda Item No. 7?
- Martin: No, sir.
- Sandoval: Hearing no further questions, the chair will accept a motion.
- Fransway: Governor, I would move to approve the parcels for disposal as indicated in Items A through F.
- Sandoval: We have a motion for approval of the items described in the Agenda as 7A through F by Member Fransway. Is there a second?
- Martin: Second.
- Sandoval: Second by Member Martin. Any questions or discussion on motion? Hearing none, all in favor, please say aye.
- Group: Aye.
- Sandoval: Opposed, no. Motion passes unanimously. Agenda Item No. 8. Mr. Director.
- Malfabon: Governor, Board members, on No. 8, these are the parcels that are less than 5,000 square feet and considered remnant parcels that we want to dispose of. We have a process where we checked whether there's any need to retain these parcels and we don't need them, so we're bringing them to the Board as a direct sale to adjacent property owners.
- Sandoval: Any questions from Board members on Agenda Item No. 8A and B? Hearing none, Chair will I accept a motion for approval?
- Savage: I'll move to approve Agenda Item 8, both A and B, for direct sales.
- Sandoval: Member Savage has made a motion for approval of Agenda Item 8A and B. Is there a second? Second by...
- Martin: Second.
- Sandoval: ...Madam Controller. Any questions or discussion on the motion? Hearing none, all in favor, please say aye.

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- Group: Aye.
- Sandoval: Opposed, no. Motion passes unanimously. Agenda Item No. 9, approval of Administrative Modifications to 2012/2015 STIP. Ms. Larkin?
- Larkin Thomason: This is actually a fairly short list. There are no amendments and we are coming to the end of the federal fiscal year, so this should be pleasant for me. Administration for the RTC of Southern Nevada, the Administration Modification No. 7, basically it just transfers some CMAC funds over to the FTA section, just a straight transfer. These are funding that is primarily under the jurisdiction of the local entity.
- Administration Modification No. 8, it is the additional increases, the NHS funding for the freeway service patrol from 1.5 million in FY12 to 3.13 million and 3.8 million in '12, '13 and '14 respectively. And Administration Modification No. 9, this is -- actually there was no addition of money. It was really just a cleaning up of the scopes, some description changes we put there.
- And Administrative Modification No. 10, it was adding \$475,000 of public lands highway funding to the F-Street Project. Administration Modification No. 12, this is some -- it adds some funding, a project and funding, into the local, their transit system funding. And just for general information, the one-call one-click phone call is basically, that's where the call centers work with the chronic disease center and people can call in for transit rides to the hospital or to the medical centers and so on, so it's in there.
- For Washoe County, we have an administration...
- Sandoval: Excuse me.
- Larkin Thomason: I'm sorry.
- Sandoval: I thought I'd catch you now before you move to Washoe on this Southern Nevada...
- Larkin Thomason: I didn't move fast enough.
- Sandoval: This is associated with that question on the freeway service patrol. We're essentially doubling the amount of money for that in '12, '13 and '14. Do

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you know what the underlying reasons are for doubling that amount of money?

Malfabon: On the freeway service patrol, we were re-procuring it and we determined that we wanted -- since it was federal aid, we wanted to put a disadvantaged business enterprise goal, so minority contracting goal on it. Because of the way that we pay freeway service patrol providers is by the driver per hour, so there's not a way to pay directly for a sub, and there's not direct involvement of a subcontractor, so it's more supplies or support function.

In procuring that, we wanted to have the language developed that told the service provider how are we going to count achievement of that percentage. We had a three percent goal for DBEs. And we talked with all of the providers that had put in for it, because we had gone out for procurement, they didn't meet it to our satisfaction. One provider had it for if they wrecked their vehicle and they were going to take it to a body repair shop, they were going to use a firm for that.

And we thought, well, that's not -- that's kind of just if you need it you're going to spend it on that. We thought that they should do better at trying to achieve that goal monthly service or an annual service that's going to definitely get paid out to (inaudible) contractors. So we decided to re-procure it, but we were running out of time on the existing contract, so we extended their contract. That's why it doubled, because we extended the time period while we were doing the re-procurement for freeway service patrol provider in Washoe County and Clark County.

Sandoval: It's not agendaized this way, but I'm curious just to get a little more background. I probably could speak for Member Savage as well, as what the scope of that service is. So I have a flat tire, that's pretty obvious, they stop and help me. If my car heats up, they stop and help me. But what the scope of their service...

Malfabon: We definitely will do that. I know that there's so many hours of operation and so many days of the week primarily, as well as the weekend, that they provide that service and we'll get you that information as far as hours of operation and days of the week that they provide that service. And also, the number of times that they're responding to those incidents, because they keep those records.

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- Sandoval: Thank you.
- Malfabon: Oh, Rick, you have it already. We'll provide it in the future, the next Board meeting, as an old business item. We'll give you those statistics.
- Sandoval: Washoe County, please.
- Larkin Thomason: In Washoe County the Administration Modification No. 2, basically it updates some funding for the, again, the Federal Transit Administration Section 5316 on their new freedom program and the job access reverse commute program. Administration Modification No. 3, this adds a state of good repair grant funding. It's for digital radio system. That's the RTC ride and access programs at \$1.147 million.
- In the Carson City area, we're adding -- basically we're buying one bus for \$220,000 for the Carson. And in Tahoe MPO, this actually goes back to the Nevada Stateline-to-Stateline Bicycle Facility Project, that south demonstration phase, and it shows the 517,000 of state gas tax funding. That was directly from the project submittal program. And then also 2.5 million in public lands, highway discretionary funds.
- Sandoval: Questions from Board members with regard to Agenda Item No. 9.
- Martin: I have one question, Governor.
- Sandoval: Please proceed.
- Martin: The 475,000 to F-Street two-lane underpass, we awarded that, or that was awarded here a while back. What's the \$475,000 for?
- Larkin Thomason: I'm sorry I'm pausing. I'm just trying to pull it out. Dennis, can you help me? Is Jenica here? I can have that information to you in a few minutes, but I don't have it off the top of my head.
- Martin: Thank you.
- Sandoval: Member Martin, would you like to hold action on Agenda Item No. 9 if we can get that information to you within the next few minutes?
- Martin: That would be fine, sir. Thank you.
- Sandoval: We'll hold action on Agenda Item No. 9 and move on to Agenda Item No. 10, adoption of the 2012 Nevada State Rail Plan.

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Furedy:

Governor, Members, Matthew Furedy. Matthew Furedy from the rail planning section. And we're pleased to bring the completed rail plan to you for the adoption. The rail plan started back in October of 2010 and it was an 18-month process. The total initial budget for the plan was to be approximately \$1.5 million including an FRA grant of about \$640,000 and \$500,000 from the FHWA. And I'm pleased to announce that the project came in at approximately \$80,000 under budget.

These are some laws that were relating to the plan and they include the Passenger Rail Investment and Improvement Act of 2008. And this established new federal policy patterned after federal highways programs. The rail program mandate includes new requirements to develop state rail plans that include three elements; passenger rail, high speed rail and freight rail, and also mandated that the states update their rail plan every five years.

NRS 705 lays out the state requirements for the rail plan. And NRS 408, NDOT should not operate any railroad. This was brought up due to the limiting factor on what solutions the state could take in the plan. Initial project goals for the project were to enhance safety and efficiency of the rail transportation system, address social, economic, environmental and energy effects and attempt to streamline the process of our organization.

Going into the plan we knew we would have some competing projects and that NDOT wanted to make it clear that we support all legitimate projects until a time that a project becomes a clear choice, either through the planning or environmental process, but that the department does not specifically endorse the development of any one project over another.

The study process included two rounds of technical advisory committee meetings that were held both in the north and the south, and two rounds of public meetings that were held in Las Vegas, Reno and Elko. Other stakeholder involvement included 32 one-on-one meetings with entities including UPR, our BNSF, Western High-Speed Rail Alliance, and our partners in the states around us.

With the help of the technical advisory committee and public meetings, we defined our mission, vision, goals and objectives that the plan would follow. Throughout the 18 months we coordinated with several ongoing studies in order to limit the duplication of effort within NDOT and other

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agencies, which included the I-15 corridor and connecting Nevada and some others.

Finally, the team came up with a list of projects that would be evaluated and prioritized. This prioritization projects followed a four-step process. Obviously it was to identify all projects from stakeholders and the public meetings and the TAC. The second was to evaluate these projects on whether they needed further study to define their concept, had implementation issues that constrained them from moving ahead, or whether it was a -- should be taken up with a private entity directly, such as UPR or BNSF. And the projects that did not move ahead after these could be reevaluated the next time we updated the state rail plan.

The projects that went past that to an advanced evaluation, selection factors were created by the department with the assistance of the technical advisory committee, including the project's timeline and estimated costs. They were evaluated based on mission, vision, goals and objectives developed through the TAC and public meetings, and then identified the congressional and/or business approvals that would be needed. And then the fourth step was, recommended the type of support that NDOT should provide either through policy support or funding support.

Types of projects that were identified include, under conventional passenger rail, the X-Train, which would run along UPRR lines from Southern California to Las Vegas. The winter games study for the Reno, Tahoe bid and obviously that's been pushed back from the 2022. And under high-speed rail, Desert Express, which is now Express West, the Maglev Project, the Western High Speed Rail Alliance, which included the Golden Triangle, with connections from Southern California, Phoenix and Las Vegas. And also I'd like to note that Desert Express did receive their rod last summer I believe.

Excursion Rail, there's three in Nevada, two with projects; Northern Nevada Railway extension in White Pine County and the Virginia & Truckee Extension into Carson City. Freight rail projects include UPRR's future in-state projects including the CTC controls, the sightings and crossovers, upgrading UPR Donner Pass in California, upgrading Northern Nevada Railroad's short line and the relocation of the Fallon Transload Facility and the shortening of those tracks which was put to us by Fallon.

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And also we were going to recommend continuing the funding of the rail highway grade crossings that NDOT does now. This is the same list of projects, but just put into the schedule of zero to five years, six to twenty or more than twenty years. And lastly I'd like to talk a little bit about the challenges we had with the plan or conducting the plan. Getting good technical advisory committee participation due to the great distances in Nevada between our population centers, and these were addressed with early advanced notice and follow-up. And we also had teleconferencing and video for those who could not attend.

Another challenge was dealing with competing projects, specifically down in Southern Nevada, between Southern Nevada and Southern California. The I-15 right-of-way had several projects. And other projects that were brought to our attention late in the game, almost near the completion of our plan, but those projects were identified, were possible due to time in our plan, or if they couldn't be, then they were put into the appendices. Their information that they gave us was put into the appendices. And that's all I have. Any questions?

Sandoval: Did you actually rank the projects? You said you were going to do these evaluations.

Furedy: They're not ranked as in, you know, one, two, three, but they are -- like I said, there was two steps -- I mean, two matrices that we came up with. One had all the plans and another one had the plans that moved forward because they were at a late -- more complete projects that were better ready to go and had...

Sandoval: I guess that's my point. There are some projects that are much more mature than others, and is that made plain in that report?

Furedy: It is discussed, yes. Absolutely.

Sandoval: Questions from other Board members? Member Fransway.

Fransway: Thank you, Governor. So where exactly does the revenue come from to fund a rail plan?

Furedy: Well, like I said in the beginning, 640,000 came from a high-speed passenger rail grant from the FRA, from the Federal Railroad Administration, 500,000 came from FHWA, which funded the freight portion of the plan, and the rest was state money.

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- Fransway: Okay. You said that you're \$80,000 in the black?
- Furedy: Yeah.
- Fransway: Okay. Thank you.
- Furedy: Thank you.
- Sandoval: Questions from Southern Nevada?
- Martin: None.
- Malfabon: Governor, I wanted to mention, as Matt had mentioned that there are several projects that are competing with each other along this quarter, particularly in Southern Nevada. We talked with the Pullman Palace Car Company who is also looking at Vegas to Southern California as an alternative. And they brought to our attention that one of the other competitors was saying that the State of Nevada and NDOT endorsed their project which was competing with them.
- And we wanted to add just a statement to the -- as a policy, NDOT does not endorse a particular project over another. We do support the transportation opportunities whether it moves on highways, runways, sidewalks or railroads, and we'll work with all partners on opportunities within the state, but the department does not specifically endorse one project over another. So that's the statement that we will add to the draft with your approval so that it doesn't give the perception of endorsing one competing project over another.
- Sandoval: Agreed. And I don't think we should be in the business of doing that. I guess part of my question is, as I said, we have some projects that are more mature than others. Do we slow down others -- or slow down the ones that are more mature by some coming, as you described, being late in the game and putting that within the -- having a reference in the rail plan to that?
- Furedy: What I meant by late in the game is we were nearing the completion of our plan and some project -- a specific project came to us and actually told us they were trying to stay under the radar and so -- but that they were going to go ahead and give us the information. And so we did. We were able to add that to the plan, but it may not have been as in-depth as it could have

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been if we had gotten that information earlier. But it doesn't necessarily mean that the project wasn't a good project or...

Sandoval: Yeah, and I'm not going there. I guess we have limited staff and resources and these are really big issues, big question issues. And at some point where do we make a decision that one is more mature than the other, one is more realistic than the other?

Furedy: I'd actually like to defer that to Tracy. That's kind of more above my pay grade, so Tracy.

Larkin Thomason: What is unique about a lot of the rail projects is most of these negotiations go on without participation from NDOT. We don't operate the rails. Normally the UPRR and so on, they're -- sorry, UPRR, and they go into negotiations with them so there was an X project, there was a Y project, there is several other projects. Their negotiations with UP, they negotiate with them. Does it work for them? Can they do this? There's a lot of negotiations going on with the X project now, I believe, like over Daggett's Pass and so on. Those really are completely independent of anything from NDOT. And most of them are -- they don't want the information out earlier, so sometimes we're not aware of how far they are in the maturity. Am I going around the question?

Sandoval: No, I understand. I guess, I'm trying to boil this down so that -- we have one bit of right-of-way and...

Larkin Thomason: Correct.

Sandoval: ...there are folks that are all competing for that one bid.

Larkin Thomason: It's almost like any permit and so on. It's almost like first come, first serve. When it comes in, if you're ready to advance and move on, we will be working with you first, and then everything subsequent that is measured on how that affects our facilities and the facilities already in the right-of-way.

Malfabon: And a lot of the project proponents have to follow the process that's specific to their funding source. So if they're going to get -- such as Express West, formerly Desert Express, if they're going to get a federal loan, they have to comply with the NEPA, the environmental requirements, and they did get their approval of that versus another, maybe a competing, such as the Maglev that hasn't advanced far enough.

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So it really is whoever's done their work, has their ducks in a row and comes to NDOT with everything ready, then we start working with them on if they want to use the right-of-way. Some of the other projects are just using the UPRR tracks and negotiating directly with them and trying to get private financing, so they're more independent and don't have as much coordination with NDOT.

Sandoval: Any further questions from Board members on this Agenda item?

Martin: None down here, sir.

Sandoval: Then the Chair will accept a motion for the adoption of the 2012 Nevada State Rail Plan.

Malfabon: Governor, could you mention the issue about the with no specific endorsement?

Sandoval: Yeah, thank you, Mr. Director. And we would add to the 2012 Nevada State Rail Plan that the State of Nevada does not endorse any specific project. Does that satisfy you, Mr. Director?

Malfabon: Yes. Thank you.

Sandoval: Is there a motion?

Fransway: Mr. Chairman, Governor, I would move to adopt the rail plan as submitted and note that State of Nevada has no particular endorsement.

Sandoval: Endorsement of a particular project.

Fransway: Yes.

Sandoval: We have a motion by Member Fransway. Is there a second?

Wallin: Second

Sandoval: Second by Madam Controller. Any questions or discussion on the motion? Hearing none, all in favor of the motion, please say aye.

Group: Aye.

Sandoval: Opposed, no. Motion passes unanimously. We'll move back to Agenda Item No. 9. Do we have that information that was sought in prior discussion?

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Larkin Thomason: The additional funding was added for some additional bridge work that was being done underneath the I-15 area. Is that satisfactory to you?

Malfabon: Member Martin, it was for the F-Street Bridge. When the City of Las Vegas was identified in the NRS as far as it adjusted the funding of that F-Street project, they identified the funding source when it was apparent that that funding source would not contribute enough funds for the project. The City of Las Vegas came back to NDOT and we actually went to the interim finance committee to report that we needed some federal funds put towards this project, and that's what the additional money is going to, for construction of the F-Street Bridge.

Martin: Thank you, sir. I appreciate it.

Sandoval: Thank you very much. Does that satisfy you, Member Martin?

Martin: Yes, sir. With that, I move for approval of Agenda Item No. 9.

Cortez Masto: I'll second the motion.

Sandoval: Member Martin has made a motion to approve the administrative modifications to the 2012/2015 STIP, second by Madam Attorney General. Any questions or discussion on the motion? Hearing none, all in favor, please say aye.

Group: Aye.

Sandoval: Opposed, no. Motion passes unanimously. Agenda Item No. 11, presentation of wind warning system for U.S. 395 and I-580 in Washoe and Pleasant Valleys. A lot of interest in this Agenda item.

Nelson: Good morning, Governor, members of the Board. My name's Rick Nelson. I'm the Assistant Director of Operations. I have a very brief presentation to make and will certainly entertain all the questions that you might have. The wind blows in Washoe Valley, absolutely it does. The department has had a wind warning system of some kind for the motorist through Washoe Valley for probably over 30 years.

When I went up to the district in 1989, it was a very old system, had distinguishable message signs. It was basically a bulb behind a silk-screened message with an anemometer at the fire station in the center of Washoe Valley, and it was simply a toggle on and off switch. In the early

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1990s, we upgraded that system, quite frankly, because we couldn't buy the bulbs for the sign anymore.

They were only available in France and they had a very strange voltage and so on. And so as part of our road weather information system project, a project where we deployed remote weather stations throughout the state, we installed one of those weather stations in Washoe Valley and put in some dynamic message signs.

And those signs were in place until the I-580 project came through. And one of the things that generated some concern with respect to the wind speed in Washoe Valley was the fact that the anemometer wasn't placed in the same location as it was before. Instead of being at the fire station, it was moved a little farther to the north. And as you recall, a golf course was built in Washoe Valley and the owner of that business expressed some concern because, of course, when you have a great big dynamic message sign saying the wind is blowing, it kind of takes the edge off people wanting to go play golf.

So what we did was we commissioned the first study to look at the wind speeds in Washoe Valley. And what we did was we did an analysis between the winds at the fire station and the winds at the new RWIS site and found that there was very tight correlation between those two locations. The wind speed was not that variable between those two places and we continued on.

When we established the new system, there was some concern about the wind threshold trigger values. In other words, the wind speed that triggers the warning or the prohibitive message. Because when we built the new station, we simply migrated the old criteria over to the new. So we commissioned UNR, that was the Department of Mechanical Engineering, to do a study on vehicle stability to try to zero in on what wind speed should we have an alert for to begin warning motorists of high winds and at what speed should we prohibit motorists.

And what they came back with, and it was a very simple analysis, but it did have some very interesting results. One of the first things that came up was different vehicle configurations have differing susceptibility to instability with respect to the wind speeds. And so we can't create a warning for every specific vehicle that goes through, so at that point there was the initial steps to identify what the design vehicle might be. And

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through that analysis, the critical vehicle, of course, is a semi, a 40-foot long semi that is unloaded. And so that sort of became the standard, if you will, for establishing those wind speed thresholds.

Now it was a fairly complicated set of rules for establishing the wind warnings and what we had had was the two messages based on a sustained wind speed over a ten-minute period and wind gust, a gust over that ten minute period. So the not advised message would go up when the sustained winds were between 15 and 29 miles an hour, or if the wind was gusting between 29 and 39. So you would get a not advised message if the winds were steady between 15 and 29, or there was a gust of 40.

Now, the prohibited message would go up if the sustained winds were -- you know, I've practiced this so many times it's very confusing. Prohibited message would go up if sustained winds were greater than 30 or gusting over 40, so that's when the prohibited message would come about.

So what we did was we hired a firm and several subcontractors to do another study of the wind speed threshold values; one, because there was some concern from the trucking industry about the amount of time we had prohibited high profile vehicles through Washoe Valley. Plus, we're adding a new link, the I-580 link, and the concern associated with the winds over the Galena Creek Bridge. This is the recommended wind thresholds for the new system, which includes the link between Mount Rose and Bowers Mansion, in addition to an evaluation of the wind speeds along State Route 429, Bowers Mansion.

So what we've done is we've expanded our operational area, if you will, from just Washoe Valley to include the new link of I-580 and Bowers Mansion Road. We felt this was fairly important because historically when the winds have prohibited high profile vehicles through Washoe Valley, the trucks tend to use Bowers Mansion as an alternative then, and we sort of on purpose did not make any statements with respect to the susceptibility of high profile vehicles on Bowers Mansion. And when you get to the very southern end where that piece of 429 parallels 395, we had experienced some vehicles that had tipped over in that region.

So the new proposed wind speed thresholds go now from, instead of factoring in gusts and steady wind speeds and so on, we've shortened our sampling frequency to a minute and we're looking at wind speeds between

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20 and 40 miles an hour giving an alert message. We're not calling it a warning anymore because the National Weather Service has a specific definition of what a warning means and it was causing some confusion between when the National Weather Service issues a wind warning, which is a more generic message, to our alerts for the specific pieces of highway. So the alert message has gone up to between 20 and 40 and it will be prohibited over 40.

And the same through Washoe Valley. And I apologize, there is a typo on this slide. There's an inconsistency between the prohibited over 40 miles an hour on this slide, and the Attachment A in your book. It is in fact 35 miles an hour. And that becomes important with respect to the speeds. The speed limit through Washoe Valley is 70 miles an hour. And the analysis that was performed takes into account vehicle dynamics associated with the speed of the vehicle. So the prohibited message will go up when the wind speeds are over 35. But what this does do is it improves the availability, if you will, of passage through Washoe Valley, because remember before the steady wind speeds between 15 and 29 would generate a prohibited message, so this actually gives us a bit more opportunity to go through Washoe Valley.

Now, in Bowers Mansion, because the vehicle speed is important, what we are going to do is issue a variable speed limit, so when the winds are over 35 miles an hour, we're going to drop the speed limit on State Route 429 to 45 and that'll allow the high profile vehicles to pass with wind speeds up to 40 miles an hour. So what we're doing is we're taking into account the vehicle speed with respect to these wind speed threshold values.

Let's see. The other thing that the study did recommend was improving our traveler information package, so as a result of this we're going to install some additional ITS devices, some additional weather stations, so we can get a better profile of the winds; also, highway advisory radios and dynamic message signs so we can improve getting that message out to the motorists.

Now, as we went through the process of this study, we also reached out to two stakeholder groups. The first group was the West Washoe Valley CAB. They're the citizens on the west side of Washoe Valley that have some impact when the prohibited message goes up through Washoe Valley because that's the primary bypass route, if you will, for trucks.

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They had a fair amount of concerns. And we also reached out to the trucking industry and we had two rounds of meetings with both of those stakeholder groups; one to get their input as the study was commencing, and secondly to present the results to them and get some feedback from them, which was positive in both cases.

These new threshold values have, in fact, been implemented with the opening of the I-580 link. And while there's some differences in configuration at Bowers Mansion -- because the fact that that interchange isn't finished yet, you know, as you drive through there you'll see that that ramp is open for high profile vehicles during wind events. That will all be cleaned up when the freeway project is finished. So with that, I will be happy to answer any questions that you all might have with respect to winds.

Sandoval: First I want to compliment you on the whole project. I've traveled the road several times, heard nothing but great things. People are very, very pleased with it. So I think it's been a great addition to the infrastructure in Northern Nevada. It's just a really nice project. Now, when you say prohibited, that's just the big trucks, correct? Not prohibited to all traffic?

Nelson: That is correct. That's high profile vehicles. You notice there's some additional definition on the warning signs that talks about high profile vehicles over nine feet. And, again, the control vehicle is an empty vehicle. We've had very good cooperation with the highway patrol enforcing that prohibited message with respect to trucks that tend to violate the sign.

Sandoval: And I get asked this question a lot, so I can answer definitively, is there a difference between the warning in the rules for Washoe Valley and I-580? So, in other words, the same wind rules apply as you go through Washoe Valley as when you're traveling up on I-580?

Nelson: That is correct. Well, Denise might be kicking me behind the podium, but -- oh, that's right. I apologize. The difference is -- again, I apologize for the error in my slide. Washoe Valley will be prohibited when the winds are over 35 miles an hour because the vehicle speed is 70 miles an hour. On the new I-580 link, they'll be prohibited when the winds are over 40 miles an hour because the speeds are at 65. Now, you'll also...

Sandoval: More than likely it will be open more then up there.

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- Nelson: Likely. Yes.
- Sandoval: And I guess the point I'm making is, this information's important so that I can answer because there's somewhat of a perception out there that that road's going to be closed -- I-580's going to be closed all the time, and that's not the case.
- Nelson: I believe that to be not the case. Only time will tell, but as the construction project has gone on over all these years, we've had a temporary weather station set up there. Initially, of course, all the big cranes have anemometers on the cranes and so we were sort of watching the winds there. But towards the end we actually put a weather station, a temporary weather station there and interestingly enough the winds in the Galena Creek Bridge area tend to be less than the winds reported in Washoe Valley.
- Sandoval: That's a good fact to know. And this study doesn't include weather events though? Other weather events, I should say, like snow?
- Nelson: The analysis of the vehicle dynamics during high wind events did take a look at when the road was wet versus when the road is dry. One of the bases of their analysis had to do with sliding friction. And of course during, you know, snow and wet events that friction value goes down. What's difficult to try to incorporate those values into an operational system is we're measuring whether the road's wet or dry based on an area about this big over all these miles of road. And there's been a lot of spirited discussion about where you measure that two-square inch patch. Is it in the wheel path or on the edge or the center? It can give you widely varying results, so we chose to go with the more conservative values, the wet values, in establishing these thresholds.
- Sandoval: Because that's the other question I get is once you're up there, you're up there. And between there and the Melrose Highway, and so what are the criteria going to be for the closure of that road, because, again, if you've got a severe weather event and someone's going to have to make that call, because, as I say, it's not like you can pull over or get off or anything like that.
- Nelson: One of the things that came up in the writing of this report has to do with forecasted winds in effect. There was a recommendation that talked about trying to incorporate forecasted high wind events into this. And the

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department does have a third party meteorologist working for us. If you haven't seen the agreement for them, you will at some point in time because that's a service that we do put out to bid to give us specialized weather forecasts.

And the intent is to incorporate those forecasted events into a predictive model, but right now this is automatically controlled. When the wind speeds reach that trigger velocity, the messages go out, the signs come on. They stay on for a period of time. I think it's 20 or 30 minutes. So even though you're measuring that wind speed over a very short period of time, once it triggers, that message will stay on to provide some stability for the motorists.

Sandoval: Where will that message sign be going northbound, so that you can make your decision whether you're going to go up on 580 or not?

Nelson: Well, there will actually be two decision points; one actually in Carson City before you get to that Washoe Valley segment, and then there'll be another segment with enough warning so that if you need to get off at the Bowers Interchange, you'll be able to do that.

Sandoval: Okay. I have no further questions. Other Board members? Member Fransway.

Fransway: Thank you, Governor. Am I right, did I hear you say that you're trying to make this system work both with audio and visual aids? In other words, when this thing triggers, can it also trigger the 511 road condition that lets people know ahead of time, so that they don't get on the road and rely upon a visual warning system only?

Nelson: Yes, Member Fransway. It's a total package. The traveler information package is a total package. So when that event triggers, not only do the signs come on for the motorists that are there, it also populates that message to 511, highway advisory radios. In fact, the media's been very good at picking it up and rebroadcasting it through the media outlets as well.

Fransway: That's excellent, yeah. Thank you.

Sandoval: Other Board member questions? Any questions from Southern Nevada?

Martin: No, sir.

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Sandoval: I guess one last question, given all these modes of communication, will there be some kind of an app so that you might get a text message or something if you subscribe to that type of service?

Nelson: Yes. And the reason I hesitate a little bit is because, as you recall, the Board just approved the agreement for our new 511 system, and I think there will be lots of enhancements associated with the new 511.

Sandoval: And the genesis of my question is a purely selfish motive, but I'm going to have two kids and a wife that are traveling that road every day and my kids, they won't be talking on the cell phone, I assure you, but before they leave, if they got a text message that let them know what the conditions were, that would be I think really helpful. And I think my kids are pretty representative of a lot of that generation and others that are relying on these iPhones for information.

Nelson: In fact, they can sign up for that right now, and we'll get you the particulars on how to make that happen.

Sandoval: Great. Thank you. Any further questions with regard to Agenda Item No. 11? Hearing none, Agenda Item No. 12, old business.

Malfabon: Agenda Item No. 12 is to summarize the outside counsel costs on open matters. As you can see, there are several legal firms that provide assistance to NDOT. Typically, we'll try to do as much as we can in-house using the Attorney General's deputies. In some cases you've seen the support that we receive from these outside counsels. There is (inaudible) provided assistance on the I-580 project to deal with some claim issues that we've settled. I believe that there are no other outstanding issues that we're aware of. Oh, yes, there was kind of a second tier issue with a subcontractor that we will have to deal with.

But the next one was -- the Pioneer Program was for the public/private partnerships and looking at tolling opportunities should we have that authority granted by the legislature, so we had legal assistance from Nasumen (sp?) through that effort. And we have a balance that, if we need to, during the legislative process, we did submit a BDR for P3s and if we need to we still have a small balance available to provide that assistance.

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The Chapman Law Firm assisted us on Project Neon with the acquisition of some parcels there where we had to deal with inverse condemnation or actions that the opposing counsel was saying that we started our project earlier than we -- we have a certain process in acquiring property. They were saying that we affected them much earlier in the ballgame, so we had Chapman Law Firm help us out.

The Wall Street case was brought to you previously and approved by the Board of Examiners as a settlement. Ad America is going on right now. Chapman Law Firm also helped us out on the Blue Diamond RV case on the second page. That's the one that I had mentioned that we saved several millions of dollars that the other folks were saying that we owed them millions of dollars, and we had a decision in court that put that to rest for hundreds of thousands of dollars.

I mentioned the Clark County assistance on paving their local roads to provide access to that property, as well as the (inaudible) parcel. They're currently helping us out on Vegas Group LLC, which is associated with Project Neon. We recently negotiated a settlement last week, so we intend to take that settlement to the Board of Examiners for approval. It was along the lines of what we had had a recent appraisal for the parcel plus some additional costs that we feel is a good settlement for the State of Nevada. They're also involved in another case on Project Neon that's mentioned there. It's ongoing still.

The other firms, Snell and Wilmer, are helping us on the P-construction cases up in Wells with the wildlife crossing and Contract 3377 here in Northern Nevada. Snell and Wilmer's also helping us on a Southern Nevada project involving Williams Brother Incorporated. And finally we have BH Consulting which is helping us on the radios and the communication issues with rebanding, rechanneling of NDOT's 800 megahertz frequency radio system.

Sandoval: Did the matter -- the one that I, as you know, have been paying particular close attention to is where we paid \$6 million in fees to a particular firm. Is that this first item on this attachment (inaudible)?

Malfabon: That was a separate -- that was for the Ames case, so that was a separate case and that's all settled.

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- Sandoval: I guess where I'm going is we approved \$1 million not long ago in additional funds, and because we resolved the case sooner, that was \$1 million to get us through trial, but we settled the case. I was curious how much we retained of that \$1 million that had been approved?
- Malfabon: I don't know. Rick, do you know? We didn't have to go to court. We could bring that forward to you as old business item to report how much we saved by not going to court on that.
- Sandoval: Any further questions from Board members with regard to Agenda Item No. 12?
- Martin: None here, sir.
- Sandoval: Move on to Agenda Item No. 13, public comments. Is there any member of the public in Southern Nevada that would like to provide comment to the Board?
- Martin: None here, sir.
- Sandoval: Is there any member of the public here in Carson City that would like to provide comment to the Board? I'll close the public comment. There is not an adjournment item on the Agenda. I'll take a motion to adjourn anyway. Is there a motion to -- this was going to be a meeting that never ended.
- Savage: Governor, I'll make a motion to adjourn.
- Sandoval: There's a motion to adjourn by Member Savage. Is there a second?
- Fransway: Second.
- Wallin: Second.
- Sandoval: Second by Member Fransway. Any questions? Hearing none, all in favor, please say aye.
- Group: Aye.

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Board of Director's Meeting
September 10, 2012

Sandoval: Motion passes unanimously. Thank you, members of the Board. Thank you, ladies and gentlemen. This meeting is adjourned.

Secretary to the Board

Preparer of Minutes



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

October 1, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: October 8, 2012 Transportation Board of Directors Meeting
Item # 6: Approval of Agreements Over \$300,000 - For Possible Action

Summary:

The purpose of this item is to provide the Board a list of agreements over \$300,000 for discussion and approval following the process approved at the July 11, 2011 Transportation Board meeting. This list consists of any design build contracts and all agreements (and amendments) for non-construction matters, such as consultants, service providers, etc. that obligate total funds of over \$300,000, during the period from August 20, 2012 to September 14, 2012.

Background:

The Department contracts for services relating to the development, construction, operation and maintenance of the State's multi-modal transportation system. The attached agreements constitute all new agreements, new task orders on existing agreements, and all amendments which take the total agreement above \$300,000 during the period from August 20, 2012 to September 14, 2012.

Analysis:

These agreements have been prepared following the Code of Federal Regulations, Nevada Revised Statutes, Nevada Administrative Code, State Administrative Manual, and/or Department policies and procedures. They represent the necessary support services needed to deliver the State of Nevada's multi-modal transportation system.

List of Attachments:

- A) State of Nevada Department of Transportation Agreements over \$300,000, August 20, 2012 to September 14, 2012.

Recommendation for Board Action:

Approval of all agreements listed on Attachment A.

Prepared by: Scott K. Sisco, Assistant Director - Administration

**State of Nevada Department of Transportation
Agreements for Approval
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
1	10412	00	00	TRANSCORE ITS LLC	ITS FIELD EQUIP SUPPORT	N	\$ 500,000.00	\$ -	\$ 500,000.00	\$ -	11-Oct-12	31-Dec-14	NULL	Service Provider	TECHNICAL AND OPERATIONAL SUPPORT INCLUDING UPDATES AND ENHANCEMENTS, MAINTENANCE AND PREVENTATIVE MAINTENANCE, REPAIR AND LIFE CYCLE MAINTENANCE ON ELECTRICAL AND INTELLIGENT TRANSPORTATION SYSTEMS (ITS) FIELD DEVICES, INCLUDING BUT NOT LIMITED TO CLOSED CIRCUIT TELEVISION (CCTV) CAMERAS, DYNAMIC MESSAGE SIGNS (DMS), HIGHWAY ADVISORY RADIO (HAR), FLASHING BEACONS, ROADWAY WEATHER INFORMATION SYSTEM (RWIS), RAMP METERS, HUB BUILDINGS AND ANY ADDITIONAL EQUIPMENT USED TO SUPPORT THE OPERATION OF INTELLIGENT TRANSPORTATION SYSTEMS. STATEWIDE PROPOSALS FOR RFA 104-12-016 WAS SUBMITTED BY TRANSCORE ITS LLC NV B/L#: NV20051693548
2	32512	00	00	CHAPMAN LAW FIRM	NDOT VS GENDALL PROJ NEON	N	\$ 416,800.00	\$ -	\$ 416,800.00	\$ -	21-Aug-12	21-Aug-14	NULL	Service	REPRESENTATION BY MICHAEL G. CHAPMAN, ATTORNEY AT LAW, P.C. IN TH MATTER OF NDOT VS ALEXANDER AND LILY GENDALL, PROJECT NEON, STATEWIDE. NV B/L#: NV20011462722

Line Item 1

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

DATE: August 17, 2012

TO: Richard Nelson, PE, Assistant Director
FROM: Jon Dickinson, Project Manager
SUBJECT: Negotiation Summary for Traffic Operations ITS Maintenance contract

A negotiation meeting was held via conference call on August 1, 2012, with Dan Preslar and Nick Gordon of Transcore ITS, Inc, and Jon Dickinson of NDOT in attendance.

The scope of the services that was used was provided by Transcore ITS and was reaffirmed by both parties at the outset and included the following:

1. Preventative maintenance of ITS Devices statewide (on-call)
2. Repair and technology assistance with ITS devices statewide (on-call)
3. Traffic control for above work when required

The schedule for this contract is "tasked base"; the contractor will respond to the Departments request and set a schedule for each task.

Key personnel and their sub consultant personnel who will be dedicated to this project are as follows:

Vice President, Dan Preslar, PE
Project Manager, Nick Gordon, PE

The price proposal was reviewed and the following rates negotiated. This is a unit of work contract with a not to exceed value of \$500,000, no discussions were held on the total cost of the contract. Hourly rates were established for each class of labor based on current prevailing wages for the class of work. Equipment hours were negotiated based on current blue book rate for the type of equipment to be used. Costs were also negotiated for preventative maintenance activities, the cost is based on the expected number of hours to perform the task, equipment required to perform the task as well as consumables that would be used in the assigned task. All rates are considered fully burdened, no other composition will be allowed for the work assigned.

The negotiation yielded the following:

Repair/Technological Assistance Labor Rates

Labor Category	Rate per Hour
Senior Electronic Communications Technician	\$ 130.00
Electronic Communications Technician	90.00
Electrician Wireman Journeyman	135.00
Operating Engineer, Group 4	135.00
Laborer, Group 3	100.00
Non-prevailing wage	70.00

Project Manager	135.00
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Repair/Technological Assistance Equipment Rates

Item	Rate per		
	Hour	Day	Week
Bucket truck (up to 65 ft reach)	75.00	500.00	2,300.00
Excavator with trailer	50.00	375.00	1,700.00
Utility truck	17.50	120.00	550.00
Dump truck	20.00	150.00	675.00
Fiber trailer with splice/ test equipment	70.00	475.00	2,200.00
Miscellaneous rates			
Mileage*	0.555	per mile	

*Intent is to use IRS rate applicable at time – used only for personally owned vehicles

Preventive Maintenance Rates

Unit of Work	Cost Per Site	Unit of Work	Cost Per Site
RWIS Site	\$ 2,950.00	Solar Flashing Sign Site	\$ 850.00
DMS Site	1,950.00	Detector Site	1,250.00
HAR Site	1,750.00	Camera Site	1,250.00
Combination of two sites	Cost per site @ 20% discount	Combination of three or more sites	Cost per site @ 30% discount

JLD;jld

cc: Denise Inda, Traffic Operations
Tom Moore, Traffic Operations
Rod Schilling, Traffic Operations

Line Item 2

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

MEMORANDUM

RECEIVED
JUL 10 2012
FINANCIAL MANAGEMENT

July 10, 2012

TO: 1. Phyllis Ness, Budget Section ^{PN}
2. Elaine Martin, Project Accounting ^{EM}
3. Susan Martinovich, P.E., Director

FROM: Dennis Gallagher, Chief Deputy Attorney General, Legal Division 

SUBJECT: REQUEST APPROVAL TO OBTAIN BUDGET APPROVAL
FOR AGREEMENT NO. _____
FOR CONDEMNATION RESOLUTION NO. 428
IN THE MATTER OF STATE OF NEVADA vs. ALEXANDER GENDALL
AND LILY GENDALL TRUST
RE: THE CHAPMAN LAW FIRM, P.C.
E.A. NO. 73652; PARCEL NO.: I-015-CL-041.692
PROJECT IDENTIFICATION NO.: NH-STP-015-1(147)

Due to the necessity of obtaining the services of outside legal counsel to assist the Legal Division in prosecuting a condemnation complaint in the matter of the *State of Nevada, ex rel., Department of Transportation v. Alexander Gendall and Lily Gendall* to be filed in the Eighth Judicial District Court of the State of Nevada (the "Lawsuit"). This Lawsuit is related to Project Neon.

The scope of services will be provide legal services to represent the Department pertaining to the Lawsuit. The outside legal counsel shall provide litigation status reports to the Department's Chief Counsel or his designee quarterly and shall also provide the same when so requested by the Department. The outside legal counsel, when requested, shall also provide copies of all memoranda, pleadings, briefs, reports, studies, photographs, negatives or other documents or drawings prepared by outside legal counsel in the performance of its obligations under the agreement at Department's sole costs and expense. Copies shall be the exclusive property of the Department. The outside legal counsel agrees to work closely with the Attorney General's Office staff and include such staff, as the staff deems appropriate, in strategy discussions, discovery, motion practice, trial practice, appellate work, and such other matters as they may arise.

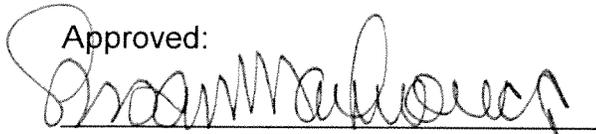
The estimated cost for the services projected through trial, including any post trial motions, if any, is \$416,800 (plus certain related normal and customary expenses). This figure does not include costs associated with the case. The exact amount to be spent each fiscal year has yet to be determined.

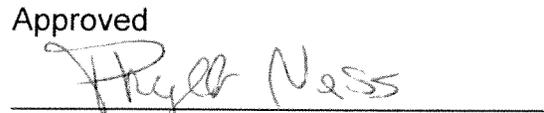
Assistant Attorney General, Keith Munro has previously received a briefing on use of outside counsel in these types of lawsuits.

Subject: New Agreement with Michael G. Chapman, Attorney at Law, P.C.
Re: *NDOT v. Alexander Gendall and Lily Gendall Trust*
Date: July 10, 2012
Page 2

Approval of this memo by the Project Accounting Section and the Budget Section indicates funding authority is available for consulting services for Budget Category 06, Object 814R, Organization A004. The A04 Financial Data Warehouse, Budget by Organization Report No. NBDM30 must be attached. Actual availability of funds and the monitoring of actual expenditures must be determined by the Division Head/District Engineer. Return this memo to the originator for inclusion in the project.

Approval of this memo by the Director's Office authorizes this request.

Approved:

Director

Approved

Budget Section

COMMENTS:

NEON

**NDOT v. GENDALL (Charleston Antique Mall)
CHAPMAN LAW FIRM P.C.
PROPOSED BUDGET***

		Direct Action	
		Attorney	Paralegal
1	Initial Fact Finding/Meetings - initial meeting(s) with client regarding case, project, documents, etc., and case related research	75	25
2	Initial Pleadings/ Initial Motion Practice - drafting Complaint, Summonses, Answer to Counterclaim, Lis Pendens, Ex Parte Motion for Publication, Motion to Dismiss, etc.	50	10
3	Discovery - document gathering and review, answering written discovery, discovery related motion practice, expert identification and retention taking and defending depositions, etc.	325	150
4	Dispositive Motion Practice - motions in limine, motions for summary judgment, etc.	150	25
5	Settlement - informal discussions, preparing settlement statement, attending settlement conference, preparing settlement documents	75	10
6	Pretrial - jury instructions, preparing trial memorandum, trial exhibits, pre-trial conference, examination and argument preparation	350	120
7	Trial	325	75
8	Post Trial - preparing and arguing post trial motions	150	25
TOTAL HOURS		1500	440
TOTAL \$		\$375,000	\$41,800
COMBINED TOTAL \$		\$416,800	

RATES:
Attorney - \$250/ hr
Paralegal - \$95/ hr

** This is an estimate only and is subject to change as the case develops. The estimate does not include costs or expert witness fees. No estimate is given for appeal related work at this time. That estimate will be supplied later.*



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

October 1, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: October 8, 2012 Transportation Board of Directors Meeting
Item # 7: Contracts, Agreements, and Settlements – Informational Item Only

Summary:

The purpose of this item is to inform the Board of the following:

- Construction contracts under \$5,000,000 awarded August 20, 2012 to September 14, 2012
- Agreements under \$300,000 executed August 20, 2012 to September 14, 2012
- Settlements entered into by the Department which were presented for approval to the Board of Examiners August 20, 2012 to September 14, 2012

Any emergency agreements authorized by statute will be presented here as an informational item.

Background:

Pursuant to NRS 408.131(5), the Transportation Board has authority to “[e]xecute or approve all instruments and documents in the name of the State or Department necessary to carry out the provisions of the chapter”. Additionally, the Director may execute all contracts necessary to carry out the provisions of Chapter 408 of NRS with the approval of the board, except those construction contracts that must be executed by the chairman of the board. Other contracts or agreements not related to the construction, reconstruction, improvement and maintenance of highways must be presented to and approved by the Board of Examiners. This item is intended to inform the Board of various matters relating to the Department of Transportation but which do not require any formal action by the Board.

The Department contracts for services relating to the construction, operation and maintenance of the State’s multi-modal transportation system. Contracts listed in this item are all low-bid per statute and executed by the Governor in his capacity as Board Chairman. The projects are part of the STIP document approved by the Board. In addition, the Department negotiates settlements with contractors, property owners, and other parties to resolve disputes. These proposed settlements are presented to the Board of Examiners, with the support and advisement of the Attorney General’s Office, for approval. Other matters included in this item would be any emergency agreements entered into by the Department during the reporting period.

The attached construction contracts, settlements and agreements constitute all that were awarded for construction from August 20, 2012 to September 14, 2012 and agreements executed by the Department from August 20, 2012 to September 14, 2012.

There was one settlement during the reporting period which was approved at the September 11, 2012 Board of Examiners meeting.

Analysis:

These contracts have been executed following the Code of Federal Regulations, Nevada Revised Statutes, Nevada Administrative Code, State Administrative Manual, and/or Department policies and procedures.

List of Attachments:

- A) State of Nevada Department of Transportation Contracts Awarded - Under \$5,000,000, August 20, 2012 to September 14, 2012
- B) State of Nevada Department of Transportation Executed Agreements – Under \$300,000, August 20, 2012 to September 14, 2012
- C) State of Nevada Department of Transportation Emergency Agreements Executed – August 20, 2012 to September 14, 2012
- D) State of Nevada Department of Transportation Settlement approved at September 11, 2012 Board of Examiners meeting

Recommendation for Board Action: Informational item only

Prepared by: Scott K. Sisco, Assistant Director - Administration

Attachment

A

**STATE OF NEVADA DEPARTMENT OF TRANSPORTATION
CONTRACTS AWARDED – UNDER \$5,000,000
August 20, 2012 to September 14, 2012**

There were no contracts under \$5,000,000 awarded during the reporting period.

Attachment B

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
1	22112	00	00	CML-NV SANDPOINTE LLC	APN: 161-07-603-003	N	\$ -	\$ -	\$ -	\$ -	5-Jun-12	31-Dec-15	NULL	Coop	INSTALL APPROXIMATELY 860 LINEAR FEET OF WALL, ALONG THE NORTHBOUND EASTERLY RIGHT-OF-WAY OF IR 515 FROM BOULDER HWY NORTH, CLARK COUNTY. NV B/L#: NV20111292665
2	16812	00	01	DOUGLAS AREA RURAL TRANSIT	FTA ARRA GRANT NV-86-X001	Y	\$ 575,000.00	\$ -	\$ 575,000.00	\$ -	15-May-12	31-Jan-13	23-Aug-12	Grantee	AMD 1: EXTEND TERMINATION DATE FROM 09/30/12 TO 01/31/13.FTA ARRA GRANT NV-86-X001, PURCHASE, CONSTRUCT, AND INSTALL A COMMUNICATION SYSTEM FOR THE DOUGLAS AREA RURAL TRANSIT SYSTEM, DOUGLAS COUNTY. NV B/L #: EXEMPT.
3	34012	00	00	CITY OF BOULDER CITY	EXTENSION OF P450-09-802 FTA	Y	\$ 120,553.00	\$ -	\$ 120,553.00	\$ -	30-Jun-12	30-Sep-12	NULL	Grantee	TO ALLOW GRANTEE TO EXPEND FUNDS FROM AGREEMENT P450-09-802 WHICH EXPIRED ON 6/29/12. FTA ARRA GRANT NV-86-X001, CONSTRUCT BUS SHELTERS IN BOULDER CITY, CLARK COUNTY. NV B/L# : EXEMPT

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
4	24910	00	01	OTIS ELEVATOR COMPANY	MAINTAIN 2 ELEVATORS TMC	N	\$ 14,504.00	\$ 9,504.00	\$ 24,008.00	\$ -	31-Aug-10	31-Aug-14	24-Aug-12	Independent Contractor	AMD 1: EXTENDING THE TERMINATION DATE FROM 8/31/12 TO 8/31/14 TO EXTEND SERVICES. INCREASING AUTHORITY BY \$9,504.00 TO BRING AGREEMENT TOTAL TO \$24,008.00. PROVIDE REMOTE ELEVATOR MONITORING SYSTEM, MONTHLY USAGE AND PERFORMANCE REPORTS, AND FULL SERVICE MAINTENANCE AND REPAIR SERVICES FOR 2 ELEVATORS AT TMC IN CLARK COUNTY NV B/L#: 19441000038
5	34309	53	00	HAS IMAGES, INC.	SCAN FILM 4 LPN GLEN/WINN/R-W	N	\$ 750.00	\$ -	\$ 750.00	\$ -	28-Aug-12	15-Oct-12	NULL	Independent Contractor	SCAN FILM FOR LPN 1129 GLENDALE; LPN 1260 WINNEMUCCA; LPN 1261 RAMSEY-WEEKS, WASHOE, HUMBOLDT AND LYON COUNTIES. NV B/L #: NV20111322690
6	34309	54	00	HAS IMAGES INC.	HAS IMAGES INC	N	\$ 1,100.00	\$ -	\$ 1,100.00	\$ -	13-Sep-12	19-Oct-12	NULL	Independent Contractor	SCAN FILM FOR LPN 1236 I-80 GOLDCONDA. HUMBOLDT COUNTY. NV B/L #: 20111322690

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
7	34609	10	00	KEYSTONE AERIAL SURVEYS	AERIAL PHOTO/GLEN/WINNE/R-W	N	\$ 7,060.00	\$ -	\$ 7,060.00	\$ -	29-Aug-12	1-Oct-12	NULL	Independent Contractor	AERIAL PHOTO FLIGHTS: LPN 1129 GLENDALE; LPN 1260 WINNEMUCCA; LPN 1261 RAMSEY-WEEKS, WASHOE, HUMBOLDT AND LYON COUNTIES. NV B/L #: NV20111313643
8	34609	11	00	KEYSTONE AERIAL SURVEYS	AERIAL PHTO FLIGHT 1236 GOLCON	N	\$ 7,700.00	\$ -	\$ 7,700.00	\$ -	7-Sep-12	5-Oct-12	NULL	Independent Contractor	AERIAL PHOTO FLIGHT: LPN 1236 I-80 GOLCONDA. HUMBOLDT COUNTY. NV B/L #: NV20111313643
9	20312	00	01	UNIVERSITY OF NEVADA LAS VEGAS	SAFETY ANALYST APPLICATION	Y	\$ 249,258.00	\$ -	\$ 249,258.00	\$ -	30-May-12	30-Jun-14	4-Sep-12	Interlocal	AMD 1: TO CHANGE BILLING FROM UPON COMPLETION TO QUARTERLY. TO COLLECT AND ANALYZE SAFETY DATA IN ORDER TO IMPLEMENT THE "SAFETY ANALYST" APPLICATION, CLARK COUNTY. NV B/L #: EXEMPT.
10	27912	00	00	TAHOE TRANSPORTATION DISTRICT	DEFINE RESPONSIBILITIES	N	\$ -	\$ -	\$ -	\$ -	14-Sep-12	31-Dec-13	NULL	Interlocal	INTERLOCAL BETWEEN NDOT, TTD, AND DOUGLAS COUNTY TO DEFINE RESPONSIBILITIES FOR THE STATELINE TO STATELINE BIKEWAY PROJECT PHASE1C IN DOUGLAS COUNTY. TTD NV B/L: #NV20101738296 DOUGLAS COUNTY NV B/L: #EXEMPT

State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
11	29212	00	00	CITY OF LAS VEGAS	REIMBURSEMENT FROM LAWSUIT	N	\$ -	\$ -	\$ -	\$2,000,000.00	2-Aug-12	30-Sep-12	NULL	Interlocal	PROVIDE FOR THE CITY'S REIMBURSEMENT TO THE DEPARTMENT FOR CASE NO. A-09-590346-C, INVERSE CONDEMNATION LAWSUIT IN CLARK COUNTY. NV B/L #: EXEMPT
12	32712	00	00	UNLV	ANALYZE GEOTEXTILE IN NV	Y	\$ 141,253.00	\$ -	\$ 141,253.00	\$ -	1-Oct-12	28-Feb-14	NULL	Interlocal	TO ANALYZE THE EFFECTIVENESS OF GEOTEXTILE IN STRENGTHENING AND REDUCING ROADWAY STRUCTURAL SECTIONS IN NEVADA, STATEWIDE. NV B/L#: EXEMPT
13	33412	00	00	UNR	BENEFIT COST STUDIES	N	\$ 138,000.00	\$ -	\$ 138,000.00	\$ -	25-Jul-12	30-Jun-13	NULL	Interlocal	TO CONDUCT BENEFIT COST STUDIES ON HIGHWAY PROJECTS AS REQUIRED PER 2007 NEVADA LEGISLATIVE BILL AB595, WASHOE COUNTY. NV B/L#: EXEMPT
14	33912	00	00	UNLV	ENHANCE TRAFFIC SAFETY PROG	N	\$ 108,769.00	\$ -	\$ 108,769.00	\$ -	30-Aug-12	31-Jul-13	NULL	Interlocal	TO ENHANCE THE NDOT'S TRAFFIC SAFETY PROGRAMS, STATEWIDE. NV B/L#: EXEMPT
15	32812	00	00	JOSH CHRISTENSEN	BIG SMOKY 3	N	\$ -	\$ -	\$ -	\$ 2,400.00	24-Aug-12	31-Jul-16	NULL	Lease	MAINTENANCE STATION LEASE - BIG SMOKY 3 TO NDOT EMPLOYEE IN NYE COUNTY. NV B/L#: EXEMPT

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
16	33112	00	00	WINNEMUCCA HOTEL LLC	LEASE PARCEL I-080-HU-013.014	N	\$ -	\$ -	\$ -	\$ 5,400.00	22-Aug-12	31-Dec-17	NULL	Lease	TO LEASE PARCEL: I-080-HU-013.014, HUMBOLDT COUNTY. NV B/L#: NV20011131286
17	34112	00	00	CHARLES SOLLENBERGER	INDEPENDENT MS 252	N	\$ -	\$ -	\$ -	\$ 3,200.00	31-Aug-12	9-Aug-16	NULL	Lease	LEASE OF MAINTENANCE STATION HOUSE - INDEPENDENT 252 IN ELKO COUNTY. NV B/L#: EXEMPT
18	35512	00	00	DOUGLAS FARRIS	RV LEASE AT MONTOMERY MS	N	\$ -	\$ -	\$ -	\$ 300.00	12-Sep-12	31-Aug-13	NULL	Lease	LEASE OF A PARKING SPACE FOR AN RV AT MONTGOMERY MAINTENANCE STATION MINERAL COUNTY. NV B/L#: EXEMPT
19	35612	00	00	FRED LOPEZ	NORTHFORK 271	N	\$ -	\$ -	\$ -	\$ 3,000.00	12-Sep-12	2-Sep-16	NULL	Lease	LEASE OF HOUSE #271 AT NORTHFORK MAINTENANCE STATION, ELKO COUNTY NV B/L#: EXEMPT
20	34212	00	00	ESRI INC	EAP SOFTWARE LICENSE	N	\$ 105,093.00	\$ -	\$ 105,093.00	\$ -	6-Sep-12	29-Aug-13	NULL	License	THE ENTERPRISE ADVANTAGE PROGRAM (EAP) - GIVES LICENSEE CERTAIN ENHANCED CONSULTING SERVICES, TRAINING, SUPPORT, AND MAINTENANCE FOR IMPLEMENTING A GEOGRAPHIC INFORMATION SYSTEM (GIS) ENTERPRISE SOLUTION. CARSON CITY. NV B/L#: NV20111027035

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
21	37612	00	00	UPRR	UPRR 2747.04	Y	\$ 545.00	\$ -	\$ 545.00	\$ -	14-Sep-12	14-Sep-15	NULL	License	TO ACQUIRE A LICENSE OF THE RIGHT OF ENTRY FROM THE PORTION OF RAILROAD'S PROPERTY NEAR DUNPHY, IN EUREKA COUNTY. UPRR FOLDER NO. 2747.04. EUREKA COUNTY. NV B/L: NV19691003146
22	33212	00	00	MICHAEL L/RENI PATANE	SALE OF U-095-CL-078.146XS3	N	\$ -	\$ -	\$ -	\$ 3,638.40	22-Aug-12	31-Dec-15	NULL	Property Sale	SALE OF LAND, PARCEL: U-095-CL-078.146XS3 REAL PROPERTY SITUATED, LYING AND BEING IN THE CITY OF LAS VEGAS, CLARK COUNTY. NV B/L#: EXEMPT
23	32412	00	00	HARVEY JAY/SHARLA FREEMAN	PERM ESMT U-050-DO-003.855	N	\$ -	\$ -	\$ -	\$ -	16-Aug-12	31-Dec-30	NULL	ROW Access	TO ACCEPT AT NO COST TO STATE BY DONATION ONE (1) PERMANENT EASEMENT AND RIGHT-OF-WAY, PARCEL U-050-DO-003.855, PORTION OF APN DOUGLAS COUNTY NV B/L#: EXEMPT
24	33012	00	00	LAS VEGAS VALLEY WATER DISTRIC	COMMON USE ROW I-15 F ST PROJ	N	\$ -	\$ -	\$ -	\$ -	22-Aug-12	31-Dec-17	NULL	ROW Access	CONSENT TO COMMON USE "HIGHWAY RIGHT-OF-WAY APN 139-27-399-001,139-27-399-133, 139-27-399-135, I-15 F STREET PROJECT, CLARK COUNTY. NV B/L#: EXEMPT

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
25	33312	00	00	DAISY LAND HOLDING LLC	TEMP ESMT I-015-CL-030.595	Y	\$ 9,000.00	\$ -	\$ 9,000.00	\$ -	22-Aug-12	31-Dec-15	NULL	ROW Access	TO ACQUIRE ONE (1) TEMPORARY EASEMENT PARCEL: I-015-CL-030.595 FOR I-15 CACTUS PROJECT, CLARK COUNTY. NV B/L#: NV19951006011
26	15512	00	01	CHAPMAN LAW FIRM	NDOT VS BLUE DIAMOND RV	N	\$ 82,425.00	\$ 88,250.00	\$ 170,675.00	\$ -	24-Apr-12	30-Apr-13	30-Aug-12	Service	AMD 1: INCREASE AUTHORITY BY \$88,250.00 FROM \$82,425.00 TO \$170,675.00 TO PAY OUTSTANDING INVOICES AND ESTIMATED COSTS TO CONTINUE THE REPRESENTATION OF THE DEPARTMENT THROUGH THE CLOSE OF THE CASE THAT WAS SETTLED AT TRIAL ON 07/29/12.REPRESENTATION BY MICHAEL G. CHAPMAN, ATTORNEY AT LAW, P.C. IN TH MATTER OF NDOT VS BLUE DIAMOND R.V. AND STORAGE, LLC V STATE OFNEVADA; CASE NO A610962 (8TH JD) RE: WORK ORDER 20359000. STATEWIDE. NV B/L#: NV20011462722
27	16412	00	00	CA GROUP INC.	ROUNDAABOUT TRAINING COURSE	N	\$ 20,200.00	\$ -	\$ 20,200.00	\$ -	20-Aug-12	28-Sep-12	NULL	Service	TO DEVELOP AND PROVIDE A ROUNDAABOUT TRAINING CLASS FOR NDOT PERSONNEL. CARSON CITY. NV B/L: NV20081407877

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
28	25111	06	01	HDR ENGINEERING, INC.	COST RISK ASSESSMENT I-15 SO.	N	\$ 73,341.41	\$ -	\$ 73,341.41	\$ -	30-Mar-12	31-Dec-12	20-Aug-12	Service	AMD 1: EXTEND THE TASK ORDER END DATE FROM 09/21/12 TO 12/31/12 TO COMPLETE THE TASK. COST RISK ASSESSMENT WORKSHOP FOR THE I-15 SOUTH PROJECTS. THE WORKSHOP WILL BE FOR THE STARR AVENUE INTERCHANGE & FOR THE REMAINING CONCEPTUAL LEVEL PROJECTS ALONG THE CORRIDOR, STATEWIDE. NV B/L#: NV19931069904
29	29812	00	00	GALENA GROUP INC	NEXTEL REBANDING PROJECT	N	\$ 24,000.00	\$ -	\$ 24,000.00	\$ -	20-Aug-12	30-Jun-15	NULL	Service	ASSIST THE DEPARTMENT WITH NEGOTIATIONS BETWEEN SPRINT NEXTEL FOR THE REBANDING PROJECT, CARSON CITY AND WASHOE COUNTY. NV B/L #: NV2021368878
30	31312	00	00	AST CORP.	ORACLE TRAINING & INSTALLATION	N	\$ 141,495.00	\$ -	\$ 141,495.00	\$ -	13-Aug-12	30-Jun-13	NULL	Service	ORACLE TRAINING AND INSTALLATION SERVICES ARE NECESSARY FOR PROPER TRAINING AND USE OF THE ORACLE BUSINESS INTELLIGENCE BUNDLE, CARSON CITY. BID THROUGH STATE PURCHASING NV B/L#: NV20121457396

State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
31	12211	03	00	AINSWORTH ASSOCIATES	DESIGN DPMT LAB BUILDING	N	\$ 13,000.00	\$ -	\$ 13,000.00	\$ -	22-Aug-12	31-Dec-14	NULL	Service Provider	TO PROVIDE PRELIMINARY DESIGN FIELD STUDY (PDFS) & DESIGN SERVICES FOR CORRECTIVE MEASURES FOR COOLING TOWER WATER LEAKAGE INTO THE DEPARTMENT'S LABORATORY BUILDING, CARSON CITY. NV B/L#: NV19751005286
32	12211	04	00	AINSWORTH ASSOCIATES	DESIGN SERVICES WINNEMUCCA	N	\$ 15,400.00	\$ -	\$ 15,400.00	\$ -	22-Aug-12	31-Dec-14	NULL	Service Provider	TO PROVIDE ELECTRICAL DESIGN SERVICES FOR MAIN ELECTRICAL FEED CORRECTION FOR THE PROGRESS LABORATORY BUILDING IN WINNEMUCCA, HUMBOLDT COUNTY. NV B/L#: NV19751005268
33	12211	05	00	AINSWORTH ASSOCIATES	REVIEW DESIGN WINN	N	\$ 14,400.00	\$ -	\$ 14,400.00	\$ -	22-Aug-12	31-Dec-14	NULL	Service Provider	PROVIDE MECHANICAL AND ELECTRICAL PLAN REVIEW/DESIGN OF DEPARTMENT IN-HOUSE DESIGN OF THE WINNEMUCCA LABORATORY RENOVATIONS, HUMBOLDT COUNTY. NV B/L#: NV19751005286

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
34	12211	06	00	AINSWORTH ASSOCIATES	DESIGN UPGRADES ELKO MS	N	\$ 4,000.00	\$ -	\$ 4,000.00	\$ -	22-Aug-12	31-Dec-14	NULL	Service Provider	TO PROVIDE DESIGN, SPECIFICATIONS, BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES FOR MECHANICAL AND ELECTRICAL DESIGN OF THE DEPARTMENT'S LABORATORY VENTILATION UPGRADES AT THE ELKO MAINTENANCE, ELKO COUNTY. NV B/L#: NV19751005268
35	23011	08	01	ORTH RODGERS & ASSOCIATES	RSA ON SR 163	Y	\$ 12,607.00	\$ -	\$ 12,607.00	\$ -	5-Jun-12	22-Oct-12	7-Sep-12	Service Provider	AMD 1: TIME EXTENSION FROM 09/17/2012 TO 10/22/2012 DUE TO SCHEDULING CONFLICTS WITH RSA TEAM MEMBERS.ROAD SAFETY AUDIT ON SR 163 FROM MP CL 0.00 TO 19.256. CLARK COUNTY. NV B/L# NV20001460282
36	23011	09	00	ORTH-RODGERS & ASSOC	RSA US50 & SR207 DO	Y	\$ 26,000.00	\$ -	\$ 26,000.00	\$ -	12-Sep-12	31-Dec-12	NULL	Service Provider	RSA ON US 50 FROM MP DO 0.000 TO MP 1.936 AND SR 207 FROM MP DO 0.00 TO 3.76. LOCATION: DOUGLAS COUNTY NV B/L #: NV20001460282

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
37	23411	06	03	KIMLEY-HORN & ASSOCIATES	PEDESTRIAN RSA ON SAHARA AVE	Y	\$ 17,943.00	\$ -	\$ 21,673.00	\$ -	19-Jan-12	1-Oct-12	28-Aug-12	Service Provider	AMD 3: EXTENDING TERMINATION DATE FROM 08/31/12 TO 10/01/12 TO ALLOW COMPLETION OF PROJECT. AMD 2: INCREASE AUTHORITY BY \$3,730.00 TO BRING AGREEMENT TOTAL TO \$21,673.00 AND EXTENDING THE TERMINATION DATE FROM 07/30/2012 TO 08/31/2012 TO ALLOW COMPLETION OF PROJECT. AMD 1: EXTENDING TERMINATION DATE FROM 04/16/12 TO 07/30/12 TO ALLOW COMPLETION OF PROJECT. PERFORM PEDESTRIAN FOCUSED ROAD SAFETY AUDIT ON SAHARA AVE FROM LAS VEGAS TO EASTERN AVE. CLARK COUNTY. NV B/L #: NV19911015458
38	23411	09	01	KIMLEY HORN	RSA ON US 95	Y	\$ 15,674.00	\$ -	\$ 15,674.00	\$ -	24-Jul-12	9-Nov-12	28-Aug-12	Service Provider	AMD 1: EXTEND END DATE FROM 10/12/12 TO 11/09/12 FOR THE COMPLETION OF THE PROJECT.ROAD SAFETY AUDIT ON US 95 FROM MP ES 32.880 TO 44.194. ESMERALDA COUNTY. NV B/L#: NV19911015458

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
39	27711	00	01	HARRIS & ASSOCIATES	CONSTRUCTION FULL ADMIN SR306	N	\$ 2,454,624.51	\$ -	\$ 2,454,624.51	\$ -	10-Oct-11	31-Dec-13	22-Aug-12	Service Provider	AMD #1: THE CONTRACT NO. SHALL BE CHANGED FROM D3-019-11 TO 3513.THE TERMINATION DATE EXTENDED FROM 12/31/2012 TO 12/31/2013. PROVIDE CONSTRUCTION FULL ADMINISTRATIVE SERVICES ON CONTRACT D3-019-11 SR 306 EU0.48 TO 14.78 MILEPOST. EUREKA COUNTY. NV B/L #: NV19951068132
40	32110	00	01	NEVADA BROADCASTERS ASSCC.	BROADCASTING, MARKETING	N	\$ 200,000.00	\$ 82,500.00	\$ 282,500.00	\$ -	1-Sep-10	31-Aug-13	31-Aug-12	Service Provider	AMD 1: INCREASE AUTHORITY BY \$82,500.00 FROM \$200,000.00 TO \$282,500.00 AND EXTEND END DATE FROM 08/31/2012 TO 08/31/2013 PROVIDE BROADCAST MARKETING AND PROMOTION OF STATEWIDE AND REGIONAL SAFETY RELATED INITIATIVES AND ORTHER RELATED TRAVELER INFORMATION. STATEWIDE. NV B/L#: NV19941133658
41	32912	00	00	FAAD JANITORIAL	1000 SPRINGS REST AREA	N	\$ 123,800.00	\$ -	\$ 123,800.00	\$ -	24-Aug-12	31-Mar-15	NULL	Service Provider	Q3-017-12 JANITORIAL SERVICES FOR THE THOUSAND SPRINGS REST AREA IN HUMBOLDT COUNTY. NV B/L#:20041538232

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
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42	33512	00	00	ARC LOGISITC DBA WOLTER KLUWER	TEAMMATE SOFTWARE TRAINING	N	\$ 24,000.00	\$ -	\$ 24,000.00	\$ -	28-Aug-12	30-Jun-13	NULL	Service Provider	IMPLEMENTATION AND TRAINING OF CCH TEAMMATE AUDIT MANAGEMENT SYSTEM, CARSON CITY. NV B/L#: NV20091261932
43	33612	00	00	ENCORE GROUP OF PROFESSIONALS	ORACLE P6 TRAINING	N	\$ 6,900.00	\$ -	\$ 6,900.00	\$ -	28-Aug-12	30-Jun-13	NULL	Service Provider	TO PROVIDE ORACLE PRIMAVERA P6 TRAINING AND MIGRATION SERVICES, STATEWIDE. NV B/L#: NV20091478859
44	33812	00	00	ZEE DESIGNS INC.	DBE WEBSITE MAINTENANCE	N	\$ 10,000.00	\$ -	\$ 10,000.00	\$ -	30-Aug-12	28-Feb-13	NULL	Service Provider	SIX MONTH AGREEMENT TO ALLOW DISADVANTAGED BUSINESS ENTERPRISE (DBE) WEBSITE MAINTENANCE AND HOSTING TO CONTINUE WHILE A NEW RFP IS CONDUCTED. STATEWIDE NV B/L#: NV20071293824
45	34312	00	00	E & M ENTERPRISES	PAYMENT FOR WORK AFTER EXPIRE	N	\$ 21,403.16	\$ -	\$ 21,403.16	\$ -	12-Sep-12	31-Dec-12	NULL	Service Provider	AGREEMENT TO PAY FOR WORK DONE BEYOND THE EXPIRATION DATE OF P499- 11-158 IN CLARK COUNTY. NV B/L#:20021355364
46	34412	00	00	MISSION LINEN SUPPLY	LAUNDRY	N	\$ 77,410.54	\$ -	\$ 77,410.54	\$ -	12-Sep-12	30-Sep-15	NULL	Service Provider	Q1-002-13 to provide laundry services, Nye County. NV B/L#: 20121451751

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
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Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
47	34512	00	00	PRECISION CRANE & HOIST	INSPECT CRANES	N	\$ 17,600.00	\$ -	\$ 17,600.00	\$ -	12-Sep-12	30-Nov-14	NULL	Service Provider	Q1-001-13 TO INSPECT AND MAINTAIN CRANES, CLARK COUNTY NV B/L#20051280421
48	35412	00	00	BISON CONSTRUCTION	RADIO SHOP IMPROVEMENTS	N	\$ 64,740.00	\$ -	\$ 64,740.00	\$ -	12-Sep-12	31-Dec-12	NULL	Service Provider	QA-002-13 FOR RADIO SHOP IMPROVEMENTS, CARSON CITY NV B/L#19851012821
49	37211	01	00	BIOLOGIC & ENVIRONMENT CNSL	TORTOISE US95	N	\$ 6,454.75	\$ -	\$ 6,454.75	\$ -	7-Sep-12	31-Dec-12	NULL	Service Provider	THE US95 PROJECT CONSISTS OF CONDUCTING PRESENCE/ABSENCE SURVEYS OF TORTOISES AND CACTUS ESTAMITES ON THE NORTH AND SOUTH BOUND UNDISTURBED HABITAT AREAS OF US95. THE NORTH BOUND SIDE WILL BE SURVEYED FROM NYE COUNTY MP1 TO THE MERCURY INTERCHANGE. THE SOUTH BOUND SIDE OF US95 WILL BE SURVEYED FROM MERCURY INTERCHANGE TO INDIAN SPRINGS, CLARK AND NYE COUNTIES NV B/L#: NV20081558348

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
50	37211	02	00	BIOLOGIC & ENVIRONMENT CNSL	TORTOISE I-15	N	\$ 19,402.00	\$ -	\$ 19,402.00	\$ -	7-Sep-12	31-Dec-12	NULL	Service Provider	THE I-15 PROJECT CONSISTS OF CONDUCTING TORTOISE PRESENCE/ABSENCE SURVEYS AND CACTUS ESTIMATES ON THE NORTH AND SOUTH BOUND UNDISTURBED HABITAT AREAS OF I-15 FROM THE DRY LAKES REST AREA TO 1.602 MILES NORTH OF THE LOGANDALE/OVERTON INTERCHANGE (SR169). THE SURVEYS WILL BE CONDUCTED FROM MP 69.905 TO 95.490. CLARK COUNTY NV B/L#: NV20081558348

State of Nevada Department of Transportation
 Executed Agreements - Under \$300,000
 August 20, 2012 to September 14, 2012

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
51	41211	00	02	SMART DATA STRATEGIES	DESIGN, ETC. OF IRWIN	N	\$ 36,520.65	\$ 146,077.97	\$ 182,598.62	\$ -	1-Jul-11	30-Jun-13	30-Aug-12	Service Provider	AMD 2: INCREASING AUTHORITY BY \$146,077.97 FROM \$36,520.65 TO \$182,598.62 TO ADD TASK 18 TO THE SCOPE OF WORK - TO ENSURE THE APPLICATION WILL FUNCTION UNDER THE NEW NDOT REQUIREMENT TO MOVE ALL APPLICATIONS TO THE ORACLE 11 DATABASE. AMD 1: EXTEND THE TERMINATION DATE FROM 06/30/2012 TO 06/30/2013 FOR MAINTENANCE AND OPERATIONS OF THE SOFTWARE. DESIGN, IMPLEMENTATION AND ACQUISITION OF SOFTWARE AND MAINTENANCE OF IRWIN (INTEGRATED RIGHT-OF-WAY INFORMATION NETWORK). THIS IS A CONTINUATION OF A PREVIOUS AGREEMENT, P514-07-067. CARSON CITY. NV B/L #: NV20121402899

**State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
52	12411	00	02	CARSON CITY RTC	BIKE/PED PATH ALONG N ROOP ST	Y	\$ 421,042.00	\$ -	\$ 536,305.00	\$ 26,315.00	24-Mar-11	31-Dec-13	12-Sep-12	Stewardship	AMD 2: EXTENDING THE TERMINATION DATE FROM 12/31/12 TO 12/31/13 TO ALLOW COMPLETION OF PROJECT. AMD 1: TO INCREASE FUNDING BY \$105,263.00 TO BRING AGREEMENT TOTAL TO \$526,305.00 IN CARSON CITY. TO AUTHORIZE CARSON CITY RTC TO ADVERTISE, AWARD AND ADMINISTER A CONTRACT TO CONSTRUCT BIKE LANES AND PEDESTRIAN PATH ALONG NORTH ROOP STREET, CARSON CITY. NV B/L#: EXEMPT
53	34612	00	00	CITY OF HENDERSON	FIBER OPTIC PECOS	Y	\$ 3,051,649.00	\$ -	\$ 3,051,649.00	\$ -	12-Sep-12	31-Dec-15	NULL	Stewardship	INSTALL FIBER OPTIC ON PECOS ROAD, CLARK COUNTY NV B/L #: EXEMPT
54	34712	00	00	CITY OF HENDERSON	FIBER OPTIC ON VALLE VERDE	Y	\$ 2,705,916.00	\$ -	\$ 2,705,916.00	\$ -	12-Sep-12	31-Dec-15	NULL	Stewardship	INSTALL FIBER OPTIC ON VALLE VERDE RD, CLARK COUNTY NV B/L #: EXEMPT
55	34812	00	00	CITY OF HENDERSON	INTERSECTION IMPROVEMENT	Y	\$ 1,138,500.00	\$ -	\$ 1,138,500.00	\$ -	12-Sep-12	31-Dec-15	NULL	Stewardship	INTERSECTION IMPROVEMENTS ON ST ROSE & MARYLAND, CLARK COUNTY NV B/L #: EXEMPT

State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
56	34912	00	00	CITY OF HENDERSON	FIBER OPTIC SUNSET FROM ATHENI	Y	\$ 500,000.00	\$ -	\$ 500,000.00	\$ -	12-Sep-12	31-Dec-15	NULL	Stewardship	INSTALL FIBER OPTIC ON SUNSET ROAD FROM ATHENIAN TO SUNSET WAY, CLARK COUNTY NV B/L #: EXEMPT
57	35012	00	00	CITY OF HENDERSON	8 BUS TURNOUTS LK MEAD	Y	\$ 850,000.00	\$ -	\$ 850,000.00	\$ -	12-Sep-12	31-Dec-15	NULL	Stewardship	CONSTRUCT 8 BUS TURNOUTS ON LAKE MEAD PKWY, CLARK COUNTY NV B/L #: EXEMPT
58	35112	00	00	WASHOE RTC	INTERSECTION IMPROVEMENT PYRAM	Y	\$28,503,750.00	\$ -	\$ 28,503,750.00	\$ 947,800.00	12-Sep-12	30-Nov-16	NULL	Stewardship	INTERSECTION IMPROVEMENTS PYRAMID HWY AND MCCARRAN, WASHOE COUNTY NV B/L #: EXEMPT
59	35212	00	00	CITY OF HENDERSON	FIBER OPTIC SUNSET FROM ANNIE	Y	\$ 531,742.00	\$ -	\$ 531,742.00	\$ -	12-Sep-12	31-Dec-15	NULL	Stewardship	INSTALL FIBER OPTIC ON SUNSET ROAD FROM ANNIE OAKLEY TO ATHENIAN, CLARK COUNTY NV B/L #: EXEMPT
60	35912	00	00	MAGA TRUCKING	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	11-Sep-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19631001612
61	36012	00	00	WERDCO BC	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	6-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19911033151
62	36112	00	00	SIERRA NEVADA CONSTRUCTION	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	9-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19881009372

State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
63	36212	00	00	PARKS EQUIPMENT	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	12-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19991006587
64	36312	00	00	RENO TAHOE CONSTRUCTION	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	13-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV20001492996
65	36412	00	00	AGGREGATE INDUSTRIES	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	10-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19701000737
66	36512	00	00	ELEVATION TRANSPORT	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	6-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV20071304784
67	36612	00	00	ANDERSON TOWING SERVICES	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	14-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19781002116
68	36712	00	00	CAPURRO TRUCKING	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	6-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV20001206844
69	36812	00	00	D L DENMAN CONTSTRUCTION	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	8-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV20081499925
70	36912	00	00	A&K EARTHMOVERS	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	11-Sep-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19651001305

State of Nevada Department of Transportation
Executed Agreements - Under \$300,000
August 20, 2012 to September 14, 2012

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
71	37012	00	00	CHRISTIAN ENTERPRISES INC	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	13-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19841011458
72	37112	00	00	GRANITE CONSTRUCTION	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	11-Sep-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19631001612
73	37212	00	00	GLACIER CONSTRUCTION	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	11-Sep-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV20051532917
74	37312	00	00	STONE BROTHERS INC	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	7-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19991230802
75	37412	00	00	VISTA LANDSCAPE	TRUCK PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	6-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV19921053360
76	37512	00	00	PAUL DELONG HEAVY HAUL	TRUCKING PERMIT	N	\$ -	\$ -	\$ -	\$ 1,200.00	22-Aug-12	31-Dec-16	NULL	Truck Permits	OVERDIMENSIONAL TRUCKING PERMIT. STATEWIDE NV B/L#: NV2011179784

Attachment C

**State of Nevada Department of Transportation
Emergency Agreements Executed
August 20, 2012 to September 14, 2012**

Line No	Agreement No	Task No	Amend No	Contractor	Purpose	Fed	Original Agreement Amount	Amendment Amount	Payable Amount	Receivable Amount	Start Date	End Date	Amend Date	Agree Type	Note
1	35712	00	00	LAS VEGAS PAVING	BYPASS BRIDGE REPAIR	N	\$ 522,000.00	\$ -	\$522,000.00	\$ -	12-Sep-12	31-Dec-12	NULL	Emergency	EMERGENCY AGREEMENT FOR REPAIR OF HOOVER DAM BYPASS BRIDGE INCLUDING SOIL STABILIZATION IN CLARK COUNTY. NV B/L#:19581000650

Attachment D



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

Transportation Division
1263 S. Stewart Street
Carson City, Nevada 89712

CATHERINE CORTEZ MASTO
Attorney General

KEITH MUNRO
Assistant Attorney General

GREGORY M. SMITH
Chief of Staff

September 5, 2012

Hand Delivered

Carla Watson
Nevada Department of Administration
Division of Budget and Planning
209 East Musser Street, Rm 200
Carson City, Nevada 89701-4298

Re: Submittal to October 9, 2012 Board of Examiners Agenda

Dear Carla:

Enclosed is a settlement item to be included in the October 9, 2012 Board of Examiners agenda for the Nevada Department of Transportation (NDOT).

This item is a proposed settlement agreement between American Contractor's Indemnity Company and NDOT. NDOT would receive \$218,308.20 regarding the surety bond for Minden Gateway Center, LLC. A memorandum explaining the above proposed settlement and a copy of the proposed settlement agreement are enclosed.

Should you have any questions, please contact Senior Deputy Attorney General, E. Pierre Gezelin at 888-7417.

Sincerely,
CATHERINE CORTEZ MASTO
Nevada Attorney General

By *Alice Coffman*
Alice Coffman, Supervising Legal Secretary
Transportation Division
(775) 888-7412

:agc
Enclosures



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

Transportation Division
1263 S. Stewart Street
Carson City, Nevada 89712

CATHERINE CORTEZ MASTO
Attorney General

KEITH MUNRO
Assistant Attorney General

GREGORY M. SMITH
Chief of Staff

MEMORANDUM

DATE: August 28, 2012

TO: Board of Examiners
Governor Brian Sandoval
Attorney General Catherine Cortez Masto
Secretary of State Ross Miller

FROM: E. Pierre Gezelin, Senior Deputy Attorney General
Dennis Gallagher, Chief Deputy Attorney General
Rudy Malfabon, Deputy Director,
Nevada Department of Transportation

SUBJECT: SETTLEMENT RECOMMENDATION
Surety: American Contractors Indemnity Company
Principal: Minden Gateway Center, LLC
Bond No.: 1000767534
Obligee: State of Nevada

SUMMARY

NDOT requests settlement approval of the attached settlement agreement. Pursuant to the agreement NDOT is to receive \$218,308.20 from American Contractor's Indemnity Company ("ACIC") which is the issuing surety of the performance bond for the Minden Gateway Center, LLC project which was to be started and completed in one phase under Occupancy Permit No. 104719.

BACKGROUND

On October 3, 2008 Occupancy Permit No.104719 was issued by NDOT to Minden Gateway for an encroachment within the state's right of way at the intersection of US 395 and SR 88. Minden Gateway failed to complete the work and filed bankruptcy. On October 22, 2010 the Department issued a Notice of Default and Demand for Performance upon the surety, ACIC.

After the completion of ACIC's lengthy investigation NDOT and the surety negotiated the attached settlement agreement with ACIC agreeing to pay the full amount of the bond. Payment will be made within 15 days of approval by this body.

RECOMMENDATION

NDOT recommends accepting payment of the full amount of the performance bond in the amount of \$218,308.20.

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT, ASSIGNMENT AND MUTUAL RELEASE (the "Agreement") is made by and between AMERICAN CONTRACTORS INDEMNITY COMPANY ("ACIC") and STATE OF NEVADA (the "State").

RECITALS

1. On or about October 7, 2008, Minden Gateway, LLC, ("**Minden Gateway**") applied for an Occupancy Permit No. 104719-8 (the "**Permit**") from the Department of Transportation of the State of Nevada for the performance of the work described in the terms and conditions of the Permit and with the requirements of statutes.
2. On or about March 3, 2007, ACIC, as surety, issued Right-of-Way Performance Bond No. 1000767534 (the "**Bond**") with Minden Gateway, LLC, ("**Minden Gateway**") as principal and the State, as obligee, in the sum of \$218,308.20.
3. On or about October 22, 2010, the State sent a letter to ACIC informing that ACIC that Minden Gateway has discontinued the prosecution of the work under the Permit and made a demand upon ACIC to take over the work under the Permit.
4. ACIC and the State now wish to resolve all Claims (as defined below) between them and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ACIC and State agree as follows:

A. DEFINITIONS

"**Claim**" or "**Claims**" shall refer to any and all claims, demands, liabilities, damages, complaints, amended complaints, misrepresentations, breach of contract, breach of warranty, economic damages, non-economic damages, property damage, loss of use, personal injury, bodily injury, distress, attorneys' fees, expert fees, repair costs, investigative costs, and any other actionable omissions, conduct and damage of every kind and nature whatsoever, whether seen or unforeseen, whether known or unknown, alleged or which could have been alleged or asserted between the Parties with respect to the Permit or the Bond.

"**Parties**" shall refer collectively to ACIC and the State.

"**Related Persons and Entities**" shall refer to any and all past, present and future parent companies, divisions, subsidiaries, affiliates, related corporations and entities, members, stockholders, directors, officers, employees, agents, insurers, sureties, attorneys, experts, lenders, mortgage holders, predecessors, partners, joint venturers, legal representatives, heirs, administrators, trustors, trustees, beneficiaries, creditors, assigns, successors, lessees, tenants and legal and equitable owners, as applicable to the Parties.

B. SETTLEMENT TERMS

The settlement terms are as follows:

1. ACIC agrees to pay the State \$218,308.20 (“**Settlement Payment**”) within 15 days from the execution of this Agreement by the Parties and final approval of this Agreement by the Nevada Board of Examiners, as set forth in Section.
2. The State agrees that the Settlement Payment paid by ACIC pursuant to this Agreement shall be applied towards the completion of the work under the Permit. The State agrees to complete the work within a reasonable time.
3. In exchange for and upon receipt of the Settlement Payment as set forth above the State fully and completely exonerates the Bond and forever releases and absolutely and forever discharges ACIC and its Related Persons and Entities from any and all demands, liens, claims, assignments, contracts, covenants, actions, suits, causes of action, obligations, costs, expenses, attorneys' fees, damages, losses, controversies, judgments, orders and liabilities of whatsoever kind and nature, at equity or otherwise, whether now known or unknown, suspected or unsuspected, and whether or not concealed or hidden, which have existed or may have existed, or which do exist, or which hereafter can, shall or may exist between the Parties with respect to the Claims, the Permit and the Bond.
4. Upon receipt of the Settlement Payment as set forth above the State will send the original Bond to ACIC.

C. COMPROMISE

This Settlement Agreement is the compromise of doubtful and disputed Claims and nothing contained herein is to be construed as an admission of liability on the part of the Parties, or any of them, by whom liability is expressly denied, or as an admission of any absence of liability on the part of the Parties, or any of them.

D. FURTHER ASSURANCES

Parties hereby agree to execute and deliver such other documents and to take such other action as may be reasonably necessary to achieve the goals and purposes of this Settlement Agreement.

E. APPROVAL BY THE NEVADA BOARD OF EXAMINERS

The Parties understand that (a) this Agreement and its terms and conditions are subject to the approval of the Nevada Board of Examiners, and (b) such approval by the Nevada Board of Examiners is an express condition precedent to any of the obligations assumed by either Party under the Agreement. If the Nevada Board of Examiners does not approve this Agreement, the Agreement and the terms of any settlement contained therein shall be null and void. The Nevada

Department of State (“NDOT”) shall use reasonable, good faith efforts to have the consideration of this Agreement placed on the agenda for the Nevada Board of Examiners meeting presently scheduled for August 14, 2012. NDOT shall diligently recommend the approval of this Agreement to the Nevada Board of Examiners, including drafting any language required by Nevada statutes

F. GOVERNING LAW

This Settlement Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Nevada.

G. JURISDICTION

Any action to enforce or construe and alleging a breach of this Settlement Agreement shall be brought only in the First Judicial District Court, Carson City, Nevada. If any Party is forced to seek enforcement of this Settlement Agreement through court intervention, the prevailing party shall be entitled to attorneys’ fees and all costs associated with such enforcement.

H. ADMISSIBILITY OF AGREEMENT

In an action or proceeding related to this Settlement Agreement, the Parties stipulate that a fully executed copy of this Settlement Agreement may be admissible to the same extent as the original Settlement Agreement.

I. BENEFIT AND BURDEN

This Settlement Agreement shall be binding upon and inure to the benefit of the Parties and their respective representatives, successors and assigns.

J. SEVERABILITY

In the event that any condition or covenant herein contained is held to be invalid or void by any Court of competent jurisdiction, the same shall be deemed severable from the remainder of this Settlement Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant or other provision shall be deemed invalid due to scope or context, such provision shall be deemed valid to the extent of a scope or context permitted by law.

K. WAIVER AND AMENDMENT

No breach of any provision hereof can be waived unless in writing. Waiver of any one breach shall not be deemed to be a waiver of any other breach of the same or any provision hereof. This Settlement Agreement may be amended only by written agreement executed by the Parties in the interest at the time of modification.

L. INDIVIDUAL AND PARTNERSHIP AUTHORITY

Any individual signing this Settlement Agreement on behalf of another individual, a corporation or partnership represents or warrants that he or she has full authority to do so.

M. GENDER AND TENSE

Whenever required by the context hereof, the singular shall be deemed to include the plural, and the plural shall be deemed to include the singular, and the masculine and feminine and neuter gender shall be deemed to include the other.

N. ENTIRE AGREEMENT

This Settlement Agreement constitutes the entire Settlement Agreement between the Parties hereto pertaining to the subject matter thereof, and fully supersedes any and all prior understandings, representations, warranties and agreements between the Parties hereto, or any of them, pertaining to the subject matter hereof, and may be modified only by written agreement signed by all the Parties hereto. This Settlement Agreement is executed without reliance upon any statement or representation by the person or parties released, or their representatives, concerning the nature and extent of injuries and/or damages and/or legal liability therefor.

O. INDEPENDENT ADVICE OF COUNSEL

The Parties hereto, and each of them, represent and declare that in executing this Settlement Agreement, they rely solely upon their own judgment, belief and knowledge, and the advice and recommendations of their own independently selected counsel.

P. VOLUNTARY AGREEMENT

The Parties hereto, and each of them, further represent and declare that they have carefully read this Settlement Agreement and know the contents thereof, and they have signed the same freely and voluntarily.

Q. COUNTERPARTS

This Settlement Agreement may be executed in counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument. The Parties agree that the transmission of a signature of this Settlement Agreement via facsimile or other electronic means shall have the same legal effect as the receipt of an original signature.

R. JOINT PRODUCT

This Settlement Agreement is the product of bargained-for, arms-length negotiations between the Parties and their counsel, and shall not be construed for or against any Party or its representative(s).

S. NO THIRD PARTY BENEFICIARY

This Settlement Agreement is for the benefit of the Parties and confers no rights, benefits, or causes of action in favor of any other third parties or entities.

THE STATE OF NEVADA

Signature:



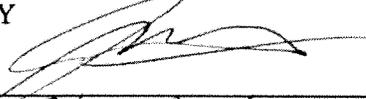
Name: RUDY MALFABON

Job Title: DEPUTY DIRECTOR

Date: 8-30-12

AMERICAN CONTRACTORS INDEMNITY
COMPANY

Signature:



Name: John C. Yi

Job Title: VP, Bond Claims Director

Date: 8/15/12



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7313

MEMORANDUM

October 1, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: October 8, 2012 Transportation Board of Directors Meeting
Item # 8a: Action Item: Condemnation Resolution No. 436
I-15 Freeway, from Desert Inn Road to the US-95/I-515
Interchange; Project NEON; Martin Luther King Boulevard southerly of
Charleston Boulevard and Martin Luther King Boulevard northerly of
Bonneville Avenue; in the City of Las Vegas; Clark County.
6 Owners, 4 Parcels – For possible action

Summary:

The department is acquiring property and property rights for the widening and reconstruction of the I-15 Freeway, from Desert Inn Road to the US-95/I-515 Interchange, in the City of Las Vegas, Clark County. These properties are for Phase 1 of project NEON. The department is seeking the Board's approval of condemnation action for the unresolved acquisitions as described below.

Background:

Negotiations to acquire properties for this phase of the project began in July 2011. To date, the necessary right-of-way has been acquired from 16 of the 48 property owners involved and the following negotiations are among those not resolved:

Carmine V. Catello, Jr. - The negotiation is unresolved for the acquisition from the heirs of Carmine V. Catello, Jr. It is necessary to totally acquire the 12,353 square foot (0.28 acre) unzoned parcel in fee simple. The parcel has been assessed as if it were a public street in the immediate past, however, it is not. The parcel is improved with a portion of a parking lot utilized by the adjacent Limited Commercial-zoned property. **The parcel in question, which is located southerly of the intersection of Desert Lane and Ellis Avenue, in the City of Las Vegas, is highlighted in blue on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2).** The State's offer of \$247,000.00 for the 0.28 acres was presented to the possible heirs of Carmine V. Catello, Jr. on March 21, 2012. The offer was for land only (at approximately \$20.00 per square foot). On June 15, 2012 a court order was obtained that re-opened the estate of Carmine V. Catello, which would then enable the estate to accept the State's offer. On August 17, 2012 the owners of the adjacent property, Highland 2001-I LLC, filed a quiet title action against the Catello estate. As it appears that it may take some time to determine the actual ownership of this parcel, the department is requesting this condemnation resolution to meet construction deadlines.

Highland 2000-I LLC - The negotiation is also unresolved for the acquisition from Highland 2000-I LLC. It is necessary to totally acquire the 43,765 square foot (1.00 acre) Limited Commercial-zoned parcel in fee simple. The parcel is improved with a 29,826 square foot office building, an asphalt-paved parking lot and miscellaneous landscaping. **The parcel in question, which is located on the west side of Martin Luther King Boulevard, approximately 600**

feet south of Charleston Boulevard, in the City of Las Vegas, is **highlighted in red on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2)**. The State's total offer of \$5,479,200.00 for the 1.00 acre holding was presented on March 28, 2012. The offer consists of \$875,300.00 for the fee simple land (at \$20.00 per square foot) and \$4,603,900.00 for the building and miscellaneous on-site improvements. On April 18, 2012 the owners of the property rejected the offer without presenting a counter-offer. On May 25, 2012, the State was informed that the property owner had retained legal counsel and all negotiations should be directed to the attorney. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Highland Partnership 1980 Limited Partnership, Highland AVA, LLC and New A.V.A. Limited Partnership - The negotiation is also unresolved for the acquisition from Highland Partnership 1980 Limited Partnership, Highland AVA, LLC and New A.V.A. Limited Partnership, who hold undivided fee interests in the property. It is necessary to totally acquire the 82,721 square foot (1.90 acre) Limited Commercial and Professional Offices-zoned parcel in fee simple. The parcel is improved with four single-story office buildings totaling 18,561 square feet, a 4,544 square foot service garage, an asphalt-paved parking lot with both covered and open spaces and miscellaneous landscaping. **The parcel in question, which is located on the west side of Martin Luther King Boulevard, approximately 110 feet south of Charleston Boulevard, in the City of Las Vegas, is highlighted in yellow on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2)**. The State's offer of \$2,730,000.00 for the 1.90 acre holding, exclusive of a tenant-owned cellular tower structure, was presented on March 28, 2012. The offer consists of \$1,654,500.00 for the fee simple land (at \$20.00 per square foot) and \$1,075,500.00 for the five buildings and miscellaneous on-site improvements. On April 18, 2012, the owners of the property rejected the offer without presenting a counter-offer. On May 29, 2012, the State was informed that the property owner had retained legal counsel and all negotiations should be directed to the attorney. The State's offer of \$196,650.00 for the cellular tower structure was made on August 2, 2012 by certified mail. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

FitzHouse Enterprises, Inc. - The negotiation is also unresolved for the acquisition from FitzHouse Enterprises, Inc. It is necessary to totally acquire the 40,028 square foot (0.92 acre) Industrial-zoned parcel in fee simple. The parcel is improved with two commercial/office buildings that total approximately 27,441 square feet, a cellular transmission tower, an asphalt-paved parking lot and miscellaneous landscaping. **The parcel in question, which is located on the east side of Martin Luther King Boulevard, approximately 200 feet north of Bonneville Avenue, in the City of Las Vegas, is highlighted in green on the right-of-way plans that are part of the Condemnation Resolution (Attachment 2)**. The State's offer of \$1,860,000.00 for the 0.92 acre holding, exclusive of a tenant-owned cellular tower structure, was presented on April 23, 2012. The offer consists of \$1,000,000.00 for the fee simple land (at approximately \$25.00 per square foot) and \$860,000.00 for the buildings and miscellaneous on-site improvements. On May 23, 2012, the State was informed that the property owner had retained legal counsel and all negotiations should be directed to the attorney. The State's offers of \$92,850.00 and \$105,500.00 for the two interests in the cellular tower structure were both made on August 9, 2012. Negotiations are now at an impasse. The department is continuing to work towards settlement, but is requesting this condemnation resolution to meet construction deadlines.

Analysis:

A condemnation resolution is requested so that the Department can certify the right-of-way to the Federal Highway Administration to meet the project schedule. Prior to construction all environmental testing, demolition and utility relocations must be accomplished. Pursuant to Chapter 241 of the Nevada Revised Statutes, the required notices regarding this open meeting have been served.

Recommendation for Board Action:

Board approval of this resolution of condemnation is respectfully requested.

List of Attachments:

1. Location maps
2. Condemnation Resolution No. 436 with Right-of-Way plans
3. Section 408.503 of the Nevada Revised Statutes
4. Section 241.034 of the Nevada Revised Statutes

Prepared by:

Paul Saucedo, Chief R/W Agent

LOCATION MAP



RESOLUTION NO. 436

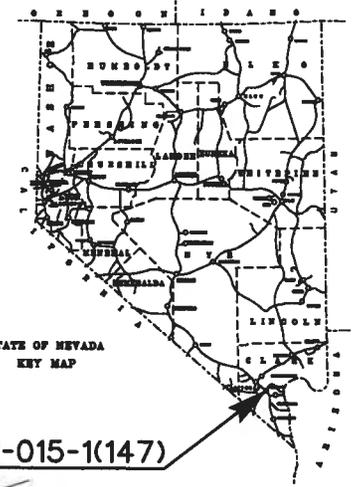
**DESCRIPTION: I-15 Freeway, From Desert Inn Road
to the US-95/I-515 Interchange
PROJECT NEON; City of Las Vegas, Clark County, NV**

INDEX OF SHEETS CLARK

- 1 TITLE SHEET
- 2 LEGEND
- 3 SHEET INDEX
- 4-15 R/W PLAN SHEETS
- 16-24 R/W ENGINEERING SHEETS
- 25-28 PROPERTY SCHEDULE

Proj. Dist. No.	State	Project No.	S.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-1(147)	73652	CLARK	1

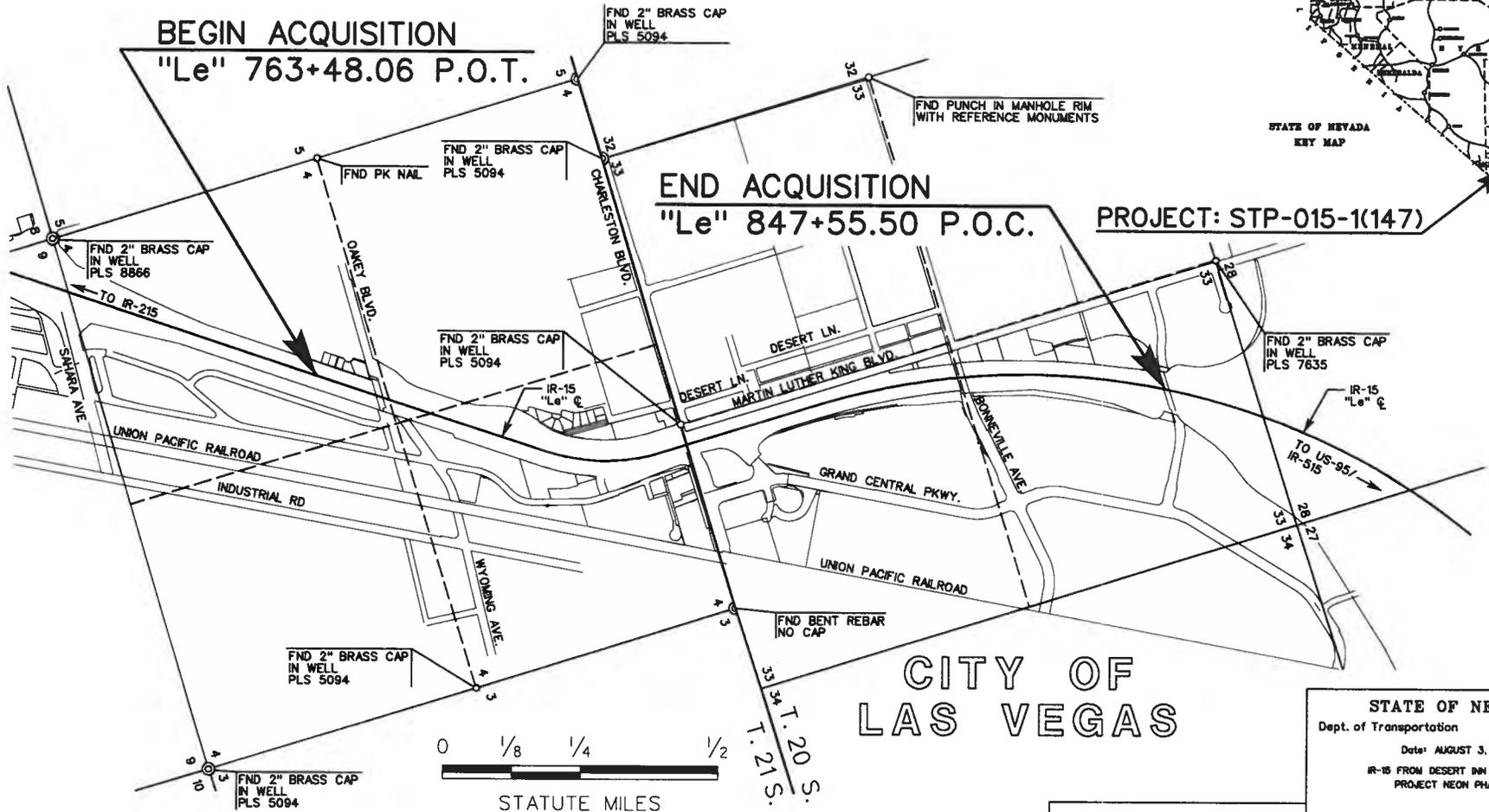
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PROJECT



BEGIN ACQUISITION
"Le" 763+48.06 P.O.T.

END ACQUISITION
"Le" 847+55.50 P.O.C.

PROJECT: STP-015-1(147)



CITY OF
LAS VEGAS

TRACED:
CHECKED:

Date of last revision: _____

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
IR-15 FROM DESERT INN TO US-95
PROJECT NEON PHASE 1

Sheet 1 of 28 Sheets

PARCEL NO. PREFIX: I-015-CL-

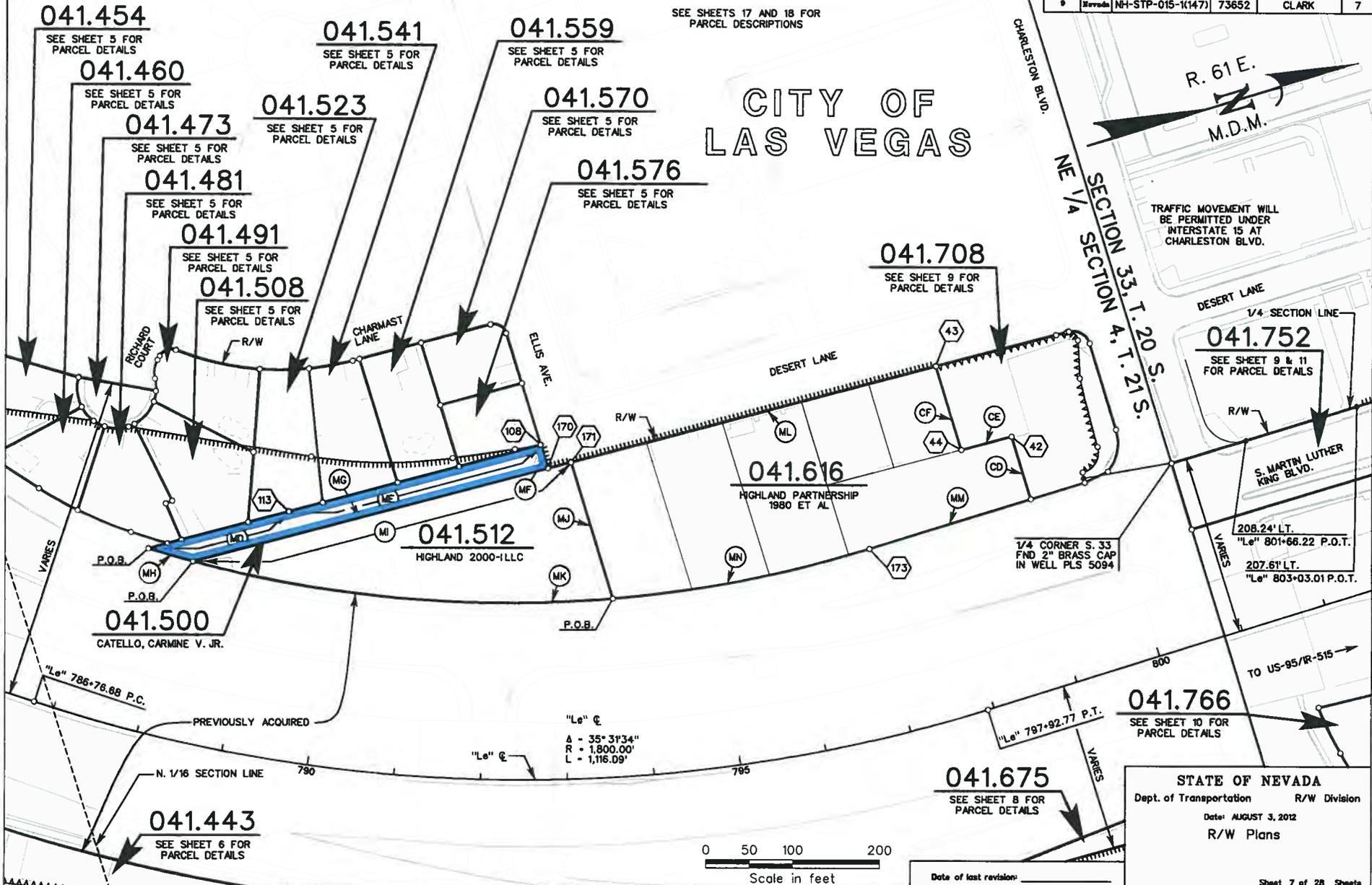
Fed. Rd. Dist. No.	State	Project No.	S.D. No.	County	Sheet No.
9	Nevada	NH-STP-015-1(147)	73652	CLARK	7

SEE SHEETS 17 AND 18 FOR PARCEL DESCRIPTIONS

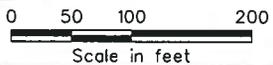
CITY OF LAS VEGAS



TRAFFIC MOVEMENT WILL BE PERMITTED UNDER INTERSTATE 15 AT CHARLESTON BLVD.



STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 R/W Plans



Date of last revision: _____

PARCEL NO. PREFIX: I-015-CL-

Fed. Rd. Dist. No.	State	Project No.	S.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-1(147)	73652	CLARK	17

041.443	
P.O.B. - 150.00' RT. "Le" 784+54.46 P.O.T. TIE: N. 56°08'49" W. - 2,091.46' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 35°17'37" E. - 222.22'
Ⓤ	Δ - 9°40'27" R - 1,950.00' L - 329.25'
Ⓥ	S. 89°06'37" E. - 112.91'
Ⓦ	S. 0°56'24" W. - 112.63'
Ⓧ	S. 16°22'12" W. - 183.87'
Ⓨ	N. 89°54'03" E. - 100.59'
Ⓩ	S. 16°24'39" W. - 181.89'
ⓞ	Δ - 1°32'37" R - 242.83' L - 6.54'
ⓐ	N. 89°01'29" W. - 1.40'
ⓑ	N. 89°04'31" W. - 400.24'

041.454	
P.O.B. - 258.44' LT. "Le" 785+13.74 P.O.T. TIE: S. 59°33'09" W. - 2,606.92' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	S. 89°35'26" W. - 128.55'
Ⓤ	N. 33°05'04" E. - 170.03'
Ⓥ	Δ - 43°58'18" R - 45.50' L - 34.89' T.B. - S. 56°57'14" E.
Ⓦ	S. 10°53'32" E. - 119.95'
Ⓧ	S. 49°47'37" W. - 26.65'

041.460	
P.O.B. - 251.77' LT. "Le" 785+39.55 P.O.T. TIE: S. 59°39'10" W. - 2,580.65' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 10°53'32" W. - 119.95'
Ⓤ	Δ - 44°23'17" R - 45.50' L - 35.25' T.B. - N. 79°06'28" E.
Ⓥ	S. 55°12'07" E. - 100.95'
Ⓦ	Δ - 8°19'17" R - 484.00' L - 51.19' T.B. - S. 43°28'23" W.
Ⓧ	S. 49°47'37" W. - 67.87'

041.473	
P.O.B. - 369.37' LT. "Le" 786+08.63 P.O.T. TIE: S. 62°40'41" W. - 2,569.80' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 26°58'38" E. - 90.49'
Ⓤ	Δ - 192°08'15" R - 45.50' L - 152.58' T.B. - S. 69°05'29" E.

041.481	
P.O.B. - 224.71' LT. "Le" 786+55.42 P.O.T. TIE: S. 60°11'28" W. - 2,464.04' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 55°12'07" W. - 100.95'
Ⓤ	Δ - 44°36'50" R - 45.50' L - 35.43' T.B. - N. 34°43'11" E.
Ⓥ	N. 80°42'57" E. - 98.21'
Ⓦ	S. 5°55'23" E. - 7.81'
Ⓧ	N. 83°50'51" E. - 45.62'
Ⓨ	S. 2°13'51" W. - 16.67'
Ⓩ	Δ - 1°49'22" R - 1,390.00' L - 44.22' T.B. - S. 33°28'15" W.
ⓞ	Δ - 8°10'46" R - 464.00' L - 66.24' T.B. - S. 35°17'37" W.

041.491	
P.O.B. - 370.10' LT. "Le" 787+05.51 P.O.C. TIE: S. 63°39'34" W. - 2,489.82' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	Δ - 33°15'13" R - 45.50' L - 26.41' T.B. - N. 53°38'17" W.
Ⓤ	Δ - 42°41'03" R - 30.00' L - 22.35' T.B. - N. 88°51'30" W.
Ⓥ	N. 44°10'27" W. - 5.37'
Ⓦ	Δ - 82°52'23" R - 15.00' L - 21.70'
Ⓧ	Δ - 17°27'35" R - 325.50' L - 99.19' T.B. - N. 38°41'56" E.
Ⓨ	S. 68°45'39" E. - 94.76'
Ⓩ	S. 43°40'31" W. - 128.32'

041.500	
P.O.B. - 206.89' LT. "Le" 787+55.56 P.O.C. TIE: S. 60°45'18" W. - 2,374.61' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 2°13'51" E. - 167.18'
Ⓤ	N. 2°13'43" E. - 299.43'
Ⓥ	N. 89°48'55" E. - 28.14'
Ⓦ	S. 2°18'52" W. - 421.95'
Ⓧ	Δ - 2°11'08" R - 1,402.00' L - 53.47' T.B. - S. 32°05'06" W.

041.505	
P.O.B. - 504.93' RT. "Le" 787+80.55 P.O.C. TIE: N. 44°50'24" W. - 1,765.82' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 16°24'39" E. - 100.08'
Ⓤ	S. 89°03'30" E. - 5.19'
Ⓥ	S. 16°24'39" W. - 100.08'
Ⓦ	N. 89°03'30" W. - 5.19'

041.505TE	
P.O.B. - 502.16' RT. "Le" 788+03.42 P.O.C. TIE: N. 43°56'34" W. - 1,775.59' FROM THE E 1/4 COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	N. 16°24'39" E. - 26.00'
Ⓤ	S. 73°35'58" E. - 10.00'
Ⓥ	S. 16°24'39" W. - 26.00'
Ⓦ	N. 73°35'58" W. - 10.00'

041.508	
P.O.B. - 226.42' LT. "Le" 787+94.52 P.O.C. TIE: S. 61°34'33" W. - 2,354.21' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
Ⓣ	S. 83°50'51" W. - 45.62'
Ⓤ	N. 5°55'23" W. - 7.81'
Ⓥ	S. 80°42'57" W. - 98.21'
Ⓦ	Δ - 43°42'38" R - 45.50' L - 34.71' T.B. - N. 9°53'39" W.
Ⓧ	N. 43°40'31" E. - 128.32'
Ⓨ	S. 68°45'39" E. - 80.88'
Ⓩ	S. 2°13'51" W. - 79.41'

TRACED
CHECKED

Date of last revision: _____

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
R/W Plans

PARCEL NO.	GRANTOR	GROSS AREA	PREV. ACQU.	NET AREA	R/W AREA	ACQUISITION RECORDING DATA				SURPLUS LAND DATA		REM. RT.	REM. LT.	REMARKS
						BK.	PG.	TYPE	DATE	AREA	DATE			
041.044	MARSH, COLLEEN K. TRUSTEE	7,973		7,973	7,973									TOTAL ACQUISITION
041.058	SORRELLS, GLEN R. & MARIA L.	7,968		7,968	7,968									TOTAL ACQUISITION
041.071	MOORE, MEREDITH E.	7,852		7,852	7,852									TOTAL ACQUISITION
041.084	VINAS, ALEXANDER AND VIRGINIA	9,878		9,878	9,878									TOTAL ACQUISITION
041.111	BUTTERFIELD, STELLA	21,578		21,578	21,578									TOTAL ACQUISITION
041.137	CITY OF LAS VEGAS	18,236		18,236	18,236									
041.137PE	CITY OF LAS VEGAS	1,666		1,666										BRIDGE CONSTRUCTION AND MAINTENANCE
041.386	ANDREW T. VALDEZ, LLC	510		510	510						25,731			TO BE DEEDED TO CITY OF LAS VEGAS
041.386TE	ANDREW T. VALDEZ, LLC	280		280										SIGN CONSTRUCTION
041.418	JACKSON, DARREL E. ETAL	8,461		8,461	8,461							55,688		
041.443	LAS VEGAS GOLF & COUNTRY CLUB	2.67 AC		2.67 AC	2.67 AC									TOTAL ACQUISITION
041.454	DINE, NORMA J. TRUSTEE	12,679		12,679	12,679									TOTAL ACQUISITION
041.460	GAUCH, JESSE & TERESA	7,788		7,788	7,788									TOTAL ACQUISITION
041.473	CITY OF LAS VEGAS	3,689		3,689	3,689									
041.481	ZEHM, MARTIN & SUSAN	9,599		9,599	9,599									TOTAL ACQUISITION
041.491	RACHELL, ALISON P.	9,088		9,088	9,088									TOTAL ACQUISITION
041.500	CATELLO, CARMINE V. JR	12,353		12,353	12,353									TOTAL ACQUISITION
041.505	SHARPLES, JOHN & BONNIE	601		601	601						13,796			
041.505TE	SHARPLES, JOHN & BONNIE	260		260										SIGN CONSTRUCTION
041.508	MEDINA, TRINIDAD & ADRIANA	12,980		12,980	12,980									TOTAL ACQUISITION
041.512	HIGHLAND 2000-ILLC	43,785		43,785	43,785									TOTAL ACQUISITION
041.523	WELLS FARGO BANK N.A.	11,662		11,662	11,662									TOTAL ACQUISITION
041.541	NELSON, BYRON H & SHARON D	11,099		11,099	11,099									TOTAL ACQUISITION

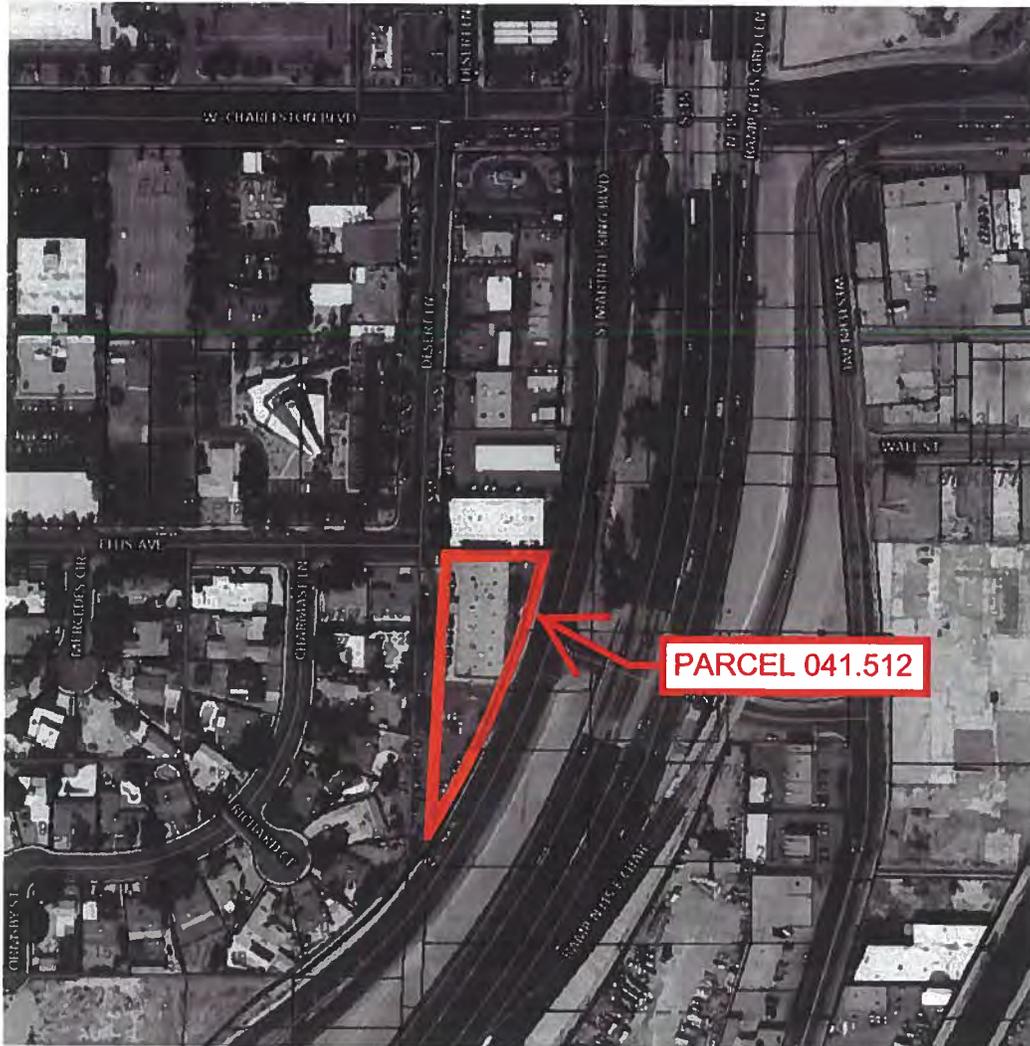
TRACED:

CHECKED:

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 PROPERTY SCHEDULE

Date of last revision: _____

LOCATION MAP



RESOLUTION NO. 436

**DESCRIPTION: I-15 Freeway, From Desert Inn Road
to the US-95/I-515 Interchange
PROJECT NEON; City of Las Vegas, Clark County, NV**

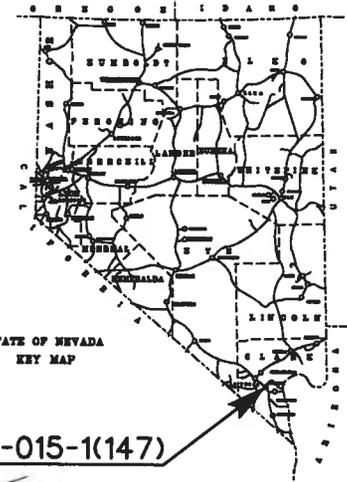
ATTACHMENT 1

INDEX OF SHEETS CLARK

1	TITLE SHEET
2	LEGEND
3	SHEET INDEX
4-15	R/W PLAN SHEETS
16-24	R/W ENGINEERING SHEETS
25-28	PROPERTY SCHEDULE

Fed. Rd. Dist. No.	State	Project No.	S.A. No.	County	Sheet No.
9	Nevada	NH-STP-015-1(147)	73652	CLARK	1

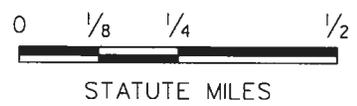
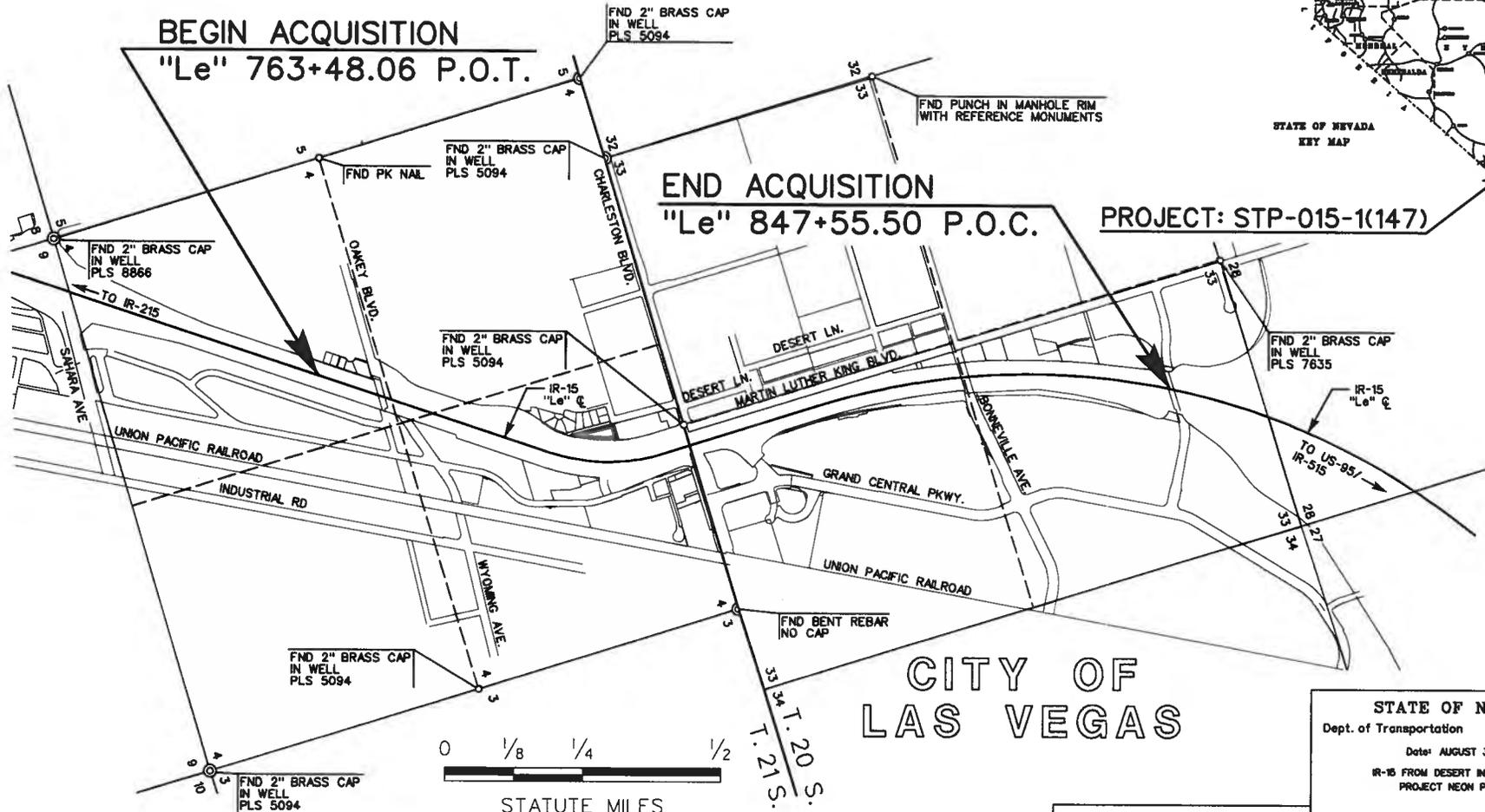
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PROJECT



BEGIN ACQUISITION
"Le" 763+48.06 P.O.T.

END ACQUISITION
"Le" 847+55.50 P.O.C.

PROJECT: STP-015-1(147)



CITY OF
LAS VEGAS

TRACED
CHECKED

Date of last revision: _____

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
IR-15 FROM DESERT INN TO US-95
PROJECT NEON PHASE 1

PARCEL NO. PREFIX: I-015-CL-

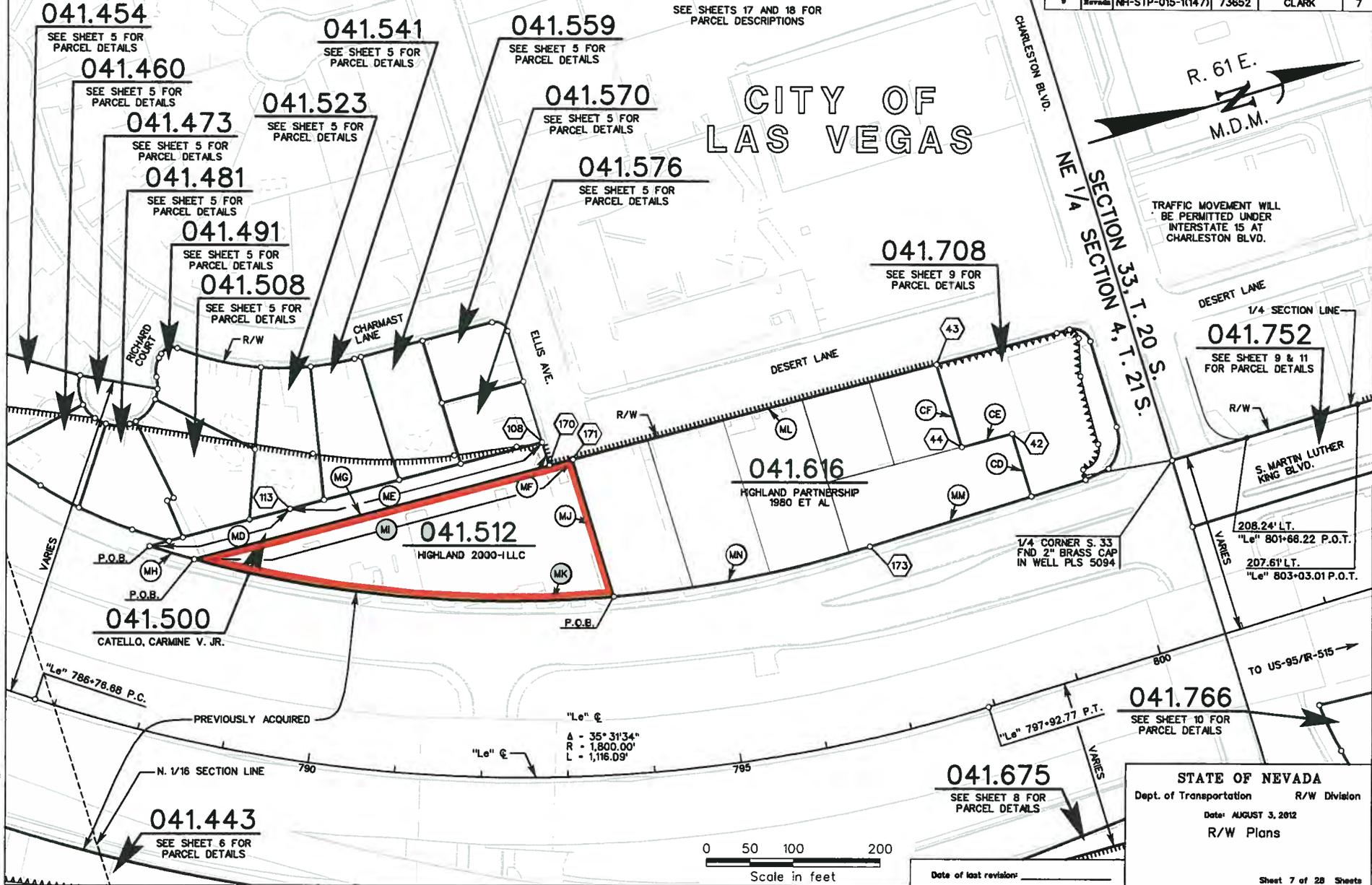
Fed. Rd. Dist. No.	State	Project No.	E.L. No.	County	Sheet No.
9	Nevada	NH-STP-015-1(147)	73652	CLARK	7

SEE SHEETS 17 AND 18 FOR PARCEL DESCRIPTIONS

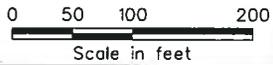
CITY OF LAS VEGAS



TRAFFIC MOVEMENT WILL BE PERMITTED UNDER INTERSTATE 15 AT CHARLESTON BLVD.



TRACED:
CHECKED:



Date of last revision: _____

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 R/W Plans

PARCEL NO. PREFIX: I-015-CL-

Fed. Rd. Dist. No.	State	Project No.	S.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-1(147)	73652	CLARK	18

041.512	
P.O.B. - 205.43' LT. "Le" 788+15.92' P.O.C. TIE: S. 61°21'52" W. - 2,327.36' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
MI	N. 2°18'52" E. - 449.61'
ML	S. 89°53'14" E. - 164.43'
MA	Δ - 19°54'19" R - 1,402.00' L - 487.07' T.B. - S. 12°10'47" W.

041.523	
P.O.B. - 263.74' LT. "Le" 788+75.67 P.O.C. TIE: S. 63°16'01" W. - 2,314.73' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
IV	N. 68°45'39" W. - 175.64'
CF	Δ - 10°01'51" R - 325.50' L - 56.89' T.B. - N. 21°14'21" E.
CG	S. 78°47'35" E. - 154.19'
CH	S. 2°13'43" W. - 40.15'
CI	S. 2°13'51" W. - 48.23'

041.541	
P.O.B. - 301.40' LT. "Le" 789+70.52 P.O.C. TIE: S. 65°12'59" W. - 2,273.25' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CG	N. 78°47'35" W. - 154.19'
CJ	Δ - 8°58'47" R - 325.50' L - 51.01' T.B. - N. 11°12'30" E.
CK	N. 2°13'43" E. - 8.02'
CL	N. 89°45'33" E. - 148.45'
CM	S. 2°13'43" W. - 89.29'

041.543	
P.O.B. - 150.00' RT. "Le" 789+80.61 P.O.C. TIE: S. 55°23'52" W. - 2,008.47' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AC	Δ - 6°03'40" R - 1,950.00' L - 206.28' T.B. - N. 25°37'10" E.
AD	S. 71°07'11" E. - 19.93'
AE	Δ - 2°10'43" R - 240.00' L - 9.13'
AF	S. 16°10'43" W. - 22.86'
AG	S. 0°53'03" W. - 160.72'
AH	N. 89°06'37" W. - 97.91'

041.559	
P.O.B. - 335.03' LT. "Le" 790+71.02 P.O.C. TIE: S. 67°15'24" W. - 2,234.11' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CI	S. 89°45'33" W. - 148.45'
CN	N. 2°13'43" E. - 73.15'
CO	N. 89°48'55" E. - 148.44'
CP	S. 2°13'43" W. - 73.00'

041.560	
P.O.B. - 433.89' RT. "Le" 790+71.07 P.O.C. TIE: S. 49°15'00" W. - 1,785.42' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AJ	N. 16°24'39" E. - 4.74'
AK	Δ - 19°02'41" R - 530.00' L - 176.17'
AL	N. 2°38'02" W. - 193.27'
AM	S. 85°17'03" W. - 5.02'
AN	N. 4°42'57" W. - 239.81'
AO	Δ - 94°33'52" R - 20.00' L - 33.01'
AP	N. 89°50'55" E. - 135.62'
AQ	N. 0°09'05" W. - 163.00'
AS	N. 89°50'55" E. - 253.43'
AT	Δ - 21°00'28" R - 53.00' L - 19.43'
AU	Δ - 16°48'46" R - 100.00' L - 29.34' T.B. - S. 69°08'37" E.
AV	Δ - 64°16'16" R - 53.00' L - 59.45' T.B. - S. 88°58'59" E.
AW	Δ - 245°26'22" R - 55.00' L - 235.60' T.B. - S. 24°42'43" E.
AX	N. 89°50'55" E. - 116.13'
AY	S. 27°47'26" W. - 581.51'
AZ	S. 27°39'52" W. - 364.31'
BA	N. 89°05'35" W. - 217.74'

041.570	
P.O.B. - 427.67' LT. "Le" 791+23.19 P.O.C. TIE: S. 89°38'08" W. - 2,273.07' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CA	S. 89°48'55" W. - 75.00'
CE	N. 2°13'43" E. - 82.62'
CF	Δ - 87°35'12" R - 15.00' L - 22.93'
CG	N. 89°48'55" E. - 60.62'
CH	S. 2°13'43" W. - 97.00'

041.576	
P.O.B. - 358.99' LT. "Le" 791+56.46 P.O.C. TIE: S. 68°58'38" W. - 2,204.28' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CA	S. 89°48'55" W. - 73.44'
CB	N. 2°13'43" E. - 97.00'
CC	N. 89°48'55" E. - 73.44'
CD	S. 2°13'43" W. - 97.00'

041.616	
P.O.B. - 205.33' LT. "Le" 793+65.10 P.O.C. TIE: S. 70°17'19" W. - 1,975.88' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
MA	N. 89°53'14" W. - 164.43'
ML	N. 2°18'50" E. - 433.82'
CF	N. 89°50'47" E. - 100.11'
CE	N. 2°14'17" E. - 60.00'
CD	N. 89°50'47" E. - 75.55'
MD	S. 0°08'12" E. - 195.09'
MA	Δ - 12°18'58" R - 1,402.00' L - 301.37'

041.664	
P.O.B. - 268.64' RT. "Le" 796+23.28 P.O.C. TIE: S. 70°18'38" W. - 1,435.15' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
EB	Δ - 85°26'08" R - 20.00' L - 29.82' T.B. - S. 89°50'55" W.
EC	N. 4°42'57" W. - 121.98'
ED	N. 89°50'55" E. - 146.28'
EE	S. 0°09'05" E. - 140.00'
EF	S. 89°50'55" W. - 116.64'

TRACED
CHECKED

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 R/W Plans

Date of last revision: _____

PARCEL NUMBER PREFIX: I-015-CL- PROPERTY SCHEDULE															Proj. No.	State	Project No.	R.A. No.	County	Sheet No.
STATE OF NEVADA DEPT. OF TRANSPORTATION ALL AREAS ARE SHOWN IN SQUARE FEET, UNLESS OTHERWISE INDICATED															8	Nevada	NH-STP-015-1(147)	73652	CLARK	25
PARCEL NO.	GRANTOR	GROSS AREA	PREV. ACQU.	NET AREA	R/W AREA	ACQUISITION RECORDING DATA				SURPLUS LAND DATA		REM. RT.	REM. LT.	REMARKS						
						BK.	PG.	TYPE	DATE	AREA	DATE									
041.044	MARSH, COLLEEN K. TRUSTEE	7,973		7,973	7,973									TOTAL ACQUISITION						
041.058	SORRELLS, GLEN R. & MARIA L.	7,968		7,968	7,968									TOTAL ACQUISITION						
041.071	MOORE, MEREDITH E.	7,852		7,852	7,852									TOTAL ACQUISITION						
041.084	VINAS, ALEXANDER AND VIRGINIA	9,876		9,876	9,876									TOTAL ACQUISITION						
041.111	BUTTERFIELD, STELLA	21,576		21,576	21,576									TOTAL ACQUISITION						
041.137	CITY OF LAS VEGAS	18,236		18,236	18,236															
041.137PE	CITY OF LAS VEGAS	1,666		1,666										BRIDGE CONSTRUCTION AND MAINTENANCE						
041.386	ANDREW T. VALDEZ, LLC	510		510	510						25,731			TO BE DEEDED TO CITY OF LAS VEGAS						
041.386TE	ANDREW T. VALDEZ, LLC	260		260										SIGN CONSTRUCTION						
041.418	JACKSON, DARREL E. ETAL	8,461		8,461	8,461							65,688								
041.443	LAS VEGAS GOLF & COUNTRY CLUB	2.67 AC		2.67 AC	2.67 AC									TOTAL ACQUISITION						
041.454	DINE, NORMA J. TRUSTEE	12,679		12,679	12,679									TOTAL ACQUISITION						
041.460	GAUCH, JESSE & TERESA	7,788		7,788	7,788									TOTAL ACQUISITION						
041.473	CITY OF LAS VEGAS	3,689		3,689	3,689															
041.481	ZIEM, MARTIN & SUSAN	9,599		9,599	9,599									TOTAL ACQUISITION						
041.491	RACHELL, ALISON P.	9,086		9,086	9,086									TOTAL ACQUISITION						
041.500	CATELLO, CARMINE V. JR	12,353		12,353	12,353									TOTAL ACQUISITION						
041.506	SHARPLES, JOHN & BONNIE	501		501	501						13,796									
041.506TE	SHARPLES, JOHN & BONNIE	260		260										SIGN CONSTRUCTION						
041.508	MEDINA, TRINIDAD & ADRIANA	12,980		12,980	12,980									TOTAL ACQUISITION						
041.512	HIGHLAND 2000-LLC	43,765		43,765	43,765									TOTAL ACQUISITION						
041.523	WELLS FARGO BANK N.A.	11,662		11,662	11,662									TOTAL ACQUISITION						
041.541	NELSON, BYRON H & SHARON D	11,099		11,099	11,099									TOTAL ACQUISITION						

TRACED:
CHECKED:

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
PROPERTY SCHEDULE

Date of last revision: _____

LOCATION MAP



RESOLUTION NO. 436

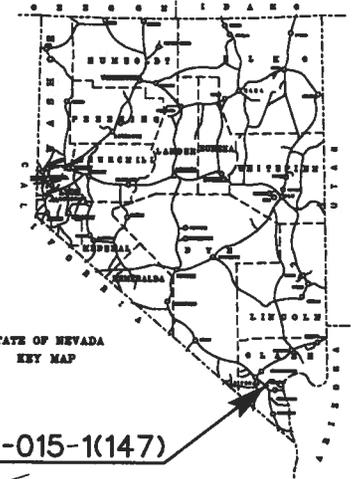
**DESCRIPTION: I-15 Freeway, From Desert Inn Road
to the US-95/I-515 Interchange
PROJECT NEON; City of Las Vegas, Clark County, NV**

INDEX OF SHEETS CLARK

- 1 TITLE SHEET
- 2 LEGEND
- 3 SHEET INDEX
- 4-15 R/W PLAN SHEETS
- 16-24 R/W ENGINEERING SHEETS
- 25-28 PROPERTY SCHEDULE

Fed. Rd. Dist. No.	State	Project No.	E.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-1(147)	73652	CLARK	1

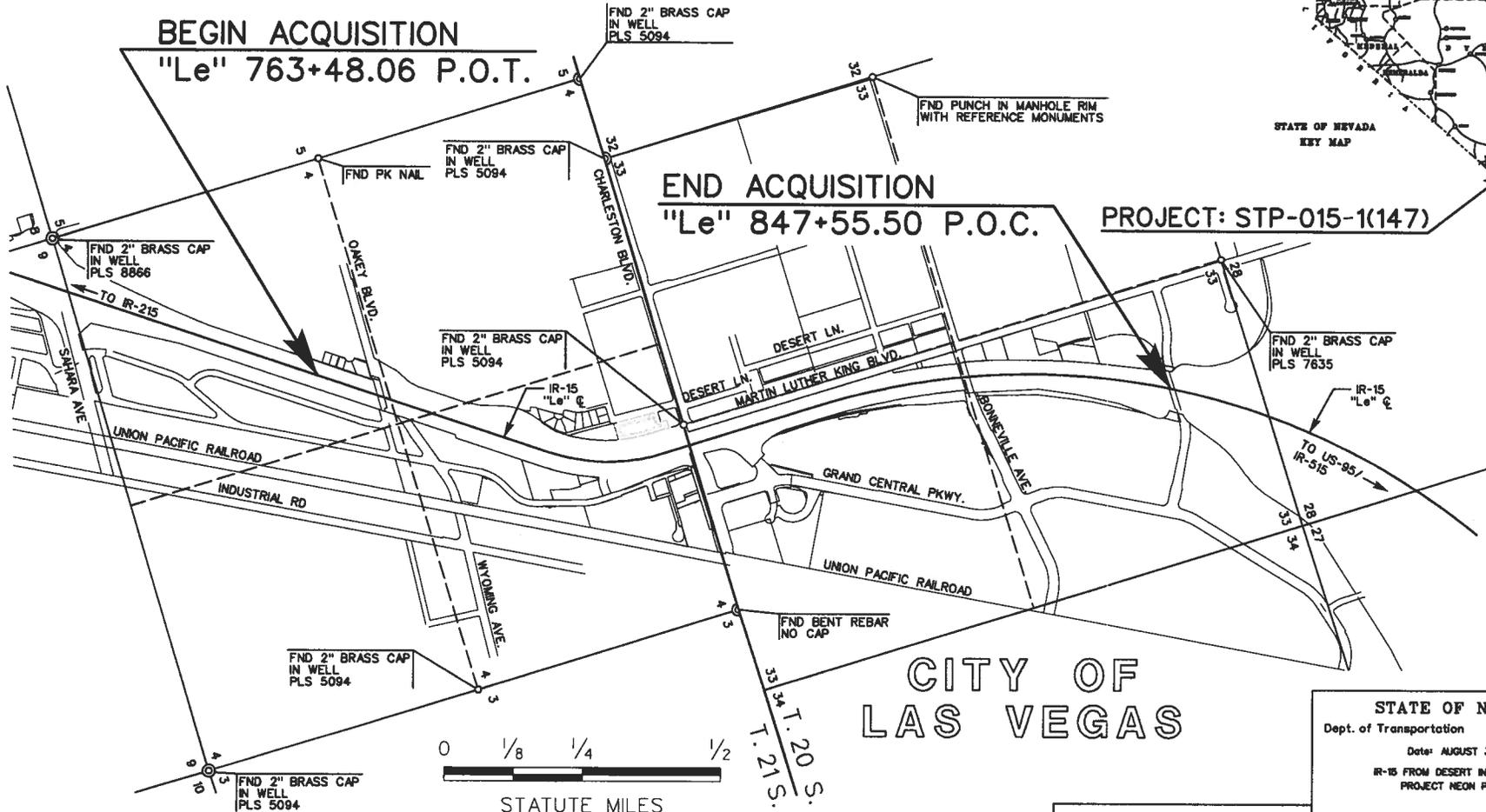
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PROJECT



BEGIN ACQUISITION
"Le" 763+48.06 P.O.T.

END ACQUISITION
"Le" 847+55.50 P.O.C.

PROJECT: STP-015-1(147)



CITY OF
LAS VEGAS

TRACED:
CHECKED:

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
IR-15 FROM DESERT INN TO US-95
PROJECT NEON PHASE 1

Date of last revision: _____

PARCEL NO. PREFIX: I-015-CL-

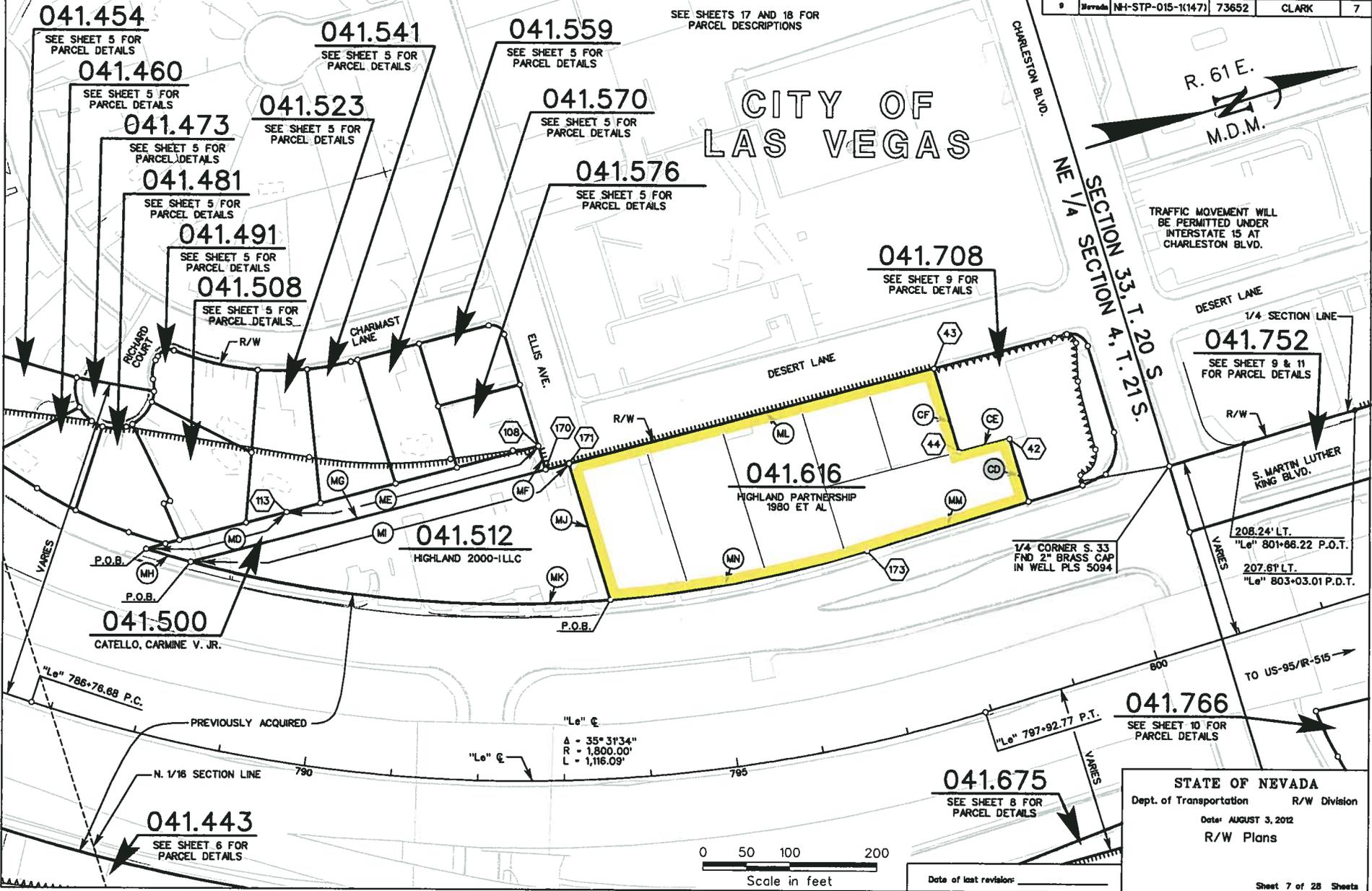
Proj. Dist. No.	State	Project No.	R.A. No.	County	Sheet No.
9	Nevada	NH-STP-015-1(147)	73652	CLARK	7

SEE SHEETS 17 AND 18 FOR
PARCEL DESCRIPTIONS

CITY OF
LAS VEGAS



TRAFFIC MOVEMENT WILL
BE PERMITTED UNDER
INTERSTATE 15 AT
CHARLESTON BLVD.



STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 R/W Plans

Sheet 7 of 28 Sheets

PARCEL NO. PREFIX: I-015-CL-

Fed. Rd. Dist. No.	State	Project No.	S.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-(1147)	73652	CLARK	18

041.512	
P.O.B. - 205.43' LT. "Le" 788+15.92' P.O.C. TIE: S. 61°21'52" W. - 2,327.36' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
MI	N. 2°18'52" E. - 449.61'
ML	S. 89°53'14" E. - 164.43'
MA	A - 19°54'18" R - 1,402.00' L - 487.07' T.B. - S. 12°10'47" W.

041.523	
P.O.B. - 263.74' LT. "Le" 788+75.67 P.O.C. TIE: S. 63°18'01" W. - 2,314.73' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CV	N. 68°45'39" W. - 175.64'
CF	A - 10°01'51" R - 325.50' L - 56.99' T.B. - N. 21°14'21" E.
CG	S. 78°47'35" E. - 154.19'
CH	S. 2°13'43" W. - 40.15'
CI	S. 2°13'51" W. - 48.23'

041.541	
P.O.B. - 301.40' LT. "Le" 789+70.52 P.O.C. TIE: S. 65°12'59" W. - 2,273.25' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CG	N. 78°47'35" W. - 154.19'
CV	A - 8°58'47" R - 325.50' L - 51.01' T.B. - N. 11°12'30" E.
CK	N. 2°13'43" E. - 8.02'
CL	N. 89°45'33" E. - 148.45'
CM	S. 2°13'43" W. - 89.29'

041.543	
P.O.B. - 150.00' RT. "Le" 789+80.61 P.O.C. TIE: S. 55°23'52" W. - 2,008.47' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AC	A - 6°03'40" R - 1,950.00' L - 206.28' T.B. - N. 25°37'10" E.
AD	S. 71°07'11" E. - 19.93'
AE	A - 2°10'43" R - 240.00' L - 9.13'
AF	S. 16°10'43" W. - 22.86'
AG	S. 0°53'03" W. - 160.72'
AH	N. 89°08'37" W. - 97.91'

041.559	
P.O.B. - 335.03' LT. "Le" 790+71.02 P.O.C. TIE: S. 67°15'24" W. - 2,234.11' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CA	S. 89°45'33" W. - 148.45'
CB	N. 2°13'43" E. - 73.15'
CC	N. 89°48'55" E. - 148.44'
CD	S. 2°13'43" W. - 73.00'

041.560	
P.O.B. - 433.89' RT. "Le" 790+71.07 P.O.C. TIE: S. 49°15'00" W. - 1,785.42' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
AJ	N. 16°24'39" E. - 4.74'
AK	A - 19°02'41" R - 530.00' L - 176.17'
AL	N. 2°38'02" W. - 193.27'
AM	S. 85°17'03" W. - 5.02'
AN	N. 4°42'57" W. - 239.81'
AO	A - 94°33'52" R - 20.00' L - 33.01'
AP	N. 89°50'55" E. - 135.62'
AQ	N. 0°09'05" W. - 163.00'
AS	N. 89°50'55" E. - 253.43'
AT	A - 21°00'28" R - 53.00' L - 19.43'
AU	A - 16°48'46" R - 100.00' L - 29.34' T.B. - S. 69°08'37" E.
AV	A - 64°16'16" R - 53.00' L - 59.45' T.B. - S. 88°58'59" E.
AW	A - 245°26'22" R - 55.00' L - 235.60' T.B. - S. 24°42'43" E.
AX	N. 89°50'55" E. - 116.13'
AY	S. 27°47'26" W. - 581.51'
AZ	S. 27°39'52" W. - 364.31'
BA	N. 89°05'35" W. - 217.74'

041.570	
P.O.B. - 427.67' LT. "Le" 791+23.18 P.O.C. TIE: S. 69°38'08" W. - 2,273.07' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CA	S. 89°48'55" W. - 75.00'
CB	N. 2°13'43" E. - 82.62'
CC	A - 87°35'12" R - 15.00' L - 22.93'
CD	N. 89°48'55" E. - 60.62'
CE	S. 2°13'43" W. - 97.00'

041.576	
P.O.B. - 358.89' LT. "Le" 791+56.46 P.O.C. TIE: S. 68°58'38" W. - 2,204.28' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
CA	S. 89°48'55" W. - 73.44'
CB	N. 2°13'43" E. - 97.00'
CC	N. 89°48'55" E. - 73.44'
CD	S. 2°13'43" W. - 97.00'

041.616	
P.O.B. - 205.33' LT. "Le" 793+85.10 P.O.C. TIE: S. 70°17'19" W. - 1,975.88' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
MA	N. 89°53'14" W. - 164.43'
ML	N. 2°18'50" E. - 433.82'
CM	N. 89°50'47" E. - 100.11'
CC	N. 2°14'17" E. - 60.00'
CD	N. 89°50'47" E. - 75.55'
ME	S. 0°08'12" E. - 195.09'
MA	A - 12°18'58" R - 1,402.00' L - 301.37'

041.664	
P.O.B. - 268.64' RT. "Le" 796+23.28 P.O.C. TIE: S. 70°18'38" W. - 1,435.15' FROM THE NE COR. SEC. 4, T. 21 S., R. 61 E., M.D.M.	
BB	A - 85°26'08" R - 20.00' L - 29.82' T.B. - S. 89°50'55" W.
BC	N. 4°42'57" W. - 121.98'
BD	N. 89°50'55" E. - 146.28'
BE	S. 0°09'05" E. - 140.00'
BF	S. 89°50'55" W. - 116.64'

TRACED
CHECKED

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
R/W Plans

Date of last revision: _____

PARCEL NO.	GRANTOR	GROSS AREA	PREV. ACQU.	NET AREA	R/W AREA	ACQUISITION RECORDING DATA				SURPLUS LAND DATA		REM. RT.	REM. LT.	REMARKS
						BK.	PG.	TYPE	DATE	AREA	DATE			
041543	LAS VEGAS GOLF & COUNTRY CLUB	11,074		11,074	11,074									TOTAL ACQUISITION
041559	ELER, ERIC G	10,838		10,838	10,838									TOTAL ACQUISITION
041560	WALL STREET NEVADA, LLC ETAL	7.04 AC		7.04 AC	7.04 AC									TOTAL ACQUISITION
041570	KIMREY, DEBORAH ANN	7,225		7,225	7,225									TOTAL ACQUISITION
041576	THE KEY FOUNDATION	7,117		7,117	7,117									TOTAL ACQUISITION
041616	HIGHLAND PARTNERSHIP 1980 ET AL	82,721		82,721	82,721									TOTAL ACQUISITION
041684	REFRIGERATION SUPPLIES DISTRIBUTOR	19,826		19,826	19,826									TOTAL ACQUISITION
041685	MARSHALL, EDWARD G.	3,684		3,684	3,684									TOTAL ACQUISITION
041675	CITY OF LAS VEGAS	6,737		6,737	6,737									
041690TE	LAPOUR GRAND CENTRAL, LLC	1,056		1,056										ROADWAY CONSTRUCTION
041691	LUSH, KEVIN ETAL	3,527		3,527	3,527									TOTAL ACQUISITION
041692	GENDALL, ALEXANDER & LILY TRUSTEES	45,641		45,641	45,641									TOTAL ACQUISITION
041693	ELLINGHAM, ROBERT O.	15,489		15,489	15,489									TOTAL ACQUISITION
041704	ZETOCKA, LARRY ETAL	7,834		7,834	7,834									TOTAL ACQUISITION
041708	TOWNE, ROLLAND D. & BETTY M. TRUSTEES	25,813		25,813	25,813									TOTAL ACQUISITION
041709	SUH, TAEJOON	3,484		3,484	3,484									TOTAL ACQUISITION
041723TE	LAPOUR GRAND CENTRAL, LLC	216		216										ROADWAY CONSTRUCTION
041736	CITY OF LAS VEGAS	18,701		18,701	18,701									TOTAL ACQUISITION
041752	UNION PACIFIC RAILROAD COMPANY	4.86 AC	40,000	4.86 AC	4.86 AC									TOTAL ACQUISITION
041768	VEGAS GROUP, LLC	2.85 AC	7,114	2.85 AC	2.85 AC									TOTAL ACQUISITION
041878	SIMON/CHELSEA LAS VEGAS DEV. LLC	17,828	2,632	17,828	17,828						32.31 AC			TO BE DEEDED TO CITY OF LAS VEGAS
041876TE	SIMON/CHELSEA LAS VEGAS DEV. LLC	4,752		4,752										ROADWAY CONSTRUCTION

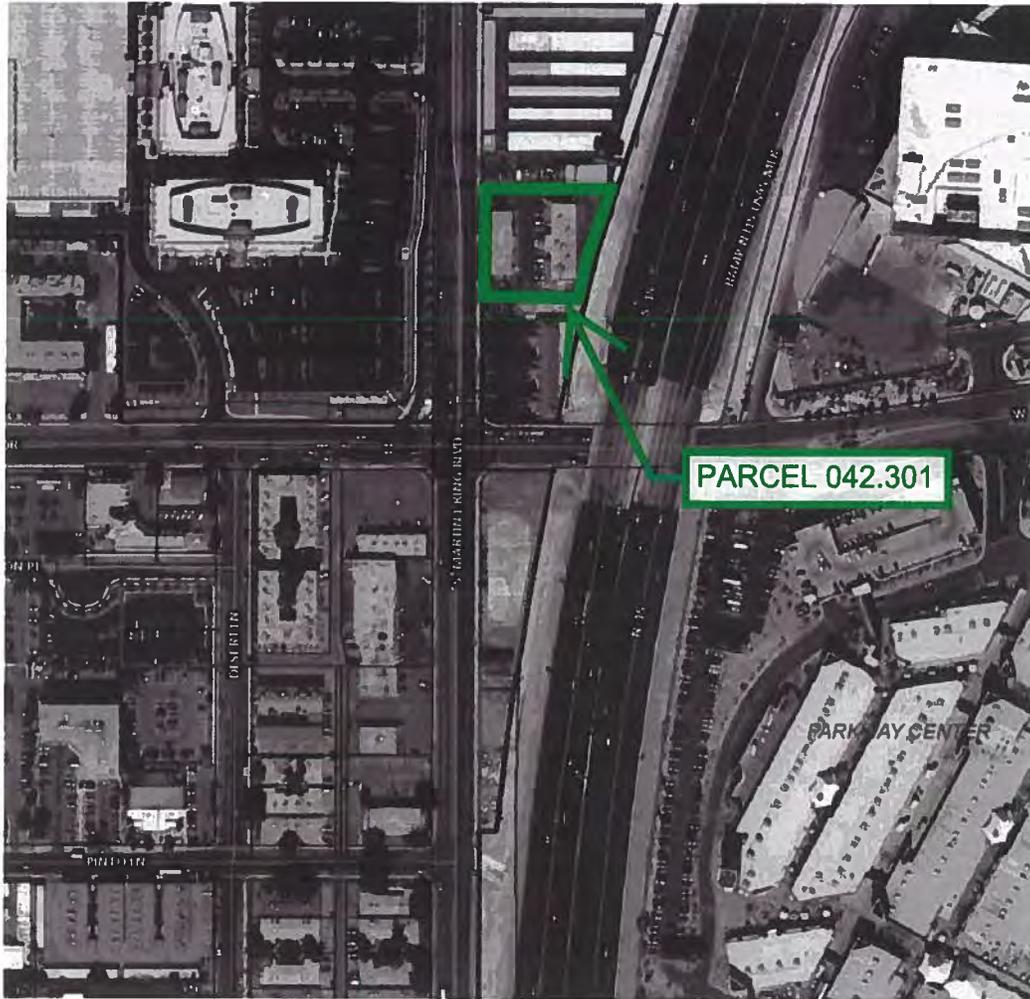
TRACED:

CHECKED:

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: AUGUST 3, 2012
 PROPERTY SCHEDULE

Date of last revision: _____

LOCATION MAP



RESOLUTION NO. 436

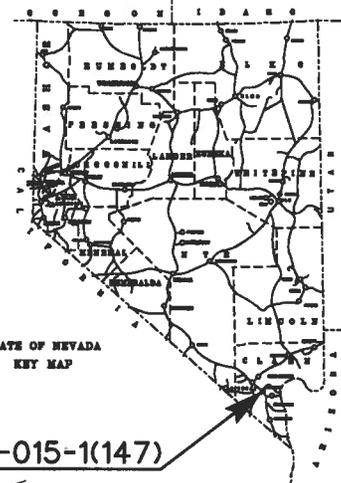
**DESCRIPTION: I-15 Freeway, From Desert Inn Road
to the US-95/I-515 Interchange
PROJECT NEON; City of Las Vegas, Clark County, NV**

INDEX OF SHEETS CLARK

1	TITLE SHEET
2	LEGEND
3	SHEET INDEX
4-15	R/W PLAN SHEETS
16-24	R/W ENGINEERING SHEETS
25-28	PROPERTY SCHEDULE

Fed. Bd. Reg. No.	State	Project No.	R.A. No.	County	Sheet No.
0	Nevada	NH-STP-015-1(147)	73652	CLARK	1

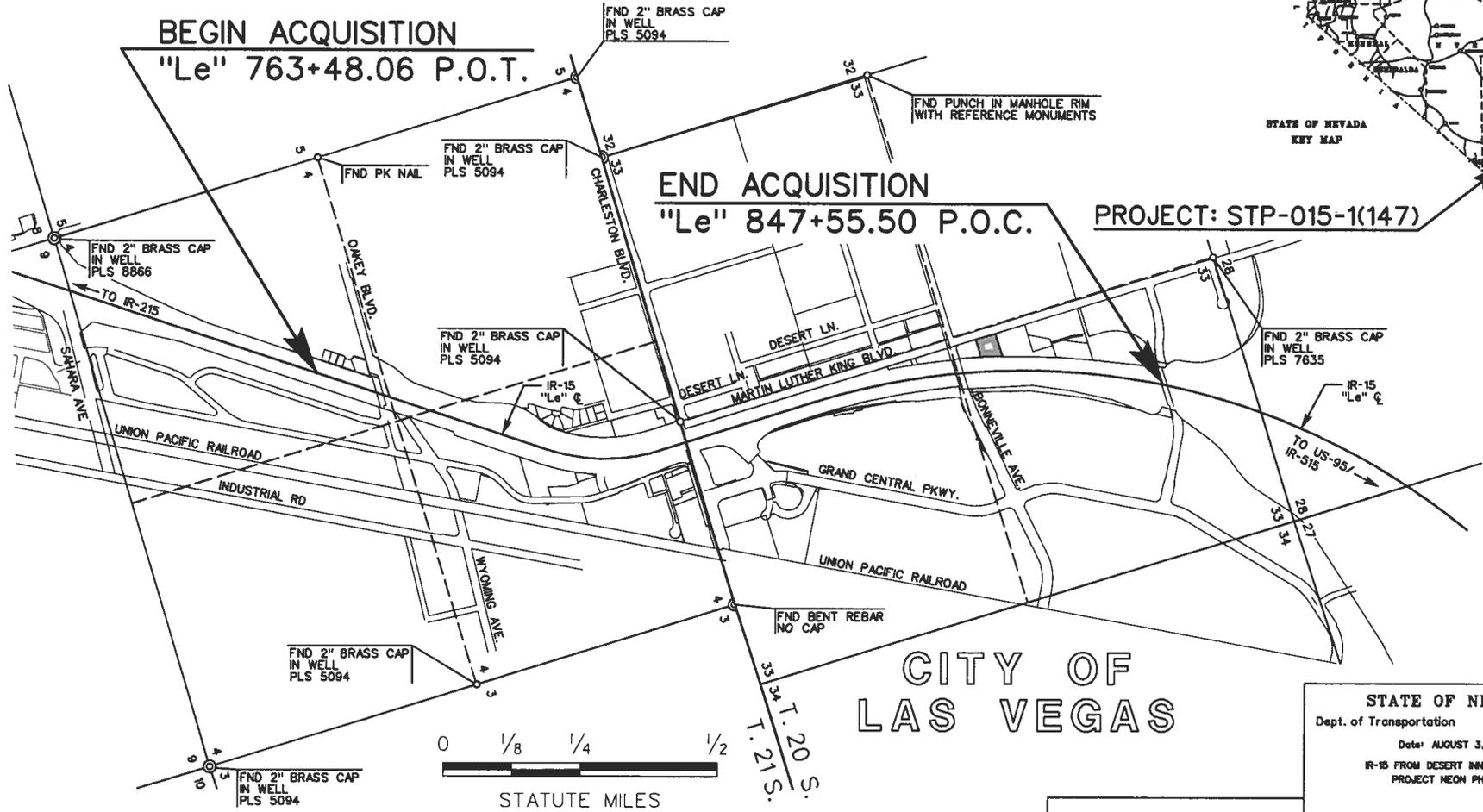
STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PROJECT



BEGIN ACQUISITION
"Le" 763+48.06 P.O.T.

END ACQUISITION
"Le" 847+55.50 P.O.C.

PROJECT: STP-015-1(147)



CITY OF LAS VEGAS

TRACED
CHECKED

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
IR-15 FROM DESERT INN TO US-95
PROJECT NEON PHASE 1

Date of last revision: _____

PARCEL NO. PREFIX: I-015-CL-

Fed. Bd. Reg. No.	State	Project No.	E.L. No.	County	Sheet No.
0	Nevada	NH-STP-015-1(147)	73652	CLARK	22

042.287	
P.O.B. = 642.89' RT. "Le" 829+09.18 P.O.C. TIE: N. 20° 34' 59" E. - 2,855.51' FROM THE S 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
JH	N. 20° 36' 56" E. - 5.50'
JG	Δ = 25° 04' 25" R = 30.00' L = 13.13'
JA	N. 80° 54' 13" E. - 150.16'
JB	Δ = 14° 17' 41" R = 20.00' L = 4.99' T.B. - S. 80° 54' 13" W.
JC	S. 66° 36' 32" W. - 34.23'
JD	Δ = 14° 17' 41" R = 30.00' L = 7.48'
JE	S. 80° 54' 13" W. - 6.97'
JF	S. 9° 05' 47" E. - 5.03'
JG	S. 80° 54' 13" W. - 25.00'
JH	N. 9° 05' 47" W. - 3.03'
JI	S. 80° 54' 13" W. - 68.27'
JK	Δ = 61° 37' 26" R = 11.00' L = 11.83'
JL	N. 70° 43' 13" W. - 7.06'

042.287TE	
P.O.B. = 642.89' RT. "Le" 829+09.18 P.O.C. TIE: N. 20° 34' 59" E. - 2,855.51' FROM THE S 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
KK	S. 70° 43' 13" E. - 7.06'
KJ	Δ = 61° 37' 26" R = 11.00' L = 11.83' T.B. - N. 19° 16' 47" E.
KI	N. 80° 54' 13" E. - 68.27'
KH	S. 9° 05' 47" E. - 3.03'
KG	N. 80° 54' 13" E. - 25.00'
KF	N. 9° 05' 47" W. - 5.03'
KE	N. 80° 54' 13" E. - 8.97'
KD	Δ = 14° 17' 41" R = 30.00' L = 7.48'
KC	N. 66° 36' 32" E. - 34.23'
KB	Δ = 14° 17' 41" R = 20.00' L = 4.99'
KA	N. 80° 54' 13" E. - 5.00'
KM	S. 9° 05' 47" E. - 5.00'
KN	S. 80° 54' 13" W. - 5.00'
KQ	Δ = 14° 17' 41" R = 15.00' L = 3.74'
KP	S. 66° 36' 32" W. - 34.23'
KR	Δ = 14° 17' 41" R = 35.00' L = 8.73'

042.287TE CONT'D	
KR	S. 80° 54' 13" W. - 1.97'
KS	S. 9° 05' 47" E. - 5.03'
KT	S. 80° 54' 13" W. - 35.00'
KL	N. 9° 05' 47" W. - 5.03'
KV	S. 80° 54' 13" W. - 63.27'
KW	Δ = 61° 37' 26" R = 8.00' L = 8.80'
KX	S. 19° 16' 47" W. - 19.04'
KY	N. 70° 43' 13" W. - 10.50'
KZ	N. 20° 36' 56" E. - 19.05'

042.290	
P.O.B. = 635.87' RT. "Le" 829+23.21 P.O.C. TIE: N. 20° 24' 38" E. - 2,867.20' FROM THE S 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
JF	N. 80° 54' 13" E. - 13.19'
JG	Δ = 25° 04' 25" R = 30.00' L = 13.13' T.B. - S. 45° 41' 22" W.
JH	S. 20° 36' 56" W. - 5.50'
JI	N. 70° 43' 13" W. - 1.94'
JJ	N. 9° 05' 47" W. - 13.50'

042.290TE	
P.O.B. = 635.87' RT. "Le" 829+23.21 P.O.C. TIE: N. 20° 24' 38" E. - 2,867.20' FROM THE S 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
JJ	S. 9° 05' 47" E. - 13.50'
JK	S. 70° 43' 13" E. - 1.94'
KL	S. 20° 36' 56" W. - 19.05'
JL	N. 70° 43' 13" W. - 1.50'
JM	N. 9° 05' 47" W. - 30.25'
JN	N. 80° 54' 13" E. - 9.05'

042.301	
P.O.B. = 143.24' LT. "Le" 829+83.23 P.O.C. TIE: S. 6° 05' 15" E. - 2,380.28' FROM THE N 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
DL	N. 89° 58' 11" W. - 173.66'
DN	N. 0° 01' 49" E. - 200.05'
DO	S. 89° 58' 10" E. - 230.27'
DP	S. 17° 23' 12" W. - 132.83'
DQ	S. 13° 04' 52" W. - 75.21'

042.340	
P.O.B. = 138.31' LT. "Le" 831+86.87 P.O.C. TIE: S. 8° 07' 10" E. - 2,188.78' FROM THE N 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
DO	N. 89° 58' 10" W. - 230.27'
DR	N. 0° 01' 49" E. - 297.61'
DS	S. 89° 58' 11" E. - 270.00'
DT	N. 0° 01' 49" E. - 200.00'
DV	S. 89° 58' 11" E. - 121.02'
DW	Δ = 2° 55' 47" R = 6,935.00' L = 354.61' T.B. - S. 19° 39' 29" W.
DX	S. 17° 23' 12" W. - 168.37'

042.395	
P.O.B. = 184.85' LT. "Le" 834+76.63 P.O.C. TIE: S. 10° 34' 35" E. - 1,901.55' FROM THE N 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
DF	N. 89° 58' 11" W. - 168.18'
ED	N. 26° 48' 46" E. - 218.43'
NW	S. 89° 58' 11" E. - 69.75'
EX	S. 0° 01' 49" W. - 195.00'

042.395TE	
P.O.B. = 265.31' LT. "Le" 836+49.62 P.O.C. TIE: S. 11° 07' 53" E. - 1,706.34' FROM THE N 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
DC	N. 89° 58' 11" W. - 15.00'
NX	N. 0° 01' 49" E. - 206.66'
NY	N. 8° 03' 42" E. - 100.53'
NZ	N. 89° 48' 44" E. - 15.16'
EB	S. 8° 03' 42" W. - 96.64'
EA	S. 0° 01' 49" W. - 71.34'
EY	S. 89° 58' 11" E. - 0.70'
DA	S. 0° 01' 49" W. - 139.23'

042.437	
P.O.B. = 134.25' LT. "Le" 836+99.63 P.O.C. TIE: S. 15° 43' 48" E. - 1,734.25' FROM THE N 1/4 COR. SEC. 33, T. 20 S., R. 61 E., M.D.M.	
DV	N. 89° 58' 11" W. - 121.02'
DU	S. 0° 01' 49" W. - 5.00'
DY	N. 89° 58' 11" W. - 19.70'
DZ	N. 0° 01' 49" E. - 110.84'
EC	N. 24° 17' 13" E. - 247.62'
EE	N. 89° 48' 44" E. - 167.19'
EF	Δ = 2° 56' 33" R = 6,935.00' L = 356.16' T.B. - S. 22° 36' 02" W.

STATE OF NEVADA
Dept. of Transportation R/W Division
Date: AUGUST 3, 2012
R/W Plans

Date of last revision: _____

TRACED
CHECKED

PARCEL NUMBER PREFIX: I-015-CL- PROPERTY SCHEDULE												Fed. Rd. Dist. No.	State	Project No.	R.A. No.	County	Sheet No.
STATE OF NEVADA DEPT. OF TRANSPORTATION ALL AREAS ARE SHOWN IN SQUARE FEET, UNLESS OTHERWISE INDICATED												9	Nevada	NH-STP-015-1(147)	73652	CLARK	27
PARCEL NO.	GRANTOR	GROSS AREA	PREV. ACQU.	NET AREA	R/W AREA	ACQUISITION RECORDING DATA				SURPLUS LAND DATA		REM. RT.	REM. LT.	REMARKS			
						SK.	PG.	TYPE	DATE	AREA	DATE						
041.676TE	SIMON/CHELSEA LAS VEGAS DEV. LLC	4,752		4,752										ROADWAY CONSTRUCTION			
041.888	UNION PACIFIC RAILROAD COMPANY	2,719		2,719	2,719							2.09 AC		TO BE DEEDED TO CITY OF LAS VEGAS			
041.899	UNION PACIFIC RAILROAD COMPANY	53,408		53,408	53,408							2.09 AC		TO BE DEEDED TO CITY OF LAS VEGAS			
041.899TE	UNION PACIFIC RAILROAD COMPANY	1,150		1,150										ROADWAY CONSTRUCTION			
041.908	SIMON/CHELSEA LAS VEGAS DEV. LLC	79,871		79,871	79,871							32.31 AC					
041.908PE	SIMON/CHELSEA LAS VEGAS DEV. LLC	17,294		17,294										MAINTENANCE PURPOSE			
041.908TE1	SIMON/CHELSEA LAS VEGAS DEV. LLC	7,730		7,730										CONSTRUCTION OF SLP RAMP			
041.908TE2	SIMON/CHELSEA LAS VEGAS DEV. LLC	948		948										UTILITY RELOCATION			
041.943	UNION PACIFIC RAILROAD COMPANY	1,142		1,142	1,142							2.09 AC		TO BE DEEDED TO CITY OF LAS VEGAS			
041.963TE	CLARK COUNTY, NEVADA	728		728										ROADWAY CONSTRUCTION			
042.134	ETOR, ROBERT & SHIRLEY TRUSTEES	10,044		10,044	10,044									TOTAL ACQUISITION			
042.179	CLEAR CHANNEL OUTDOOR	2,688		2,688	2,688									TOTAL ACQUISITION			
042.187	SANDERS, CARRE	29,444		29,444	29,444									TOTAL ACQUISITION			
042.248	UNION PACIFIC RAILROAD COMPANY	10,109		10,109	10,109									BRIDGE CONSTRUCTION, MAINTENANCE & RECONSTRUCTION			
042.283	MLK-ALTA LLC	30,043		30,043	30,043									TOTAL ACQUISITION			
042.279PE	WMVC PHASE 2, LLC	1,537		1,537										CONSTRUCTION AND MAINTENANCE OF SIGNAL POLES			
042.287	FDG - GRAND CENTRAL, LLC	1,662		1,662	1,662							4.44 AC		TO BE DEEDED TO CITY OF LAS VEGAS			
042.287TE	FDG - GRAND CENTRAL, LLC	900		900										ROADWAY CONSTRUCTION			
042.290	SIMON/CHELSEA LAS VEGAS DEV. LLC	93		93	93							32.31 AC		TO BE DEEDED TO CITY OF LAS VEGAS			
042.290TE	SIMON/CHELSEA LAS VEGAS DEV. LLC	231		231										ROADWAY CONSTRUCTION			
042.301	FITZHOUSE ENTERPRISES, INC	40,028		40,028	40,028									TOTAL ACQUISITION			
042.340	STORAGE EQUITIES/PS PARTNERS - HIGHLAND	2.29 AC		2.29 AC	2.29 AC									TOTAL ACQUISITION			
042.395	UNITED LANDCO LP	23,197		23,197	23,197							2.45 AC					

TRACED:

CHECKED:

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: SEPTEMBER 25, 2012
 PROPERTY SCHEDULE

Date of last revision: _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE DEPARTMENT OF TRANSPORTATION AUTHORIZING ACQUISITION BY CONDEMNATION OF PROPERTY FOR THE WIDENING AND RECONSTRUCTION OF THE I-15 FREEWAY, FROM DESERT INN ROAD NORTH TO THE U.S. 95/I-515 INTERCHANGE, IN THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

CONDEMNATION RESOLUTION NO. 436

WHEREAS, the Department of Transportation of the State of Nevada (hereinafter the "Department") is empowered by chapter 408 of the Nevada Revised Statutes to acquire real property, interests therein, and improvements located thereon for the construction and maintenance of highways; and

WHEREAS, the Department has determined that the public interest and necessity require the acquisition, reconstruction, and completion by the State of Nevada, acting by and through the Department, of a public improvement, namely the widening and reconstruction of the I-15 Freeway, from Desert Inn Road north to the U.S. 95/I-515 Interchange, in the City of Las Vegas, Clark County, State of Nevada and that the real property hereinafter described is necessary for said public improvement; and

WHEREAS, the right-of-way plans are attached hereto and incorporated herein depicting the parcels described herein; and

WHEREAS, the Department plans to obligate federal-aid funds for this project, and let a construction contract for said project, and the real property hereinafter described will be needed for said freeway project; and

WHEREAS, pursuant to section 408.503 of the Nevada Revised Statutes, the Department shall not commence any legal action in eminent domain until the Board of Directors of the Department adopts a resolution declaring that the public

interest and necessity require the highway improvement and that the property described is necessary for such improvement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Department, pursuant to section 408.503 of the Nevada Revised Statutes:

That the public interest and necessity require the acquisition, construction, reconstruction, improvement, maintenance or completion by the State of Nevada, acting through the Department, of a public improvement, namely a freeway; and that the real property hereinafter described is necessary for said public improvement; and

That the proposed construction of said public highway improvement on and along an alignment heretofore approved is planned and located in a manner which will be the most compatible with the greatest public good and the least private injury.

BE IT FURTHER RESOLVED THAT the Department be and is hereby authorized and directed:

To acquire in the name of and in behalf of the State of Nevada, in fee simple absolute, unless a lesser estate is hereinafter described, the following described real property and interests therein by the exercise of the power of eminent domain in accordance with the provisions of chapters 37 and 408 of the Nevada Revised Statutes;

To commence and prosecute, if necessary, in the name of the State of Nevada, condemnation proceedings in the proper court to condemn said real property and interests therein; and

To make application to said court for an order permitting the Department to take possession and use of said real property as may be necessary for construction of said public highway improvement, and to pledge the public faith and credit of the State of Nevada as security for such entry or, should the Department deem such advisable, to deposit with the Clerk of such court, in lieu of such pledge, a sum equal to the value of the premises sought to be condemned as appraised by the Department, and to acquire the following real property:

PARCEL I-015-CL-041.500 owned by CARMINE V. CATELLO, JR. to be acquired in fee simple.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portion of the NW 1/4 of the NE 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M.

It is the intent of this description to describe and it does describe all that real property described by that certain QUITCLAIM DEED, filed for record on April 2, 1973, as Book 314, Instrument No. 273921, in the Office of the Recorder, Clark County, Nevada.

Said parcel more fully described by metes and bounds as follows, to wit:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 60°45'18" W. a distance of 2,374.61

feet to the POINT OF BEGINNING; said point of beginning being on the former left or westerly right-of-way line of IR-15, 206.69 feet left of and measured radially from Highway Engineer's Station "Le" 787+55.56 P.O.C.; thence N. 2°13'51" E., departing said former westerly right-of-way line, a distance of 167.18 feet; thence N. 2°13'43" E. a distance of 299.43 feet to the southerly right-of-way line of Ellis Avenue; thence N. 89°48'55" E., along said southerly right-of-way line, a distance of 28.14 feet; thence S. 2°18'52" W., departing said southerly right-of-way line, a distance of 421.95 feet to a non-tangent curve and said former left or westerly right-of-way line; thence from a tangent which bears S. 32°05'06" W., curving to the right, along said former westerly right-of-way line, with a radius of 1,402.00 feet, through an angle of 2°11'06", an arc distance of 53.47 feet to the point of beginning; said parcel contains an area of 12,353 square feet (0.28 of an acre).

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, East Zone, as determined by the State of Nevada, Department of Transportation.

PARCEL I-015-CL-041.512 owned by HIGHLAND 2000-I, L.L.C., a Nevada limited liability company to be acquired in fee simple.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portion of the NW 1/4 of the NE 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M.

It is the intent of this description to describe and it does describe all that real property described by that certain GRANT, BARGAIN, SALE DEED, filed for

record on November 22, 1996, as Book 961122, Instrument No. 01967, and re-record on October 23, 1998, as Book 981023, Instrument No. 00838 in the Office of the Recorder, Clark County, Nevada.

Said parcel more fully described by metes and bounds as follows, to wit:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 61°21'52" W. a distance of 2,327.36 feet to the POINT OF BEGINNING; said point of beginning being on the former left or westerly right-of-way line of IR-15, 205.43 feet left of and measured radially from Highway Engineer's Station "Le" 788+15.92 P.O.C.; thence N. 2°18'52" E., departing said former westerly right-of-way line, a distance of 449.61 feet, the latter 27.66 feet being coincident with the left or westerly right-of-way line of IR-15; thence S. 89°53'14" E., departing said westerly right-of-way line, a distance of 164.43 feet to a non-tangent curve and said former left or westerly right-of-way line; thence from a tangent which bears S. 12°10'47" W., curving to the right, along said former westerly right-of-way line, with a radius of 1,402.00 feet, through an angle of 19°54'19", an arc distance of 487.07 feet to the point of beginning; said parcel contains an area of 43,765 square feet (1.00 acre).

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, East Zone, as determined by the State of Nevada, Department of Transportation.

PARCEL I-015-CL-041.616 owned by HIGHLAND PARTNERSHIP 1980 LIMITED PARTNERSHIP, a Nevada limited partnership as to an undivided interest; HIGHLAND AVA, LLC, a Nevada limited liability company as to an undivided interest; and NEW A.V.A. LIMITED PARTNERSHIP, a Nevada limited partnership as to an undivided interest to be acquired in fee simple.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portion of the NW 1/4 of the NE 1/4 of Section 4, T. 21 S., R. 61 E., M.D.M., and more fully described by metes and bounds as follows, to wit:

COMMENCING at the northeast corner of said Section 4, shown and delineated as an "AL CAP PLS 5094" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS, filed for record as Book No. 20031231, Instrument No. 01220, on December 31, 2003, File 135, Page 08 of Surveys, Official Records, Clark County, Nevada; thence S. 70°17'19" W. a distance of 1,975.88 feet to the POINT OF BEGINNING; said point of beginning being on the former westerly right-of-way line of IR-15, 205.33 feet left of and measured radially from Highway Engineer's Station "Le" 793+65.10 P.O.C.; thence N. 89°53'14" W. a distance of 164.43 feet to the easterly right-of-way line of Desert Lane;

thence N. 2°18'50" E., along said easterly right-of-way line, a distance of 433.82 feet; thence departing said easterly right-of-way line the following three (3) courses and distances:

- 1) N. 89°50'47" E. - 100.11 feet;
- 2) N. 2°14'17" E. - 60.00 feet;
- 3) N. 89°50'47" E. - 75.55 feet to said former left or westerly right-of-way line;

thence S. 0°08'12" E., along said former left or westerly right-of-way line, a distance of 195.09 feet; thence from a tangent which bears the last described course, curving to the right, with a radius of 1,402.00 feet, through an angle of 12°18'58", an arc distance of 301.37 feet to the point of beginning; said parcel contains an area of 82,721 square feet (1.90 acres).

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, East Zone, as determined by the State of Nevada, Department of Transportation.

It is the intent of this description to describe and it does describe all that real property described by that certain GRANT, BARGAIN, SALE DEED, filed for record on June 27, 1995, as Book 950627, Instrument No. 00891, in the Office of the Recorder, Clark County, Nevada. Together with all that real property described by that certain GRANT, BARGAIN, SALE DEED, filed for record on December 31, 1998, as Book 981231, Instrument No. 03929, in the Office of the Recorder, Clark County, Nevada. Together with all that real property described

by that certain QUITCLAIM DEED, filed for record on December 31, 1998, as Book 981231, Instrument No. 03930, in the Office of the Recorder, Clark County, Nevada. Together with all that real property described by that certain GRANT, BARGAIN AND SALE DEED, filed for record on December 31, 1998, as Book 981231, Instrument No. 03932, in the Office of the Recorder, Clark County, Nevada.

PARCEL I-015-CL-042.301 owned by FITZHOUSE ENTERPRISES, INC.
a Nevada non-profit corporation to be acquired in fee simple.

Said real property situate, lying and being in the City of Las Vegas, County of Clark, State of Nevada, and more particularly described as being a portion of the SW 1/4 of the NE 1/4 of Section 33, T. 20 S., R. 61 E., M.D.M.:

It is the intent of this description to describe and it does describe all that real property described by that certain GRANT, BARGAIN, SALE DEED, filed for record on February 26, 2003, as Book 20030226, Instrument No. 00412, in the Office of the Recorder, Clark County, Nevada.

Said parcel more fully described by metes and bounds as follows, to wit:

COMMENCING at the north quarter corner of said Section 33, shown and delineated as a "BRASS CAP" on that certain RECORD OF SURVEY FOR THE CITY OF LAS VEGAS DEPARTMENT OF PUBLIC WORKS, filed for record as Book No. 20050520, Document No. 0004959, on May 20, 2005, File 148, Page 79 of Surveys, Official Records, Clark County, Nevada;
thence S. 6°05'15" E. a distance of 2,380.28 feet to the POINT OF

BEGINNING; said point of beginning being on the former left or westerly right-of-way line of IR-15, 143.24 feet left of and measured radially from Highway Engineer's Station "Le" 829+83.23 P.O.C.; thence N. 89°58'11" W., departing said former left or westerly right-of-way line, a distance of 173.66 feet to the easterly right-of-way line of Martin Luther King Boulevard; thence N. 0°01'49" E., along said easterly right-of-way line, a distance of 200.05 feet; thence S. 89°58'10" E. a distance of 230.27 feet to said former left or westerly right-of-way line; thence S. 17°23'12" W., along said former left or westerly right-of-way line, a distance of 132.83 feet; thence S. 13°04'52" W. a distance of 75.21 feet to the point of beginning; said parcel contains an area of 40,028 square feet (0.92 of an acre).

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, East Zone, as determined by the State of Nevada, Department of Transportation.

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BE IT FURTHER RESOLVED that the Director, Deputy Director, and Chief Counsel of the Department have the power to enter into any stipulations or file any necessary pleadings in any condemnation proceeding and to bind the Department of Transportation in the completion of this project.

Adopted this _____ day of October, 2012.

ON BEHALF OF
STATE OF NEVADA
DEPARTMENT OF
TRANSPORTATION
BOARD OF DIRECTORS

Secretary to the Board
William H. Hoffman

Chairman – Brian Sandoval
Governor

APPROVED AS TO LEGALITY
AND FORM

Dennis V. Gallagher, Chief Counsel
Department of Transportation

NRS 408.503 Eminent domain: Resolution by Board; precedence over other legal actions.

1. The Department shall not commence any legal action in eminent domain until the Board adopts a resolution declaring that the public interest and necessity require the acquisition, construction, reconstruction, improvement or completion by the State, acting through the Department, of the highway improvement for which the real property, interests therein or improvements thereon are required, and that the real property, interests therein or improvements thereon described in the resolution are necessary for such improvement.

2. The resolution of the Board is conclusive evidence:

(a) Of the public necessity of such proposed public improvement.

(b) That such real property, interests therein or improvements thereon are necessary therefor.

(c) That such proposed public improvement is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

3. All legal actions in all courts brought under the provisions of this chapter to enforce the right of eminent domain take precedence over all other causes and actions not involving the public interest, to the end that all such actions, hearings and trials thereon must be quickly heard and determined.

(Added to NRS by 1957, 691; A 1960, 392; 1987, 1810; 1989, 1306)

NRS 241.034 Meeting to consider administrative action against person or acquisition of real property by exercise of power of eminent domain: Written notice required; exception.

1. Except as otherwise provided in subsection 3:
 - (a) A public body shall not consider at a meeting whether to:
 - (1) Take administrative action against a person; or
 - (2) Acquire real property owned by a person by the exercise of the power of eminent domain,↪ unless the public body has given written notice to that person of the time and place of the meeting.
 - (b) The written notice required pursuant to paragraph (a) must be:
 - (1) Delivered personally to that person at least 5 working days before the meeting; or
 - (2) Sent by certified mail to the last known address of that person at least 21 working days before the meeting.↪ A public body must receive proof of service of the written notice provided to a person pursuant to this section before the public body may consider a matter set forth in paragraph (a) relating to that person at a meeting.
2. The written notice provided in this section is in addition to the notice of the meeting provided pursuant to NRS 241.020.
 3. The written notice otherwise required pursuant to this section is not required if:
 - (a) The public body provided written notice to the person pursuant to NRS 241.033 before holding a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of the person; and
 - (b) The written notice provided pursuant to NRS 241.033 included the informational statement described in paragraph (b) of subsection 2 of that section.
 4. For the purposes of this section, real property shall be deemed to be owned only by the natural person or entity listed in the records of the county in which the real property is located to whom or which tax bills concerning the real property are sent.
- (Added to NRS by 2001, 1835; A 2001 Special Session, 155; 2005, 2247)



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201
(Use Local Information)

MEMORANDUM

Right-of-Way Division

September 27, 2012

To: Department of Transportation Board of Directors
From: Rudy Malfabon, P.E., Director
Subject: October 8, 2012 Transportation Board of Directors Meeting
Item #9a: Disposal of NDOT property located along a portion of County Road 716A (Smith Creek Road) in Elko County, NV. SUR 07-07 – For possible action

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced property by Relinquishment. The four improved and one unimproved properties to be relinquished are located along a portion of County Road 716A (Smith Creek Road) in Elko County, NV. Parcel 1 is improved property consisting of 6,686 sq. ft. as depicted on the attached sketch map marked Exhibit "A". Parcel 2 is improved property consisting of 15,445 sq. ft. as depicted on the attached sketch map marked Exhibit "B". Parcel 3 is improved property consisting of 30,315 sq. ft. as depicted on the attached sketch map marked Exhibit "A". Parcel 4 is unimproved property consisting of 18,014 sq. ft. as depicted on the attached sketch map marked Exhibit "A". Parcel 5 is improved property consisting of 6,063 sq. ft. as depicted on the attached sketch map marked Exhibit "A".

Background:

The Department originally acquired these properties, in easement, to replace existing substandard bridge structures on County Road 716A (Smith Creek Road) over Huntington Creek and the South Fork Humboldt River. Parcel 1 was originally acquired on August 17, 2001 consisting of 6,686 sq. ft. Parcel 2 was originally acquired on August 17, 2001 consisting of 15,445 sq. ft. Parcel 3 was originally acquired on August 17, 2001 consisting of 30,315 sq. ft. Parcel 4 was originally acquired on June 4, 2001 consisting of 18,014 sq. ft. Parcel 5 was originally acquired on April 2, 2001 consisting of 6,063 sq. ft.

The replacement of the substandard bridge structures on County road 716A (Smith Creek Road) over Huntington Creek and the South Fork Humboldt River are complete and operational and the Department has determined that this surplus property is no longer needed for the project. The Department has received a request from Elko County to relinquish these parcels for the purpose of a transportation facility.

TO: Department of Transportation Board of Directors
September 27, 2012

Analysis:

On July 26, 2012, the Elko County Board of Commissioners signed a Resolution Consenting to Relinquishment and Land Transfer Agreement accepting the relinquishment of these parcels. The release of NDOT's interest in these parcels is being made in accordance with N.R.S. 408.527. The Department owns these parcels in easement interest. Therefore, as per N.R.S. 408.527, if the County's use of these parcels ceases to exist, the County may abandon or vacate the property without reversion to the Department.

Recommendation for Board Action:

Approval of disposal of NDOT properties located along a portion of County Road 716A (Smith Creek Road) in Elko County, NV.

List of Attachments:

1. Location map
2. Sketch maps marked Exhibit "A" through Exhibit "C"
3. Copy of Resolution of Relinquishment with attached sketch maps marked Exhibit "A" through Exhibit "C"
4. Copy of Resolution Consenting to Relinquishment and Land Transfer Agreement with attached sketch maps marked Exhibit "A" through Exhibit "C"
5. Environment Approval
6. FHWA Approval
7. N.R.S. 408.527

Prepared by: Paul A. Saucedo, Chief R/W Agent



LOCATION MAP



SUR 07-07

**DESCRIPTION: County Road 716A (Smith Creek Road)
Twin Bridges**

PROJECT NO.: BRO-0007(024)
 E.A. 72565
 ALL OF PARCELS: 1PE, 4PE, 6PE & 14PE

COUNTY OF
 ELKO

PARCEL 4
 1673.590 SQ. M. (18,014 SQ. FT.)

PARCEL 5
 563.273 SQ. M. (6,063 SQ. FT.)

SECTION 25
 SECTION 36

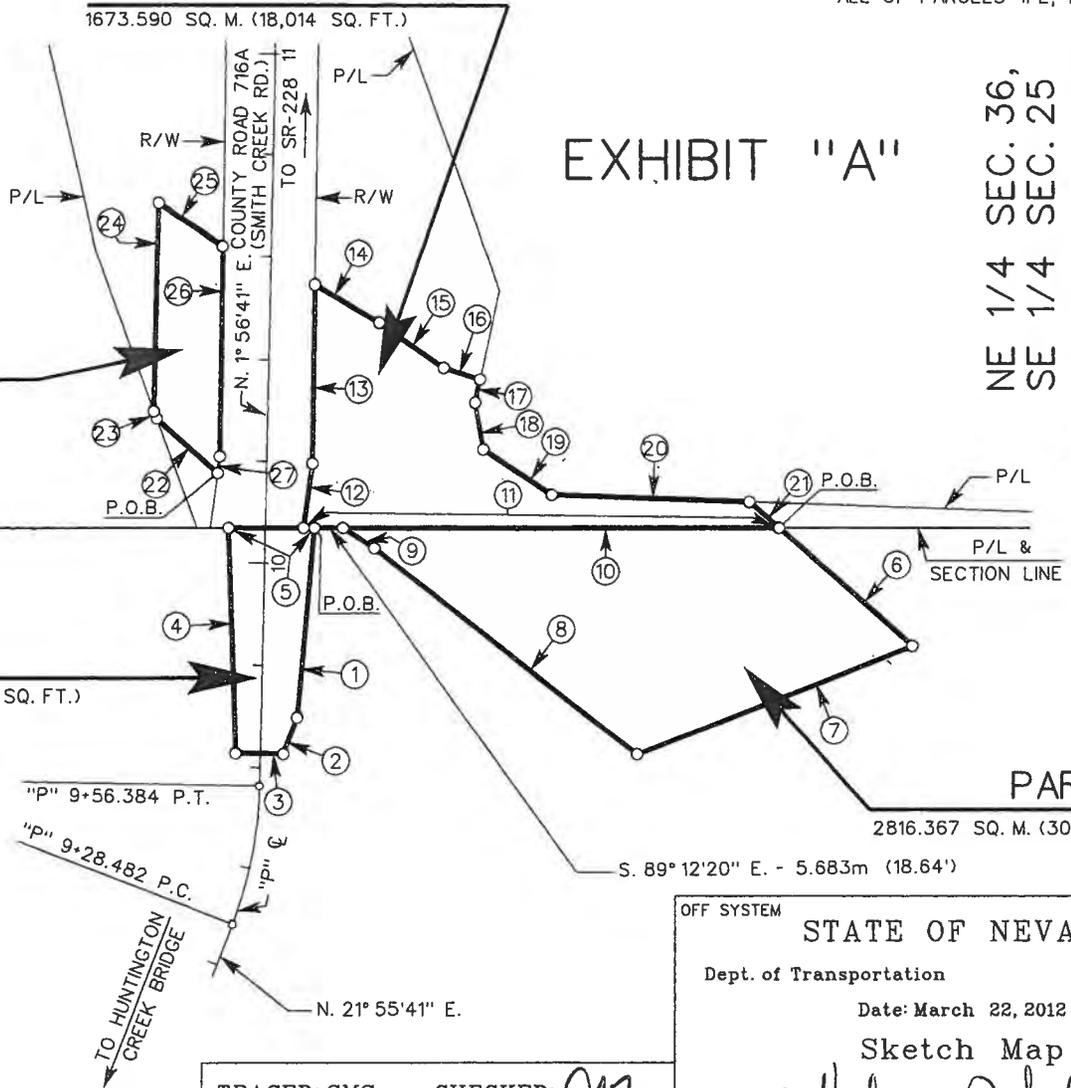
PARCEL 1
 621.117 SQ. M. (6,686 SQ. FT.)

NE 1/4 SEC. 36,
 SE 1/4 SEC. 25



T. 32 N., R. 55 E.
 M.D.M.

EXHIBIT "A"



"P" \curvearrowright
 $\Delta = 19^\circ 59'00''$
 $R = 80.000m (262.47')$
 $L = 27.902m (91.54')$

AREA TO BE RELINQUISHED

TRACED: SMS CHECKED: *CAF*

Date of last revision: _____

OFF SYSTEM SUR 07-07

STATE OF NEVADA

Dept. of Transportation R/W Division

Date: March 22, 2012

Sketch Map

Approved: *Malana D. Salazar*
 Manager, R/W Engineering

Scale: 1 : 1500 Sheet 1 of 3 Sheets

COUNTY OF ELKO

PROJECT NO.: BRO-0007(024)
 E.A. 72565
 ALL OF PARCEL: 10PE

EXHIBIT "B"

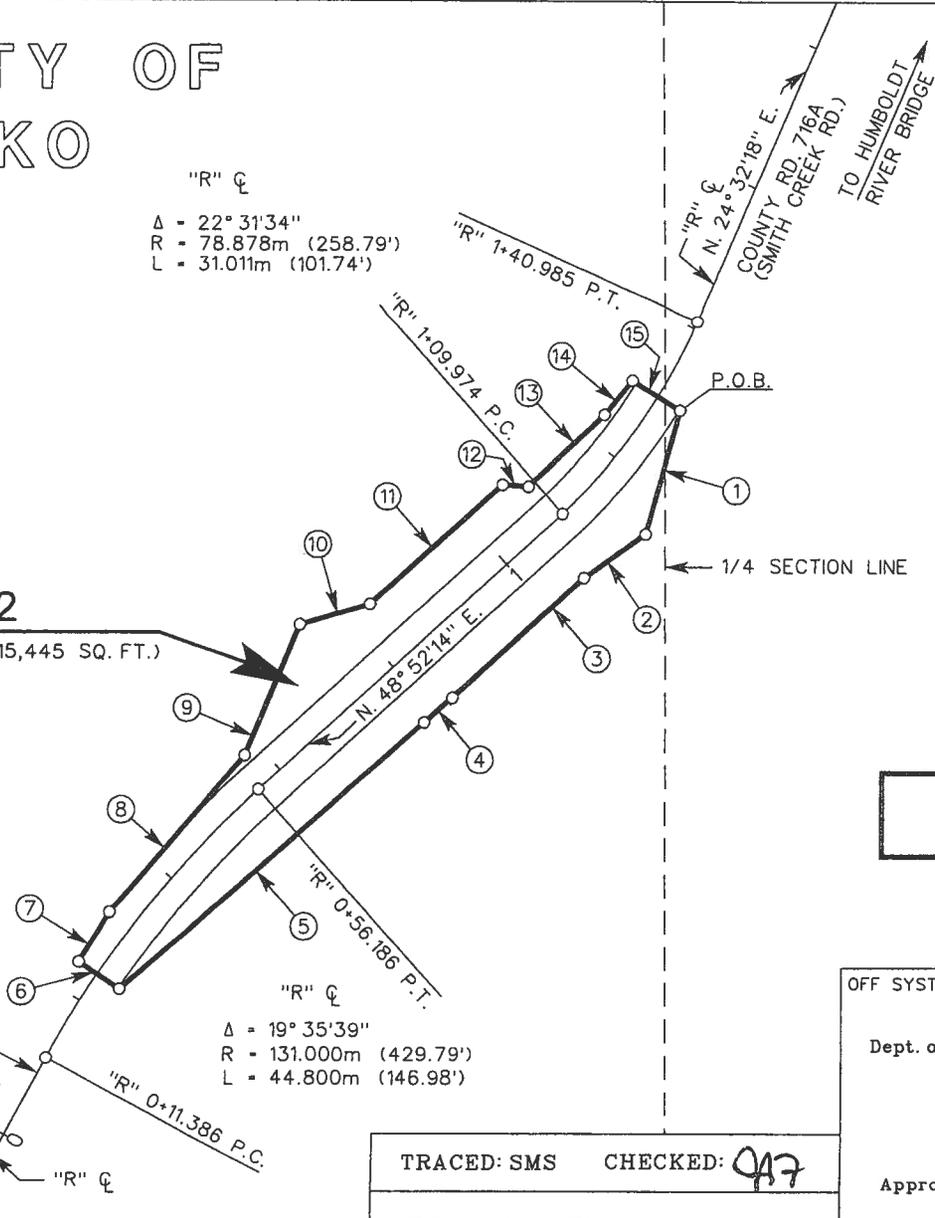
"R" \curvearrowright
 $\Delta = 22^\circ 31'34''$
 $R = 78.878\text{m} (258.79')$
 $L = 31.011\text{m} (101.74')$

PARCEL 2

1435.048 SQ. M. (15,445 SQ. FT.)

N. 26° 16'35" E.

"R" \curvearrowright
 $\Delta = 19^\circ 35'39''$
 $R = 131.000\text{m} (429.79')$
 $L = 44.800\text{m} (146.98')$



N 1/2 SEC. 36

T. 32 N., R. 55 E.
 M.D.M.

AREA TO BE RELINQUISHED

OFF SYSTEM STATE OF NEVADA SUR 07-07

Dept. of Transportation R/W Division

Date: March 22, 2012

Sketch Map

Approved: *Halana D. Salazar*
 Manager, R/W Engineering

Scale: 1 : 1000

Sheet 2 of 8 Sheets

TRACED: SMS CHECKED: *Q17*

Date of last revision: _____

EXHIBIT "C"

PROJECT NO.: BRO-0007(024)
E.A. 72565

PARCEL 1

P.O.B. - 9.763m (32.03') RT. "P" 10+07.072 P.O.T.
TIE: N. 89° 12' 20" W. - 631.022m (2,070.28') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ① S. 5° 59' 49" W. - 37.154m (121.90')
- ② S. 21° 32' 22" W. - 7.750m (25.43')
- ③ N. 88° 03' 19" W. - 9.354m (30.69')
- ④ N. 1° 13' 53" W. - 44.088m (144.65')
- ⑤ S. 89° 12' 20" E. - 17.025m (55.85')

PARCEL 3

P.O.B. - 102.166m (335.19') RT. "P" 10+08.928 P.O.T.
TIE: N. 89° 12' 20" W. - 538.599m (1,767.05') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ⑥ S. 48° 08' 26" E. - 35.222m (115.56')
- ⑦ S. 69° 36' 18" W. - 58.591m (192.23')
- ⑧ N. 51° 41' 44" W. - 66.069m (216.76')
- ⑨ N. 56° 03' 36" W. - 7.473m (24.52')
- ⑩ S. 89° 12' 20" E. - 86.740m (284.58')

PARCEL 5

P.O.B. - 9.620m (31.56') LT. "P" 10+17.534 P.O.T.
TIE: N. 88° 14' 59" W. - 650.281m (2,133.46') FROM
THE SE COR. OF SEC. 25, T. 32 N., R. 55 E., M.D.M.

- ⑫ N. 47° 23' 43" W. - 16.214m (53.20')
- ⑬ N. 19° 34' 44" W. - 1.560m (5.12')
- ⑭ N. 1° 56' 41" E. - 40.428m (132.64')
- ⑮ S. 56° 24' 05" E. - 15.249m (50.03')
- ⑯ S. 1° 33' 50" W. - 41.151m (135.01')
- ⑰ S. 8° 33' 44" W. - 3.314m (10.87')

PARCEL 2

P.O.B. - 3.508m (11.51') RT. "R" 1+29.842 P.O.C.
TIE: S. 59° 40' 56" W. - 932.060m (3,057.93') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ① S. 16° 11' 35" W. - 16.810m (55.15')
- ② S. 55° 41' 56" W. - 9.919m (32.54')
- ③ S. 48° 52' 14" W. - 23.357m (76.63')
- ④ S. 49° 44' 03" W. - 4.909m (16.10')
- ⑤ S. 49° 43' 37" W. - 52.988m (173.84')
- ⑥ N. 55° 09' 22" W. - 6.414m (21.04')
- ⑦ N. 32° 01' 49" E. - 7.662m (25.14')
- ⑧ N. 41° 41' 22" E. - 26.970m (88.48')
- ⑨ N. 23° 44' 09" E. - 18.399m (60.36')
- ⑩ N. 74° 35' 19" E. - 9.651m (31.66')
- ⑪ N. 48° 52' 14" E. - 23.357m (76.63')
- ⑫ S. 85° 26' 12" E. - 3.450m (11.32')
- ⑬ N. 47° 38' 33" E. - 13.750m (45.11')
- ⑭ N. 39° 39' 03" E. - 5.828m (19.12')
- ⑮ S. 57° 22' 03" E. - 7.468m (24.50')

PARCEL 4

P.O.B. - 102.166m (335.19') RT. "P" 10+08.928 P.O.T.
TIE: N. 89° 12' 20" W. - 538.599m (1,767.05') FROM
THE SE COR. OF SEC. 25, T. 32 N., R. 55 E., M.D.M.

- ⑪ N. 89° 12' 20" W. - 94.589m (310.33')
- ⑫ N. 8° 33' 44" E. - 12.840m (42.13')
- ⑬ N. 1° 33' 50" E. - 35.034m (114.94')
- ⑭ S. 59° 06' 12" E. - 14.787m (48.51')
- ⑮ S. 55° 10' 37" E. - 15.581m (51.12')
- ⑯ S. 70° 58' 03" E. - 7.551m (24.77')
- ⑰ S. 13° 07' 37" W. - 4.578m (15.02')
- ⑱ S. 9° 31' 23" E. - 9.403m (30.85')
- ⑲ S. 55° 43' 23" E. - 16.301m (53.48')
- ⑳ S. 87° 09' 18" E. - 39.341m (129.07')
- ㉑ S. 48° 08' 26" E. - 7.810m (25.62')

TRACED: SMS CHECKED: *9/7*

Date of last revision: _____

OFF SYSTEM STATE OF NEVADA SUR 07-07

Dept. of Transportation R/W Division

Date: March 22, 2012

Sketch Map

Approved: *Abiana De Salazar*

Manager, R/W Engineering

Sheet 3 of 3 Sheets

301

Ptns of APNs: 006-070-006
006-07D-003
006-07D-005

Control Section: off system
Route: County Road 716A (Smith Creek Road)
Surplus No.: SUR 07-07
Project: BRO-0007(024)
E.A.: 72565
Parcels: 1-5

AFTER RECORDING RETURN TO:
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
ATTN: STAFF SPECIALIST, PM
1263 S. STEWART ST.
CARSON CITY, NV 89712

LEGAL DESCRIPTION PREPARED BY:
HALANA SALAZAR
NEVADA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

**RESOLUTION OF RELINQUISHMENT
OF A PORTION OF STATE HIGHWAY RIGHT-OF-WAY**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds an easement interest in those certain permanent easements and rights-of-way for the maintenance of Huntington Creek bridge and Humboldt River bridge located on County Road 716A (Smith Creek Road) extending from "P" 9+62.710 P.O.T. to "P" 10+69.978 P.O.T.; and "R" 0+24.116 P.O.C. to "R" 1+29.842 P.O.C.; and

WHEREAS, said right-of-way is delineated and identified as Parcels 1-5 on EXHIBITS "A" through "C", inclusive, attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to cities and counties any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs; and

WHEREAS, said right-of-way is of no further contemplated use by the Department due to that portion of County Road 716A (Smith Creek Road) being in excess of its needs; and

WHEREAS, the County of Elko has requested the relinquishment of aforesaid portion of highway for the purpose of a transportation facility and

WHEREAS, the County of Elko has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of County Road 716A (Smith Creek Road) together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way; and

WHEREAS, the County of Elko entered into an agreement with the Department on June 5, 2011, to accept the hereinafter described designated road as a part of the County of Elko road system; and

WHEREAS, the Board of County Commissioners of Elko County, State of Nevada, consented by resolution passed and adopted on July 26, 2012, to the Department relinquishing the aforesaid portion of said road to the County of Elko; and

WHEREAS, NRS 408.527 provides that the Department of Transportation may relinquish any portion of a state highway which has been superseded by relocation or which the Department determines exceeds its needs after the Department and the city or county have entered into an agreement and the city or county legislative body has adopted a resolution consenting thereto.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcels 1-5 on EXHIBITS "A" through "C", inclusive, attached hereto and made a part hereof, is hereby relinquished to the County of Elko of the State of Nevada. Said right-of-way is described as follows:

Parcel 1

Situate, lying and being in the County of Elko, State of Nevada, and further described as being a portion of the NE 1/4 of Section 36, T. 32 N., R. 55 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at a 0.08M CHILTON ENGINEERING BRASS CAP ON PIPE stamped "COR S25/36/30/31 T31/32N R55E RLS 3535 1972", accepted as being the corner common to Sections 25 and 36 in T. 32 N., R. 55 E., M.D.M. and Sections 30 and 31 in T. 32 N., R. 56 E., M.D.M., thence N. 89°12'20" W. along the north line of said Section 36, a distance of 631.022 meters (2,070.28 feet) to the POINT OF BEGINNING, said point of beginning further described as being on the southerly line of PARCEL 3 shown on that certain PARCEL MAP FOR LAURENE B. KANE recorded as File No. 430702, on August 11, 1998, in the Office of the Elko County Recorder, Elko County, Nevada, 9.763 meters (32.03 feet) right of and at right angles to Highway Engineer's Station "P" 10+07.072 P.O.T.; thence along the following four (4) courses and distances:

- 1) S. 5°59'49" W. - 37.154 meters (121.90 feet);
- 2) S. 21°32'22" W. - 7.750 meters (25.43 feet);
- 3) N. 88°03'19" W. - 9.354 meters (30.69 feet);
- 4) N. 1°13'53" W. - 44.088 meters (144.65 feet) to a point on
said north line of Section 36;

thence S. 89°12'20" E., along said north line, a distance of 17.025
meters (55.85 feet) to the point of beginning; said parcel contains an
area of 621.117 square meters (6,686 square feet).

Parcel 2

Situate, lying and being in the County of Elko, State of Nevada, and further described as being a
portion of the N 1/2 of Section 36, T. 32 N., R. 55 E., M.D.M., and more fully described by metes
and bounds as follows:

COMMENCING at a 0.08M CHILTON ENGINEERING
BRASS CAP ON PIPE stamped "COR S25/36/30/31 T31/32N R55E
RLS 3535 1972", accepted as being the corner common to
Sections 25 and 36 in T. 32 N., R. 55 E., M.D.M. and Sections 30
and 31 in T. 32 N., R. 56 E., M.D.M., thence S. 59°40'56" W. a
distance of 932.060 meters (3,057.93 feet) to the POINT OF

BEGINNING, said point of beginning further described as being 3.508 meters (11.51 feet) right of and measured radially from Highway Engineer's Station "R" 1+29.842 P.O.C.; thence along the following fifteen (15) courses and distances:

- 1) S. 16°11'35" W. - 16.810 meters (55.15 feet);
- 2) S. 55°41'56" W. - 9.919 meters (32.54 feet);
- 3) S. 48°52'14" W. - 23.357 meters (76.63 feet);
- 4) S. 49°44'03" W. - 4.909 meters (16.10 feet);
- 5) S. 49°43'37" W. - 52.988 meters (173.84 feet);
- 6) N. 55°09'22" W. - 6.414 meters (21.04 feet);
- 7) N. 32°01'49" E. - 7.662 meters (25.14 feet);
- 8) N. 41°41'22" E. - 26.970 meters (88.48 feet);
- 9) N. 23°44'09" E. - 18.399 meters (60.36 feet);
- 10) N. 74°35'19" E. - 9.651 meters (31.66 feet);

- 11) N. 48°52'14" E. - 23.357 meters (76.63 feet);
- 12) S. 85°26'12" E. - 3.450 meters (11.32 feet);
- 13) N. 47°38'33" E. - 13.750 meters (45.11 feet);
- 14) N. 39°39'03" E. - 5.828 meters (19.12 feet);
- 15) S. 57°22'03" E. - 7.468 meters (24.50 feet) to the point of beginning;

said parcel contains an area of 1435.048 square meters (15,445 square feet).

Parcel 3

Situate, lying and being in the County of Elko, State of Nevada, and further described as being a portion of the NE 1/4 of Section 36, T. 32 N., R. 55 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at a 0.08M CHILTON ENGINEERING BRASS CAP ON PIPE stamped "COR S25/36/30/31 T31/32N R55E RLS 3535 1972", accepted as being the corner common to Sections 25 and 36 in T. 32 N., R. 55 E., M.D.M. and Sections 30 and 31 in T. 32 N., R. 56 E., M.D.M., thence N. 89°12'20" W. along the north line of said Section 36, a distance of 538.599 meters (1,767.05 feet) to the POINT OF BEGINNING, said point of beginning

further described as being on the southerly line of PARCEL 3 shown on that certain PARCEL MAP for LAURENE B. KANE recorded as File No. 430702, on August 11, 1998, in the Office of the Elko County Recorder, Elko County, Nevada, 102.166 meters (335.19 feet) right of and at right angles to Highway Engineer's Station "P" 10+08.928 P.O.T.; thence along the following four (4) courses and distances:

- 1) S. 48°08'26" E. - 35.222 meters (115.56 feet);
- 2) S. 69°36'18" W. - 58.591 meters (192.23 feet);
- 3) N. 51°41'44" W. - 66.069 meters (216.76 feet);
- 4) N. 56°03'36" W. - 7.473 meters (24.52 feet) to a point on said north line of Section 36 and said southerly line of PARCEL 3;

thence S. 89°12'20" E., along said north line of Section 36 and said southerly line of PARCEL 3, a distance of 86.740 meters (284.58 feet) to the point of beginning; said parcel contains an area of 2816.367 square meters (30,315 square feet).

Parcel 4

Situate, lying and being in the County of Elko, State of Nevada, and further described as being a portion of the SE 1/4 of Section 25, T. 32 N., R. 55 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at a 0.08M CHILTON ENGINEERING BRASS CAP ON PIPE stamped "COR S25/36/30/31 T31/32N R55E RLS 3535 1972", accepted as being the corner common to Sections 25 and 36 in T. 32 N., R. 55 E., M.D.M. and Sections 30 and 31 in T. 32 N., R. 56 E., M.D.M., thence N. 89°12'20" W. along the south line of said Section 25, a distance of 538.599 meters (1,767.05 feet) to the POINT OF BEGINNING, said point of beginning further described as being on the southerly line of PARCEL 3 shown on that certain PARCEL MAP for LAURENE B. KANE recorded as File No. 430702, on August 11, 1998, in the Office of the Elko County Recorder, Elko County, Nevada, 102.166 meters (335.19 feet) right of and at right angles to Highway Engineer's Station "P" 10+08.928 P.O.T.; thence N. 89°12'20" W., along said south line of Section 25, a distance of 94.589 meters (310.33 feet) to a point on the westerly line of said PARCEL 3; thence N. 8°33'44" E., along said westerly line, a distance of 12.840 meters (42.13 feet); thence N. 1°33'50" E., along said westerly line, a distance of 35.034 meters (114.94 feet); thence along the following three (3) courses and distances:

- 1) S. 59°06'12" E. - 14.787 meters (48.51 feet);
- 2) S. 55°10'37" E. - 15.581 meters (51.12 feet);
- 3) S. 70°58'03" E. - 7.551 meters (24.77 feet) to a point on
the easterly line of said PARCEL 3;

thence along said easterly line the following five (5) courses and
distances:

- 1) S. 13°07'37" W. - 4.578 meters (15.02 feet);
- 2) S. 9°31'23" E. - 9.403 meters (30.85 feet);
- 3) S. 55°43'23" E. - 16.301 meters (53.48 feet);
- 4) S. 87°09'18" E. - 39.341 meters (129.07 feet);
- 5) S. 48°08'26" E. - 7.810 meters (25.62 feet) to the point of
beginning;

said parcel contains an area of 1673.590 square meters (18,015
square feet).

Parcel 5

Situate, lying and being in the County of Elko, State of Nevada, and further described as being a portion of the SE 1/4 of Section 25, T. 32 N., R. 55 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at a 0.08M CHILTON ENGINEERING BRASS CAP ON PIPE stamped "COR S25/36/30/31 T31/32N R55E RLS 3535 1972", accepted as being the corner common to Sections 25 and 36 in T. 32 N., R. 55 E., M.D.M. and Sections 30 and 31 in T. 32 N., R. 56 E., M.D.M., thence N. 88°14'59" W. a distance of 650.281 meters (2,133.46 feet) to the POINT OF BEGINNING, said point of beginning further described as being on the easterly line of LOT 1 shown on that certain PARCEL MAP for LAURENE B. KANE recorded as File No. 430702, on August 11, 1998 in the Office of the Elko County Recorder, Elko County, Nevada, 9.620 meters (31.56 feet) left of and at right angles to Highway Engineer's Station "P" 10+17.534 P.O.T.; thence N. 47°23'43" W. a distance of 16.214 meters (53.20 feet) to a point on the westerly line of said LOT 1; thence N. 19°34'44" W., along said westerly line, a distance of 1.560 meters (5.12 feet); thence N. 1°56'41" E. a distance of 40.428 meters (132.64 feet); thence S. 56°24'05" E. a distance of 15.249 meters (50.03 feet) to a point on said easterly line of LOT 1; thence S. 1°33'50" W., along said easterly line, a distance of 41.151 meters (135.01 feet); thence

S. 8°33'44" W., continuing along said easterly line, a distance of 3.314 meters (10.87 feet) to the point of beginning; said parcel contains an area of 563.273 square meters (6,063 square feet):

It is the intent of the Department to relinquish to the County of Elko all of the Department's right, title and interest in and to the aforesaid described right-of-way as shown on EXHIBITS "A" through "C", inclusive, attached hereto and made a part hereof. If the purpose for which it is relinquished is abandoned or ceases to exist, then all right, title and interest of the city or county reverts back to the Department.

DATED this __ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

ON BEHALF OF STATE OF NEVADA,
DEPARTMENT OF TRANSPORTATION
BOARD OF DIRECTORS

, Chief Deputy Attorney General

Brian Sandoval, Chairman

ATTEST:

William H. Hoffman, P.E.
Secretary to the Board

R12-02

COUNTY OF
ELKO

PARCEL 4

1673.590 SQ. M. (18,014 SQ. FT.)

PROJECT NO.: BRO-0007(024)
E.A. 72565
ALL OF PARCELS: 1PE, 4PE, 6PE & 14PE

EXHIBIT "A"

NE 1/4 SEC. 36,
SE 1/4 SEC. 25



T. 32 N., R. 55 E.
M.D.M.

PARCEL 5

563.273 SQ. M. (6,063 SQ. FT.)

SECTION 25
SECTION 36

PARCEL 1

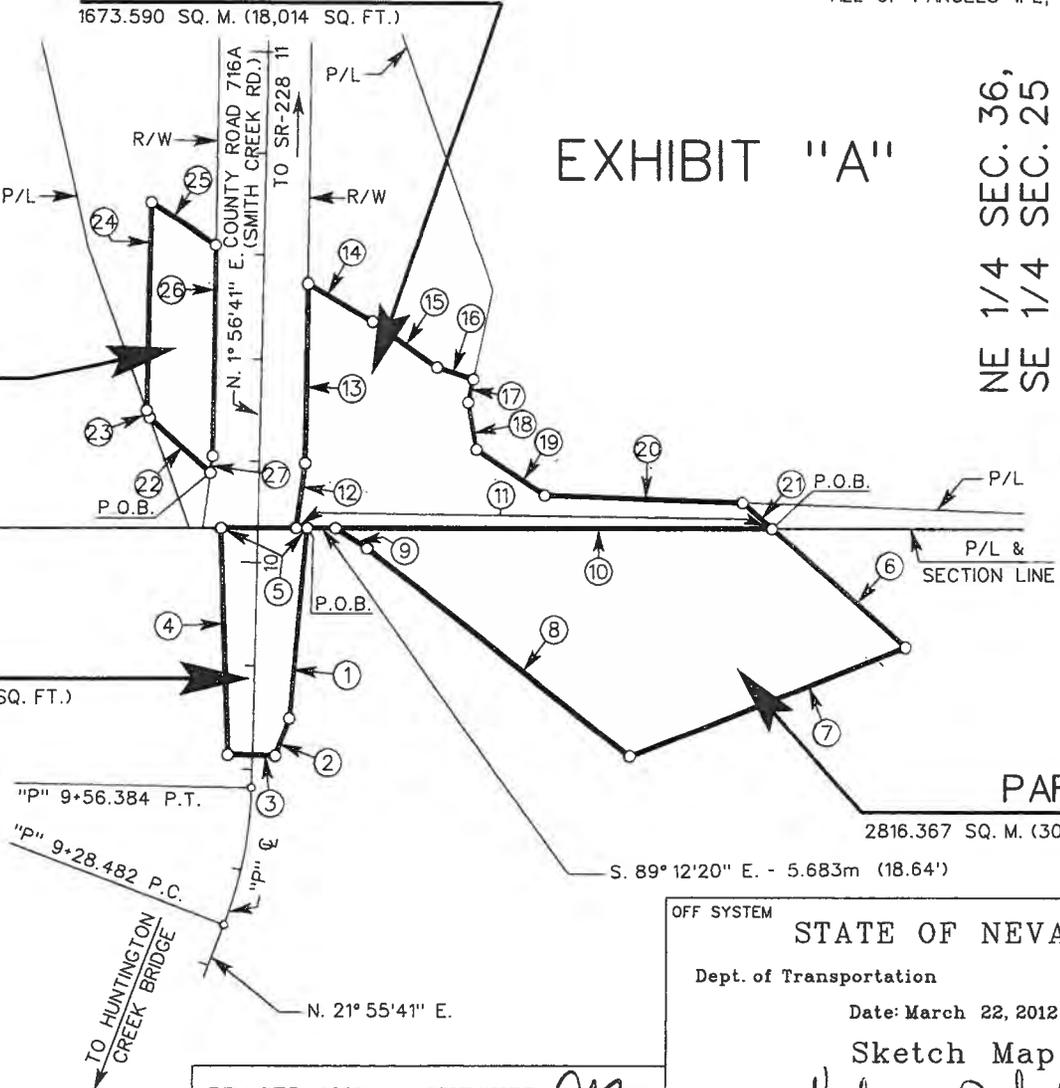
621.117 SQ. M. (6,686 SQ. FT.)

PARCEL 3

2816.367 SQ. M. (30,315 SQ. FT.)

"P" ϕ
 $\Delta = 19^\circ 59'00''$
 $R = 80.000\text{m} (262.47')$
 $L = 27.902\text{m} (91.54')$

 AREA TO BE RELINQUISHED



OFF SYSTEM SUR 07-07

STATE OF NEVADA

Dept. of Transportation R/W Division

Date: March 22, 2012

Sketch Map

Approved: 
 Manager, R/W Engineering

Scale: 1 : 1500 Sheet 1 of 3 Sheets

TRACED: SMS CHECKED: *QAF*

Date of last revision: _____

COUNTY OF ELKO

PROJECT NO.: BRO-0007(024)
 E.A. 72565
 ALL OF PARCEL: 10PE

EXHIBIT "B"

"R" \curvearrowright
 $\Delta = 22^\circ 31'34''$
 $R = 78.878\text{m} (258.79')$
 $L = 31.011\text{m} (101.74')$

PARCEL 2

1435.048 SQ. M. (15,445 SQ. FT.)

N. $26^\circ 16'35''$ E.

"R" \curvearrowright
 $\Delta = 19^\circ 35'39''$
 $R = 131.000\text{m} (429.79')$
 $L = 44.800\text{m} (146.98')$

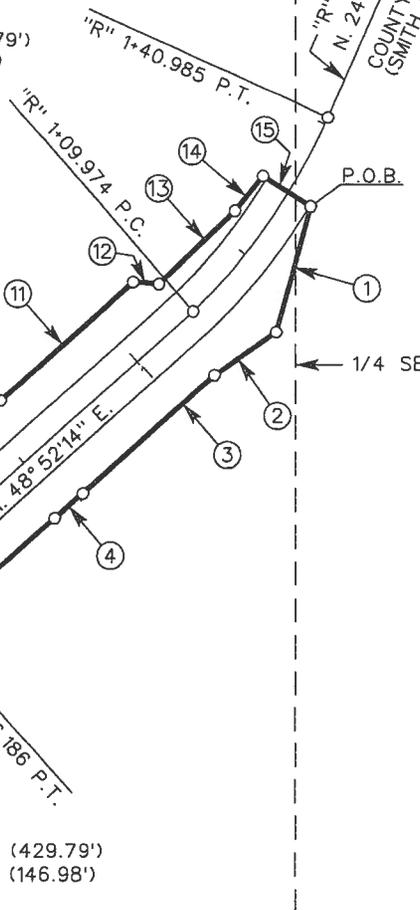
N 1/2 SEC. 36



T. 32 N., R. 55 E.
 M.D.M.



AREA TO BE RELINQUISHED



TRACED: SMS CHECKED: *QAT*

Date of last revision: _____

OFF SYSTEM STATE OF NEVADA SUR 07-07

Dept. of Transportation R/W Division

Date: March 22, 2012

Sketch Map

Approved: *Halana D. Salazar*
 Manager, R/W Engineering

Scale: 1 : 1000

Sheet 2 of 8 Sheets

EXHIBIT "C"

PROJECT NO.: BRO-0007(024)
E.A. 72565

PARCEL 1

P.O.B. = 9.763m (32.03') RT. "P" 10+07.072 P.O.T.
TIE: N. 89° 12' 20" W. - 631.022m (2,070.28') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ① S. 5° 59' 49" W. - 37.154m (121.90')
- ② S. 21° 32' 22" W. - 7.750m (25.43')
- ③ N. 88° 03' 19" W. - 9.354m (30.69')
- ④ N. 1° 13' 53" W. - 44.088m (144.65')
- ⑤ S. 89° 12' 20" E. - 17.025m (55.85')

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THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ⑥ S. 48° 08' 26" E. - 35.222m (115.56')
- ⑦ S. 69° 36' 18" W. - 58.591m (192.23')
- ⑧ N. 51° 41' 44" W. - 66.069m (216.76')
- ⑨ N. 56° 03' 36" W. - 7.473m (24.52')
- ⑩ S. 89° 12' 20" E. - 86.740m (284.58')

PARCEL 5

P.O.B. = 9.620m (31.56') LT. "P" 10+17.534 P.O.T.
TIE: N. 88° 14' 59" W. - 650.281m (2,133.46') FROM
THE SE COR. OF SEC. 25, T. 32 N., R. 55 E., M.D.M.

- ⑫ N. 47° 23' 43" W. - 16.214m (53.20')
- ⑬ N. 19° 34' 44" W. - 1.560m (5.12')
- ⑭ N. 1° 56' 41" E. - 40.428m (132.64')
- ⑮ S. 56° 24' 05" E. - 15.249m (50.03')
- ⑯ S. 1° 33' 50" W. - 41.151m (135.01')
- ⑰ S. 8° 33' 44" W. - 3.314m (10.87')

PARCEL 2

P.O.B. = 3.508m (11.51') RT. "R" 1+29.842 P.O.C.
TIE: S. 59° 40' 56" W. - 932.060m (3,057.93') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ① S. 16° 11' 35" W. - 16.810m (55.15')
- ② S. 55° 41' 56" W. - 9.919m (32.54')
- ③ S. 48° 52' 14" W. - 23.357m (76.63')
- ④ S. 49° 44' 03" W. - 4.909m (16.10')
- ⑤ S. 49° 43' 37" W. - 52.988m (173.84')
- ⑥ N. 55° 09' 22" W. - 6.414m (21.04')
- ⑦ N. 32° 01' 49" E. - 7.662m (25.14')
- ⑧ N. 41° 41' 22" E. - 26.970m (88.48')
- ⑨ N. 23° 44' 09" E. - 18.399m (60.36')
- ⑩ N. 74° 35' 19" E. - 9.651m (31.66')
- ⑪ N. 48° 52' 14" E. - 23.357m (76.63')
- ⑫ S. 85° 26' 12" E. - 3.450m (11.32')
- ⑬ N. 47° 38' 33" E. - 13.750m (45.11')
- ⑭ N. 39° 39' 03" E. - 5.828m (19.12')
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P.O.B. = 102.166m (335.19') RT. "P" 10+08.928 P.O.T.
TIE: N. 89° 12' 20" W. - 538.599m (1,767.05') FROM
THE SE COR. OF SEC. 25, T. 32 N., R. 55 E., M.D.M.

- ⑪ N. 89° 12' 20" W. - 94.589m (310.33')
- ⑫ N. 8° 33' 44" E. - 12.840m (42.13')
- ⑬ N. 1° 33' 50" E. - 35.034m (114.94')
- ⑭ S. 59° 06' 12" E. - 14.787m (48.51')
- ⑮ S. 55° 10' 37" E. - 15.581m (51.12')
- ⑯ S. 70° 58' 03" E. - 7.551m (24.77')
- ⑰ S. 13° 07' 37" W. - 4.578m (15.02')
- ⑱ S. 9° 31' 23" E. - 9.403m (30.85')
- ⑲ S. 55° 43' 23" E. - 16.301m (53.48')
- ⑳ S. 87° 09' 18" E. - 39.341m (129.07')
- ㉑ S. 48° 08' 26" E. - 7.810m (25.62')

TRACED: SMS CHECKED: *947*

Date of last revision: _____

OFF SYSTEM	SUR 07-07
STATE OF NEVADA	
Dept. of Transportation	R/W Division
Date: March 22, 2012	
Sketch Map	
Approved: <i>Abiana D. Salazar</i>	
Manager, R/W Engineering	
Sheet 3 of 3 Sheets	

Control Section: off system
Route: County Road 716A (Smith Creek Road)
Surplus No.: SUR 07-07
Project: BRO-0007(024)
E.A.: 72565
Parcels: 1-5

RESOLUTION CONSENTING TO RELINQUISHMENT
AND LAND TRANSFER AGREEMENT

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish the permanent easements and rights-of-way identified for the maintenance of Huntington Creek bridge and Humboldt River bridge located on County Road 716A (Smith Creek Road) lying within the County of Elko, State of Nevada, extending from "P" 9+62.710 P.O.T. to "P" 10+69.978 P.O.T. and "R" 0+24.116 P.O.C. to "R" 1+29.842 P.O.C, a distance of approximately 213 m or 0.13 of a mile, said rights-of-way and associated easements are delineated and identified as Parcels 1-5 on EXHIBITS "A" through "C", inclusive, attached hereto and made a part hereof; and

WHEREAS, the Board of County Commissioners of the County of Elko, State of Nevada, desires that the aforesaid portion of said highway be relinquished to the County of Elko; and

WHEREAS, the County of Elko has requested the relinquishment of aforesaid portion of highway for the purpose of a transportation facility; and

WHEREAS, the County of Elko has agreed to accept the relinquishment of said rights-of-way and associated easements for the aforesaid portion of County Road 716A (Smith Creek Road) together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way.

NOW THEREFORE be it resolved that the Board of County Commissioners of the County of Elko, does in consideration of the actions of the Department as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the County of Elko, that portion of County Road 716A (Smith Creek Road) lying within the County of Elko, State of Nevada, extending from "P" 9+62.710 P.O.T. to "P" 10+69.978 P.O.T. and "R" 0+24.116 P.O.C. to "R" 1+29.842 P.O.C. a distance of approximately 213 m or 0.13 of a mile, being all those rights-of-way and associated easements delineated and identified as Parcels 1-5 on EXHIBITS "A" through "C", inclusive, attached hereto and made a part hereof.

The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this 26th

day of July, 2012.

ATTEST:

Carol Tosmo
_____, Clerk

BOARD OF COUNTY COMMISSIONERS

[Signature]
_____, Chairman

[Signature]
_____, Vice Chairman

[Signature]
_____, Commissioner

[Signature]
_____, Commissioner

[Signature]
_____, Commissioner

REVIEWED AND RECOMMENDED BY:

[Signature]

Paul A. Saucedo, Chief Right-of-Way Agent

APPROVED FOR LEGALITY AND FORM:

[Signature] 7-24-12
_____, Chief Deputy Attorney General

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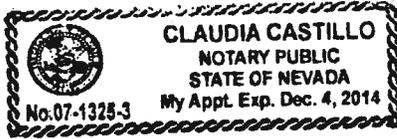
STATE OF NEVADA acting by and through its
Department of Transportation

[Signature]
_____, Director

STATE OF NEVADA
CARSON CITY

On this 26 day of July, 2012, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, William Hoffman personally known (or proved) to me to be the Assistant Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.

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

Claudia Castillo

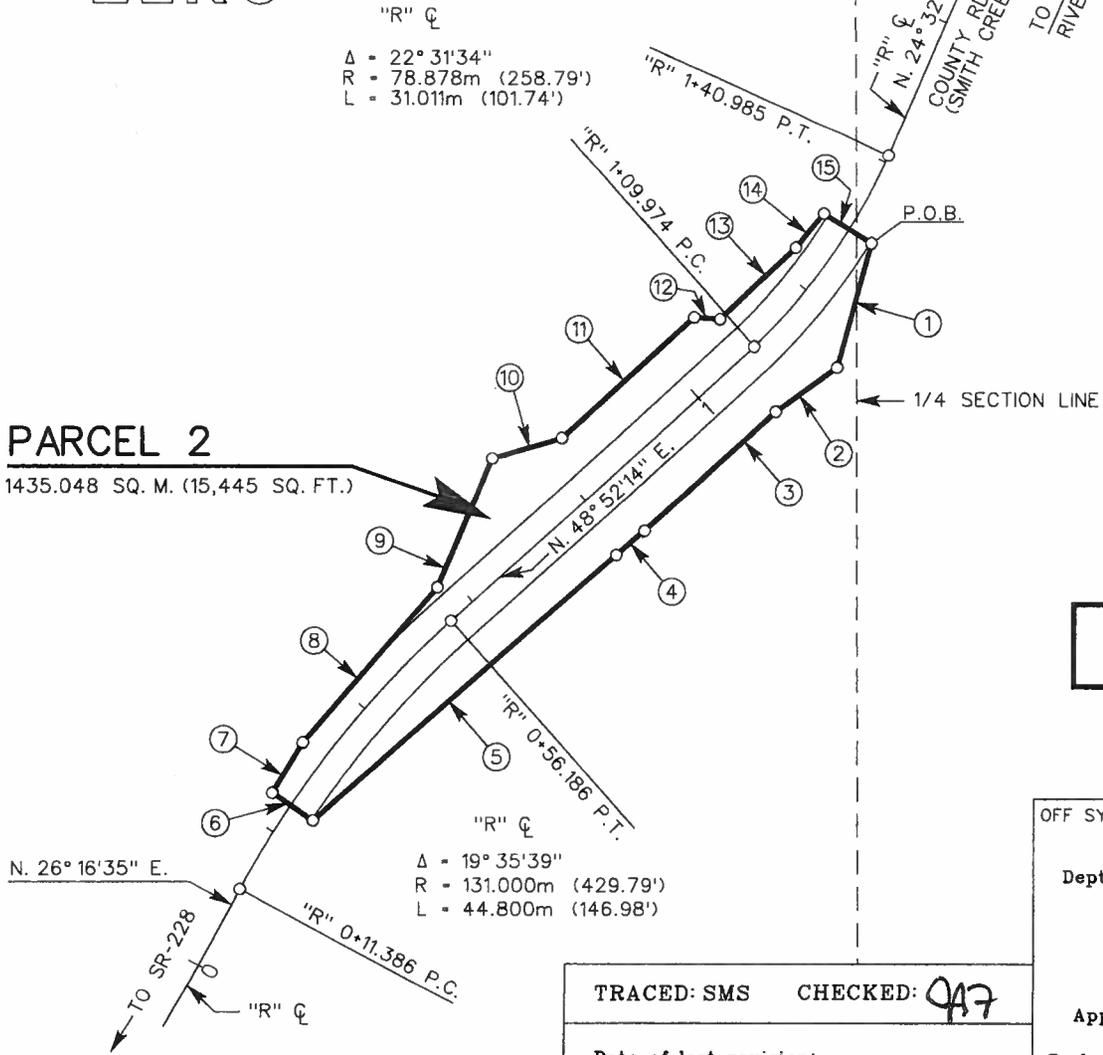
COUNTY OF ELKO

PROJECT NO.: BRO-0007(024)
 E.A. 72565
 ALL OF PARCEL: 10PE

EXHIBIT "B"

"R" ϕ
 $\Delta = 22^\circ 31'34''$
 $R = 78.878m (258.79')$
 $L = 31.011m (101.74')$

PARCEL 2
 1435.048 SQ. M. (15,445 SQ. FT.)



N 1/2 SEC. 36
 T. 32 N., R. 55 E.
 M.D.M.

 AREA TO BE RELINQUISHED

OFF SYSTEM STATE OF NEVADA SUR 07-07
 Dept. of Transportation R/W Division
 Date: March 22, 2012
 Sketch Map
 Approved: *Halana P. Salazar*
 Manager, R/W Engineering
 Scale: 1 : 1000 Sheet 2 of 8 Sheets

TRACED: SMS CHECKED: *QAT*
 Date of last revision: _____

EXHIBIT "C"

PROJECT NO.: BRO-0007(024)
E.A. 72565

PARCEL 1

P.O.B. = 9.763m (32.03') RT. "P" 10+07.072 P.O.T.
TIE: N. 89° 12' 20" W. - 631.022m (2,070.28') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ① S. 5° 59' 49" W. - 37.154m (121.90')
- ② S. 21° 32' 22" W. - 7.750m (25.43')
- ③ N. 88° 03' 19" W. - 9.354m (30.69')
- ④ N. 1° 13' 53" W. - 44.088m (144.65')
- ⑤ S. 89° 12' 20" E. - 17.025m (55.85')

PARCEL 3

P.O.B. = 102.166m (335.19') RT. "P" 10+08.928 P.O.T.
TIE: N. 89° 12' 20" W. - 538.599m (1,767.05') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ⑥ S. 48° 08' 26" E. - 35.222m (115.56')
- ⑦ S. 69° 36' 18" W. - 58.591m (192.23')
- ⑧ N. 51° 41' 44" W. - 66.069m (216.76')
- ⑨ N. 56° 03' 36" W. - 7.473m (24.52')
- ⑩ S. 89° 12' 20" E. - 86.740m (284.58')

PARCEL 5

P.O.B. = 9.620m (31.56') LT. "P" 10+17.534 P.O.T.
TIE: N. 88° 14' 59" W. - 650.281m (2,133.46') FROM
THE SE COR. OF SEC. 25, T. 32 N., R. 55 E., M.D.M.

- ⑫ N. 47° 23' 43" W. - 16.214m (53.20')
- ⑬ N. 19° 34' 44" W. - 1.560m (5.12')
- ⑭ N. 1° 56' 41" E. - 40.428m (132.64')
- ⑮ S. 56° 24' 05" E. - 15.249m (50.03')
- ⑯ S. 1° 33' 50" W. - 41.151m (135.01')
- ⑰ S. 8° 33' 44" W. - 3.314m (10.87')

PARCEL 2

P.O.B. = 3.508m (11.51') RT. "R" 1+29.842 P.O.C.
TIE: S. 59° 40' 56" W. - 932.060m (3,057.93') FROM
THE NE COR. OF SEC. 36, T. 32 N., R. 55 E., M.D.M.

- ① S. 16° 11' 35" W. - 16.810m (55.15')
- ② S. 55° 41' 56" W. - 9.919m (32.54')
- ③ S. 48° 52' 14" W. - 23.357m (76.63')
- ④ S. 49° 44' 03" W. - 4.909m (16.10')
- ⑤ S. 49° 43' 37" W. - 52.988m (173.84')
- ⑥ N. 55° 09' 22" W. - 6.414m (21.04')
- ⑦ N. 32° 01' 49" E. - 7.662m (25.14')
- ⑧ N. 41° 41' 22" E. - 26.970m (88.48')
- ⑨ N. 23° 44' 09" E. - 18.399m (60.36')
- ⑩ N. 74° 35' 19" E. - 9.651m (31.66')
- ⑪ N. 48° 52' 14" E. - 23.357m (76.63')
- ⑫ S. 85° 26' 12" E. - 3.450m (11.32')
- ⑬ N. 47° 38' 33" E. - 13.750m (45.11')
- ⑭ N. 39° 39' 03" E. - 5.828m (19.12')
- ⑮ S. 57° 22' 03" E. - 7.468m (24.50')

PARCEL 4

P.O.B. = 102.166m (335.19') RT. "P" 10+08.928 P.O.T.
TIE: N. 89° 12' 20" W. - 538.599m (1,767.05') FROM
THE SE COR. OF SEC. 25, T. 32 N., R. 55 E., M.D.M.

- ⑪ N. 89° 12' 20" W. - 94.589m (310.33')
- ⑫ N. 8° 33' 44" E. - 12.840m (42.13')
- ⑬ N. 1° 33' 50" E. - 35.034m (114.94')
- ⑭ S. 59° 06' 12" E. - 14.787m (48.51')
- ⑮ S. 55° 10' 37" E. - 15.581m (51.12')
- ⑯ S. 70° 58' 03" E. - 7.551m (24.77')
- ⑰ S. 13° 07' 37" W. - 4.578m (15.02')
- ⑱ S. 9° 31' 23" E. - 9.403m (30.85')
- ⑲ S. 55° 43' 23" E. - 16.301m (53.48')
- ⑳ S. 87° 09' 18" E. - 39.341m (129.07')
- ㉑ S. 48° 08' 26" E. - 7.810m (25.62')

TRACED: SMS CHECKED: *997*

Date of last revision: _____

OFF SYSTEM STATE OF NEVADA SUR 07-07

STATE OF NEVADA

Dept. of Transportation R/W Division

Date: March 22, 2012

Sketch Map

Approved: *Alana D. Salaya*

Manager, R/W Engineering

Sheet 3 of 3 Sheets



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

September 27, 2012

To: Jessica Biggin, Staff Specialist, Right-of-Way

From: Steve M. Cooke, PE, Chief, Environmental Services 

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 07-07
Project No.: BRO-0007(024)
PIN: 72565
Parcels: 1-5
County Road 716A (Smith Creek Road) Elko County, NV
Disposal by Relinquishment

The Environmental Services Division (ESD) reviewed the requested action and found it clear of any documented environmental concern. A Categorical Exclusion was approved by the FHWA on September 27, 2012, for this action.

C: R. Borrelli, Surplus Property Committee, Chair
H.D. Salazar, Surplus Property Committee, Vice-Chair
Project File



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

BRIAN SANDOVAL
Governor

September 25, 2012

RUDY MALFABON, P.E., Director

In Reply Refer to:

SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK RW PROGRAM MGR
FEDERAL HIGHWAY ADMINISTRATION
705 NORTH PLAZA STREET SUITE 220
CARSON CITY NV 89701

Disposal by Relinquishment
Surplus No.: SUR 07-07
Project: BRO-0007(024)
E.A.: 72565
Parcels: 1-5
Description: Disposal of NDOT
property located along a portion of
County Road 716A (Smith Creek
Road) in Elko County, NV.

Dear Ms. Klekar:

Enclosed are Exhibit "A" through Exhibit "C" (sketch maps), location map and right-of-way plans depicting the areas of surplus property, proposed to be relinquished, pursuant to N.R.S. 408.527 and 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned properties are located in Elko County, Nevada.

The proposal has been reviewed and it has been determined that:

1. The subject properties right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcels to be relinquished are not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965);
5. The parcels to be relinquished have been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);
6. The relinquishment of these parcels is being made in accordance with N.R.S. 408.527 and N.R.S. 408.533.

SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK RW PROGRAM MGR
FEDERAL HIGHWAY ADMINISTRATION
September 25, 2012

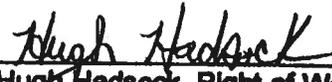
Your concurrence in this proposal is requested.

Sincerely,

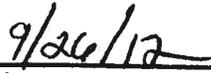


Paul A. Saucedo
Chief Right-of-Way Agent

CONCUR:



Hugh Haddock, Right-of-Way Program Manager



Date

pas/jb/jm
Enclosures

cc: H. Salazar, Manager, RW Engineering
J. Biggin, Staff Specialist

NRS 408.527 Procedure for relinquishment of portion of state highway.

1. Whenever the Department and the county or city concerned have entered into an agreement providing therefor, and the legislative body of the county or city has adopted a resolution consenting thereto, the board may relinquish to the county or city any portion of any state highway which has been deleted from the state highway system by legislative enactment. The Department may likewise relinquish any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

2. By resolution of the Board, the Department may upon request relinquish to the Division of State Lands of the State Department of Conservation and Natural Resources for the public use of another state agency any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

3. Relinquishment must be made by a resolution. A certified copy of the resolution must be filed with the legislative body of the county or city concerned. The resolution must be recorded in the office of the county recorder of the county where the land is located and, upon recordation, all right, title and interest of the State in and to that portion of any state highway vests in the county, city or division, as the case may be.

4. Nothing in NRS 408.523 limits the power of the Board to relinquish abandoned or vacated portions of a state highway to a county, city or the Division.

5. If the Board relinquishes property pursuant to subsection 4, and the purpose for which the property was relinquished is abandoned or ceases to exist, then:

(a) If the interest of the Department in the property before it was relinquished was held in fee simple, all right, title and interest of the county, city or Division reverts to the Department.

(b) If the interest of the Department in the property before it was relinquished was an easement or other lesser interest, the county, city or Division may abandon or vacate the property without reversion to the Department.

6. The vesting of all right, title and interest of the Department in and to portions of any state highways relinquished previously by the Department in the city, county or state agency to which it was relinquished is hereby confirmed.

(Added to NRS by 1960, 68; A 1983, 338; 1987, 1102, 1812; 1989, 1308; 1991, 1173)



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201
(Use Local Information)

MEMORANDUM

Right-of-Way Division

September 25, 2012

To: Department of Transportation Board of Directors
From: Rudy Malfabon, P.E., Director
Subject: October 8, 2012 Transportation Board of Directors Meeting
Item #9b: Disposal of NDOT property located along SR-529 (Carson Street) south of Fairview Drive in Carson City, NV. SUR 12-01 – For possible action

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced property by Relinquishment. The property to be relinquished is located along SR-529 (Carson Street) south of Fairview Drive in Carson City, NV. The parcel consists of 30,026 sq. ft. of vacant land as depicted on the attached sketch map marked Exhibit "A" and Exhibit "B".

Background:

The Department originally acquired this property on August 16, 1956, in fee, for SR-529 (Carson Street) right-of-way, formerly known as US-395. The Department has determined that this right-of-way is no longer needed for highway purposes. The Department has received a request from the Nevada Department of Conservation and Natural Resources, Division of State Lands to relinquish this property for a public use.

Analysis:

On September 20, 2012, the Nevada Department of Conservation and Natural Resources, Division of State Lands signed a Resolution Consenting to Relinquishment and Land Transfer Agreement accepting the relinquishment of this right-of-way. The release of NDOT's interest in this property is being made in accordance with N.R.S. 408.527. The Department owns this property in fee simple. Therefore, as per N.R.S. 408.527, if the purpose of the Division of State Lands use of this property ceases to exist, all interest reverts back to the Department.

Recommendation for Board Action:

Approval of disposal of NDOT property located along SR-529 (Carson Street) south of Fairview Drive in Carson City, NV.

**To: Department of Transportation Board of Directors
September 25, 2012**

List of Attachments:

1. Location map
2. Sketch maps marked Exhibit "A" and Exhibit "B"
3. Copy of Resolution of Relinquishment with attached sketch maps marked Exhibit "A" and Exhibit "B"
4. Copy of Resolution Consenting to Relinquishment and Land Transfer Agreement with attached sketch maps marked Exhibit "A" and Exhibit "B"
5. Environmental Approval
6. N.R.S. 408.527

Prepared by: Paul A. Saucedo, Chief R/W Agent



pas/jb/jm

LOCATION MAP



SUR 12-01

DESCRIPTION: LOCATED ALONG SR-529 (CARSON ST.) SOUTH OF FAIRVIEW DRIVE

PARCEL NO. PREFIX: S-529-CC-

EXHIBIT "A"

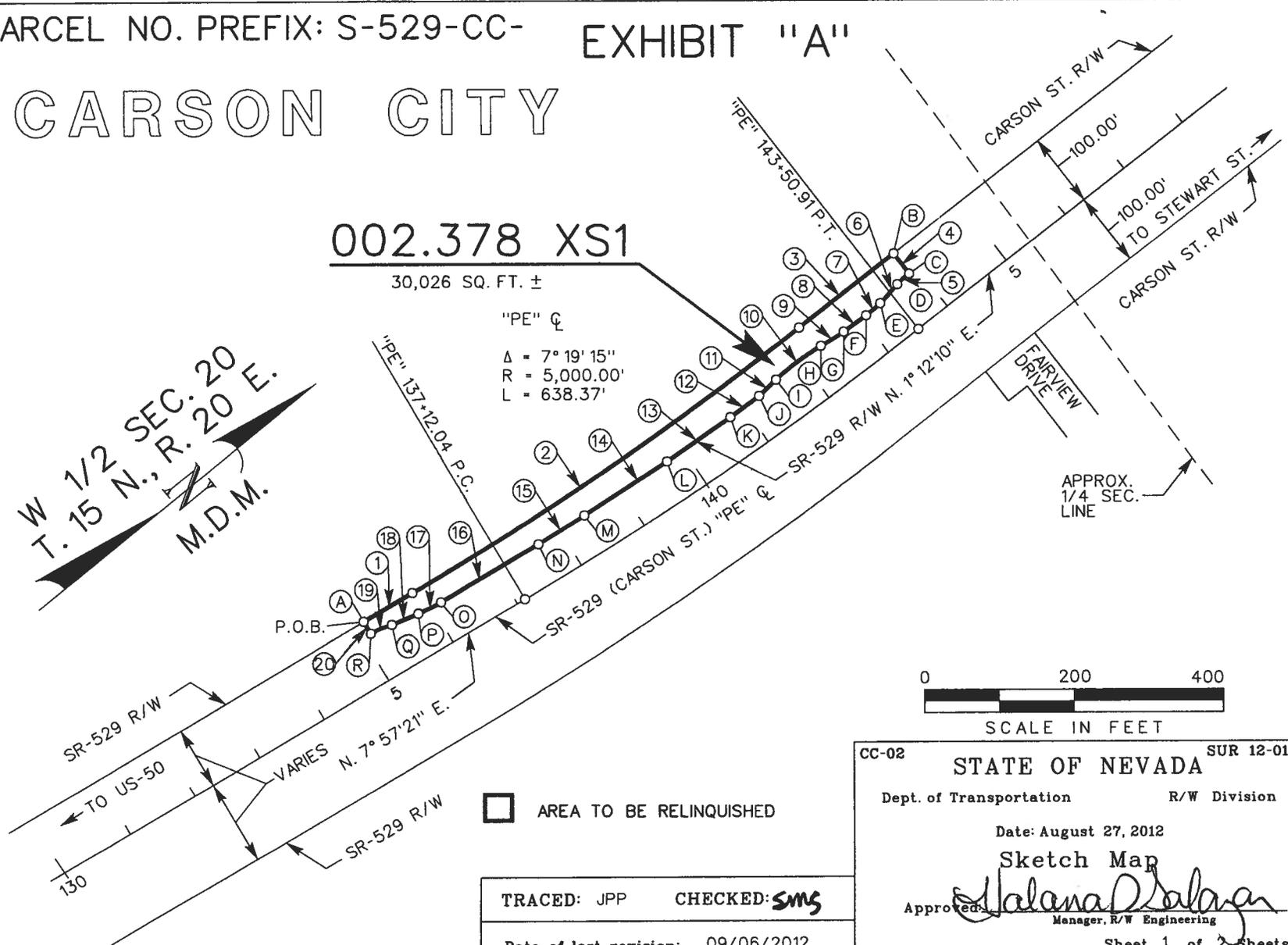
CARSON CITY

002.378 XS1

30,026 SQ. FT. ±

"PE" ϕ
 $\Delta = 7^\circ 19' 15''$
 $R = 5,000.00'$
 $L = 638.37'$

W 1/2 SEC. 20
 T. 15 N., R. 20 E.
 M.D.M.



AREA TO BE RELINQUISHED

TRACED: JPP CHECKED: *SMS*

Date of last revision: 09/06/2012



CC-02	STATE OF NEVADA	SUR 12-01
Dept. of Transportation		R/W Division
Date: August 27, 2012		
Sketch Map		
Approved: <i>Halana Dalagan</i>	Manager, R/W Engineering	
Sheet 1 of 2 Sheets		

Datsrv\037Engineering\Sketch\carson_city\002.378.dgn

EXHIBIT "B"

002.378 XS1	
P.O.B. = 84.08' LT "PE" 135+11.23 P.O.T. TIE: S. 38° 25' 49" E. - 1,301.14' FROM THE W 1/4 COR. SEC. 20, T. 15 N., R. 20 E., M.D.M.	
①	N. 8° 32' 29" E. - 75.19'
②	Δ = 7° 20' 19" R = 4,900.00' L = 627.61'
③	N. 1° 12' 10" E. - 160.71'
④	S. 88° 47' 50" E. - 34.31'
⑤	Δ = 16° 16' 11" R = 75.00' L = 21.30' T.B. = S. 5° 16' 23" W.
⑥	S. 8° 55' 42" E. - 34.21'
⑦	S. 0° 31' 29" E. - 25.12'
⑧	S. 3° 11' 27" W. - 37.19'
⑨	S. 7° 32' 30" W. - 35.81'
⑩	Δ = 12° 39' 33" R = 340.00' L = 75.12' T.B. = S. 8° 56' 12" W.
⑪	S. 4° 29' 24" E. - 31.30'
⑫	S. 3° 09' 28" W. - 47.56'
⑬	S. 4° 27' 09" W. - 103.18'
⑭	S. 6° 11' 58" W. - 132.14'
⑮	S. 7° 01' 01" W. - 72.94'
⑯	S. 8° 27' 41" W. - 151.69'
⑰	Δ = 6° 27' 38" R = 300.00' L = 33.83' T.B. = S. 8° 51' 27" W.
⑱	S. 16° 29' 41" W. - 38.39'
⑲	Δ = 11° 36' 35" R = 150.00' L = 30.39' T.B. = S. 22° 22' 56" W.
⑳	N. 81° 28' 38" W. - 18.42'

- Ⓐ 84.08' LT. "PE" 135+11.23 P.O.T.
- Ⓑ 100.00' LT. "PE" 143+86.49 P.O.T.
- Ⓒ 65.69' LT. "PE" 143+86.49 P.O.T.
- Ⓓ 64.18' LT. "PE" 143+65.32 P.O.T.
- Ⓔ 58.13' LT. "PE" 143+31.41 P.O.C.
- Ⓕ 57.21' LT. "PE" 143+06.02 P.O.C.
- Ⓖ 58.03' LT. "PE" 142+68.40 P.O.C.
- Ⓗ 61.26' LT. "PE" 142+32.31 P.O.C.
- Ⓘ 60.75' LT. "PE" 141+56.42 P.O.C.
- Ⓙ 56.34' LT. "PE" 141+25.07 P.O.C.
- Ⓚ 55.59' LT. "PE" 140+76.97 P.O.C.
- Ⓛ 54.71' LT. "PE" 139+72.64 P.O.C.
- Ⓜ 54.47' LT. "PE" 138+39.04 P.O.C.
- Ⓝ 53.87' LT. "PE" 137+65.30 P.O.C.
- Ⓞ 53.98' LT. "PE" 136+13.04 P.O.T.
- Ⓟ 56.09' LT. "PE" 135+79.29 P.O.T.
- Ⓠ 61.41' LT. "PE" 135+41.27 P.O.T.
- Ⓡ 65.66' LT. "PE" 135+11.23 P.O.T.

STATE OF NEVADA

Dept. of Transportation

R/W Division

Date: August 27, 2012

Sketch Map

Approved:

Halana Salazar
Manager, R/W Engineering

Sheet 2 of 2 Sheets

TRACED: JPP CHECKED: **SMS**

Date of last revision: 09/06/2012

301SL

Ptn. of APN: 003-302-03
Control Section: CC-02
Route: SR-529 Former Route: US-395
Surplus No.: SUR 12-01
Parcel: S-529-CC-002.378 XS1

AFTER RECORDING RETURN TO:
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
ATTN: STAFF SPECIALIST, PM
1263 S. STEWART ST.
CARSON CITY, NV 89712

LEGAL DESCRIPTION PREPARED BY:
HALANA D. SALAZAR
NEVADA DEPT. OF TRANSPORTATION
RIGHT-OF-WAY DIVISION
1263 S. STEWART ST.
CARSON CITY, NV 89712

RESOLUTION OF RELINQUISHMENT
OF A PORTION OF STATE HIGHWAY RIGHT-OF-WAY

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, presently holds a fee simple interest in that certain right-of-way for a portion of SR-529 (Carson Street), extending from Highway Engineering Station "PE" 135+11 P.O.T., to "PE" 143+86 P.O.T.; and

WHEREAS, said right-of-way is delineated and identified as Parcel S-529-CC-002.378 XS1 on EXHIBITs "A" through "B", inclusive, attached hereto and made a part hereof; and

WHEREAS, as set forth in NRS 408.527, the Nevada Department of Transportation may, by resolution of the board, relinquish to the Nevada Department of Conservation and Natural Resources, Division of State Lands, hereinafter referred to as the Division, any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs; and

WHEREAS, said right-of-way is of no further contemplated use by the Department due to that portion of SR-529 (Carson Street) being in excess of its needs; and

WHEREAS, the Division has requested the relinquishment of aforesaid portion of right-of-way for the purpose of public use; and

WHEREAS, the Division has agreed to accept the relinquishment of said right-of-way for the aforesaid portion of SR-529 (Carson Street) together with any and all revocable leases and licenses entered into between the Department and the adjoining owners for the multiple use of the right-of-way; and

WHEREAS, the Division entered into an agreement with the Department on September 20, 2012 to accept the hereinafter described designated road as a part of the State Lands Inventory; and

WHEREAS, the Nevada Department of Conservation and Natural Resources, Division of State Lands, consented by resolution passed and adopted on September 20, 2012, to the Department relinquishing the aforesaid portion of said road to the Nevada Department of Conservation and Natural Resources, Division of State Lands.

THEREFORE, it is hereby determined by the Board of Directors of the Nevada Department of Transportation, State of Nevada, that the following described right-of-way and incidents thereto, being all that land, delineated and identified as Parcel S-529-CC-002.378 XS1 on EXHIBITs "A" through "B", inclusive, attached hereto and made a part hereof, is hereby relinquished to the Nevada Department of Conservation and Natural Resources, Division of State Lands. Said right-of-way is described as follows:

situate, lying and being in Carson City, State of Nevada, and more particularly described as being a portion of the of the W 1/2 of the SW 1/4 of Section 20, T. 15 N., R. 20 E., M.D.M., and more fully described by metes and bounds as follows:

COMMENCING at a NHD Copperweld Mon in concrete stamped "S17/18/19/20 T15N R20E" accepted as being the NW corner of said Section 20, shown and delineated as a found "N.D.O.T. BRASS CAP" on that certain Parcel Map for STANTON PARK DEVELOPMENT, INC., filed on June 27, 1988, as Map 1566, recorded in Official Records, as File 72830, of Carson City, Nevada; thence S. 0°53'46" W., along the west line of said Section 20, a distance of 2,636.72 feet (recorded S. 0°53'24" W. – 2,636.77 feet per said Parcel Map), to a 1/2 INCH CAPPED IRON PIPE stamped "RE314", accepted as the west quarter corner of said Section 20, shown and delineated as a found "BRASS CAP NO. 314" on said Parcel Map; thence S. 38°25'49" E. a distance of 1,301.14 feet to the POINT OF BEGINNING; said point of beginning being on the left or westerly right-of-way line of SR-529 (Carson Street), 84.08 feet left of and at right angles to Highway Engineer's Station "PE" 135+11.23 P.O.T.; thence along the former westerly right-of-way line of SR-529 (Carson Street) the following three (3) courses and distances:

- 1) N. 8°32'29" E. – 75.19 feet;
- 2) from a tangent which bears the last described course, curving to the left, with a radius of 4,900.00 feet, through an angle of 7°20'19", an arc distance of 627.61 feet;

- 3) N. 1°12'10" E. – 160.71 feet to the westerly right-of-way line of South Carson Street;

thence S. 88°47'50" E., along said westerly right-of-way line, a distance of 34.31 feet to said westerly right-of-way line of SR-529 (Carson Street);
thence along said westerly right-of-way line the following sixteen (16) courses and distances:

- 1) from a tangent which bears S. 5°16'23" W., curving to the left with a radius of 75.00 feet, through an angle of 16°16'11", an arc distance of 21.30 feet;
- 2) S. 8°55'42" E. – 34.21 feet;
- 3) S. 0°31'29" E. – 25.12 feet;
- 4) S. 3°11'27" W. – 37.19 feet;
- 5) S. 7°32'30" W. – 35.81 feet;
- 6) from a tangent which bears S. 8°56'12" W., curving to the left with a radius of 340.00 feet, through an angle of 12°39'33", an arc distance of 75.12 feet;
- 7) S. 4°29'24" E. – 31.30 feet;

- 8) S. 3°09'28" W. – 47.56 feet;
- 9) S. 4°27'09" W. – 103.18 feet;
- 10) S. 6°11'58" W. – 132.14 feet;
- 11) S. 7°01'01" W. – 72.94 feet;
- 12) S. 8°27'41" W. – 151.69 feet;
- 13) from a tangent which bears S. 8°51'27" W., curving to the right with a radius of 300.00 feet, through an angle of 6°27'38", an arc distance of 33.83 feet;
- 14) S. 16°29'41" W. – 38.39 feet;
- 15) from a tangent which bears S. 22°22'56" W., curving to the left with a radius of 150.00 feet, through an angle of 11°36'35", an arc distance of 30.39 feet;
- 16) N. 81°28'38" W. – 18.42 feet to the point of beginning;

Said parcel contains an area of 30,026 square feet (0.69 acres).

The Basis of Bearing for this description is the NEVADA STATE PLANE COORDINATE SYSTEM, NAD 83/94 DATUM, West Zone as determined by the State of Nevada, Department of Transportation.

It is the intent of the Department to relinquish to the Division all of the Department's right, title and interest in and to the aforesaid described right-of-way as shown on EXHIBITs "A" through "B", inclusive, attached hereto and made a part hereof. If the purpose for which it is relinquished is abandoned or ceases to exist, then all right, title and interest of the Division reverts back to the Department.

DATED this ____ day of _____, 20__.

APPROVED AS TO LEGALITY AND FORM:

ON BEHALF OF STATE OF NEVADA,
DEPARTMENT OF TRANSPORTATION
BOARD OF DIRECTORS

Dennis Gallagher, Chief Deputy Attorney General
Chief Counsel, Department of Transportation

Brian Sandoval, Chairman

ATTEST:

Rudy Malfabon, P.E., Director

EXHIBIT "B"

002.378 XS1	
P.O.B. = 84.08' LT "PE" 135+11.23 P.O.T. TIE: S. 38° 25' 49" E. - 1,301.14' FROM THE W 1/4 COR. SEC. 20, T. 15 N., R. 20 E., M.D.M.	
①	N. 8° 32' 29" E. - 75.19'
②	Δ = 7° 20' 19" R = 4,900.00' L = 627.61'
③	N. 1° 12' 10" E. - 160.71'
④	S. 88° 47' 50" E. - 34.31'
⑤	Δ = 16° 16' 11" R = 75.00' L = 21.30' T.B. = S. 5° 16' 23" W.
⑥	S. 8° 55' 42" E. - 34.21'
⑦	S. 0° 31' 29" E. - 25.12'
⑧	S. 3° 11' 27" W. - 37.19'
⑨	S. 7° 32' 30" W. - 35.81'
⑩	Δ = 12° 39' 33" R = 340.00' L = 75.12' T.B. = S. 8° 56' 12" W.
⑪	S. 4° 29' 24" E. - 31.30'
⑫	S. 3° 09' 28" W. - 47.56'
⑬	S. 4° 27' 09" W. - 103.18'
⑭	S. 6° 11' 58" W. - 132.14'
⑮	S. 7° 01' 01" W. - 72.94'
⑯	S. 8° 27' 41" W. - 151.69'
⑰	Δ = 6° 27' 38" R = 300.00' L = 33.83' T.B. = S. 8° 51' 27" W.
⑱	S. 16° 29' 41" W. - 38.39'
⑲	Δ = 11° 36' 35" R = 150.00' L = 30.39' T.B. = S. 22° 22' 56" W.
⑳	N. 81° 28' 38" W. - 18.42'

- Ⓐ 84.08' LT. "PE" 135+11.23 P.O.T.
- Ⓑ 100.00' LT. "PE" 143+86.49 P.O.T.
- Ⓒ 65.69' LT. "PE" 143+86.49 P.O.T.
- Ⓓ 64.18' LT. "PE" 143+65.32 P.O.T.
- Ⓔ 58.13' LT. "PE" 143+31.41 P.O.C.
- Ⓕ 57.21' LT. "PE" 143+06.02 P.O.C.
- Ⓖ 58.03' LT. "PE" 142+68.40 P.O.C.
- Ⓗ 61.26' LT. "PE" 142+32.31 P.O.C.
- Ⓘ 60.75' LT. "PE" 141+56.42 P.O.C.
- Ⓝ 56.34' LT. "PE" 141+25.07 P.O.C.
- Ⓚ 55.59' LT. "PE" 140+76.97 P.O.C.
- Ⓛ 54.71' LT. "PE" 139+72.64 P.O.C.
- Ⓜ 54.47' LT. "PE" 138+39.04 P.O.C.
- Ⓝ 53.87' LT. "PE" 137+65.30 P.O.C.
- Ⓞ 53.98' LT. "PE" 136+13.04 P.O.T.
- Ⓟ 56.09' LT. "PE" 135+79.29 P.O.T.
- Ⓠ 61.41' LT. "PE" 135+41.27 P.O.T.
- Ⓡ 65.66' LT. "PE" 135+11.23 P.O.T.

STATE OF NEVADA
 Dept. of Transportation R/W Division
 Date: August 27, 2012
 Sketch Map
 Approved: *Halana Salazar*
 Manager, R/W Engineering
 Sheet 2 of 2 Sheets

TRACED: JPP CHECKED: *SMS*
 Date of last revision: 09/06/2012

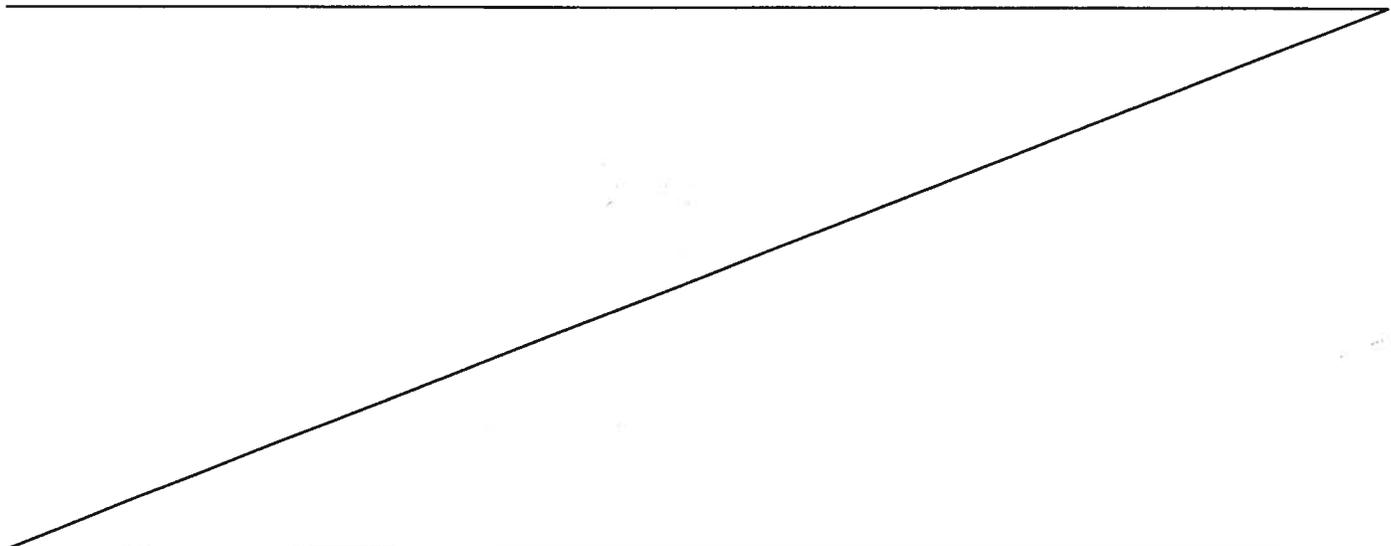
**RESOLUTION CONSENTING TO RELINQUISHMENT
AND LAND TRANSFER AGREEMENT**

WHEREAS, the State of Nevada, Department of Transportation, hereinafter called the Department, desires to relinquish a portion of SR-529 (Carson Street) lying within Carson City, State of Nevada, said right-of-way is delineated in red and identified as Parcel S-529-CC-002.378 XS1 on EXHIBIT "A" attached hereto and made a part hereof; and

WHEREAS, the Nevada Department of Conservation and Natural Resources, Division of State Lands, hereinafter called the Division, desires that the aforesaid portion of said highway be relinquished to the Division; and

WHEREAS, the Division has requested the relinquishment of aforesaid portion of highway for the purpose of public use.

NOW THEREFORE be it resolved that the Nevada Department of Conservation and Natural Resources, Division of State Lands does in consideration of the actions of the Department as set forth herein, hereby consent to the State of Nevada, Department of Transportation, Board of Directors, relinquishing to the Division, that portion of SR-529 (Carson Street) lying within Carson City, State of Nevada, being all that right-of-way delineated in red and identified as Parcel S-529-CC-002.378 XS1 on EXHIBIT "A" attached hereto and made a part hereof.



The parties acknowledge that no relinquishment can occur until the Department of Transportation, Board of Directors approves of this relinquishment.

IN WITNESS WHEREOF the parties hereto have executed this agreement dated this 20th day of September, 2012.

REVIEWED AND RECOMMENDED BY:

[Signature]
James Lawrence
Administrator and Ex-Officio
State Land Registrar

REVIEWED AND RECOMMENDED BY:

[Signature] 8/30/12
ADD Paul A. Saucedo, Chief Right-of-Way Agent

APPROVED FOR LEGALITY AND FORM:

[Signature] 8/14/12
Name
Deputy Attorney General

APPROVED AS TO LEGALITY AND FORM:

[Signature]
Name
Chief Deputy Attorney General
Chief Counsel, Department of Transportation

ATTEST:

[Signature]
Name
State Land Agent III

STATE OF NEVADA acting by and through its Department of Transportation

[Signature] 09/21/12
Name
Director

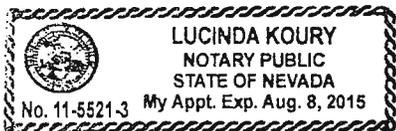
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STATE OF NEVADA
CARSON CITY

On this 21 day of September, 2012, personally appeared before me, the undersigned, a Notary Public in and for Carson City, State of Nevada, William Hoffman personally known (or proved) to me to be the Assistant Director of the Department of Transportation of the State of Nevada who subscribed to the above instrument for the Nevada Department of Transportation under authorization of Nevada Revised Statutes, Chapter 408.205; that he/she affirms that the seal affixed to said instrument is the seal of said Department; and that said instrument was executed for the Nevada Department of Transportation freely and voluntarily and for the uses and purposes therein mentioned.

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L



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

A handwritten signature in cursive script, appearing to read "Lucinda Koury", written over a horizontal line.

LOCATION MAP



SUR 12-01
DESCRIPTION: SR-529 (CARSON STREET SOUTH OF FAIRVIEW)

EXHIBIT A



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

September 18, 2012

To: Jessica Biggin, Staff Specialist, Right-of-Way

From: Steve M. Cooke, PE, Chief, Environmental Services *SMC*

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 12-01
Parcel: S-529-CC-002.378 XS1
Control Section: CC-02
Route: SR-529 (Carson Street), Former Route: US-395
Carson City, NV
Disposal by Relinquishment

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern.

Cc: R. Borrelli, Surplus Property Committee, Chair
H. Salazar, Surplus Property Committee, Vice-Chair
Project File

ATTACHMENT 5

NRS 408.527 Procedure for relinquishment of portion of state highway.

1. Whenever the Department and the county or city concerned have entered into an agreement providing therefor, and the legislative body of the county or city has adopted a resolution consenting thereto, the board may relinquish to the county or city any portion of any state highway which has been deleted from the state highway system by legislative enactment. The Department may likewise relinquish any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

2. By resolution of the Board, the Department may upon request relinquish to the Division of State Lands of the State Department of Conservation and Natural Resources for the public use of another state agency any portion of any state highway which has been superseded by relocation or which the Department determines exceeds its needs.

3. Relinquishment must be made by a resolution. A certified copy of the resolution must be filed with the legislative body of the county or city concerned. The resolution must be recorded in the office of the county recorder of the county where the land is located and, upon recordation, all right, title and interest of the State in and to that portion of any state highway vests in the county, city or division, as the case may be.

4. Nothing in NRS 408.523 limits the power of the Board to relinquish abandoned or vacated portions of a state highway to a county, city or the Division.

5. If the Board relinquishes property pursuant to subsection 4, and the purpose for which the property was relinquished is abandoned or ceases to exist, then:

(a) If the interest of the Department in the property before it was relinquished was held in fee simple, all right, title and interest of the county, city or Division reverts to the Department.

(b) If the interest of the Department in the property before it was relinquished was an easement or other lesser interest, the county, city or Division may abandon or vacate the property without reversion to the Department.

6. The vesting of all right, title and interest of the Department in and to portions of any state highways relinquished previously by the Department in the city, county or state agency to which it was relinquished is hereby confirmed.

(Added to NRS by 1960, 68; A 1983, 338; 1987, 1102, 1812; 1989, 1308; 1991, 1173)



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201
(Use Local Information)

MEMORANDUM

Right-of-Way Division

September 25, 2012

To: Department of Transportation Board of Directors
From: Rudy Malfabon, P.E., Director
Subject: October 8, 2012 Transportation Board of Directors Meeting
Item #10a: Disposal of NDOT property located along portions of SR-564 (Lake Mead Drive) west of Boulder Highway in the City of Henderson, Clark County, NV. SUR 11-06 – For possible action

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced property by Quitclaim Deed. The parcels to be quitclaimed to the abutting property owners are located along portions of SR-564 (Lake Mead Drive) west of Boulder Highway in the City of Henderson, Clark County, NV. The eighteen parcels consist of a strip of vacant land. Parcel S-564-CL-011.602 XS1 consists of 1,509 sq. ft. as depicted on the attached sketch map marked Exhibit "A". Parcel S-564-CL-011.634 XS1 consists of 4,189 sq. ft. as depicted on the attached sketch map marked Exhibit "B". Parcel S-564-CL-011.696 XS1 consists of 1,589 sq. ft. as depicted on the attached sketch map marked Exhibit "C". Parcel S-564-CL-011.731 XS1 consists of 1,420 sq. ft. as depicted on the attached sketch map marked Exhibit "D". Parcel S-564-CL-011.752 XS1 consists of 3,640 sq. ft. as depicted on the attached sketch map marked Exhibit "E". Parcel S-564-CL-011.805 XS1 consists of 2,184 sq. ft. as depicted on the attached sketch map marked Exhibit "F". Parcel S-564-CL-011.858 XS1 consists of 712 sq. ft. as depicted on the attached sketch map marked Exhibit "G". Parcel S-564-CL-011.881 XS1 consists of 614 sq. ft. as depicted on the attached sketch map marked Exhibit "H". Parcel S-564-CL-011.890 XS1 consists of 650 sq. ft. as depicted on the attached sketch map marked Exhibit "I". Parcel S-564-CL-011.899 XS1 consists of 650 sq. ft. as depicted on the attached sketch map marked Exhibit "J". Parcel S-564-CL-011.909 XS1 consists of 1,300 sq. ft. as depicted on the attached sketch marked Exhibit "K". Parcel S-564-CL-011.985 XS1 consists of 3,900 sq. ft. as depicted on the attached sketch map marked Exhibit "L". Parcel S-564-CL-012.042 XS1 consists of 650 sq. ft. as depicted on the attached sketch map marked Exhibit "M". Parcel S-564-CL-012.051 XS1 consists of 650 sq. ft. as depicted on the attached sketch map marked Exhibit "N". Parcel S-564-CL-012.060 XS1 consists of 650 sq. ft. as depicted on the attached sketch map marked Exhibit "O". Parcel S-564-CL-012.070 XS1 consists of 650 sq. ft. as depicted on the attached map marked Exhibit "P". Parcel S-564-CL-012.079 XS1 consists of 650 sq. ft. as depicted on the attached sketch map marked Exhibit "Q". Parcel S-564-CL-012.890 XS1 consists of 1,300 sq. ft. as depicted on the attached sketch map marked Exhibit "R".

**To: Department of Transportation Board of Directors
September 25, 2012**

Background:

The Department originally acquired this property on January 16, 1957, in fee, as a donation, from USA, Division of General Services Administration, State of Nevada, Colorado River Commission and National Lead Company for the SR-546 project, formally known as SR-146.

On March 11, 1980 the Department of Transportation erroneously filed a Resolution of Abandonment releasing an easement interest for a 13 foot strip of SR-564. This was in direct conflict with N.R.S. 408.533 since the Department held the property in fee. On February 13, 1989, the Department recognized the error and filed an amended Resolution of Abandonment returning full property interest back to the Department.

Numerous deeds and maps have been recorded relying on the 13 foot abandonment creating a cloud on the title of eighteen abutting property owners.

The Department has received a request from Nevada Title Company, as the representative for the eighteen property owners, for the release of our fee interest in the property.

Analysis:

The release of NDOT's interest in these parcels is being made in accordance with N.R.S. 408.533. The Department owned the property in fee simple as a donation to the Department, and erroneously abandoned portions of it by Resolution of Abandonment on March 11, 1980; therefore the Quitclaim Deed will clear title for the eighteen property owners. Because the intent was to abandon and the receipt had no money exchange this release is in accordance with disposal processes under N.R.S. 408.533 1. (a).

Recommendation for Board Action:

Approval of disposal of NDOT property located along a portion of SR-564 (Lake Mead Drive) west of Boulder Highway in the City of Henderson, Clark County, NV, by quitclaim deed.

List of Attachments:

1. Location Map
2. Sketch maps marked Exhibit "A" through Exhibit "R"
3. Environmental Approval
4. N.R.S. 408.533

Prepared by: Paul A. Saucedo, Chief R/W Agent



LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.602 XS1**

LOCATION MAP



SUR 11-06
DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.634 XS1

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.696 XS1**

LOCATION MAP



SUR 11-06
DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.752 XS1

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.805 XS1**

ATTACHMENT 1

LOCATION MAP



SUR 11-06
DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.858 XS1

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.881 XS1**

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.890 XS1**

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.899 XS1**

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.909 XS1**

LOCATION MAP



SUR 11-06

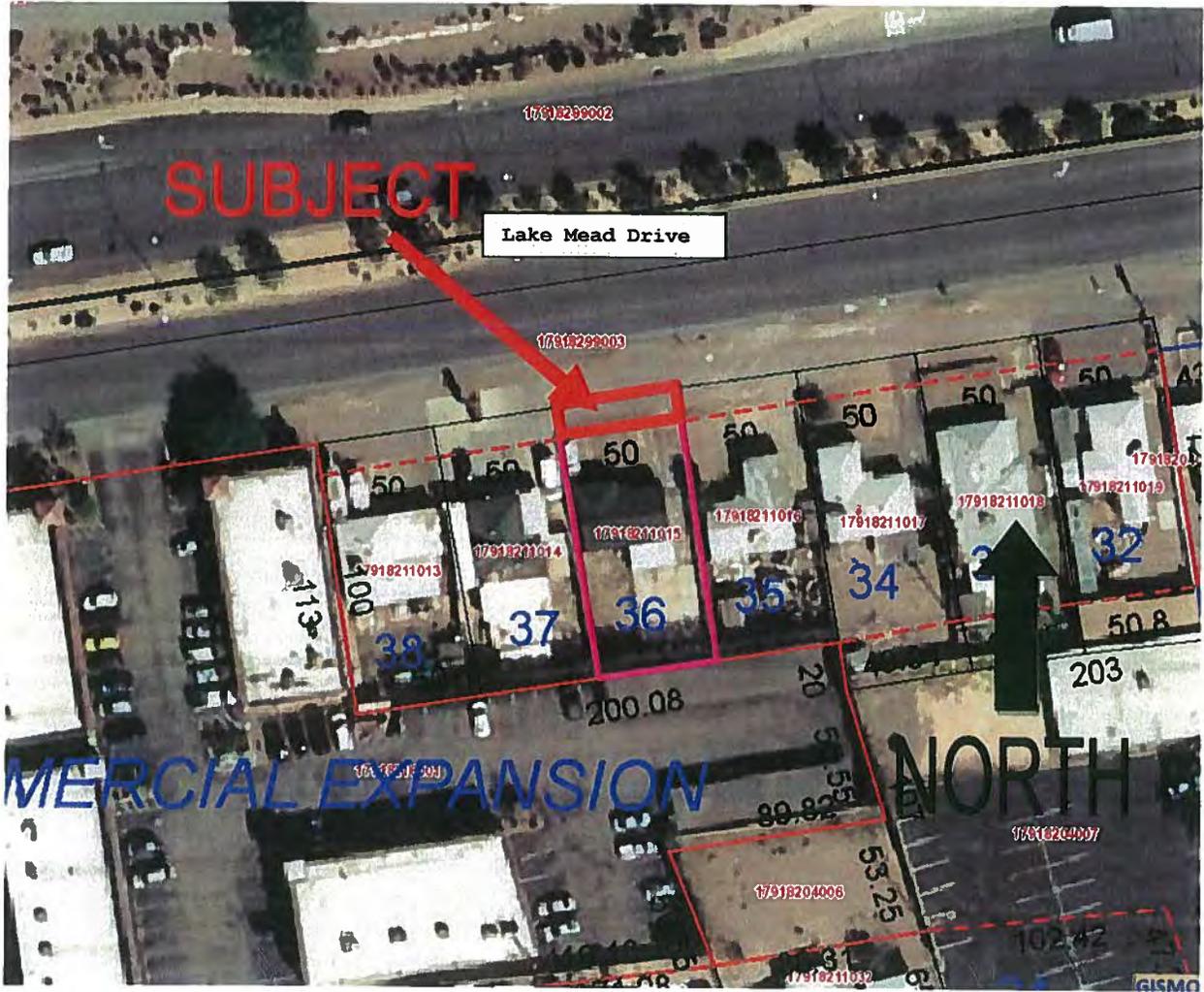
**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-011.985 XS1**

LOCATION MAP



SUR 11-06
DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-012.042 XS1

LOCATION MAP



SUR 11-06

**DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-012.060 XS1**

LOCATION MAP



SUR 11-06
DESCRIPTION: Along a portion of SR-564 (Lake Mead Drive)
PARCEL S-564-CL-012.070 XS1

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

← TO IR-515 INTERCHANGE

SR-564 (LAKE MEAD DRIVE) "XE" ☺

TO SR-582
(BOULDER HWY.)

011.602 XS1

STATE OF NEVADA
1,509 SQ. FT.

Δ = 90° 00' 00"
R = 13.00'
L = 20.42'

N. 80° 47' 59" E.

N. 80° 47' 59" E. - 105.90'

N. 9° 12' 01" W.
13.00'

S. 80° 47' 59" W. - 118.90'

P.O.B. = 51.00' RT. "XE" 579+12.99 P.O.T.

TIE: N. 86° 26' 54" E. - 4,308.53'
FROM THE W 174 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.

PERLITE WAY

A.P.N.
178-13-610-007

A.P.N.
178-13-702-005

A.P.N.
178-13-610-001

..... SUBDIVISION BOUNDARY

HENDERSON ANNEX NO. 5
BOOK 4 PAGE 67

COUNTY OF CLARK

EXHIBIT "A"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

Approved: *Halana D. Salanga*
Manager, R/W Engineering

Scale: 1" = 50'

Sheet 1 of 1 Sheets

SE1/4 NE1/4 SECTION 13

T. 22 S., R. 62 E.
M.D.M.

\\037Engineering\Sketch\clark\SUR 11-06\011602.dgn

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

011.634 XS1

STATE OF NEVADA
4,189 SQ. FT.

TO SR-582
(BOULDER HWY.)

TO IR-515 INTERCHANGE

TIE: N. 86° 13' 12" E. - 4,489.58'
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.

P.O.B. - 51.00' RT. "XE" 580+94.89 P.O.T.

N. 80° 47' 59" E. - 312.00'

S. 80° 47' 59" W. - 325.00'

S. 9° 12' 01" E.
13.00'

R/W

Δ - 90° 00' 00"
R - 13.00'
L - 20.42'
T.B. - N. 9° 12' 01" W.

PERLITE WAY

A.P.N.
178-13-610-007

A.P.N.
178-13-610-008

A.P.N.
178-13-610-009

A.P.N.
178-13-602-001

..... SUBDIVISION BOUNDARY

HENDERSON ANNEX NO. 5
BOOK 4 PAGE 67

COUNTY OF CLARK

EXHIBIT "B"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

SE1/4 NE1/4 SECTION 13

T. 22 S., R. 62 E.
M.D.M.



CL-051	STATE OF NEVADA	SUR 11-08
Dept. of Transportation	R/W Division	
Date: January 18, 2012		
Sketch Map		
Approved: <i>Halana D. Salazar</i>	Manager, R/W Engineering	
Scale: 1" = 50'	Sheet 1 of 1 Sheets	

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

← TO IR-515 INTERCHANGE

SR-564 (LAKE MEAD DRIVE) "XE" \hat{c}
N. 80° 47' 59" E.

TO SR-582
(BOULDER HWY.)

TIE: N. 85° 52' 05" E. - 4,800.27'
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.

P.O.B. = 51.00' RT.
"XE" 584+06.89 P.O.T.
N. 80° 47' 59" E. - 112.00'

$\Delta = 90^{\circ} 00' 00''$
R = 13.00'
L = 20.42'

N. 9° 12' 01" W.
13.00'

S. 80° 47' 59" W. - 125.00'

011.696 XS1

STATE OF NEVADA
1,589 SQ. FT.

A.P.N.
178-13-602-002

A.P.N.
178-13-602-001

BASIC ROAD

PARCEL B 43

44

A.P.N.
178-13-611-016

A.P.N.
178-13-611-015

HENDERSON TOWNSITE
ANNEX NO. 2
BOOK 3 PAGE 35

..... SUBDIVISION BOUNDARY

SE 1/4 NE 1/4 SECTION 13

T. 22 S., R. 62 E.
M.D.M.

COUNTY OF CLARK

EXHIBIT "C"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051	STATE OF NEVADA	SUR 11-06
Dept. of Transportation	R/W Division	
Date: January 18, 2012		
Sketch Map		
Approved: <i>Malana Salazar</i>	Manager, R/W Engineering	
Scale: 1" = 50'	Sheet 1 of 1 Sheets	

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

← TO IR-515 INTERCHANGE

SR-564 (LAKE MEAD DRIVE) "XE" ☽

TO SR-582
(BOULDER HWY.)

Δ = 90° 00' 00"
R = 13.00'
L = 20.42'
T.B. = N. 9° 12' 01" W.

TIE: N. 85° 40' 03" E. - 4,997.53'
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.
P.O.B. = 51.00' RT. "XE" 586+04.89 P.O.T.

N. 80° 47' 59" E. - 99.00'
S. 9° 12' 01" E. - 13.00'
S. 80° 47' 59" W. - 112.00'

011.731 XS1

STATE OF NEVADA
1,420 SQ. FT.

PARCEL B

43
A.P.N.
178-13-611-017

42
A.P.N.
178-13-611-018

41
A.P.N.
178-13-611-019

45
A.P.N.
178-13-611-015

44
A.P.N.
178-13-611-016

HENDERSON TOWNSITE ANNEX NO. 2 BOOK 3 PAGE 35

SE 1/4 NE 1/4 SECTION 13

T. 22 S., R. 62 E.
M.D.M.



COUNTY OF CLARK

EXHIBIT "D"

TRACED: DBW CHECKED: JHW

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-08

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

Approved:

Blana D. Salazar
Manager, R/W Engineering

Scale: 1" = 50'

Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

SR-564 (LAKE MEAD DRIVE) "XE" \angle

TO IR-515 INTERCHANGE

N. 80° 47' 59" E.

TIE: N. 85° 34' 23" E. - 5,096.18'
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.

P.O.B. = 51.00' RT. "XE" 587+03.89 P.O.T.
N. 80° 47' 59" E. - 280.00'

R/W

N. 9° 12' 01" W. 13.00'

S. 80° 47' 59" W. - 280.00'

011.752 XS1

STATE OF NEVADA
3,640 SQ. FT.

A.P.N. 178-13-611-016
44

A.P.N. 178-13-611-017
43

A.P.N. 178-13-611-018
42

A.P.N. 178-13-611-019
41

A.P.N. 179-18-212-001
40

A.P.N. 179-18-212-002
39
PARCEL B

A.P.N. 179-18-212-003
38

A.P.N. 179-18-212-004
37

T. 22 S.

M.D.M.

HENDERSON TOWNSITE
ANNEX NO. 2
BOOK 3 PAGE 35

COUNTY OF CLARK

EXHIBIT "E"

SE1/4 NE1/4
SECTION 13

R. 62 E.

R. 63 E.

SW1/4 NW1/4
SECTION 18

1/64 SECTION LINE

590

51.00'

64.00'

TO SR-582
(BOULDER HWY.)

S. 9° 12' 01" E. 13.00'

R/W

..... SUBDIVISION BOUNDARY

CL-051

SUR 11-08

STATE OF NEVADA

Dept. of Transportation

R/W Division

Date: January 18, 2012

Sketch Map

Approved:

Manager, R/W Engineering

Scale: 1" = 50'

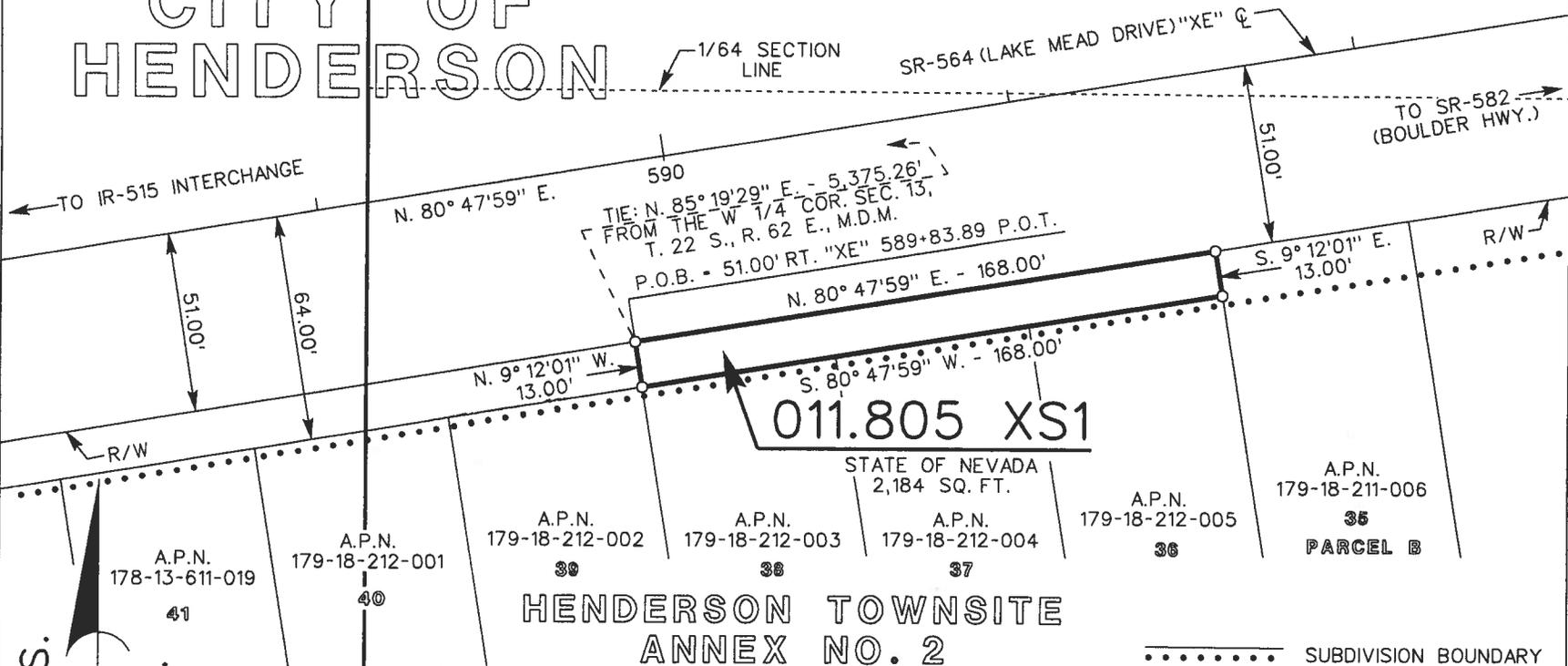
Sheet 1 of 1 Sheets

TRACED: DBW CHECKED: JNH

Date of last revision: 9/7/12

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



011.805 XS1

STATE OF NEVADA
2,184 SQ. FT.

A.P.N.
178-13-611-019
41

A.P.N.
179-18-212-001
40

A.P.N.
179-18-212-002
39

A.P.N.
179-18-212-003
38

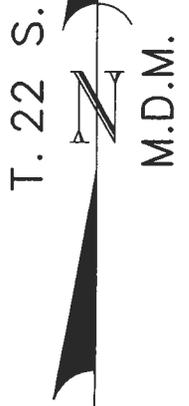
A.P.N.
179-18-212-004
37

A.P.N.
179-18-212-005
36

A.P.N.
179-18-211-006
35
PARCEL B

HENDERSON TOWNSITE ANNEX NO. 2 BOOK 3 PAGE 35

COUNTY OF CLARK



SE1/4 NE1/4
SECTION 13
R. 62 E.

R. 63 E.

SW1/4 NW1/4
SECTION 18

EXHIBIT "F"

..... SUBDIVISION BOUNDARY

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

Approved: *Alana Salazar*
Manager, R/W Engineering

Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

TO IR-515 INTERCHANGE

SR-564 (LAKE MEAD DRIVE) "XE" $\frac{1}{4}$

TO SR-582 (BOULDER HWY.)

TIE: N: 85° 06' 03" E. - 5,654.43' -
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.
P.O.B. = 51.00' RT. "XE" 592+63.89 P.O.T.

N. 80° 47' 59" E.

Δ = 90° 00' 00"
R = 13.00'
L = 20.42'

1/64 SECTION LINE

51.00'

64.00'

51.00'

R/W

R/W

N. 9° 12' 01" W.
13.00'

N. 80° 47' 59" E.
44.54'

S. 80° 47' 59" W.
57.54'

60.00'

ATLANTIC AVENUE

A.P.N. 179-18-211-001
55

A.P.N. 179-18-211-002
54
PARCEL C

A.P.N. 179-18-211-003
53

011.858 XS1

STATE OF NEVADA
712 SQ. FT.

A.P.N. 179-18-212-006
35

A.P.N. 179-18-212-007
34
PARCEL B

A.P.N. 179-18-212-008
33

HENDERSON TOWNSITE
ANNEX NO. 2
BOOK 3 PAGE 35

HENDERSON TOWNSITE
ANNEX NO. 3
BOOK 3 PAGE 38

..... SUBDIVISION BOUNDARY

SW1/4 NW1/4 SECTION 18



T. 22 S., R. 63 E.
M.D.M.

COUNTY OF CLARK

EXHIBIT "G"

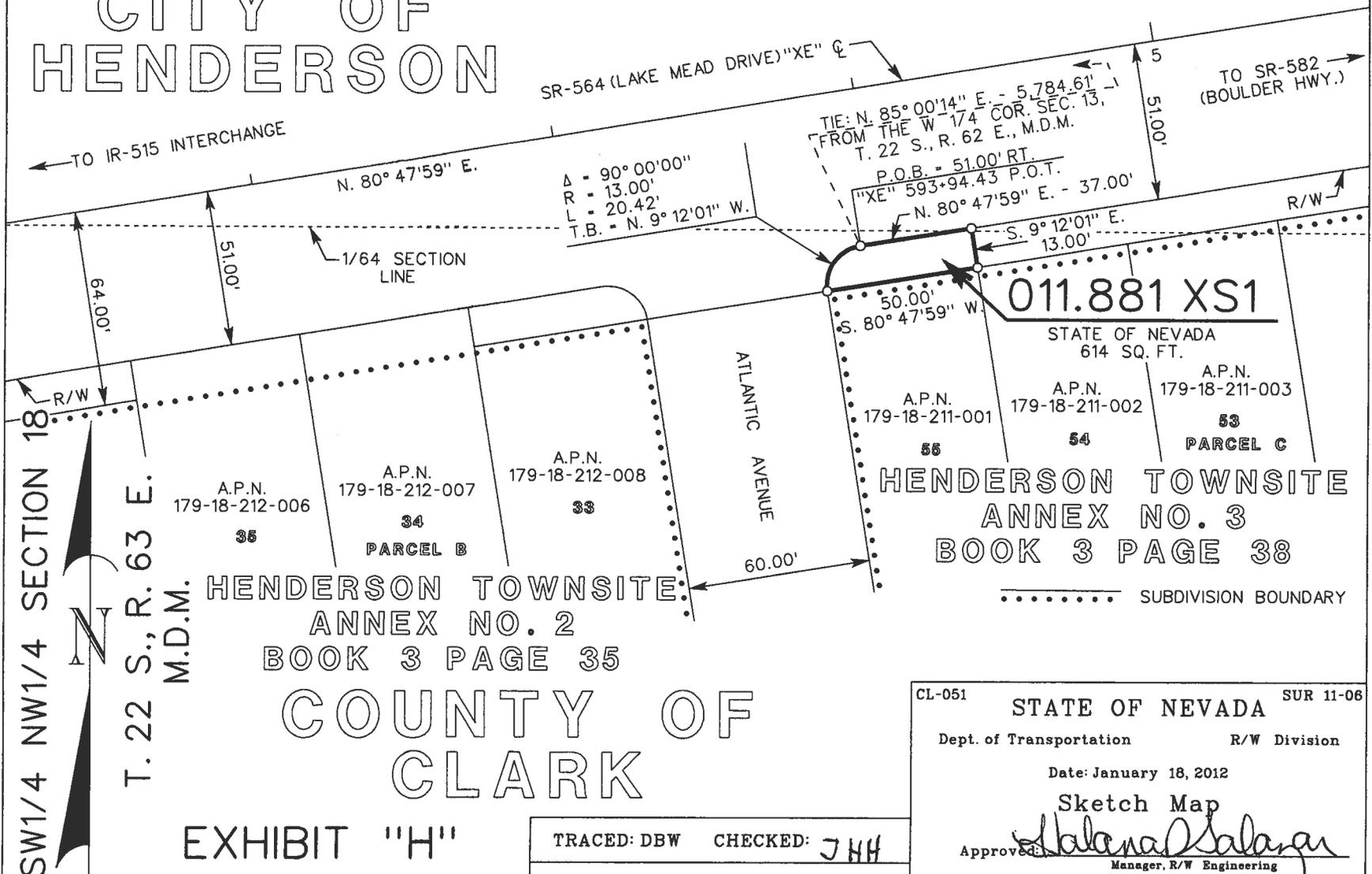
TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051	STATE OF NEVADA	SUR 11-06
Dept. of Transportation	R/W Division	
Date: January 18, 2012		
Sketch Map		
Approved: <i>Malena D. Salazar</i>	Manager, R/W Engineering	
Scale: 1" = 50'	Sheet 1 of 1 Sheets	

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



CL-051 STATE OF NEVADA SUR 11-06
 Dept. of Transportation R/W Division
 Date: January 18, 2012
 Sketch Map
 Approved: *Blana Salazar*
 Manager, R/W Engineering
 Scale: 1" = 50' Sheet 1 of 1 Sheets

TRACED: DBW CHECKED: JHH
 Date of last revision: 9/7/12

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

← TO IR-515 INTERCHANGE

N. 80° 47' 59" E.

SR-564 (LAKE MEAD DRIVE) "XE" ϕ

← 1/64 SECTION LINE

TO SR-582
(BOULDER HWY.)

TIE: N. 84° 58' 38" E. - 5,821.51'
FROM THE W-1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.
P.O.B. = 51.00' RT. "XE" 594+31.43 P.O.T.

N. 9° 12' 01" W.
13.00'

N. 80° 47' 59" E. - 50.00'

S. 9° 12' 01" E.
13.00'

← 1/64 SECTION LINE

011.890 XS1

SW1/4 NW1/4 SECTION 18.

T. 22 S., R. 63 E.
M.D.M.



ATLANTIC AVENUE

60.00'

A.P.N. 179-18-211-001
A.P.N. 179-18-211-002
A.P.N. 179-18-211-003
A.P.N. 179-18-211-004

STATE OF NEVADA
650 SQ. FT.

A.P.N. 179-18-211-004

A.P.N. 179-18-211-005

A.P.N. 179-18-211-006

HENDERSON TOWNSITE
ANNEX NO. 3
BOOK 3 PAGE 38

PARCEL C

..... SUBDIVISION BOUNDARY

COUNTY OF CLARK

EXHIBIT "I"

TRACED: DBW CHECKED: JHJ

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06
 Dept. of Transportation R/W Division
 Date: January 18, 2012
 Sketch Map
 Approved: *Alana Salazar*
 Manager, R/W Engineering
 Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

← TO IR-515 INTERCHANGE

N. 80° 47' 59" E.

SR-564 (LAKE MEAD DRIVE) "XE" ϕ

← 1/64 SECTION LINE

TO SR-582
(BOULDER HWY.)

TIE: N. 84° 56' 30" E. - 5,871.38'
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.
P.O.B. = 51.00' RT. "XE" 594+81.43 P.O.T.

N. 80° 47' 59" E. - 50.00'

S. 9° 12' 01" E.
13.00'

N. 9° 12' 01" W.
13.00'

S. 80° 47' 59" W.
50.00'

011.899 XS1

STATE OF NEVADA
650 SQ. FT.

A.P.N.
179-18-211-006

A.P.N.
179-18-211-005

A.P.N.
179-18-211-004

A.P.N.
179-18-211-003

A.P.N.
179-18-211-002

A.P.N.
179-18-211-001

ATLANTIC AVENUE

60.00'

HENDERSON TOWNSITE
ANNEX NO. 3
BOOK 3 PAGE 38

..... SUBDIVISION BOUNDARY

SW 1/4 NW 1/4 SECTION 18.

T. 22 S., R. 63 E.
M.D.M.

COUNTY OF CLARK

EXHIBIT "J"

TRACED: DBW CHECKED: JWH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-08

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

Approved: *Malana Salazar*
Manager, R/W Engineering

Scale: 1" = 50'

Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

← TO IR-515 INTERCHANGE

← 1/64 SECTION LINE

SR-564 (LAKE MEAD DRIVE) "XE" ☉

TO SR-582 (BOULDER HWY.) →

N. 80° 47' 59" E.

TIE: N. 84° 54' 25" E. - 5,921.25'
FROM THE W 1/4 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.
P.O.B. - 51.00' RT. "XE" 595+31.43 P.O.T.

51.00'

64.00'

51.00'

N. 80° 47' 59" E. - 100.00'

S. 9° 12' 01" E. - 13.00'

N. 9° 12' 01" W. - 13.00'

S. 80° 47' 59" W. - 100.00'

011.909 XS1

R/W

R/W

1/64 SECTION LINE

STATE OF NEVADA
1,300 SQ. FT.

A.P.N.
179-18-216-001

A.P.N.
179-18-211-006

A.P.N.
179-18-211-007

46

47

A.P.N.
179-18-211-005

51

A.P.N.
179-18-211-004

52

A.P.N.
179-18-211-003

53

A.P.N.
179-18-211-002

54

HENDERSON TOWNSITE
ANNEX NO. 3
BOOK 3 PAGE 38

..... SUBDIVISION BOUNDARY

COUNTY OF CLARK

T. 22 S., R. 63 E.
M.D.M.

SW 1/4 NW 1/4 SECTION 18



EXHIBIT "K"

TRACED: DBW CHECKED: JNH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

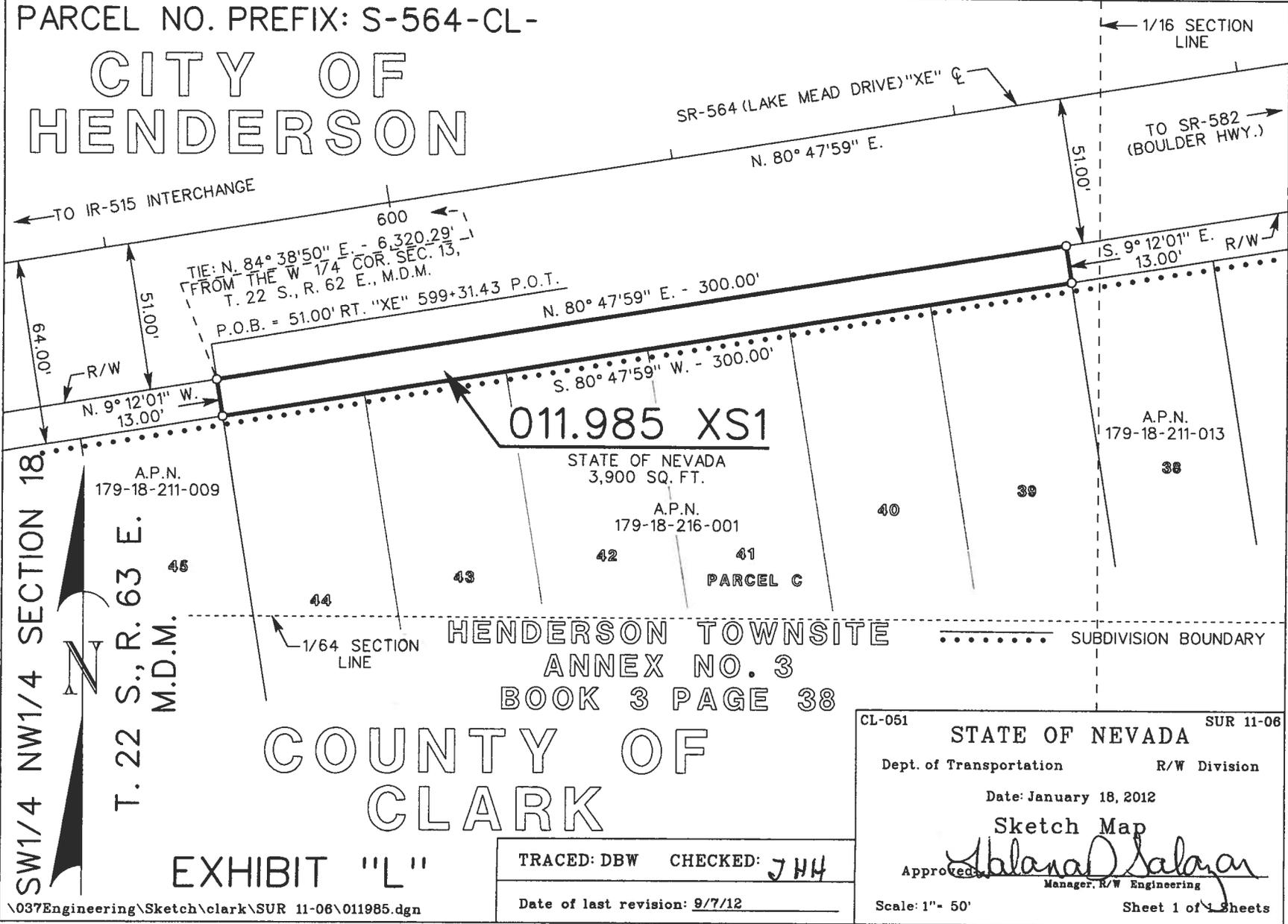
Approved: *Alana D. Salazar*
Manager, R/W Engineering

Scale: 1" = 50'

Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



\\037Engineering\Sketch\clark\SUR 11-06\011985.dgn

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 SUR 11-08

STATE OF NEVADA

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

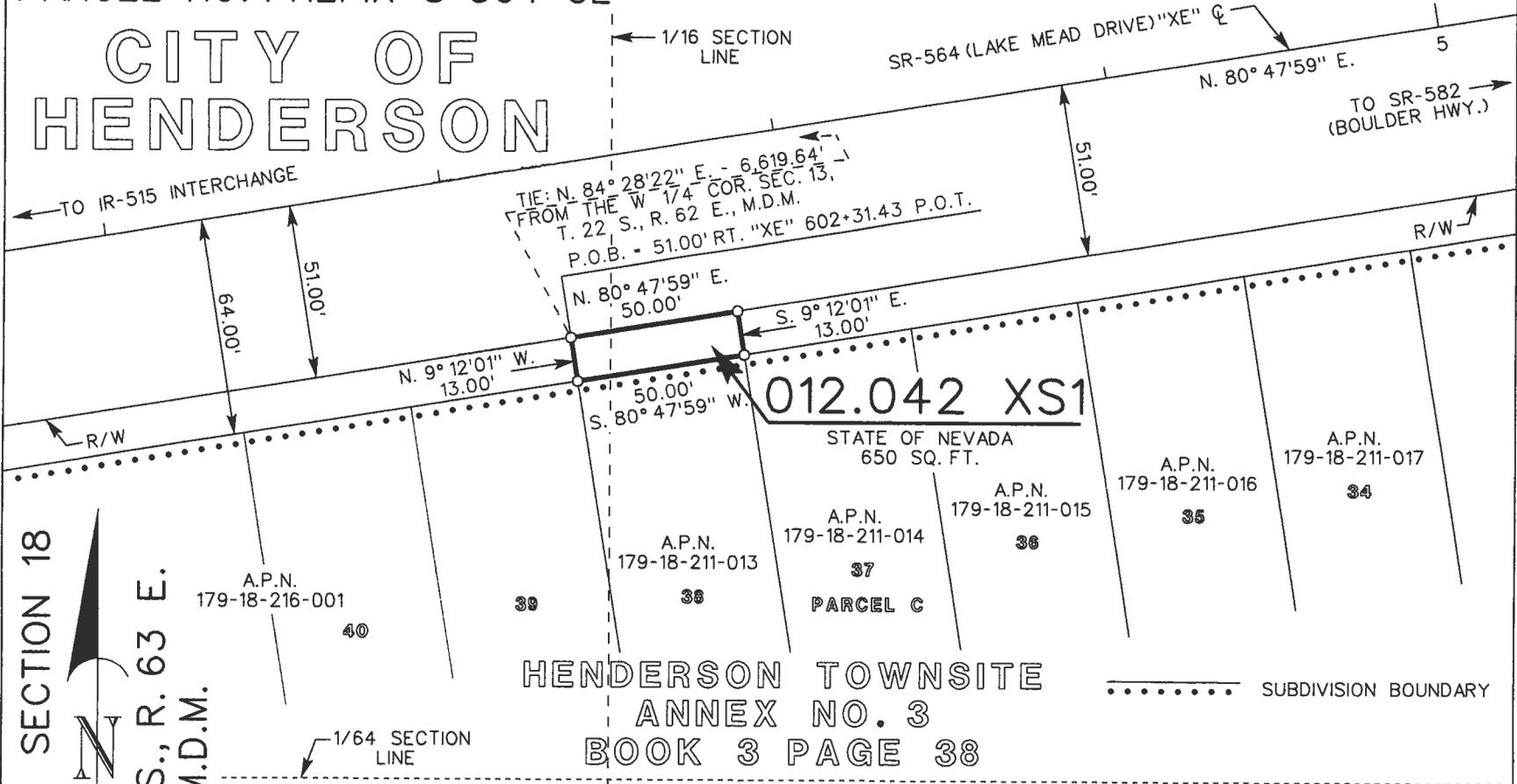
Approved: *Abiana Salazar*
Manager, R/W Engineering

Scale: 1" = 50'

Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



S1/2 NW1/4 SECTION 18

T. 22 S., R. 63 E.
M.D.M.

A.P.N. 179-18-216-001

40

39

A.P.N. 179-18-211-013

38

A.P.N. 179-18-211-014

37

PARCEL C

A.P.N. 179-18-211-015

36

A.P.N. 179-18-211-016

35

A.P.N. 179-18-211-017

34

HENDERSON TOWNSITE
ANNEX NO. 3
BOOK 3 PAGE 38

COUNTY OF CLARK

EXHIBIT "M"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-08
 Dept. of Transportation R/W Division
 Date: January 18, 2012
 Sketch Map
 Approved: *Malana D. Salazar*
 Manager, R/W Engineering
 Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

1/16 SECTION LINE

SR-564 (LAKE MEAD DRIVE) "XE" ϕ

N. 80° 47' 59" E.

TO SR-582 (BOULDER HWY.)

TO IR-515 INTERCHANGE

TIE: N. 84° 26' 43" E. - 6,669.54'
FROM THE W-174 COR. SEC. 13,
T. 22 S., R. 62 E., M.D.M.
P.O.B. = 51.00' RT. "XE" 602+81.43 P.O.T.

51.00'

N. 80° 47' 59" E.
50.00'

S. 9° 12' 01" E.
13.00'

N. 9° 12' 01" W.
13.00'

S. 80° 47' 59" W.
50.00'

012.051 XS1

STATE OF NEVADA
650 SQ. FT.

A.P.N.
179-18-211-017
34

A.P.N.
179-18-211-016
35

A.P.N.
179-18-211-015
36

A.P.N.
179-18-211-014
37

A.P.N.
179-18-211-013
38

A.P.N.
179-18-216-001
39

40



T. 22 S., R. 63 E.
M.D.M.

SE 1/4 NW 1/4 SECTION 18

1/64 SECTION LINE

HENDERSON TOWNSITE
ANNEX NO. 3
BOOK 3 PAGE 38

..... SUBDIVISION BOUNDARY

COUNTY OF CLARK

EXHIBIT "N"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

Approved: *Blana Salazar*
Manager, R/W Engineering

Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON

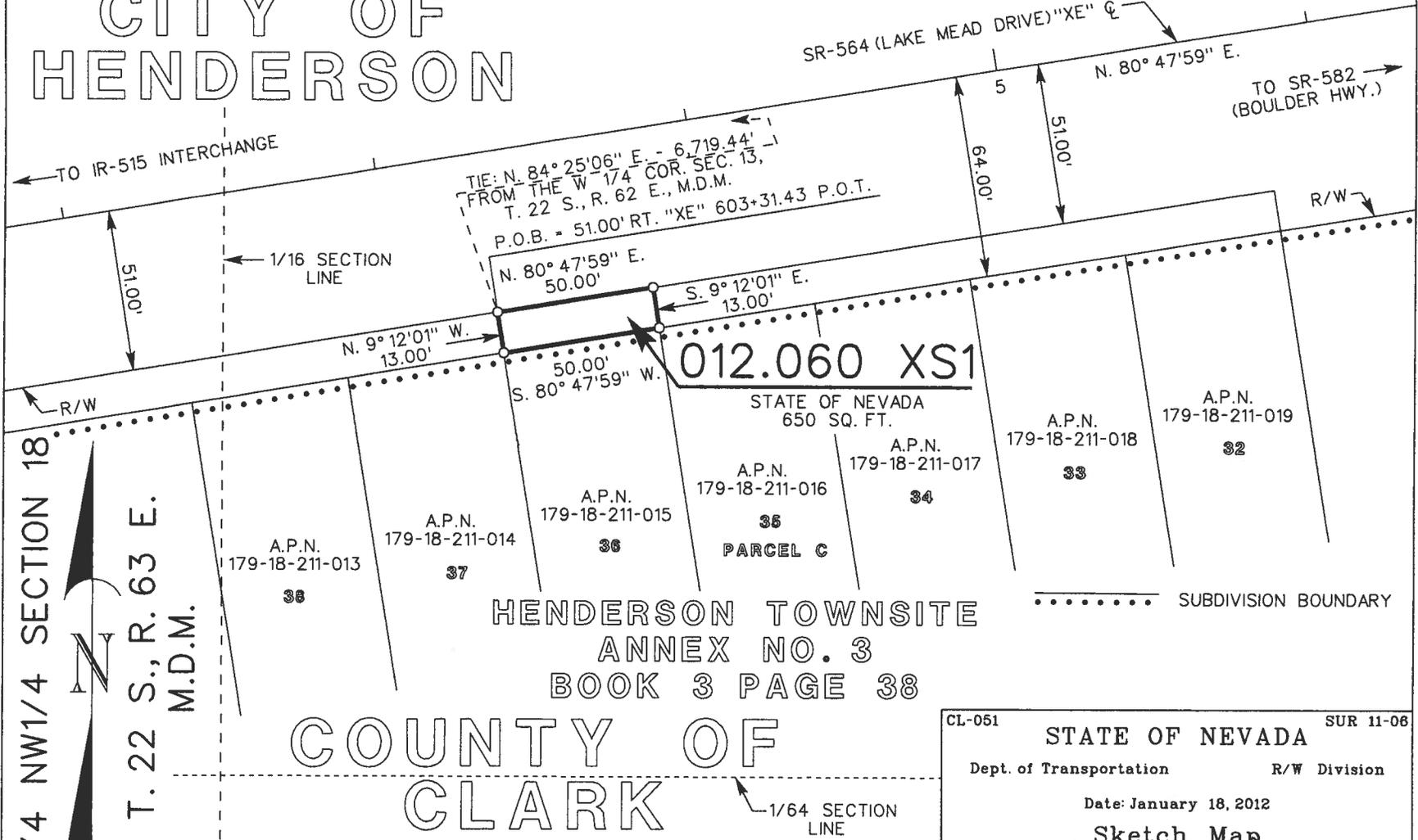


EXHIBIT "O"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

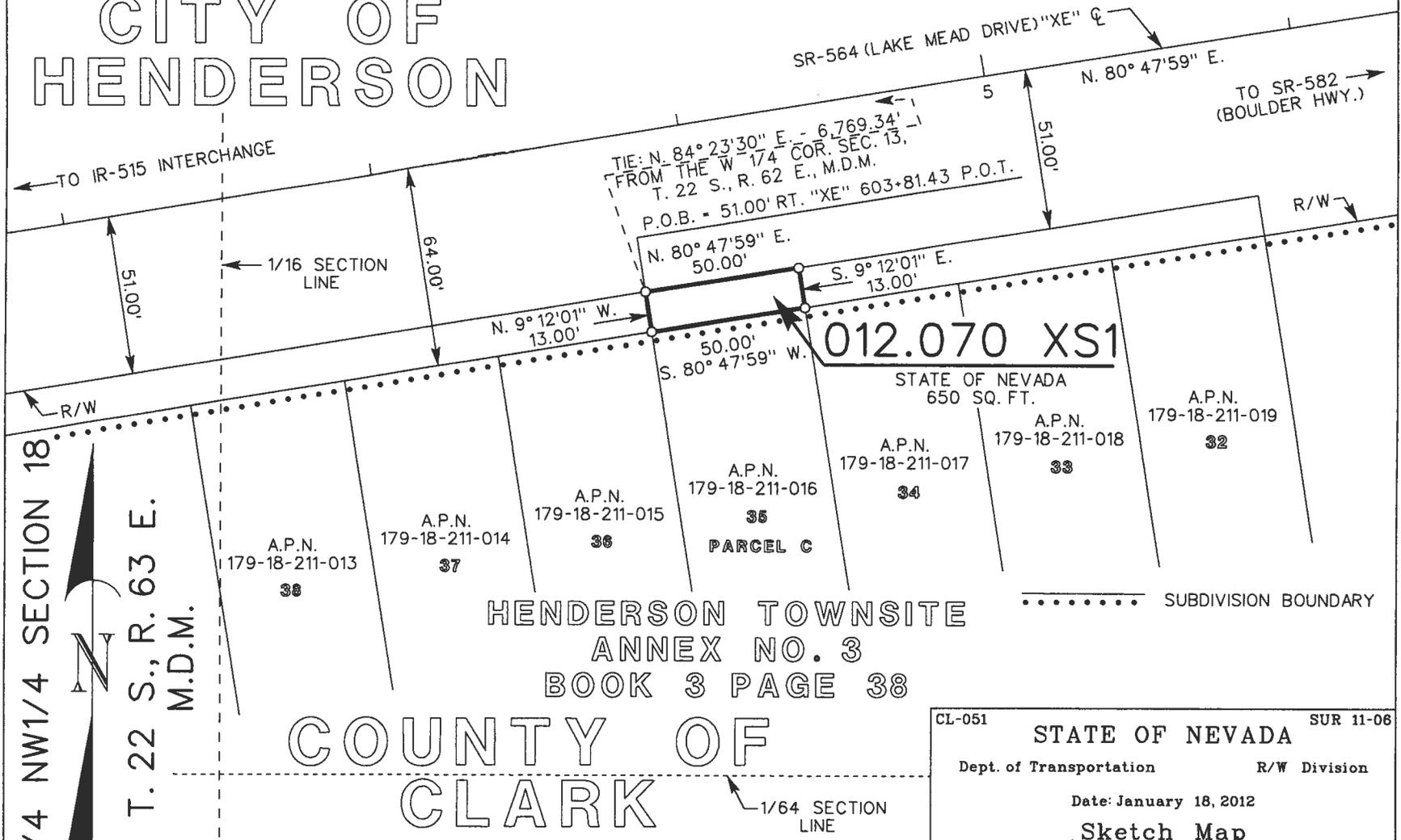
Sketch Map

Approved: *Malena D. Salazar*
Manager, R/W Engineering

Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



SE1/4 NW1/4 SECTION 18



T. 22 S., R. 63 E.
M.D.M.

EXHIBIT "P"

\\037Engineering\Sketch\clark\SUR 11-06\012070.dgn

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

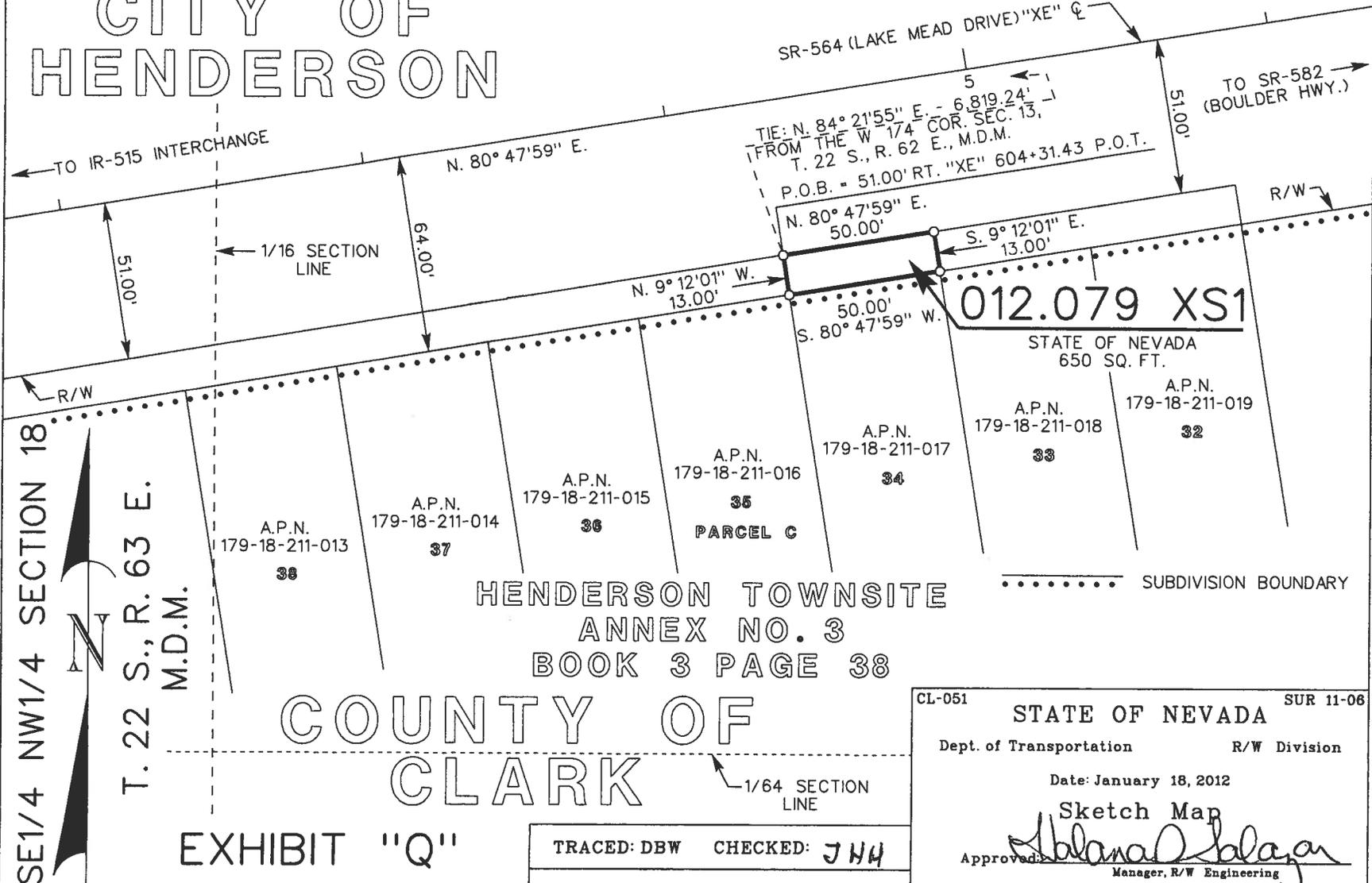
Sketch Map

Approved: *Malana Salazar*
Manager, R/W Engineering

Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



SE1/4 NW1/4 SECTION 18

T. 22 S., R. 63 E.
M.D.M.



COUNTY OF CLARK

EXHIBIT "Q"

TRACED: DBW CHECKED: JHH

Date of last revision: 9/7/12

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

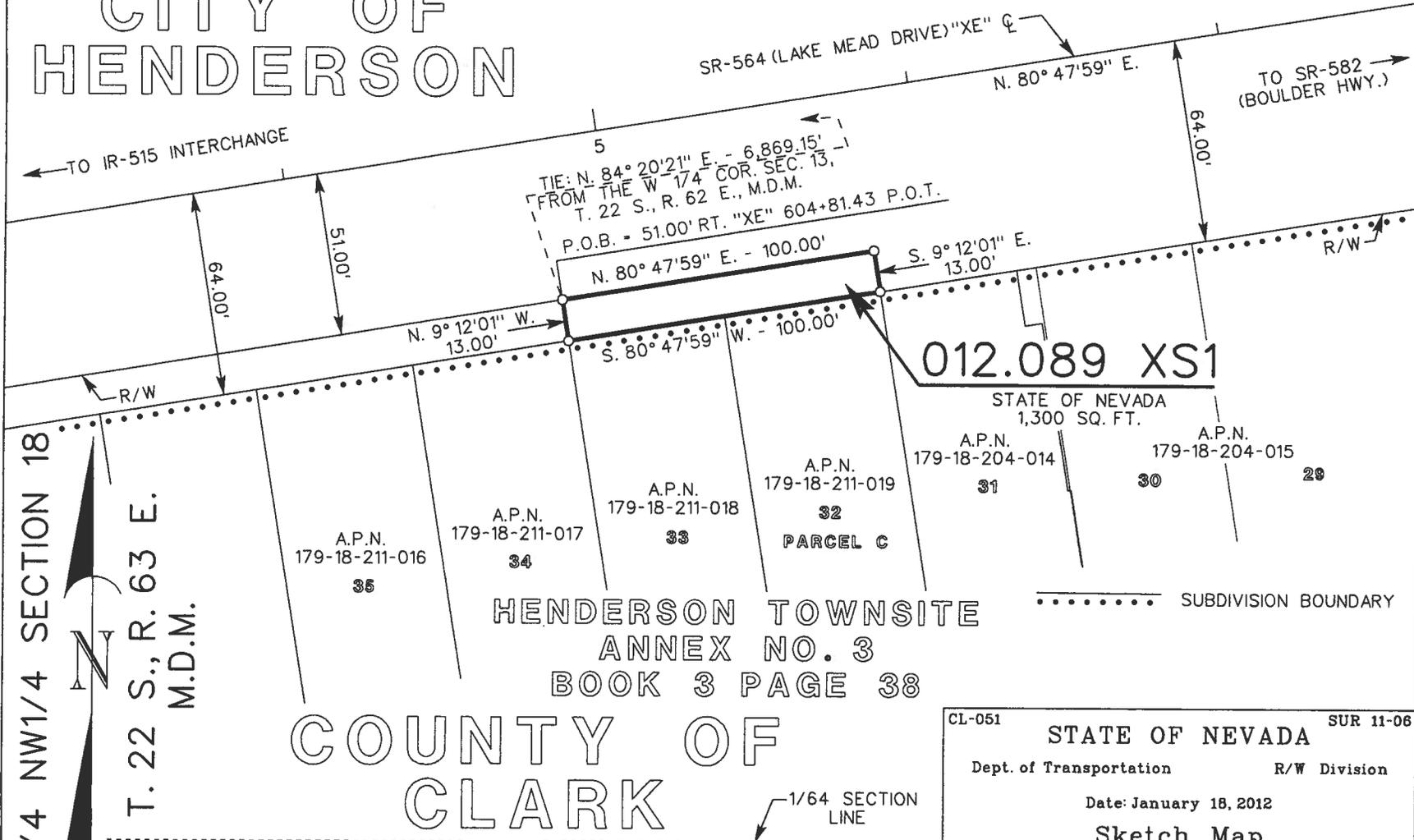
Sketch Map

Approved: *Blana Blana*
Manager, R/W Engineering

Scale: 1" = 50' Sheet 1 of 1 Sheets

PARCEL NO. PREFIX: S-564-CL-

CITY OF HENDERSON



SE1/4 NW1/4 SECTION 18

T. 22 S., R. 63 E.
M.D.M.

HENDERSON TOWNSITE ANNEX NO. 3 BOOK 3 PAGE 38 COUNTY OF CLARK

EXHIBIT "R"

TRACED: DBW	CHECKED: JHH
Date of last revision: 9/7/12	

CL-051 STATE OF NEVADA SUR 11-06

Dept. of Transportation R/W Division

Date: January 18, 2012

Sketch Map

Approved: *Blana Salazar*
Manager, R/W Engineering

Scale: 1" = 50'

Sheet 1 of 1 Sheets



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

September 18, 2012

To: Jessica Biggin, Staff Specialist, Right-of-Way

From: Steve M. Cooke, PE, Chief, Environmental Services *SMC*

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 11-06
Parcels: S-564-CL-011.602 XS1; 011.634 XS1; 011.696 XS1; 011.731 XS1;
011.752 XS1; 011.805 XS1; 011.858 XS1; 011.881 XS1; 011.890 XS1; 011.899
XS1; 011.909 XS1; 011.985 XS1; 012.042 XS1; 012.051 XS1; 012.060 XS1;
012.070 XS1; 012.079 XS1; 012.089 XS1
Control Section: CL-51
Route: SR-564 (Lake Mead Drive), Former Route: SR-146
Henderson, Clark County, NV
Disposal by Quitclaim

The Environmental Services Division reviewed the requested action and found it clear of any documented environmental concern.

Cc: R. Borrelli, Surplus Property Committee, Chair
H. Salazar, Surplus Property Committee, Vice-Chair
Project File

NRS 408.533 Disposal of property.

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, a sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or a denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201
(Use Local Information)

MEMORANDUM

Right-of-Way Division

September 27, 2012

To: Department of Transportation Board of Directors
From: Rudy Malfabon, P.E., Director
Subject: October 8, 2012 Transportation Board of Directors Meeting
Item #11a: Disposal of NDOT property located at 147 Broadleaf Lane in Carson City, NV. SUR 11-13 – For possible action

Summary:

Approval is requested from the Department of Transportation Board of Directors to dispose of the above referenced property by Public Auction. The property to be sold is located at 147 Broadleaf Lane in Carson City, NV. The property contains a 1,080 sq. ft. single family residence on a 6,811 sq. ft. lot as depicted on the attached sketch map marked Exhibit "A".

Background:

The Department originally acquired this property on January 6, 1999, in fee, for the construction of Phase 1 of the US-395, Carson City Freeway.

Phase 1 of the US-395, Carson City Freeway Project is now complete and operational and the Department has determined that this surplus is no longer needed for the project. The Department has received public interest to purchase this property and now has the opportunity to sell this property at Public Auction.

Analysis:

The Department has completed an appraisal of the surplus property to obtain fair market value in the amount of \$77,000.00, as required by N.R.S. 408.533. A public auction will benefit the State in potential revenue, the elimination of liability and eliminate property management expenses. The release of NDOT's interest in this parcel is being made in accordance with N.R.S. 408.533.

Recommendation for Board Action:

Approval of disposal of NDOT property located 147 Broadleaf Lane in Carson City, NV.

**To: Department of Transportation Board of Directors
September 27, 2012**

List of Attachments:

1. Location Map
2. Sketch Map marked Exhibit "A"
3. Copy of Proof of Affidavit of Publication
4. Environmental Approval
5. FHWA Approval
6. N.R.S. 408.533

Prepared by: Paul A. Saucedo, Chief R/W Agent



pas/jb/jm

LOCATION MAP



SUR 11-13
DESCRIPTION: LOCATED AT 147 BROADLEAF LANE



PARCEL NUMBER PREFIX: U-395-CC-

PROJECT: NH-395-2(033)
E.A. 72616
PTN. OF PARCEL U-395-CC-008.001

CARSON CITY

▬▬▬▬ CONTROL OF ACCESS WITH FENCE OR BARRIER

▴▴▴▴ CONTROL OF ACCESS WITHOUT FENCE

□ AREA TO BE SOLD

BROADLEAF LANE

NORTHGATE LANE

NW1/4 SEC. 5
T. 15 N., R. 20 E.

M.D.M.

COTTONWOOD MEADOWS

TIE: N. 78° 25' 12" E. - 829.60' FROM THE
W 1/4 CORNER OF SECTION 5, T. 15 N., R. 20 E.

N. 60° 25' 58" E.
70.02'

N. 29° 36' 39" W.
77.97'

S. 29° 34' 02" E.
100.14'

P.O.B. = 165.13' RT. "O" 437+84.69 P.O.C.

008.001 XS1

32

STATE OF NEVADA
6,811 SQ. FT.

Δ = 0° 39' 35"
R = 2,475.00'
L = 28.50'
T.B. = N. 68° 46' 43" W.

S. 60° 24' 26" W.
52.06'

US-395 FREEWAY - "O" ⌘

"O" ⌘
Δ = 47° 39' 37"
R = 2,600.00'
L = 2,162.76'

JUMBO COURT

1/4 SECTION LINE

EXHIBIT "A"

TRACED: DBW CHECKED: JHH

Date of last revision: _____

CC-017 STATE OF NEVADA SUR 11-13

Dept. of Transportation R/W Division

Date: November 15, 2011

Sketch Map

Approved: *Halana D. Salazar*
Manager, R/W Engineering

Scale: 1" = 100'

Sheet 1 of 1 Sheets

\\037Engineering\Sketch\carson_city\SUR 11-13.dgn

ATTACHMENT 2

**Proof and
Statement of Publication**

580 Mallory Way, Carson City, NV 89701
P.O. Box 1888, Carson City, NV 89702
Phone (775) 881-1201 Fax (775) 887-2408

Account Number: 7895957

Right-of-Way - NDOT
1263 South Stewart Street
Carson City, NV 89701
Attn: Glendyne Shull

Rachel Renaud says:
That (s) he is a legal clerk of the **NEVADA APPEAL**, a newspaper published Tuesday through Sunday at Carson City, in the State of Nevada.

Notice of Intent

Ad# 7869571

of which a copy is hereto attached, was published in said newspaper for the full required period of **4 times** commencing on **May 6, 2012**, and ending on **May 16, 2012**, all days inclusive.

Signed: Rachel Renaud

STATEMENT:

Date	Amount	Credit	Balance
5/16/12	\$509.20	\$0.00	\$509.20

NOTICE OF INTENT TO DISPOSE OF REAL PROPERTY

Pursuant to Nevada Revised Statute 408.533, the State of Nevada Department of Transportation (Department) hereby gives notice that it intends to dispose of the following property, subject to final approval of the Transportation Board of Directors.

SUR 11-13

APN 008-084-01 Contains a 6,811 square foot lot, improved with a 1,080 square feet residence, with an attached 2-car garage, located at 147 Broadleaf Lane, Carson City, Nevada, Parcel U-395-CC-008.001 XS1.

The Department's appraisal of fair market value is \$77,000.00, as established by a licensed appraiser.

Any person from whom the property was originally purchased by the Department or their heir or grantee may purchase the property at its fair market value by direct sale. Any person or entity who believes that they have the right to directly purchase and who desires to exercise their right must respond in writing within sixty (60) calendar days from the last publication of this notice. If no written responses are received, all rights pursuant to NRS 408.533 (1) (d) shall be extinguished and the property will be sold by public auction with sealed bids accepted. Please submit all written responses to:

Nevada Department of Transportation
Right-of-way Division
Attn: Carrie Byron, Supervisory Right-of-way Agent
1263 S. Stewart Street, Rm. 320
Carson City, NV 89712

For more information, please refer to NRS 408.533 and/or contact Carrie Byron at (775) 888-7966 or by email at CByron@dot.state.nv.us.

Pub: May 6, 2012

Ad#7869571

Reviewed by:

G. Shull

Approved by:

Carrie Byron
Carrie Byron
Supervisory Right-of-Way Agent



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7013
Fax: (775) 888-7104

MEMORANDUM

Environmental Services Division

September 27, 2012

To: Jessica Biggin, Staff Specialist, Right-of-Way

From: Steve M. Cooke, PE, Chief, Environmental Services 

Subject: Environmental Clearance for Transportation Board
Surplus No.: SUR 11-13
Project No.: NH-395-2(033)
PIN: 72616
Parcel: U-395-CC-008.001 XS1
147 Broadleaf Lane, Carson City, NV
Disposal by Public Auction

The Environmental Services Division (ESD) reviewed the requested action and found it clear of any documented environmental concern. A Categorical Exclusion was approved by the FHWA on September 27, 2012, for this action.

C: R. Borrelli, Surplus Property Committee, Chair
H.D. Salazar, Surplus Property Committee, Vice-Chair
Project File

ATTACHMENT 4



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

BRIAN SANDOVAL
Governor

September 25, 2012

RUDY MALFABON, P.E., Director

In Reply Refer to:

SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK RW PROGRAM MGR
FEDERAL HIGHWAY ADMINISTRATION
705 NORTH PLAZA STREET SUITE 220
CARSON CITY NV 89701

Disposal by Public Auction
Surplus No.: SUR 11-13
Project: NH-395-2(033)
E.A.: 72616
Parcel: U-395-CC-008.001 XS1
Description: Disposal of NDOT
property located at 147 Broadleaf
Lane in Carson City, NV.

Dear Ms. Klekar:

Enclosed are Exhibit "A" (sketch map) a location map and one set of right-of-way plans depicting the area of surplus property to be sold at Public Auction, pursuant to N.R.S. 408.533. It has been determined that the property is no longer needed by NDOT. The aforementioned property is located in Carson City, Nevada.

The proposal has been reviewed and it has been determined that:

1. The subject property right will not be needed for Federal-aid Highway purposes in the foreseeable future;
2. The right-of-way being retained is adequate under present day standards for the facility involved;
3. The release will not adversely affect the Federal-aid Highway facility or the traffic thereon;
4. The parcel to be sold is not suitable for retention in order to restore, preserve, or improve the scenic beauty adjacent to the highway consonant with the intent of 23 U.S.C. 319 and PL 89-285, Title III, Section 302-305 (Highway Beautification Act of 1965);
5. The parcel to be sold has been cleared through the Environmental Division in accordance with CEQ regulations 40 CFR 1508.4 and 23 CFR 771.117(d);
6. The sale of this parcel is being made in accordance with N.R.S. 408.533.

SUSAN KLEKAR DIVISION ADMINISTRATOR
ATTN HUGH HADSOCK RW PROGRAM MGR
FEDERAL HIGHWAY ADMINISTRATION
September 25, 2012

Your concurrence in this proposal is requested.

Sincerely,

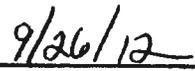


Paul A. Saucedo
Chief Right-of-Way Agent

CONCUR:



Hugh Haddock, Right-of-Way Program Manager



Date

pas/jb/jm
Enclosures

cc: H. Salazar, Manager, Right-of-Way Engineering
J. Biggin, Right-of-Way Staff Specialist

NRS 408.533 Disposal of property.

1. All real property, interests therein or improvements thereon and personal property acquired before, on or after April 1, 1957, in accordance with the provisions of NRS 408.487 and 408.489 must, after approval by the Board and if no longer needed for highway purposes, be disposed of by the Director in accordance with the provisions of subsection 2, except that:

(a) When the property was originally donated to the State, no charge may be made if it is returned to the original owner or to the holder of the reversionary right.

(b) When the property has been wholly or partially paid for by towns, cities or counties, disposal of the property and of money received therefor must be agreed upon by the governing bodies of the towns, cities and counties and the Department.

(c) When the title to the real property has been acquired in fee pursuant to NRS 408.487 and 408.489 and, in the opinion of the Board, a sale by means of a public auction or sealed bids is uneconomical or impractical because:

(1) There is no access to the property;

(2) The property has value or an increased value only to a single adjoining property owner; or

(3) Such a sale would work an undue hardship upon a property owner as a result of a severance of the property of that owner or a denial of access to a public highway,

the Board may enter into a direct sale of the property with such an owner or any other person for its fair market value.

(d) When the property has been acquired and the property or any portion of the property is no longer needed for highway purposes, the Department shall give notice of its intention to dispose of the property by publication in a newspaper of general circulation in the county where the property is situated. The notice must include the Department's appraisal of the fair market value of the property. Any person from whom the property was purchased or his heir or grantee may purchase the property at its fair market value by direct sale from the Department within 60 days after the notice is published. If more than one person qualified to purchase the property by direct sale pursuant to this paragraph so requests, the person with the superior claim, as determined by the Department in its sole discretion, is entitled to purchase the property by direct sale. If a person who is entitled to purchase the property by direct sale pursuant to this paragraph reasonably believes that the Department's appraisal of the property is greater than the fair market value of the property, the person may file an objection to the appraisal with the Department. The Department shall set forth the procedure for filing an objection and the process under which a final determination will be made of the fair market value of the property for which an objection is filed. The Department shall sell the property in the manner provided in subsection 2 if:

(1) No person requests to purchase the property by direct sale within 60 days after the notice is published pursuant to this paragraph; or

(2) A person who files an objection pursuant to this paragraph fails, within 10 business days after he receives a written notice of the final determination of the fair market value of the property, to notify the Department in writing that he wishes to purchase the property at the fair market value set forth in the notice.

(e) When the property is sought by another public agency for a reasonable public use, the Department may first offer the property to the public agency at its fair market value.

2. All property, interests or improvements not included within the provisions of subsection 1 must first be offered for sale by the Department singly or in combination at public auction or by sealed bids. If the highest bid received is 90 percent or more of the Department's appraisal of the fair market value of the property, the property may be sold to the highest bidder. The notice and the terms of the sale must be published in a newspaper of general circulation in the county where the property is situated. The auctions and openings of bids must be conducted by the Department. If the property cannot be sold for 90 percent or more of its fair market value, the Department may enter into a written listing agreement with a person licensed pursuant to chapter 645 of NRS to sell or lease the property for 90 percent or more of its fair market value.

3. It is conclusively presumed in favor of the Department and any purchaser for value that the Department acted within its lawful authority in acquiring and disposing of the property, and that the Director acted within his lawful authority in executing any conveyance vesting title in the purchaser. All such conveyances must be quitclaim in nature and the Department shall not warrant title, furnish title insurance or pay the tax on transfer of real property.

4. No person has a right of action against the Department or its employees for a violation of this section. This subsection does not prevent an action by the Attorney General on behalf of the State of Nevada or any aggrieved person.

5. All sums of money received by the Department for the sale of real and personal property must be deposited with the State Treasurer to be credited to the State Highway Fund, unless the Federal Highway Administration participated in acquisition of the property, in which case a pro rata share of the money obtained by disposal of the property must be paid to the Federal Highway Administration.

6. The Department may reserve and except easements, rights or interests from the conveyance of any real property disposed of in accordance with this section or exchanged pursuant to subsection 5 of NRS 408.489. The easements, rights or interests include, but are not limited to:

(a) Abutter's rights of light, view or air.

(b) Easements of access to and from abutting land.

(c) Covenants prohibiting the use of signs, structures or devices advertising activities not conducted, services not rendered or goods not produced or available on the real property.

(Added to NRS by 1957, 693; A 1959, 599; 1963, 978; 1967, 1743; 1971, 140; 1979, 1781; 1985, 707; 1987, 1812; 1989, 1308; 1991, 1691; 1995, 1140; 2001, 2132)



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

September 24, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, P.E., Director
SUBJECT: October 8, 2012 Transportation Board of Directors Meeting
ITEM #12: Approval of Amendments and Administrative Modifications to the FFY 2012-2015 Statewide Transportation Improvement Program (STIP) – For Possible Action.

Summary:

At the October 10, 2011 State Transportation Board of Directors Meeting, the FY 2012 – 2015 Statewide Transportation Improvement Program (STIP) was approved as a part of the FY 2012-2021 Transportation Systems Projects (TSP). Amendments and Administrative Modifications are made throughout the year to the document in order to facilitate projects. NDOT staff works closely with the local Metropolitan Planning Organizations (MPO's) and local governments to facilitate these project changes. Attachment "A" lists Administrative Modifications and other state program projects. NDOT is requesting the State Transportation Board's approval of these changes as summarized in Attachments "A".

Background:

NDOT staff works continuously all year with federal and regional agencies, local governments, and planning boards to develop the *Transportation System Projects* notebook. The fiscal years 2012-2021 document contains the:

Statewide Transportation Improvement Program (STIP), FY 2012-2015
Annual Work Program (AWP), FY 2012
Short Range Element (SRE), FY 2013-2014
Long Range Element (LRE), FY 2015-2021

Attachment "A" details Amendments to projects which include any actions taken in Washoe, Clark, TMPO and CAMPO Transportation Improvement Plans (TIP) and areas outside of the MPO boundaries since the last time the Board approved changes to the STIP on September 10, 2012.

Attachment "B" details Administrative Modifications to projects which include any actions taken in Washoe, Clark, TMPO and CAMPO Transportation Improvement Plans (TIP) and areas outside of the MPO boundaries since the last time the Board approved changes to the STIP on September 10, 2012.

Analysis:

The attached listing of amendments and administrative modifications to projects are those completed since the September 10, 2012 Transportation Board approval of the *Transportation System Projects* notebook for fiscal years 2012-2021.

Recommendation for Board Action:

Approval of the Amendments/Administrative Modifications to the FY 2012 – 2015 Statewide Transportation Improvement Program (STIP).

List of Attachments:

- A. List of Amendments
- B. List of Administrative Modifications.

Prepared by:

Dennis Taylor, Chief, Transportation & Multimodal Planning Division

Project Amendments List

RTC of Southern Nevada

Amendment # 10/10A – All Clark County and federal STIP pages

This action updates the FY 2012 – 2015 STIP to move projects as appropriate from FY 2012 to FY 2013 and beyond based on the RTC of Southern Nevada’s recently updated Transportation Improvement Program (TIP) for FY 2013 and adds projects which were recently awarded federal transit and highway funding to include Kyle Canyon Road \$3M and Evaluate need for an Interstate to connect Phoenix and Las Vegas \$1M

Amendment # 11 – Clark 7 (FTA Section 5307, Bus Discretionary) and Clark 13 (RTC Sales Tax)

This action adds the Flamingo Road Bus Rapid Transit (BRT) project to fund Engineering and Project Management in FY 2012 in the amount of \$1,887,639 and \$471,910, respectively.

Washoe County RTC

The FY 2008 – 2030 Regional Transportation Plan was amended to include the Geiger Grade extension into the 2016 – 2018 time frame.

Carson Area MPO

The FY 2013 – 2016 Regional Transportation Improvement Program was adopted

Tahoe MPO

(NO AMENDMENTS MADE)

Statewide/Rural

(NO AMENDMENTS MADE)

List of Administrative Modifications

RTC of Southern Nevada

Administrative Modification #7 – Clark 2 (CMAQ) and Clark 4 (FTA Section 5307 Formula)

This action transfers FY 2012 CMAQ funds to Federal Transit Administration (FTA) Section 5307 Urbanized Area for operating for the Express Route bus service.

Administrative Modification #8 – Statewide 1 (NHS)

This action increases National Highway System (NHS) funding for the Freeway Service Patrol for Clark County from \$1.5M in FY 2012, 2013 and 2014 to \$3.1M, \$3.0M and \$3.8M, respectively.

Administrative Modification #9 – Clark 1 (STP Clark), Statewide 1 (NHS), Statewide 2 (STP Statewide), Statewide 3 (High-Priority), SAFETEA-LU), Statewide 4 (Transportation Improvements), Statewide 7 (Public Lands Highway), Statewide 9 Interstate Maintenance – Discretionary), Statewide 11 (State Gas Tax) and Statewide 11 (Section 129 Projects)

This Administrative Modification was made to facilitate funding for construction of CL200515, Cactus Ave, construct a 6 lane roadway with an interchange at I 15. It was processed to better define the scope and budget for CL200802, US93/95 Boulder City Bypass Part 1, Package 2A and 2B.

Administrative Modification #10 – Clark 18 (Ad Valorem Tax), Statewide 2 (STP Statewide), Statewide 7 (Public Lands Highways), Statewide 11 (State Gas Tax) and Statewide 9 (SB 5)

This action was processed to facilitate adding Public Lands Highway funding for CL20090291, Downtown Las Vegas F Street 2 lane underpass in the amount of \$475K.

Administrative Modification #12 – Clark 4 (FTA Section 5307 Formula), Clark 10 (Local Funding –LV) and Clark 23 (FTA Section 5312 Research Grant)

This action adds project NV20120092, One Call-One Click Call Center for Southern Nevada Medical Center in the amount of \$50,000 using FTA Section 5312 Research Grant funding. It also adds project NV20120093, Fuel Efficiency and Propulsion Distribution using FTA Section 5307 Formula and local funding in the amount of \$680,663 and \$170,166, respectively.

Washoe County RTC

Administrative Modification #2 – Washoe 2 (CMAQ Washoe), Washoe 3 (RTC Fuel Tax), Washoe 8 (FTA Section 5316 – JARC) and Washoe 9 (FTA Section 5317 – New Freedom)

This action updates funding for the FTA Section 5316 – JARC and the Section 5317 – New Freedom programs.

Administrative Modification #3 – Washoe 10

This Modification will add State of Good Repair grant funding for a digital radio system for RTC RIDE and ACCESS systems at \$1,147,000.

Carson Area MPO

Administrative Modification # – CAMPO 2 (FTA Section 5307-CAMPO)

This modification is an action to add the purchase of 1 bus for Carson City JAC Fixed Route Services in FY 13 in the amount of \$220K FTA Section 5307 funds.

Tahoe MPO

Administrative Modification #3 – Statewide 7 (PLHD) Statewide 11 (State Gas Tax), Statewide 22 (Federal Lands Highway), Statewide 26 (State Question 1) and Statewide (National Recreational Trails)

This modification will add additional funding to the Nevada Stateline to Stateline Bicycle Facility project for the South Demonstration Phase. An additional \$517,000 State Gas Tax (SGT) for a total of \$1,502,000 and \$2.50M in Public Lands Highway Discretionary (PLHD) was also added.

Statewide/Rural

(NO MODIFICATIONS MADE)



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

September 20, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: October 8, 2012 Transportation Board of Directors Meeting
Item # 13: Briefing on I-15 Mobility Alliance – Informational Item Only

Summary:

Over the past two years, NDOT has taken the lead on the I-15 Corridor System Master Plan and the creation of the I-15 Mobility Alliance. The plan includes a comprehensive, multi-modal, multistate plan from San Diego to Northern Utah. This effort brought together traditional and nontraditional transportation partners including, but not limited to, state DOT's, MPOs, ports, railroads, resource agency, trucking associations, and others.

In addition to an accessible plan, this effort resulted in 16 technical memorandums, a list of immediate projects of interregional significance, 10 years worth of prioritized projects and 40+ years of time stratified projects.

The I-15 Mobility Alliance and its partners have been the recipients of two TIGER Grants, a Multistate Corridor Operations and Management Program Grant, and other discretionary grant programs.

Staff would like to update the Board on the progress and next steps for the I-15 Mobility Alliance.

Background:

In 2007, the I-15 Corridor from San Diego to Salt Lake City was selected as one of six "Corridors of the Future." With that designation, came some funding, an agreement between USDOT and the states of California, Nevada, Arizona, and Utah. Since then, the program was discontinued. However, Director Martinovich determined that this corridor and this partnership was too important not to continue this partnership. In 2010, the NDOT initiated a new effort to strengthen this partnership and look at long-term multimodal strategic planning for this critical corridor. A new multistate agreement was signed and the four states have been working together toward a comprehensive master plan. The I-15 Corridor System Master Plan was published in March 2012 and is supported by 16 technical memorandums. This effort included a prioritized list of projects for which the partner agencies have agreed to support for discretionary programs. Through this effort, the Alliance has been recognized on numerous occasions. Most recently, the I-15 Alliance was selected as one of six recipients of the Multistate Corridor Operations and Management Program. Other recipients include the I-95 Coalition and the West Coast Corridor Coalition, entities that have been around for much longer than this Alliance, yet I-15 is now considered among those at the forefront of multistate partnerships for transportation.

Analysis:

NDOT will be receiving \$1,250,000 through this program for multi-state corridor-wide traveler information, ITS communications, and other operational coordination between states. The funding will be matched with \$100,000 from each NDOT, Caltrans, Utah DOT, and \$25,000 from RTC Southern Nevada.

List of Attachments:

- A. I-15 Corridor System Master Plan

Recommendation for Board Action:

Information item only

Prepared by:

Sondra Rosenberg, Federal Programs Manager



1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7440
Fax: (775) 888-7201

MEMORANDUM

September 20, 2012

TO: Department of Transportation Board of Directors
FROM: Rudy Malfabon, Director
SUBJECT: October 8, 2012 Transportation Board of Directors Meeting
Item #14: Old Business – Informational Item Only

Summary:

This item is to provide follow up and ongoing information brought up at previous Board Meetings.

Analysis:

- a. Report of Outside Counsel Costs on Open Matters - Informational item only.
Please see Attachment A.
- b. Briefing on Freeway Service Patrol - Informational item only.
Please see Attachment B.

List of Attachments:

- A. Report of Outside Counsel Costs on Open Matters - *Informational item only.*
- B. Briefing on Freeway Service Patrol - *Informational item only.*

Recommendation for Board Action:

Informational item only.

Prepared by:

Rudy Malfabon, Director

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF 9/17/2012						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Watt, Tieder, Hoffar & Fitzgerald	Construction Claims of Fisher Sand & Gravel Contract #3292 (I-580 Mt. Rose Hwy to Bowers Extension) NDOT Agmt No. P267-07-004	02/01/07 - 02/01/13	2/1/2007	\$ 15,000.00		
		Amendment #1	7/1/2008	\$ 35,000.00		
		Amendment #2	11/24/2008	\$ 100,000.00		
		Amendment #3	3/23/2009	\$ 200,000.00		
		Amendment #4	11/20/2009	\$ 50,000.00		
		Amendment #5	7/8/2011	Extension of Time	\$ 400,000.00	\$ 38,528.29
Nossaman, LLP	Pioneer Program Legal and Financial Planning NDOT Agmt No. 282-09-002	9/23/09 - 7/1/13	9/23/2009	\$ 125,000.00		
		Amendment #1	2/23/2010	\$ 80,000.00		
		Amendment #2	10/6/2010	\$ 30,000.00		
		Amendment #3	10/26/2010	\$ 30,000.00		
		Amendment #4	8/31/2011	\$ 365,000.00	\$ 630,000.00	\$ 238,700.89
Chapman Law Firm	NDOT vs. Ad America 8th JD - 4 Eminent Domain Cases Project Neon - Las Vegas NDOT Agmt No. P301-11-004	6/14/2011 - 12/31/12	6/14/2011	\$ 281,675.00		
		Amendment #1	8/30/2012	Expansion of Scope	\$ 281,675.00	\$ 210,333.24
Snell & Wilmer, LLP	Peek Construction vs. NDOT 1st JD 120C 00030 1B Contract # 3407 (Wells Wildlife Crossing) NDOT Agmt No. P082-12-004	3/1/2012 - 6/30/14	3/1/2012	\$ 150,000.00		
					\$ 150,000.00	\$ 74,709.38
Snell & Wilmer, LLP	Peek Construction vs. NDOT 1st JD 120C 00032 1B Contract # 3377 (Kingsbury Grade) NDOT Agmt No. P083-12-004	3/1/2012 - 6/30/14	3/1/2012	\$ 150,000.00		
					\$ 150,000.00	\$ 43,617.07
Snell & Wilmer, LLP	Construction Claims Williams Brother, Inc. Contract # 3392 (Various in Las Vegas) NDOT Agmt No. P084-12-004	3/1/2012 - 6/30/14	3/1/2012	\$ 30,000.00		
					\$ 30,000.00	\$ 28,422.50

OPEN NDOT - OUTSIDE COUNSEL CONTRACTS AS OF 9/17/2012						
Vendor	Case/Project Name	Contract Period	Contract and Amendment Date	Contract and Amendment Amount	Total Contract Authority	Contract Authority Remaining
Chapman Law Firm	NDOT vs. Blue Diamond R.V. and Storage 8th JD A610962 RE: Work Order 20359000 NDOT Agmt No. P155-12-004	4/24/2012 - 4/24/14	4/24/2012	\$ 82,425.00		
		Amendment #1	8/30/2012	\$ 88,250.00	\$ 170,675.00	\$ 30,714.22
Chapman Law Firm	NDOT vs. Vegas Group, LLC 8th JD A-12-661241-C Project Neon - Las Vegas NDOT Agmt No. P156-12-004	4/24/12 - 4/24/14	4/24/2012	\$ 416,800.00	\$ 416,800.00	\$ 342,136.78
Chapman Law Firm	NDOT vs. Carrie Sanders 8th JD - A-12-664693-C Project Neon - Las Vegas NDOT Agmt No. P192-12-004	6/12/12 - 6/12/14	6/12/2012	\$ 416,800.00	\$ 416,800.00	\$ 413,692.69
Chapman Law Firm	NDOT vs. Gendall 8th JD - A-12-666487-C Project Neon - Las Vegas NDOT Agmt No. P325-12-004	6/12/12 - 6/12/14	6/12/2012	\$ 416,800.00	\$ 416,800.00	\$ 415,511.50
* BH Consulting Agreement	Management assistance, policy recommendations, negotiation support and advice regarding NEXTEL and Re-channeling of NDOT's 800 Mhz frequencies.	6/30/12 - 6/30/16	6/30/2012	\$ 77,750.00	\$ 77,750.00	\$ 77,750.00

* Pass Through - Federally mandated 800 MHz rebanding project fully reimbursed by Sprint Nextel.



Freeway Service Patrol Program

Events such as vehicular crashes, breakdowns, and debris in travel lanes are the most common form of incidents. In addition to blocking travel lanes physically, events that occur on the shoulder or roadside can also influence traffic flow by distracting drivers, leading to changes in driver behavior and ultimately degrading the quality of traffic flow. The Freeway Service Patrol (FSP) program helps to lessen the impacts of these incidents.

Freeway Service Patrol vehicles are equipped with the necessary tools and supplies to effectively address a wide variety of roadway incidents including, but not limited to, disabled vehicles, accident scenes, lost motorists, sick or injured motorists, pedestrians on roadway, animals on roadways, travel lane or shoulder debris, vehicle fires, fuel leaks, and other incidents that can be mitigated by the FSP driver. There are currently four vehicles patrolling approximately one hundred miles in the Reno/Sparks region and six vehicles patrolling approximately one hundred seventy-eight miles in the Las Vegas region. The patrol routes and hours of operation coincide with peak daily traffic volumes and special events to minimize congestion periods.



Incident Response Vehicles (IRV) will be incorporated into our service patrol fleet in 2013. Initially, there will be two IRVs in the Las Vegas area and one in the Reno/Sparks area as part of a pilot program. IRV drivers will have vehicles equipped to better respond to incidents resulting in lane closures and other major incidents, and they will provide enhanced emergency response capabilities such as temporary traffic control devices and traffic control services as requested by law enforcement and emergency response personnel.

The Nevada FSP results in numerous benefits to the traveling public and first responders:

- Enhanced visibility and increased protection of stranded motorists on the shoulder of the highway with the use of FSP lights, cones, and other traffic control devices
- Prevention of secondary incidents because of quick clearance of incidents, vehicles, and debris
- Quicker detection rate of incidents and motorists in need by roving FSP operations
- FSP response to minor incidents enables law enforcement to focus on major incidents and critical law enforcement duties
- Reduced congestion and delay (including reduced fuel consumption and emissions) due to quick clearance of incident

Since September of 2007 we have received 15,790 comment cards from motorists with 99.99% positive remarks.

Current Nevada Freeway Service Patrol Program Incident Responses				
	2011	2010	2009	2008
FSP Responses in the Reno/Sparks Region				
Incident Totals	13,882	13,058	15,243	18,660
Total Costs	\$786,490	\$652,629	\$499,799	\$506,480
Cost per Incident	\$57	\$50	\$33	\$27
FSP Responses in the Las Vegas Region				
Las Vegas Incident Totals	40,552	43,667	50,880	51,210
Las Vegas Totals	\$1,532,732	\$1,408,083	\$1,407,339	\$1,426,782
Cost per Incident	\$38	\$32	\$28	\$28