

EXHIBIT D



Conditions of Approval

Abandonment Case Number: AB16-005

The project approved under Abandonment Case Number AB16-005 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on February 7, 2017. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a “quitclaim” by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

Unless otherwise specified, all conditions related to the approval of this Abandonment shall be met prior to recordation of the Resolution and Order of Abandonment. Prior to recordation of the Resolution and Order of Abandonment, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall be submitted with the map to the County Surveyor.

Compliance with the conditions of approval related to this Abandonment is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a Resolution and Order of Abandonment by the Engineering and Capital Projects Division and after the recordation of the Resolution and Order of Abandonment by the County Recorder.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development

1. The following conditions are requirements of CSD – Planning and Development, which shall be responsible for determining compliance with these conditions.

Contact Name – Eva M. Krause, Planner, 775.328.3628, ekrause@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action.
- b. This Abandonment will be effective upon recordation of the Resolution and Order of Abandonment by the County Recorder.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Kimble Corbridge, PE, 775.328.2054, kcorbridge@washoecounty.us

- a. Only the minimum amount of Right-of-Way needed to conform to the setback shall be abandoned. Less than 80 square feet in front of garage.
- b. Prior to recordation of the Order of Abandonment, the applicant shall submit a legal description to the County Engineer for review and approval. The legal description shall be prepared by a registered professional and shall be for the area of abandonment. The County Surveyor shall determine compliance with this condition.
- c. The applicant shall comply with conditions necessary to record the Resolution and Order of Abandonment within two years from the date of the action by Planning Commission or this conditional abandonment will be null and void.
- d. Retention of all public utility easements and granting of a plowed snow, drainage and traffic signage easement over the area abandoned is required.
- e. The applicant shall record a hold harmless agreement. The County Engineer and the Deputy DA shall review and approve said agreement prior to recording.

Truckee Meadows Water Authority

3. The following is the requirement of Truckee Meadows Water Authority, which shall be responsible for determining compliance with these conditions.

Contact Name – Amanda Duncan, ARWP, 775.834.8035 aduncan@tmwa.com

- a. A public utility easement must be recorded over and across the newly abandon area.

*** End of Conditions ***