# MASTER PLAN AMENDMENT REQUEST

FOR

MAYBERRY GARDENS

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Mayberry Gardens

APPLICATION REQUEST

The purpose of this application is to request an Amendment to the Master Plan for a project to be named Mayberry Gardens. The site consists of approximately 3.77 acres located on the South side of Mayberry Drive (a minor arterial) approximately 550 feet to the East of the McCarran Boulevard Mayberry Drive intersection in the Southwest planning area of the City of Reno.

The site is currently occupied by the historic Caughlin Ranch house and the recently closed Garden Shop Nursery. It is surrounded on the West, South and East by Betsy Caughlin Donnelly Park (a Washoe County Park) and on the North by Mayberry Drive.

Betsy Caughlin Park was gifted to Washoe County on December 31, 1990 (ref. attached deed). The grant was for 30.05 acres which specifically excluded the 3.77 acres (referenced in the deed as “the dominant parcel”) which is the subject of this application.

The property currently has a Master Plan designation of Parks/Recreation/Open Space and a zoning of Open Space/Historic Overlay (OSHL). Since this parcel was never intended to be a portion of the gifted park parcel, extensive research has been done in an attempt to determine how the current designations were placed on the parcel. To date and after discussions with the staffs of both Washoe County and the City of Reno we have been unable to find an answer. The only explanation so far is that in the process of bringing the property in to the City an error was made with the inclusion of this parcel into the park.

The intent of this Master Plan Amendment request is to change the Plan designation to Mixed Residential to allow the uses proposed on the site.

The Mayberry Meadows project is anticipated to be a 25 unit townhouse development and to include a boutique restaurant in the original Ranch building to the immediate south of the main Ranch house. The large house is currently a single family residence and is anticipated to remain as such.

Access to the project will be via the two existing approaches onto Mayberry Drive. All utilities required to serve the development are either adjacent to the site or in close proximity within the Mayberry Drive right of way.

With the development of the project a great deal of focus is being placed on the preservation of as much landscaping as possible with special attention being placed on the mature trees surrounding the Caughlin House.

The townhouse units are anticipated to be two stories with a living area of from 1,500 to 2,000 square feet. The architecture will be compatible and complimentary to the existing
Mayberry Gardens

construction on the site with color schemes to blend with the site and surrounding like
construction. All units will have a two car garage and full driveway. Detailed site plans and
building concepts will be submitted with the Zone Change/Special Use Permit and Tentative
Map applications which are currently in development.

Prior to approving this request, the City of Reno Planning Commission and City Council shall find
the following:

For the Planning Commission:

(a) Bears relation to the planning and physical development of the City.
The City of Reno is currently undergoing an increase in housing demand due to significant current and anticipated job growth within the region. This Development will bring a very desirable product into an already developed area where utilities and facilities already exist without major construction and future maintenance costs. The project is located within the McCarran loop.

(b) The Master Plan Amendment is so prepared that it may be adopted by the City Council as a basis for physical development of the City.
The Development as anticipated provides for orderly infill for the City without added costs. It meets all applicable policies and goals of the Master Plan.

For the City Council:

(a) As may be applied practically to the physical development of the City for a reasonable period next ensuing will:

(1) Serve as a pattern and guide for that pattern of orderly physical development of the City which will cause the least amount of natural resource impairment:
Since this is an infill project, actual physical growth of the City of Reno is not needed.

(2) Conform to the adopted Population Plan and ensure an adequate supply of housing including affordable housing.
Job growth within as well outside Washoe County is driving the need for more housing of all types. This infill project, being in close proximity to all services,
although small in scale, will provide a unique, highly desirable product for homeowners.

(3) **Form a basis for the efficient expenditure of funds relating to the subjects of the City of Reno Master Plan.**

As previously stated, this is an infill project and will therefore allow the services and facilities already existing on and adjacent to the site be utilized in a more efficient manner.

**Analysis of other considerations:**

(1) **There has been a change in the area or of the conditions upon which the current designation was based which warrants the amendment.**

The applicant has found no indication of how the current Master Plan designation of Parks/Recreation/Open Space was placed on the parcel. The requested designation of Mixed Residential is completely compatible with the area and appropriate for the site.

(2) **The density and intensity of the proposed Master Plan Amendment is sensitive to the existing land uses and is compatible with the existing adjacent land uses.**

As can be seen on the existing Master Plan and Zoning Map, the Mixed Residential designation is compatible with other land uses in the area.

(3) **The Amendment will provide for orderly physical growth of the City, enhance the urban core and foster safe, convenient and walkable neighborhoods and shopping districts;**

The project is surrounded on three sides by Betsy Caughlin Donnelly Park containing numerous trails and other amenities. On the north side is Mayberry Drive which has sidewalks on both sides and bike lanes. Shopping is available in close proximity to the site both to the east and west. The orderly physical development of this particular portion of the City is basically completed.

(4) **There are planned to be adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation;**

All transportation, recreation and utilities exist.
The proposed change is in substantial conformance with the goals and policies of the Master Plan and other adopted plans and policies, specifically the following City of Reno Master Plan Policies:

E-12 – The City should make every effort to retain mature trees as part of the development process.

Every attempt is being made to save all of the mature trees and other landscaping appurtenant to the main house and the entryways. Other newer landscaping on the site will be saved if possible and transplanted or left in place.

C-4 – The City should review and, as appropriate, originate or amend ordinances and procedures, policies and standards regarding land use, occupancy and development standards to encourage adaptive re-use of historic resources as defined by the City Council.

This project will provide a vehicle by which the applicant can maintain the Caughlin house.

GI-4 - ...encourage new development projects in areas with existing streets, sewer lines and fire stations...

As previously stated, all utilities and facilities are available either on site or a minimum distance from the site. Reno Fire Station Number 5 is located 1.1 miles to the east of the site on Mayberry Drive.

GI-14 – Maximum use of existing public facilities and services should be supported through encouraging new development to occur at higher densities, when appropriate, and through the development of vacant and underutilized land with particular emphasis...

All required facilities are existing.

P-10 – The City should reduce the impact and disruption of development on adjacent residential neighborhoods by requiring every project to provide sufficient parking within a reasonable walking distance.
All parking for this project is on-site.

S-3 – New housing developments should accommodate design standards that reflect direct and convenient access to public schools....

The site is zoned for Roy Comm Elementary School, Swope Middle School and Reno High School. Comm Elementary is located on Mayberry Drive approximately 1,100 feet to the west of the site. Swope Middle School is approximately 0.8 miles to the northeast and Reno High about 2 miles to the northeast.

CD-4 – The City should encourage cluster development when the resulting open space protects significant environmental or cultural resources...

The project seeks to preserve the historic Caughlin ranch house and the immediately surrounding area.

BD-1 – Development density, building mass and architectural details should be sensitive to the context, scale and texture of surrounding development patterns and structures.

Although architectural details are in the process of development the direction given is to make the new structures architecturally compatible to the existing house and the surrounding area. These details will be clarified during the processing of the Special Use Permit and the Tentative Map applications.
MASTER PLAN AMENDMENT APPLICATION CHECKLIST

INCOMPLETE APPLICATIONS WILL NOT BE SCHEDULED FOR PUBLIC HEARING.

APPLICATIONS: Originals shall be unbound with two-hole punch at top of application. Copies shall be collated and bound into separate packets of the following:

<table>
<thead>
<tr>
<th>Applicant Complete and Correct</th>
<th>Item No.</th>
<th>ITEMS REQUIRED FOR GENERAL APPLICATION CHECKLIST</th>
<th>Staff Incomplete</th>
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<tbody>
<tr>
<td>✓</td>
<td>1</td>
<td>Application Form(s)</td>
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<td>2</td>
<td>Owner’s Affidavit, Applicant Affidavit</td>
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<td>Washoe County Citizen Advisory Board Information (optional)</td>
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<td>Legal Description. (Legal descriptions must be signed and stamped by a State of Nevada professional land surveyor)</td>
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<td>8-1/2&quot; x 11&quot; Zoning/Vicinity Map</td>
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<td>✓</td>
<td>6</td>
<td>8-1/2&quot; x 11&quot; Site Plan</td>
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<td>7</td>
<td>&quot;A digital copy of the proposed Master Plan designation must be provided in a GIS or DWG format. This data must be in the Stateplane, NAD83 ground projection&quot;</td>
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<td>Supporting Information including an analysis of applicable findings and considerations listed under the MASTER PLAN AMENDMENT PROCEDURES</td>
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<td>9</td>
<td>Verification that a neighborhood meeting has been scheduled and will be held prior to the Planning Commission public hearing in accordance with NRS 278.210.</td>
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<td>Project of Regional Significance Analysis (if applicable)</td>
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<td>Traffic Impact Analysis (if applicable per RMC 18.12.903)</td>
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<td>Major Drainageway, Hillside Development, Wetlands or other Environmental Constraints analysis (as applicable)</td>
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<td>Check or Money Order</td>
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**Original application, one paper copy and twenty-four digital copies on CD in PDF format are required for this application**

*Additional copies may be requested on a case-by-case basis dependent on distribution requirements*
Notice:

- Depending on the project, not all of the checklists may be needed. Please submit only the completed required documents. Please call (775) 334-2042 with any questions.

- Please do not submit to the City of Reno any of the application procedures. These procedures are informational only and are not be included with the submitted application.
CITY OF RENO
APPLICATION FOR MASTER PLAN AMENDMENT

For Community Development Department Use Only:

CASE NUMBER:

Date Received
Time Received

PROJECT NAME: MAYBERRY GARDENS

PROJECT DESCRIPTION: 25 UNIT TOWNHOUSE DEVELOPMENT & REMODEL OF A PORTION OF EXISTING STRUCTURE INTO A BOUTIQUE RESTAURANT.

PROJECT ADDRESS: 3636 MAYBERRY DRIVE RENO, NV

PROPERTY SIZE: 3.77 ACRES  ASSESSOR’S PARCEL NO(S.): 009-742-02

ZONING - EXISTING: OSHL  PROPOSED: NC Neighborhood Commercial (SUP)

MASTER PLAN - EXISTING: PARKS/RECREATION OPEN SPACE  PROPOSED: MIXED RESIDENTIAL

EXISTING LAND USE: COMMERCIAL FORMER SITE OF GARDEN SHOP NURSERY AND SINGLE FAMILY RESIDENCE.

PROPERTY OWNER(S)
NAME: BATH-BISHOP, LLC
ADDRESS: 441 EAST STRAWBERRY MILL VALLEY, CA 94941
PHONE: (707) 291-5321

APPLICANT/DEVELOPER(S)
NAME: SUMMIT ENGINEERING CORPORATION
ADDRESS: 5405 MAE ANNE AVE. RENO, NV 89523
PHONE: (775) 747-8550

PERSON TO CONTACT REGARDING APPLICATION:
NAME: SUMMIT ENGINEERING CORP ATTN: THOMAS GALLAGHER
ADDRESS: 5405 MAE ANNE AVE. RENO, NV 89523
PHONE: (775) 747-8550
FAX NO: (775) 747-8559
E-MAIL ADDRESS: TOM@SUMMITNV.COM

The City of Reno will direct all mail on this project to the contact person designated above. The above information is required.
CITY OF RENO
MASTER PLAN AMENDMENT APPLICATION

ASSESSOR'S PARCEL NO.: 009-742-02

EXISTING LAND USE DESIGNATION ON THE MASTER PLAN: Parks/Recreation/Open Space

PROPOSED: MIXED RESIDENTIAL

PRESENT ZONING: OSHL PROPOSED ZONING: NC Neighborhood Commercial

DESCRIPTION OF MASTER PLAN DESIGNATION, ZONING AND USES OF ALL ADJACENT PROPERTIES:

NORTH
SPA AND MIXED RESIDENTIAL / PUD & SF-6

SOUTH
PARKS/RECREATION/OPEN SPACE / OS

EAST
PARKS/RECREATION/OPEN SPACE / OS

WEST
PARKS/RECREATION/OPEN SPACE / OS

ADD GRAPHIC WHICH DEPICTS THE MASTER PLAN DESIGNATIONS IN THE VICINITY OF THE SITE.

HOW WILL THE MASTER PLAN AMENDMENT AFFECT:

- THE LAND USE MIX
  THE LAND USE MIX IN THE SURROUNDING DEVELOPED AREA IS
  COMPATIBLE WITH THE PROPOSED MASTER PLAN AMENDMENT.

- AVAILABILITY OF LAND TO MEET HOUSING AND EMPLOYMENT DEMANDS
  THE SCOPE OF THIS PROJECT WILL NOT HAVE ANY SIGNIFICANT IMPACT
  ON THE AVAILABILITY OF LAND TO MEET HOUSING NEEDS. IT IS AN INFILL
  CONSISTING OF RESIDENTIAL AND VERY LIMITED COMMERCIAL (RESTAURANT).

- DEVELOPMENT TRENDS IN THE AREA
  NO IMPACT - THE FACT THAT THE MOST RECENT DEVELOPMENTS IN THE
  AREA ARE TOTALLY COMPATIBLE WITH THE PROPOSED PROJECT.
DESCRIPTION OF WHY THE MASTER PLAN AMENDMENT IS BEING SOUGHT AT THIS TIME:

THE RECENT CLOSING OF THE GARDEN SHOP NURSERY ON THIS SITE HAS MADE IT NECESSARY

FOR THE OWNER TO SEEK ANOTHER USE FOR THE SITE. THIS IN ADDITION TO THE FACT THAT AFTER AN INTENSIVE SEARCH,

THE REASONING AND METHODS USED TO CAUSE THE PARCEL TO HAVE A OS DESIGNATION HAVEN'T BEEN FOUND.

/Applicants Initials/ *Applications with missing plans and checklists or missing components of plans and checklists, will be deemed incomplete and returned within three (3) days of application submittal. Incomplete applications will not be scheduled for public hearings. The applicant must consult with Community Development Staff prior to submitting an application without the above information to determine if the information may be eliminated for a particular application. Additional information may be requested through the staff/applicant meeting and the review process.
PROJECTS OF REGIONAL SIGNIFICANCE

1. If the project will require a change in zoning, a special use permit, an amendment to a master plan, a tentative map or other approval for the use of land which, if approved, will have an effect on the region of increasing:
   
   (a) Employment by not less than 938 employees; Yes  No ✓
   (b) Housing by not less than 625 units; Yes  No ✓
   (c) Hotel accommodations by not less than 625 rooms; Yes  No ✓
   (d) Sewage by not less than 187,500 gallons per day; Yes  No ✓
   (e) Water usage by not less than 625 acre feet per year; or Yes  No ✓
   (f) Traffic by not less than an average of 6,250 trips daily. Yes  No ✓
   (g) Student population (K-12) by not less than 325 students. Yes  No ✓

2. The project is:
   
   (a) An electric substation; Yes  No ✓
   (b) A transmission line that carries 60 kilovolts or more; Yes  No ✓
   (c) A facility that generates electricity greater than 5 megawatts; Yes  No ✓
   (d) Natural gas storage and peak shaving facilities; Yes  No ✓
   (e) Gas regulator stations and mains that operate over 100 pounds per square inch; Yes  No ✓

3. The project is a geothermal well field gathering system and power generation facility or a mining operation on any land within 20 miles of the Truckee Meadows Service Areas. Non-metallic materials such as sand, gravel and aggregate pits for construction projects within the Truckee Meadows are specifically excluded from this guideline. Yes  No ✓

4. The project is located within the 100-year flood zone and; (1) will alter the stream channel or banks of a portion of the Truckee River or any of its tributaries as identified on Figure 2-1 “Surface Waters Tributary to Truckee River” of the 2004 – 2025 Regional Water Management Plan or; (2) will alter any wetlands delineated through the Section 404 permit process. Yes  No ✓

5. The project is a new or significantly expanded landfill or other land disposal facility subject to regulation under Section 090 of the Washoe County District Board of Health regulations governing solid waste management; or any facility involved with the treatment and/or permanent disposal of hazardous or infectious wastes. Yes  No ✓

6. The project will result in the loss or significant degradation of a designated paleontological site as identified in the adopted local government master plans, if such sites have been designated. Yes  No ✓

The determination as to whether or not a project meets any one of the criteria listed above shall be based on the total size of the proposed use of land, including all phases, additions and expansions. Based on the above I certify that this project is/is not a Project of regional Significance. Yes  No ✓
ITEM 4
LEGAL DESCRIPTION
APN 009-742-02

The land is situated in the County of Washoe, State of Nevada and is described as follows:

PARCEL 1:
ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION SIXTEEN (16), TOWNSHIP NINETEEN (19) NORTH, RANGE NINETEEN (19) EAST, MOUNT DIABLO MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO THE SOUTHERLY RIGHT-OF-WAY OF MAYBERRY DRIVE AND THE NORTHWEST CORNER OF PARCEL 4 AS IDENTIFIED ON PARCEL MAP NO. 1707, DOCUMENT NO. 943725 AND FILED AUGUST 15, 1984, IN THE OFFICE OF THE WASHOE COUNTY RECORDER, RENO, NEVADA; THENCE NORTH 63°55'06" WEST ALONG THE SOUTHERLY RIGHT-OF-WAY OF MAYBERRY DRIVE, A DISTANCE OF 494.18 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 16°46'00" WEST, A DISTANCE OF 524.06 FEET TO A POINT; THENCE NORTH 63°55'06" WEST. A DISTANCE OF 347.33 FEET TO A POINT; THENCE NORTH 30°30'31" EAST, A DISTANCE OF 233.59 FEET TO A POINT; THENCE NORTH 09°08'40" EAST, A DISTANCE OF 80.00 FEET TO A POINT; THENCE NORTH 4°58'05" EAST. A DISTANCE OF 172.46 FEET TO A POINT; THENCE NORTH 12°36'53" EAST A DISTANCE OF 48.17 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF MAYBERRY DRIVE; THENCE SOUTH 63°55'06" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY OF MAYBERRY DRIVE, A DISTANCE OF 341.13 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING AN AREA OF 3.77 ACRES MORE OR LESS.

PARCEL 2:
AN IRRIGATION EASEMENT AND RIGHT-OF-WAY AS SET FORTH IN AN INSTRUMENT RECORDED DECEMBER 31, 1990, IN BOOK 3194, PAGE 786, AS DOCUMENT NO. 1451176, OFFICIAL RECORDS. SAID INSTRUMENT WAS CORRECTED BY AN INSTRUMENT RECORDED SEPTEMBER 18, 1992, IN BOOK 3567, PAGE 972, AS DOCUMENT NO. 1606279, AND AGAIN BY AN INSTRUMENT RECORDED SEPTEMBER 18, 1992, IN BOOK 3567, PAGE 983, AS DOCUMENT NO. 2373777, OF OFFICIAL RECORDS.

NOTE: THE ABOVE METES AND BOUND DESCRIPTION APPEARED PREVIOUSLY IN THAT CERTAIN DOCUMENT RECORDED SEPTEMBER 03, 2003, AS INSTRUMENT NO. 2915688.

Description Prepared By:
Ryan G. Cook, PLS 15224
Summit Engineering Corporation
5405 Mae Anne Ave.
Reno, NV 89523
775-747-8550

[Signature]
Ryan G. Cook
Exp. 12-31-16
Prof. Land Surveyor of Nevada
No. 15224
9-29-2016
EAST CENTER OF PROPERTY LOOKING NORTH

FRONT OF CAUGHLIN HOUSE LOOKING SOUTH
After recording, return Deed of
Correction to the following address:
John McIntyre, County Manager
P. O. Box 11130
Reno, NV 89520

DEED OF CORRECTION

On December 31, 1990, Betsy Caughlin Donnelly, an unmarried woman also known as Elizabeth Caughlin Donnelly, as Grantor, executed a Gift Deed granting, transferring, and conveying as a gift and without any consideration, to Washoe County, a political subdivision of the State of Nevada, a parcel of real property located in the County of Washoe, State of Nevada, subject to certain reservations, conditions, and easements, all as set forth in the Gift Deed. The Gift Deed was recorded on December 31, 1990, as Document No. 148117 of Official Records of Washoe County, Nevada. The legal description of the real property conveyed to Washoe County for the establishment of Betsy Caughlin Donnelly Park, and the legal description of the Dominant Parcel (as described in the Gift Deed) were incorrect. Accordingly, Betsy Caughlin Donnelly and Washoe County now desire and intend to correct the Gift Deed, and, accordingly, the Gift Deed is hereby amended and restated in its entirety to read as follows:

GIFT DEED

This Gift Deed is executed by Betsy Caughlin Donnelly, an unmarried woman also known as Elizabeth Caughlin Donnelly, with reference to the following facts:

A. Betsy Caughlin Donnelly is a native of Washoe County, Nevada, her maternal grandparents George and Betsie Andrews having settled in 1871 on a portion of the real property located in Washoe County and commonly known as Caughlin Ranch;

B. Betsy Donnelly was born at the Caughlin family home located on the old Henness Pass Road, now known as Mayberry Drive, where as a child she assisted her parents, William and Crissie Caughlin (daughter of George and Betsie Andrews), in running the family’s farm and with their cattle activities; and

C. During her lifetime, Betsy Caughlin Donnelly has witnessed the explosive growth in population in Washoe County, and the continual transformation of agricultural and open-space land into homes and shopping centers, leaving little open space for the public to view, visit, and appreciate, motivating her to gift certain real property to Washoe County, a political subdivision of the State of Nevada, for the sole and exclusive purpose of the development, construction, and maintenance of a public park,
subject to certain conditions described below. In making this gift, it is Betsy Caughlin Donnelly's intent to provide a quiet and peaceful setting for public enjoyment and recreation in a rural setting.

Based upon the foregoing, Betsy Caughlin Donnelly (the "Grantor") hereby grants, transfers, and conveys, as a gift and without any consideration, to Washoe County, a political subdivision of the State of Nevada (the "Grantee"), for so long as the conditions of this grant described in article II below are not violated, the real property and water rights appurtenant thereto situated in the County of Washoe, State of Nevada, described in Exhibit "A" attached hereto and incorporated herein by reference (collectively the "Real Property"), being a portion of A.P.W. 09-250-88 and 09-250-89, subject to the following reservations, conditions, and encumbrances:

I

RESERVATION OF APPURTENANT EASEMENT FOR IRRIGATION

The Grantor expressly reserves unto herself, as the owner of the Dominant Parcel referred to below, and to the Grantor's successors and assigns, with respect to the Dominant Parcel, in perpetuity, an easement for the purpose of allowing the Grantor, her successors and assigns to obtain and use water from the Last Chance Ditch and Alum Creek in a manner consistent with past or historical irrigation practices across the Real Property to the real property described on Exhibit "B" attached hereto and incorporated herein by reference (the "Dominant Parcel"). The easement reserved hereby is appurtenant to the Dominant Parcel and shall continue for so long as the fee owner of the Dominant Parcel uses water from the Last Chance Ditch and Alum Creek to irrigate the trees and vegetation now or hereafter growing on the Dominant Parcel.

The easement reserved hereby shall include the right of ingress to, egress from, and the transmission of water over and across the Real Property by such means and routes as shall occasion the least practical damage and inconvenience to the Real Property.

II

CONDITIONS OF GRANT OF REAL PROPERTY AND POSSIBILITY OF REVERTER

The grant of the Real Property is made subject to the following conditions:

A. The Real Property shall be used exclusively for the development, construction, and maintenance of a public park;

B. The park to be constructed on the Real Property shall be
named "Betsy Caughlin Donnelly Park";

C. The construction of buildings and other improvements on the Real Property shall be kept to a minimum, except for ball fields, other athletic fields, playgrounds, zoological gardens, biological gardens, vivariums, horseshoe pits, restroom facilities, picnic and barbecue areas, picnic tables and benches. The Grantor expressly prohibits the installation and use of any artificial lighting on the Real Property (other than that needed for security purposes at the restroom and parking facilities), thereby limiting all activities to daylight hours. The Grantor's intent in limiting the construction of improvements is to insure a large open space for the public's use in outdoor passive recreation, keeping either the present natural setting and vegetation, or the planting of trees, turf, shrubs, flowers and ornamental plants, as the Grantee shall determine in its discretion;

D. The public's vehicular entrance to, exits from, and roadways through the park shall be kept at least two hundred feet (200') from any boundary line common to the Real Property and the Dominant Parcel, and no public parking area shall be constructed within two hundred feet (200') of any such boundary line;

E. There shall be no public walking paths or trails constructed within one hundred feet (100') of the southerly and easterly boundaries of the Dominant Parcel (but such paths or trails may be constructed along the westerly boundary or Alum Creek side of the Dominant Parcel); and


If the Grantee or Grantee's heirs, successors and assigns shall violate any one or more of the conditions described in paragraphs A., B., C., D., E., or F. above, then the Grantee's interest in the Real Property shall automatically terminate, and the fee interest to the Real Property shall automatically revert to the Grantor, if the Grantor is then living, and if the Grantor is not then living, by right of representation to the then living issue of the Grantor's niece Shela Scharbach-Lonie, and if no issue of the Grantor's niece are then living, to the Grantor's then living legal heirs, their identities and respective shares to be determined as if the death of the Grantor had then occurred and according to the then existing laws of the State of Nevada.

Except for the reservation of the appurtenant easement, the possibility of reverter, and subject to the conditions described above, this grant includes all tenements, hereditaments and appurtenances of the Real Property, together with the rents, issues and profits thereof.
Dated this __ day of __________, 1992.

Betsy Caughlin Donnelly, also known as Elizabeth Caughlin Donnelly

Washoe County, the original Grantee of the Gift Deed which is corrected pursuant to this Deed of Correction, hereby acknowledges and consents to the corrections contained in this Deed of Correction, and accepts the grant of the Real Property, subject to the reservations and the conditions described above.

Dated this __ day of __________, 1992.

Washoe County

By: _______________________
   Larry Beck, Chairman
Washoe County Commission
STATE OF NEVADA  
COUNTY OF WASHOE  

On this 4th day of March, 1992, personally appeared before me, a Notary Public, Betsy Caughlin Donnelly, also known as Elizabeth Caughlin Donnelly, personally known (or who proved) to me, and who acknowledged to me that she executed the foregoing Deed of Correction.

[Signature]
Notary Public

VIRGINIA D. KELLERMeyer
Notary Public, State of Nevada
Appointment Expires Oct. 21, 1995

STATE OF NEVADA  
COUNTY OF WASHOE  

On this 14th day of August, 1992, personally appeared before me, a Notary Public, CAROL A. PAGE, personally known (or who proved) to me to be the Chairman of the Washoe County Commission, and who acknowledged to me that he executed the foregoing Deed of Correction in his capacity and authority as such Chairman on behalf of Washoe County.

[Signature]
Notary Public
EXHIBIT "A"

All that certain piece or parcel of land situate, lying and being in the Southeast One-Quarter (SE 1/4) of the Southwest One-Quarter (SW 1/4) of Section Sixteen (16), and a portion of the Northeast One-Quarter (NE 1/4) of the Northwest One-Quarter (NW 1/4) of Section Twenty-One (21), Township Nineteen (19) North, Range Nineteen (19) East, Mount Diablo Meridian, and being more particularly described as follows, to-wit:

COMMENCING at the corner common to the southerly right-of-way of Mayberry Drive and the northwest corner of Parcel 4 as identified on Parcel Map No. 170/, Document No. 943725, filed August 15, 1984 in the Office of the Washoe County Recorder, Reno, Nevada, and being the TRUE POINT OF BEGINNING;

THENCE North 63°55'06" West, along the southerly right-of-way of Mayberry Drive, a distance of 494.18 feet to a point;

THENCE South 16°46'00" West, a distance of 524.06 feet to a point;

THENCE North 63°55'06" West, a distance of 347.33 feet to a point;

THENCE North 30°30'31" East, a distance of 233.59 feet to a point;

THENCE North 9°08'40" East, a distance of 80.00 feet to a point;

THENCE North 4°58'05" East, a distance of 172.46 feet to a point;

THENCE North 12°36'53" East, a distance of 48.17 feet to a point on the southerly right-of-way of Mayberry Drive;
THENCE North 61°55'06" West, along the southerly right-of-way of Mayberry Drive, a distance of 217.55 feet to a point of curvature to the left, concave southerly, having a radius of 760.00 feet, and a central angle of 6°34'35";

THENCE along the curve and the southerly right-of-way of Mayberry Drive, a distance of 87.23 feet to a point of compound curvature, concave southeasterly, having a radius of 50.00 feet, a central angle of 108°36'49" and whose back tangent bears North 70°29'41" West;

THENCE along the curve a distance of 94.78 feet to a point on the easterly right-of-way of McCarran Boulevard;

THENCE South 0°53'10" West, along the easterly right-of-way of McCarran Boulevard a distance of 930.58 feet to a point;

THENCE South 67°37'44" East, a distance of 25.46 feet to a point;

THENCE South 0°18'30" West, a distance of 304.20 feet to a point common to the easterly right-of-way of McCarran Boulevard and a point of curvature to the left, concave easterly, having a radius of 1558.02 feet, a central angle of 13°57'53" and whose back tangent bears South 0°18'30" West;

THENCE along the curve and the easterly right-of-way of McCarran Boulevard a distance of 379.74 feet to a point;

THENCE South 13°39'23" East, and continuing along said right-of-way a distance of 114.61 feet to a point of curvature to the right, concave westerly, having a radius of 1275.00 feet and a central angle of 5°57'16";
THENCE along the curve and continuing along the easterly right-of-way of McCarran Boulevard a distance of 132.50 feet to a point;

THENCE North 82°17'53" East, a distance of 230.00 feet to a point on the west right-of-way of Sagittarius Drive as identified on the Official Plat for Mayberry Meadows Unit 3, Document No. 1247954 and filed May 23, 1988, in the Office of the Washoe County Recorder, Reno, Nevada;

THENCE North 7°42'07" West, along the westerly right-of-way of Sagittarius Drive a distance of 25.00 feet to a point;

THENCE North 82°17'53" East, a distance of 132.55 feet to a point of curvature to the left, concave northwesterly, having a radius of 275.00 feet, and a central angle of 61°18'04";

THENCE along the curve a distance of 294.22 feet to a point;

THENCE North 20°59'49" East, a distance of 100.00 feet to a point of curvature to the right concave southeasterly, having a radius of 425.00 feet and a central angle of 31°13'54";

THENCE along the curve a distance of 231.67 feet to a point;

THENCE North 26°04'54" East, a distance of 504.09 feet to a point;

THENCE North 63°55'06" West, a distance of 173.22 feet to a point;

THENCE North 26°04'54" East, a distance of 399.16 feet to the TRUE POINT OF BEGINNING, and containing an area of 30.05 acres, more or less.
EXHIBIT "B"

All that certain tract, piece or parcel of land situate,
lying and being in the Southeast One-Quarter (SE 1/4) of the
Southwest One-Quarter (SW 1/4) of Section Sixteen (16), Township
Nineteen (19) North, Range Nineteen (19) East, Mount Diablo
Meridian, and being more particularly described as follows, to-
it:

COMMENCING at the corner common to the southerly right-of-way of
Mayberry Drive and the northwest corner of Parcel 4 as
identified on Parcel Map No. 1707, Document No. 943725, and
filed August 15, 1984 in the Office of the Washoe County
Recorder, Reno, Nevada;

THENCE North 63°55'06" West along the southerly right-of-way of
Mayberry Drive, a distance of 494.13 feet to the TRUE POINT OF
BEGINNING;

THENCE south 16°46'00" West, a distance of 524.06 feet to a
point;

THENCE North 63°55'06" West, a distance of 347.33 feet to a
point;

THENCE North 30°30'31" East, a distance of 233.59 feet to a
point;

THENCE North 9°08'40" East, a distance of 80.00 feet to a point;

THENCE North 4°58'05" East, a distance of 172.46 feet to a
point;

THENCE North 12°36'53" East, a distance of 48.17 feet to a point
on the southerly right-of-way of Mayberry Drive;

THENCE South 63°55'06" East, along the southerly right-of-way of
Mayberry Drive a distance of 341.12 feet to the TRUE POINT OF
BEGINNING and containing an area of 3.77 acres, more or less.