



# WASHOE COUNTY

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CM/ACM KS  
Finance DN  
DA ✓  
Risk Mgt. DE  
HR N/A  
Comptroller CH

## STAFF REPORT BOARD MEETING DATE: June 28, 2016

**DATE:** June 6, 2016  
**TO:** Board of County Commissioners  
**FROM:** Dave Solaro, Architect, P.E., Director,  
Community Services Department, 328-3624, [dsolaro@washoecounty.us](mailto:dsolaro@washoecounty.us)  
**THROUGH:** Kevin Schiller, Assistant County Manager  
**SUBJECT:** Approve a Lease Amendment – 1999 Legal Description Washoe County Complex between Washoe County and the State of Nevada to correct the legal description associated with the current property located at 1001 E. Ninth Street (13.503 acres) that is exempt from the trust imposed by Chapter 561 of the Nevada Revised Statutes [no cost]. (Commission District 3.)

### SUMMARY

A lease amendment to extend the current lease for property located at 1001 E. Ninth Street between Washoe County and the State of Nevada to extend the lease period to March 21, 2050 included an erroneous legal description. During an audit of the entire fairground property, the Nevada Department of Agriculture found the error and has requested that it be corrected. The attached lease amendment corrects the legal description associated with the lease and affects no other terms.

Strategic Objective supported by this item: Stewardship of Our Community.

### PREVIOUS ACTION

On September 8, 1998 the Board amended a lease agreement between Washoe County and the State of Nevada permitting use of the 1001 E. Ninth Street property for the purposes of construction and maintaining a county public building complex through March 21, 2050.

On May 1, 1951 the Nevada State Board of Agriculture leased the 1001 E. Ninth Street property to Washoe County for a term of 50 years through the year 2001.

### BACKGROUND

The State of Nevada owns the property known as the Washoe County Fairgrounds. This property was conveyed to the State of Nevada from the Nevada Agricultural Society on March 9, 1889. On May 1, 1951, the Nevada State Board of Agriculture, leased the property to Washoe County for fifty (50) years with the express provision that the County recognize the trust imposed by Chapter XXVII, Statutes of Nevada, 1887, and agree to manage, control and properly maintain the property subject to the terms of said trust. On August 3, 1971, an amendment extended the term of the May 1, 1951 lease to March 21, 2050.

AGENDA ITEM # 552

On September 2, 1972, the County executed a lease with Nevada State Fair, Inc., whereby the Washoe County fairgrounds was leased to Nevada State Fair, Inc., for twenty-five (25) years for the purpose of conducting the annual Nevada State Fair. That lease has expired.

On September 5, 1975, the lease between Washoe County and Nevada State Fair, Inc., was amended to specifically exempt 13.503 acres from the original lease and reserve it for the exclusive use of Washoe County, subject to compatible use by the Nevada State Fair, Inc., on official fair days.

Washoe County constructed its Administrative Building and Senior Services Center on the 13.503 acres. In 1997 pursuant to NRS 561 the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as Ex-officio State Land Registrar, was directed to execute an amended lease with Washoe County, Nevada, whereby the real property described in section 3 of Chapter 561 shall be exempt from any trust imposed by the statutes enumerated in Chapter 561 and shall be made available for use by Washoe County during the term of the existing lease expiring on March 21, 2050, for the purposes of construction and maintaining a county public building complex. The legal description recorded with that lease amendment was incorrect. Execution of the attached Lease Amendment will correct the legal description.

### **FISCAL IMPACT**

There is no fiscal impact

### **RECOMMENDATION**



It is recommended that the Board of County Commissioners approve a Lease Amendment – 1999 Legal Description Washoe County Complex between Washoe County and the State of Nevada to correct the legal description associated with the current property located at 1001 E. Ninth Street (13.503 acres) that is exempt from the trust imposed by Chapter 561 of the Nevada Revised Statutes [no cost].

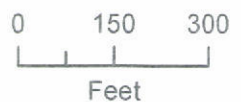
### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be:  
"Move to approve a Lease Amendment – 1999 Legal Description Washoe County Complex between Washoe County and the State of Nevada to correct the legal description associated with the current property located at 1001 E. Ninth Street (13.503 acres) that is exempt from the trust imposed by Chapter 561 of the Nevada Revised Statutes [no cost]."



**WASHOE COUNTY  
FAIRGROUNDS**

-  CORRECTION TO WC LEASE  
SB 491 1999
-  615 LEASE EXT



*This map has been prepared for the use of the Nevada Division of State Lands for illustrative purposes only. It does not represent a survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data delineated hereon.*



EMR, AGRI-4, Proj. 5422, Int. 14689  
Washoe County A.P.N.: 008-030-05

Recording requested by & return to:  
Division of State Lands  
901 S. Stewart St. Suite 5003  
Carson City, NV 89701-5246

**LEASE AMENDMENT-1999 LEGAL DESCRIPTION**

**WASHOE COUNTY COMPLEX**

THIS LEASE AMENDMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the STATE OF NEVADA, acting through the DIVISION OF STATE LANDS, and the State Land Registrar, hereinafter referred to as LESSOR and WASHOE COUNTY, hereinafter referred to as LESSEE.

**WITNESSETH:**

WHEREAS, the State of Nevada owns the property known as the Washoe County Fairgrounds in Reno, Nevada; and

WHEREAS, by the provisions of chapter XXVII, Statutes of Nevada 1887, the Nevada State Agricultural Society was empowered to expend appropriated money to purchase and improve the fairgrounds for the sole use and benefit of the State of Nevada; and

WHEREAS, on March 9, 1889, the Nevada State Agricultural Society caused the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 1, Township 19 North, Range 19

East, M.D.M, in Washoe County, Nevada to be conveyed to the State of Nevada in pursuance of chapter XXVII, Statues of Nevada 1887; and

WHEREAS, on May 1, 1951, the State Board of Agriculture, pursuant to chapter 251, Statutes of Nevada 1951, leased the property (approximately 80 acres less a described area of 2.904 acres) to Washoe County, Nevada, for 50 years with the express provision that the LESSEE "recognize the trust imposed by chapter XXVII, Statues of Nevada 1887, and agrees to manage, control and properly maintain the said property to said trust,"; and

WHEREAS, on August 3, 1971, an amendment made pursuant to chapter 295, Statues of Nevada 1971, extended the term of the May 1, 1951, lease to March 21, 2050, upon the same terms; and

WHEREAS, the limited building expansion capacity of Washoe County coupled with the growth of the county dictated the necessity for providing additional county building space within the next 15 years, and the long term growth envisaged could only be accommodated through the construction of additional facilities in a location that was contiguous to existing facilities and allowed sufficient area for planned expansion; and

WHEREAS, a portion of the premises leased by the State of Nevada to Washoe County on May 1, 1951, provided an excellent site for the construction of a county building complex, having accessibility to the developing highway transportation system, proximity to the residents of the cities of Reno and Sparks and the availability of free public parking; and

WHEREAS, on September 2, 1972, Washoe County executed a lease with the Nevada State Fair, Inc., a nonprofit corporation, by the terms of which the Washoe County

Fairgrounds were leased to Nevada State Fair, Inc., for 25 years for a nominal rent for the purpose of conducting the annual Nevada State Fair; that such lease was amended on September 5, 1975, specifically exempting 13.503 acres from the original lease and reserving such parcel for the exclusive use of Washoe County, subject to compatible use by the Nevada State Fair, Inc. on official fair days; and

WHEREAS, in addition to its administrative building and senior center constructed on the 13.503 acres subject to the lease executed on September 2, 1972, described above, Washoe County needs a regional emergency operations center, regional dispatch center and additional parking for these and other facilities at this location, and for the reasons heretofore stated, construction and operation of a regional emergency operation facility, regional dispatch center and additional parking on a portion of the Washoe County fairgrounds is desirable; and

WHEREAS, pursuant to chapter 561, Statutes of Nevada 1997, the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources, as Ex-Officio State Land Registrar, was directed to execute an amended lease with Washoe County, Nevada, whereby the real property described in section 3 of chapter 561 shall be exempt from any trust imposed by the statutes enumerated in chapter 561 and shall be made available for use by Washoe County during the term of the existing lease expiring March 21, 2050, for the purposes of constructing and maintaining thereon a county public building complex; and

WHEREAS, as part of the 1999 Legislative Session, section 3 of chapter 561, Statutes of Nevada 1997, was amended with respect to the legal description language contained in the 1997 legislation; and

WHEREAS, it is the desire of the LESSOR to amend this lease to reflect the amended and approved 1999 legal description.

NOW THEREFORE, for and in consideration of the covenants, terms and conditions herein contained, LESSOR does by these presents lease unto LESSEE, the property described in **Exhibit A**. The amended legal description includes the following reference, the new language is italicized: "thence leaving said right-of-way and proceeding South 88°12'41" East, 588.99 feet; *thence South 1°48'24" West, 65.00 feet; thence South 88°12'41" East 669.35 feet* to a point on the west right-of-way line of Sutro Street."

LESSEE shall record this Lease Amendment with the Washoe County Recorder's Office. All other terms and conditions of the previous Lease and amendments remain in full force and effect, with no other changes or amendments thereto.

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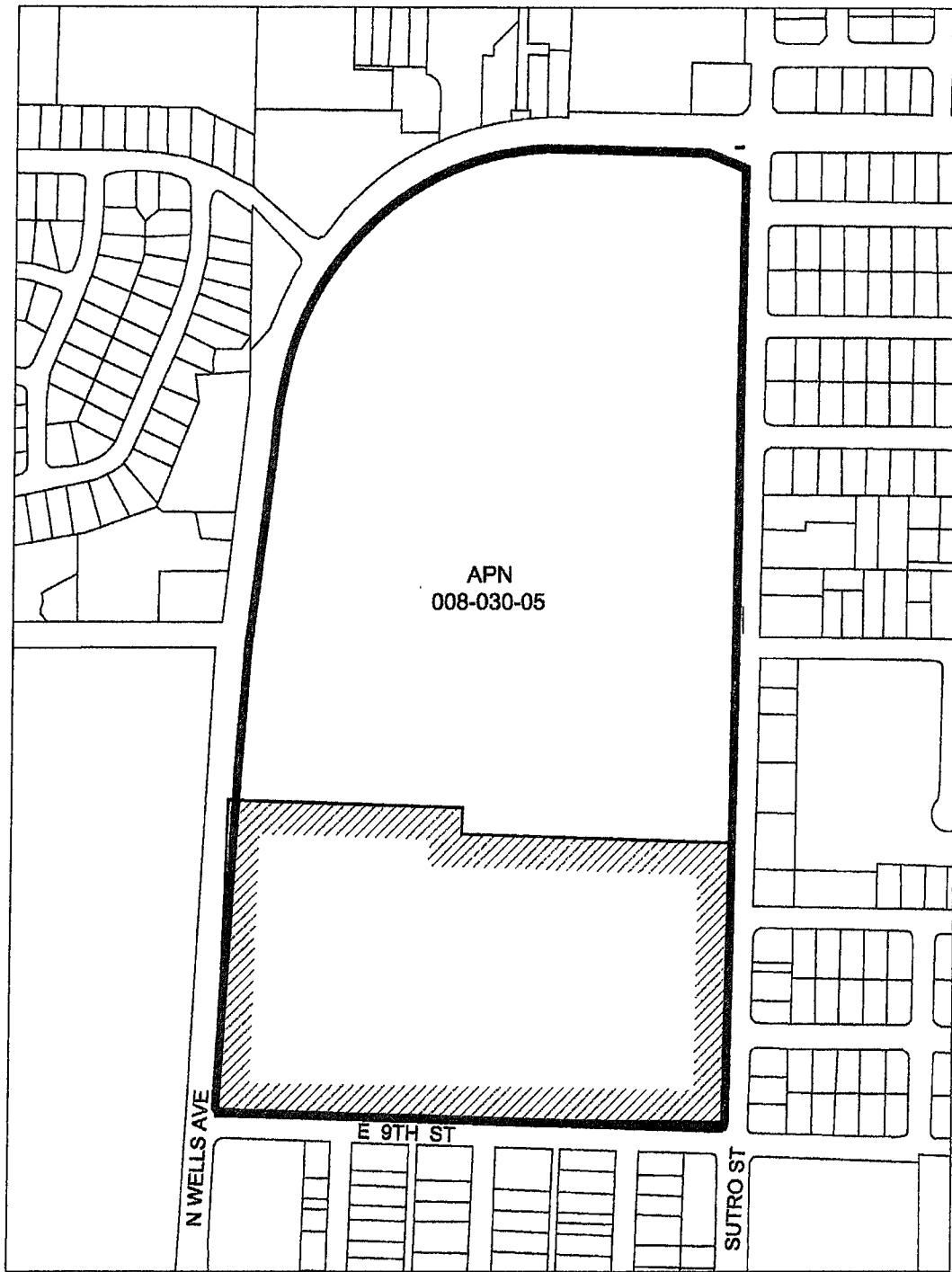




## EXHIBIT A

All that certain piece or parcel of land situate in the Southwest  $\frac{1}{4}$  of Section 1, Township 19 North, Range 19 East, M.D.M. and being more particularly described as follows:

Beginning at the intersection of the east right-of-way line of North Wells Avenue and the north right-of-way line of East Ninth Street in the City of Reno, County of Washoe, State of Nevada, said intersection being the point of beginning; thence North  $1^{\circ}43'54''$  East, 779.20 feet along the east right-of-way line of said North Wells Avenue; thence leaving said right-of-way and proceeding South  $88^{\circ}12'41''$  East, 588.99 feet; thence South  $1^{\circ}48'24''$  West, 65.00 feet; thence South  $88^{\circ}12'41''$  East 669.35 feet to a point on the west right-of-way line of Sutro Street; thence South  $0^{\circ}33'14''$  west, 690.66 feet along the west right-of-way of Sutro Street to the point of intersection with the north right-of-way line of East Ninth Street; thence along the North right-of-way line of East Ninth Street, North  $89^{\circ}16'47''$  West 1,272.65 feet to said point of beginning and containing an area of 21.3 acres more or less.



CORRECTED LEASE AREA



DIVISION OF STATE LANDS  
PARCEL

**AMENDED LEASE BOUNDARY  
per 1999 STATE LEGISLATURE  
WASHOE COUNTY FACILITIES**

SEC 1, T16N, R19E  
WASHOE COUNTY, NV

**EXHIBIT A**