

RESOLUTION NO. _____

RESOLUTION OF THE RENO CITY COUNCIL PURSUANT TO NRS 268.063 DETERMINING THAT IT IS IN THE BEST INTEREST OF THE PUBLIC TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT TO CONVEY CITY-OWNED PROPERTY LOCATED AT 1220 and 1250 WEST FOURTH STREET (APN 010-610-18) FOR FULL APPRAISED VALUE OF \$738,000 TO FLYERS PROPERTIES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, WITHOUT FIRST OFFERING IT TO THE PUBLIC BECAUSE THE PROPERTY WILL BE SOLD FOR AN ECONOMIC DEVELOPMENT PROJECT AND WILL BE SOLD FOR ITS FAIR MARKET VALUE.

WHEREAS

- A. City owns a parcel of land located at 1220 and 1250 West Fourth Street (APN 010-610-18) more particularly described in Exhibit A to the agreement attached to this Resolution (the “Property”).
- B. Flyers Properties, LLC, a California limited liability company, (the “Developer”), through a ground lease, currently leases the Property from the City. The Developer owns the building improvements and intends to invest upwards of \$200,000 in capital improvements to the buildings. The Developer proposes to purchase the Property to secure the land to protect the investment and expand the current commercial facility on the Property under an “Agreement for Economic Development and Purchase/Sale of Real Property (1220 and 1250 West Fourth Street)” (the “EDA”).
- C. This Council determines that there is a strong need for the retention of jobs, especially given the loss of jobs due to the COVID-19 pandemic, and for the support, retention or expansion of existing commercial enterprises or facilities to create and retain employment opportunities for the residents of the City. Additionally, this Council determines that there is a need for the construction of residential housing and commercial facilities to support the establishment of new commercial enterprises or facilities or the expansion of existing commercial enterprises or facilities to create and retain opportunities for employment for residents of the City. This Council determines that the proposed EDA will retain opportunities for employment for residents of the City.
- D. NRS 268.063(1) provides that the City may sell real property for the purpose of economic development without first offering it to the general public and for less than the fair market value if

this Council by resolution determines that it is in the best interest of the public to do so. The proposed project meets the definition of Economic Development under NRS 268.063(4)(a)(2).

E. Pursuant to 268.059, before this Council can sell the Property, it must obtain two independent appraisals or obtain one appraisal and then hold a public hearing on the matter of fair market value.

F. City obtained two independent appraisals from Carter-Ott Appraisal Ltd., with an estimated fair market value of \$716,000; and John S. Wright & Associates, with an estimated fair market value of \$760,000, for an average fair market value of \$738,000. Based on information in the appraisals, this Council finds that the Property has a market value of \$738,000.

G. The proposed EDA imposes a restrictive covenant requiring the Developer to expand and cause a continuation of the commercial activities described above for a period of five (5) years from the date the deed is recorded. This obligation shall be a covenant running with the land applicable to Developer and any successors, assigns, or subsequent owners of the land, which will be reserved in the deed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF RENO:

Section 1. That the foregoing recitals are true and correct.

Section 2. That this Council finds and determines it is in the best interest of the City to sell the Property for fair market value of the Property valued at \$738,000 to Flyers Properties, LLC, a California limited liability company, without first offering it to the public because, under the proposed EDA, it will be used for the retention of existing commercial enterprises to support new commercial enterprises or expansion of existing commercial enterprises that will create or retain opportunities for employment for residents of the City.

Section 3. That this Council approves the sale of the Property for the price stated and generally under the terms and conditions stated in the “Agreement for Economic Development and Purchase/Sale of Real Property (1220 and 1250 West Fourth Street)” and authorizes the City Manager to negotiate the final terms of the agreement that are in the best interest of the City. It is not necessary to return the final Agreement to this Council.

Section 4. That the Mayor is authorized and instructed to execute the final EDA as negotiated by the City Manager and any deeds or other documents conveying or encumbering title to the Property. The City Manager or his/her designees are hereby authorized and directed, jointly and severally, to do any and all things and to execute, deliver and record all documents as may be

required to close the sale and otherwise to carry out, give effect to, and comply with the terms and intent of the EDA and this Resolution.

Section 5. That this Resolution shall be effective immediately upon adoption.

Upon motion by Councilmember _____, and seconded by Councilmember _____, the foregoing Resolution was passed and adopted this _____ day of _____, 2024, by the following vote of the Council:

AYES: _____
NAYS: _____
ABSTAIN: _____ ABSENT: _____

APPROVED this _____ day of _____, 2024.

HILLARY SCHIEVE
MAYOR

ATTEST:

MIKKI HUNTSMAN
CITY CLERK

EXHIBIT A:

All that certain real property situate in the Southeast One-Quarter of Section 10, Township 19 North, Range 19 East. M.D.M., City of Reno, County of Washoe, State of Nevada, described as follows:

PARCEL 5A-1

BEGINNING at the northwest corner of Parcel 5B, as shown on Parcel Map Waiver #5, Record of Survey for City of Reno, Union Pacific Railroad Corridor Boundary, Record of Survey Map No. 5392, according to the map thereof, filed in the office of the County Recorder of Washoe County, State of Nevada on April 4, 2012, as File No. 4100101, Official Records;

Thence from said POINT OF BEGINNING South 12°59'56" East, along the westerly line of said Parcel 5B and its southerly prolongation, 70.40 feet to a point lying on the northerly line of the Railroad ReTRAC parcel, also described as the southerly line of said Parcel 5A, as shown on said map;

THENCE along said northerly line, along the arc of a non-tangent curve to the left, radial to a bearing of South 13°30'55" East, concave southeasterly, having a radius of 8606.00 feet, through a central angle of 04°01'42", a distance of 605.09 feet to the southwest corner of Parcel 5A as shown on said map;

THENCE departing said northerly line, North 17°32'37" West, along the westerly line of said Parcel 5A, a distance of 76.83 feet to the northwest corner of said Parcel 5A;

THENCE along the northerly line of said Parcel 5A, along the arc of a non-tangent curve to the right, radial to a bearing of South 16°19'55" East, concave southeasterly, having a radius of 7908.00 feet, through a central angle of 01°45'18", a distance of 242.23 feet;

THENCE continuing along said northerly line, North 75°25'22" East, 368.60 feet to said POINT OF BEGINNING, containing 43,405 square feet, more or less.

APN: 010-610-18

Document No. 4968451 is provided pursuant to the requirements of Section 6.NRS 111.312.