

**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 1610 AND 1790 WEST FOURTH STREET (APN 010-610-10 AND 010-610-11) FOR FULL APPRAISED VALUE OF \$870,000.00 TO JM RANCHES, LLC, A WYOMING 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 two parcels of land located at 1610 and 1790 West Fourth Street (APN 010-610-10 and 010-610-11) more particularly described in Exhibit A to the agreement attached to this Resolution (the “Property”).
- B. JM Ranches, LLC, a Wyoming limited liability company, (the “Developer”), through a ground lease with JM Ranches, LLC, currently leases the Property from the City. The Developer owns the building improvements and is looking to invest upwards of \$170,000 in capital improvements in the building. 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 (1610 and 1790 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) and (4).

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 \$880,000; and Johnson Perkins Griffin, with an estimated fair market value of \$860,000, for an average fair market value of \$870,000.

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. Based on information in the appraisals, this Council finds that the Property has a market value of \$870,000.

**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 \$870,000 to JM Ranches, LLC, a Wyoming 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 attached “Agreement for Economic Development and Purchase/Sale of Real Property (1610 and 1790 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 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 \_\_\_\_\_, 2023, by the following vote of the Council:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
HILLARY SCHIEVE  
MAYOR

ATTEST:

\_\_\_\_\_  
MIKKI HUNTSMAN  
CITY CLERK

## EXHIBIT "A"

All that certain real property situate in the County of Washoe, State of Nevada, described as follows:

### PARCEL 1:

Parcel 6A as shown on the Parcel Map Waiver #6, Record of Survey for City of Reno, Union Pacific Railroad Corridor Boundary, Record of Survey Map No. 5393, 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. 4100103, Official Records, being more particularly described as follows:

All that certain parcel of land situate within the South 1/2 of Section Ten (10) and Section Eleven (11), Township Nineteen (19) North, Range Nineteen (19) East, Mount Diablo Meridian, City of Reno, Washoe County, State of Nevada, being portions of Parcel 5D per Document No.

4100100, and shown on Parcel Map Waiver, Record of Survey No. 5392, File No. 4100101, both recorded April 4, 2012, in the Official Records of Washoe County, Nevada, said parcels being more particularly described as follows:

COMMENCING at the Northwest Corner (NW Cor) of said Parcel 5D, also being the Northwest Corner of the ReTRAC Corridor and the North right-of-way of West Fourth Street;

THENCE departing said NW Cor and along the boundary of said Parcel 5D, said ReTRAC Corridor and said North right-of-way the following two (2) courses;

- 1) North 65°41'06" East, 550.55 feet to the beginning of a tangent curve;
- 2) 1,709.38 feet along the arc of an 8,700.00 foot radius curve to the right through a central angle of 11°15'27";

THENCE continuing along said boundary, ReTRAC Corridor and along and then departing said North right-of-way, North 76°56'34" East, 423.72 feet to the South right-of-way of West Fourth Street;

THENCE departing said ReTRAC Corridor and continuing along said boundary and along said South right-of-way the following four (4) courses:

- 1) South 48°42'36" West, 17.81 feet to the beginning of a tangent curve;
- 2) 325.43 feet along the arc of a 698.00 foot radius curve to the right through a central angle of 26°42'46";
- 3) South 75°25'22" West, 496.69 feet to the beginning of a tangent curve;
- 4) 242.22 feet along the arc of a 7,908.00 foot radius curve to the left through a central angle of 01°45'18" to the beginning of a compound curve;

THENCE departing said boundary and continuing along said South right-of-way, 973.28 feet along the arc of a 7,908.00 foot radius curve through a central angle of 07°03'06" to the POINT OF BEGINNING;

THENCE departing said South right-of-way South 23°57'32" East, 92.02 feet to the projection of the Northerly face of the North ReTRAC wall, also being the beginning of a non-tangent curve, a radial line to said beginning bears South 23°57'32" East;

THENCE along said projection, 55.78 feet along the arc of a 8,606.00 foot radius curve to the left through a central angle of 00°22'17";

THENCE departing said projection South 65°40'11" East, 239.20 feet to the beginning of a nontangent curve, a radial line to said beginning bears North 07°13'34" West;

THENCE 145.05 feet along the arc of a 207.00 foot radius curve to the right through a central angle of 40°09'00" to the aforementioned South right-of-way of West Fourth Street, also being the beginning of a non-tangent curve, a radial line to said beginning bears South 27°17'56" West;

THENCE along said South right-of-way the following two (2) courses:

- 1) 257.89 feet along the arc of a 5,238.00 foot radius curve to the right through a central angle of 02°49'15" to the beginning of a compound curve;

2) 151.04 feet along the arc of a 7,908.00 foot radius curve through a central angle of 01°05'40" to the POINT OF BEGINNING.

APN: 010-610-10

Document No. 4100102 is provided pursuant to the requirements of Section 6.NRS 111.312.

## PARCEL 2:

Parcel 6B as shown on the Parcel Map Waiver #6, Record of Survey for City of Reno, Union Pacific Railroad Corridor Boundary, Record of Survey Map No. 5393, 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. 4100103, Official Records, being more particularly described as follows: All that certain parcel of land situate within the South 1/2 of Section Ten (10) and Section Eleven (11), Township Nineteen (19) North, Range Nineteen (19) East, Mount Diablo Meridian, City of Reno, Washoe County, State of Nevada, being portions of Parcel 5D per Document No. 4100100, and shown on Parcel Map Waiver, Record of Survey No. 5392, File No. 4100101, both recorded April 4, 2012, in the Official Records of Washoe County, Nevada, said parcels being more particularly described as follows:

COMMENCING at the Northwest Corner (NW Cor) of said Parcel 5D, also being the Northwest Corner of the ReTRAC Corridor and the North right-of-way of West Fourth Street;

THENCE departing said NW Cor and along the boundary of said Parcel 5D, said ReTRAC Corridor and said North right-of-way the following two (2) courses;

- 1) North 65°41'06" East, 550.55 feet to the beginning of a tangent curve;
- 2) 1,709.38 feet along the arc of an 8,700.00 foot radius curve to the right through a central angle of 11°15'27";

THENCE continuing along said boundary, ReTRAC Corridor and along and then departing said North right-of-way, North 76°56'34" East, 423.72 feet to the South right-of-way of West Fourth Street;

THENCE departing said ReTRAC Corridor and continuing along said boundary and along said South right-of-way the following four (4) courses:

- 1) South 48°42'36" West, 17.81 feet to the beginning of a tangent curve;
- 2) 325.43 feet along the arc of a 698.00 foot radius curve to the right through a central angle of 26°42' 46";
- 3) South 75°25'22" West, 496.69 feet to the beginning of a tangent curve;
- 4) 242.22 feet along the arc of a 7,908.00 foot radius curve to the left through a central angle of 01°45'18" to the beginning of a compound curve;

THENCE departing said boundary and continuing along said South right-of-way, 709.58 feet along the arc of a 7,908.00 foot radius curve through a central angle of 05°08'28" to the POINT OF BEGINNING;

THENCE departing said South right-of-way, South 22°13'18" East, 88.97 feet to the Northerly face of the North ReTRAC wall, also being the beginning of a non-tangent curve, a radial line to said beginning bears South 22°13'18" East;

THENCE along said Northerly face and the projection of said Northerly face, 260.93 feet along the arc of an 8,606.00 foot radius curve to the left, through a central angle of 01°44'14";

THENCE departing said Northerly face and projection thereof, North 23°57'32" West, 92.02 feet to the aforementioned South right-of-way of West Fourth Street, also being the beginning of a non-tangent curve, a radial line to said beginning bears South 23°23'01" East;

THENCE along said South right-of-way, 263.70 feet along the arc of a 7,908.00 foot radius curve to the right through a central angle of 01°54'38" to the POINT OF BEGINNING.

APN: 010-610-11

Document No. 4100102 is provided pursuant to the requirements of Section 6.NRS 111.312.