

# Defunct Easement Abandonment

Steve Wolgast, 5220 Cedarwood Drive

Tom O'Donnell, 5210 Cedarwood Drive

Harry Shepherd, 5235 Goldenrod Drive

# Overview

The Wolgast property sits at the foot of the Steamboat Hills on the western slope. The home faces West looking toward Montreux and Mount Rose.

The lot is 1.27 acres of which about 1 acre is level. The majority of the lot is not landscaped.

The home is conventional construction including 5 bedrooms with 2700 sqft. It was permitted in 1994 and finished in 1995(?). Wolgast purchased the home in 2016.

The Wolgast property is the last one on a shared driveway with two neighbors off Cedarwood Drive.

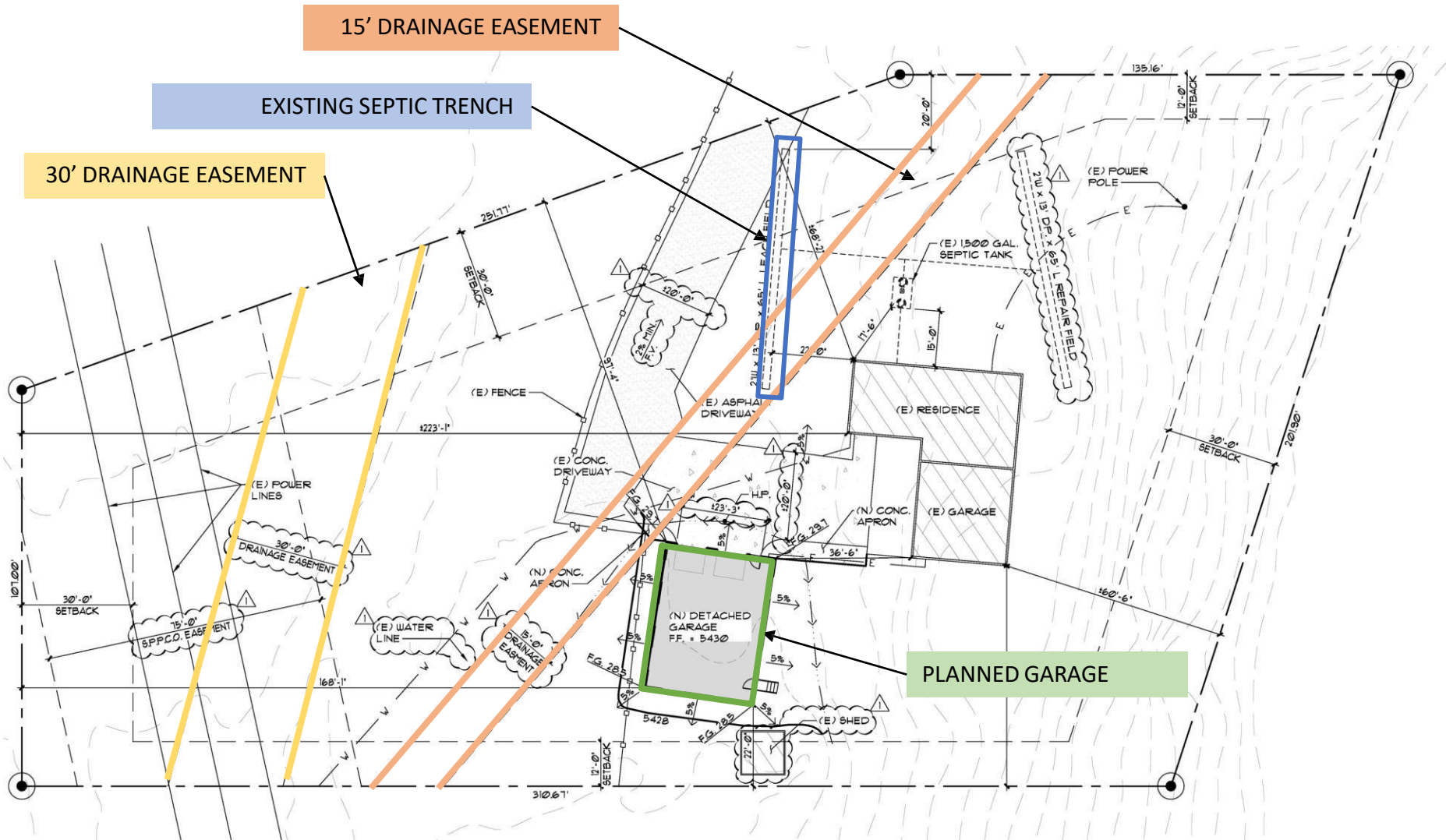
The previous owner built a generous RV pad. Wolgast would like to build a stand-alone garage on this pad.

# The Issue

The three properties have two, nearly parallel drainage easements. One carries no flow: it is defunct.

- In 1981 a 15' drainage easement was recorded at the foot of the Steamboat Hills before the homes were built. It no longer carries storm runoff due to the later grading.
- In 1994 the existing drainage easement was superseded by a new 30' easement that reflected the grading for the three homes.
- The original, defunct, easement is still in the Washoe County records.
- The defunct easement is making it impossible for Wolgast to build a free-standing garage on his existing RV pad because the easement takes up space needed for a septic "repair field" which was not required in 1994. In addition, the defunct easement crosses his original septic field making that septic field non-compliant with the county health requirements.
- The defunct easement may make O'Donnell's original septic field non-compliant.
- The defunct easement should have been abandoned when the new easement was defined. O'Donnell and Shepherd agreed to join Wolgast's application for abandonment.

# EASEMENT MAP



RUNOFF FLOW

ASCENTE

STEAMBOAT HILLS



CURBING

STORM DRAIN

DITCH

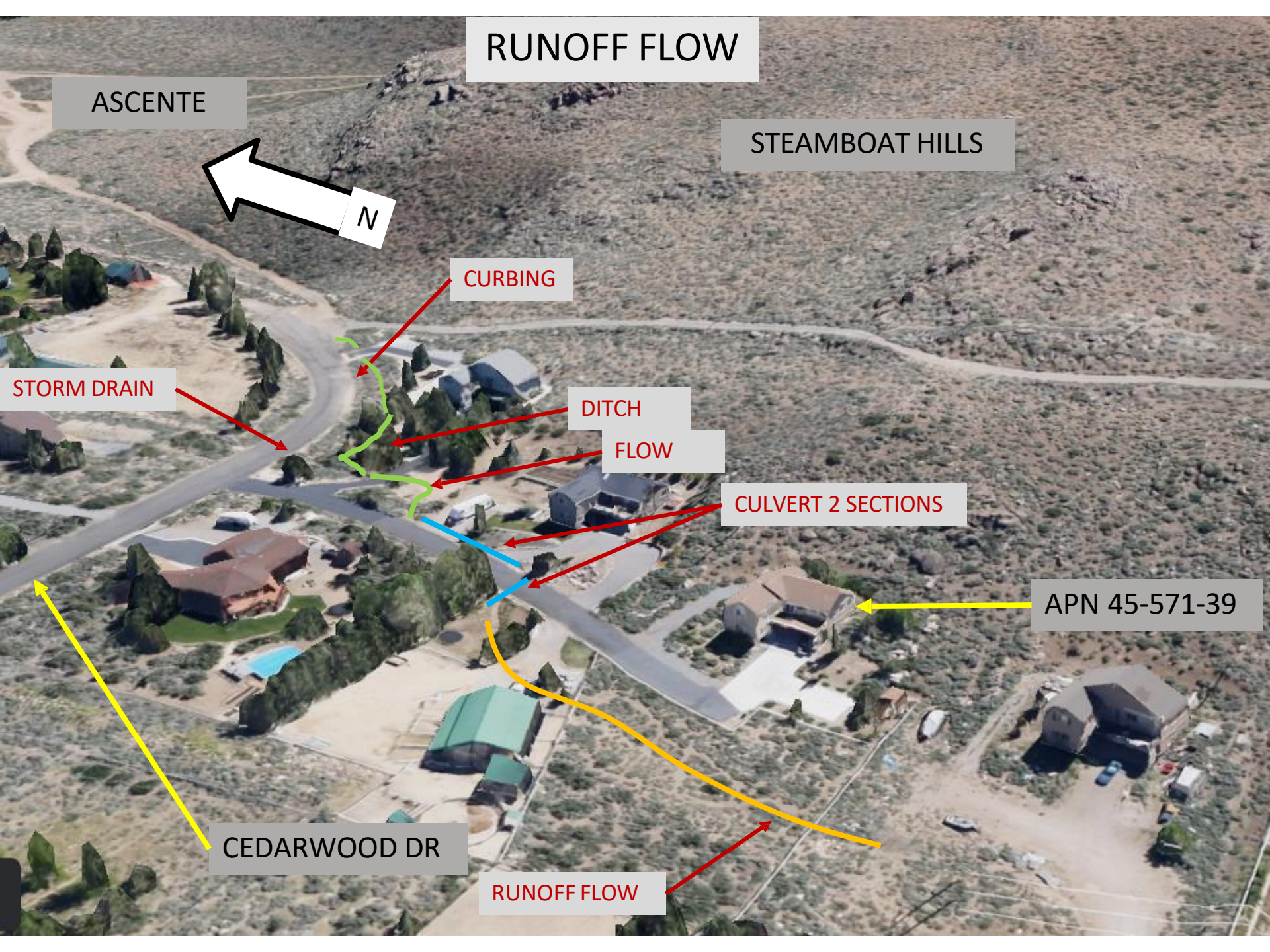
FLOW

CULVERT 2 SECTIONS

APN 45-571-39

CEDARWOOD DR

RUNOFF FLOW



APPROXIMATE LOCATION OF DEFUNCT  
EASEMENT AS SEEN FROM WOLGAST DRIVEWAY



# SURVEY 2023

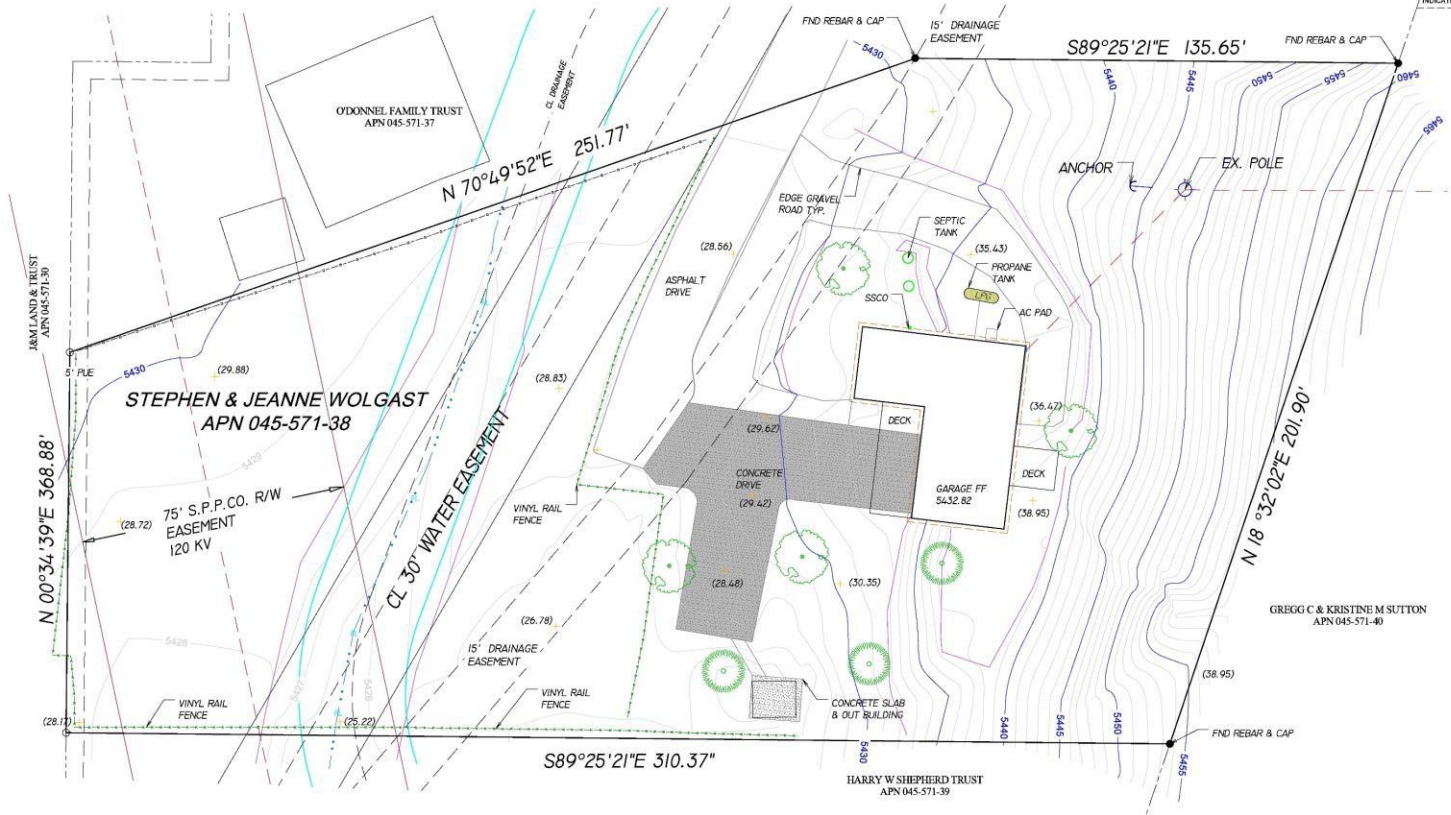


### BASIS OF BEARING

THE BASIS OF BEARING IS PARCEL MAP NO. 1271 EAST LINE N 01° 16' 57"E

### LEGEND

- 8" REBAR AND CAP OR CURB SCRIE
- POINT NOT FOUND
- PLU PUBLIC UTILITY EASEMENT
- (R) RECORDED INFORMATION PER REFERENCE DOCUMENT
- BUILDING SET BACK LINE
- PROPERTY LINE
- INDICATES EASEMENT



### SURVEYOR'S CERTIFICATE

I, R. ADAM BOROSKI, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS A SURVEY PERFORMED UNDER MY DIRECTION. THE SURVEY WAS COMPLETED ON AUGUST 02, 2023.
2. THIS MAP IS PREPARED TO ILLUSTRATE TOPOGRAPHY AND FEATURES FOR ARCHITECTURAL AND ENGINEERING PLANNING AND DESIGN ONLY.
3. THIS PLAT COMPLIES WITH APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES.

R. ADAM BOROSKI P. L. S. # 2041

### REFERENCES

- (1) PARCEL MAP NO. 1271, RECORDED AS DOCUMENT NO. 750599 IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.
- (2) PARCEL MAP NO. 2831, RECORDED AS DOCUMENT NO. 1837098 IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.
- (3) RECORD OF SURVEY FOR A BOUNDARY LINE ADJUSTMENT MAP NO. 3071 FILE NO. 283454 IN THE OFFICIAL RECORDS OF WASHOE COUNTY, NEVADA.

### GENERAL NOTES

1. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. OTHER EASEMENTS AND ENCUMBRANCES MAY EXIST THAT AFFECT THIS PROPERTY.

SECTION	1	2	3	4
TOWNSHIP	36S	36S	36S	36S
RANGE	12E	12E	12E	12E
DATE				

POINTS WEST SURVEY  
3365 SAN MATEO AVE. RENO, NV 89509  
(775) 778-6426 info@pointswest.com

TOPOGRAPHIC & SITE PLAN SURVEY  
STEPHEN & JEANNE WOLGAST  
6220 CEDARWOOD DRIVE  
WASHOE COUNTY NEVADA 89511

PROJECT NO.	7568
PROJECT NAME	108
DRAWN BY	99-08-32
DATE	08-02-23
SHEET NO.	12

**SURVEY DETAIL**

ODONNELL FAMILY TRUST  
APN 045-571-37

N 70°49'52"E 251.77'

S89°25'21"E

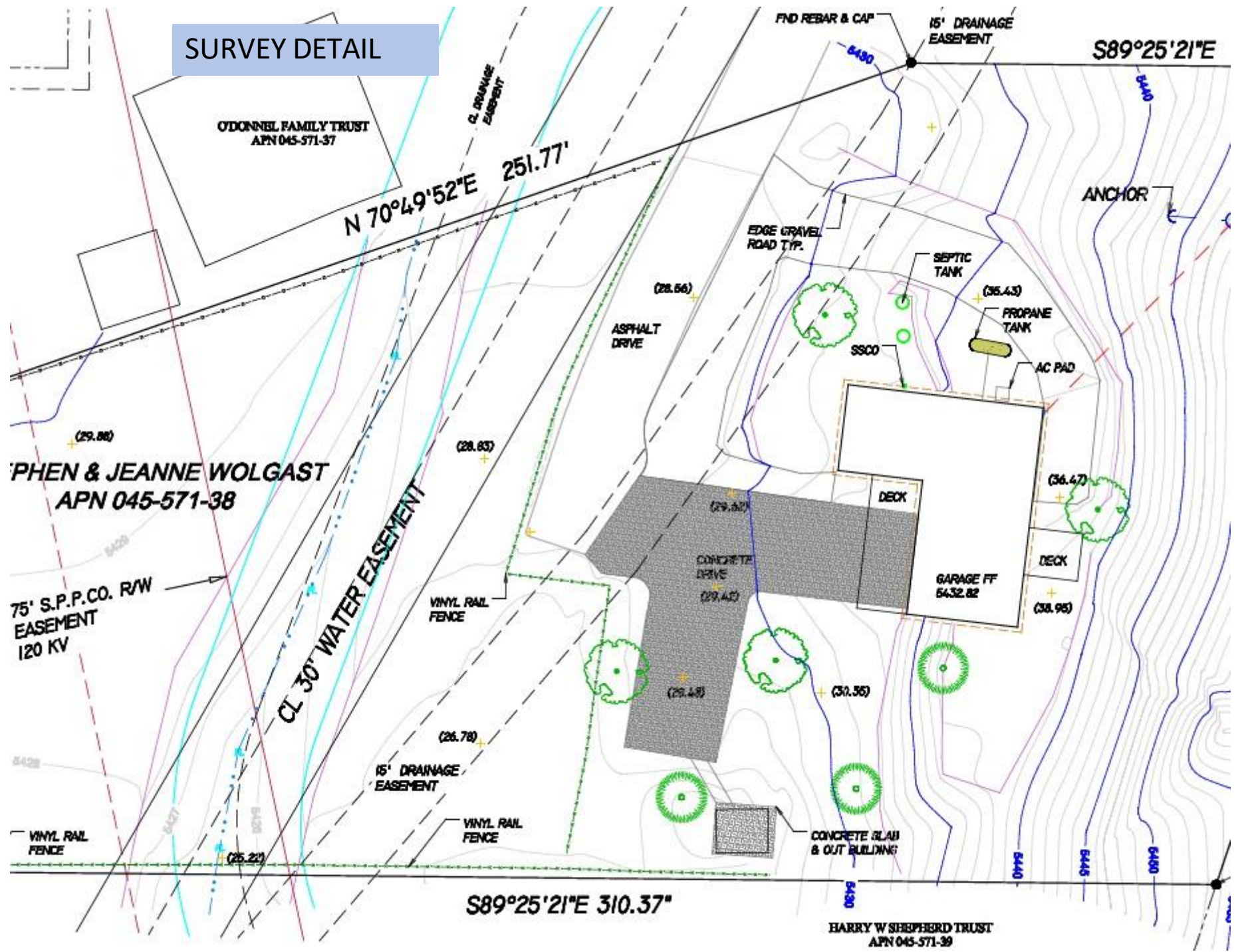
PHEN & JEANNE WOLGAST  
APN 045-571-38

75' S.P.P.CO. R/W  
EASEMENT  
120 KV

CL 30" WATER EASEMENT

S89°25'21"E 310.37'

HARRY W SHEPHERD TRUST  
APN 045-571-39





# Closing

The drainage easement recorded in 1981 across the three properties is defunct and serves no purpose.

- The defunct easement is problematic because it makes both the Wolgast and O'Donnell septic fields non-compliant. These septic fields were properly permitted when the homes were built.
- The defunct easement is problematic in that it inhibits the ability of Wolgast to build a free-standing garage on his property.

It is an outdated vestige and should be abandoned by the County.

Thank you for considering my application.  
I am available to answer questions.