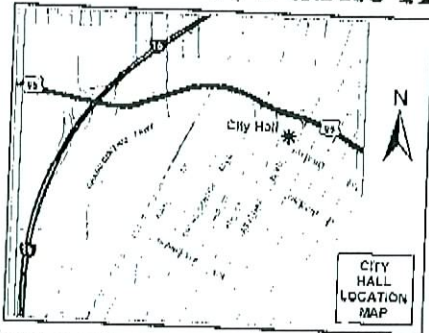


City of Las Vegas  
 Planning & Development Department  
 Development Services Center  
 731 S. Fourth Street  
 Las Vegas, Nevada 89101-2986

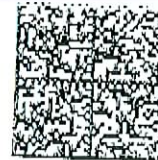
## Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268.

I SUPPORT  
this Request

I OPPOSE  
this Request



UNITED STATES POSTAGE  
 \$ 00.410  
 FEB 01 2008  
 MAILED FROM ZIP CODE 89101

16204302009 Case: SDR-25482  
 FISCHER INVESTMENTS L L C  
 1529 LUCANO LN  
 LAS VEGAS NV 89117-1153

Submitted after final agenda

Date

Item 29  
P

SDR-25482

89117+1153 0015



*Law Offices*

**GEORGE D. FRAME, LTD.**

*A Professional Corporation*

601 GREENWAY ROAD, STE. D  
HENDERSON, NEVADA ~~89005~~-8364  
89002-  
(702) 598-4620  
FAX (702) 598-4624

February 26, 200

Las Vegas Planning Commission  
Attention: Andy Reed  
Via fax to 474-0352

Re: Big Town Mechanical Objection of Fischer  
SDR-25482 - Feb. 28, 2008 Agenda

Ladies and Gentlemen:

I represent Charles and Joyce Fischer, owners and operators of Fischer's Auto Body, the business and property at 1910 Western, adjacent to Big Town Mechanical and the property affected by Big Town's request for a "0" clearance between buildings.

As of this date, we have not been able to reach an agreement with Big Town concerning Fischer's objections and wish to re-submit our letter of February 14, 2008, which is attached hereto for reference.

As to paragraph one of that letter, we have since learned through a 2005 survey that Fischer's building is actually 1' 7" from their property line. The 10' side clearance provided by the city code would place the new building of Big Town 11' 7" from the building of Fischers. Fischers have proposed a set back from their property line of 4' to allow them to maintain their wall which is concrete block and requires a seal coat periodically to stop deterioration.

Since the proposed 32' extension of Big Town's building toward Western will block the building and sign of Fischers' business to traffic coming from the south, Fischers have suggested that Big Town provide a pole sign for Fischers similar to Liquid Air near the street on Western to correct this problem.

Sincerely,

*George D. Frame*  
George D. Frame

GDF:nf

RECEIVED  
08 FEB 26 PM 4:52  
PLANNING AND DEVELOPMENT

Submitted after final agenda	
Date	Item 29

187

*Law Offices*  
**GEORGE D. FRAME, LTD.**  
*A Professional Corporation*

601 GREENWAY ROAD, STE. D  
HENDERSON, NEVADA 89015-8364

(702) 598-4620  
FAX (702) 598-4624

February 14, 2008

Via fax to 736-8855

TRP, Inc.  
Attn: Caron Richardson  
815 Pilot Road, Suite E  
Las Vegas, NV 89119

Re: Big Town Mechanical -- Agenda Item SDR-25482/Fischer

Dear Ms.

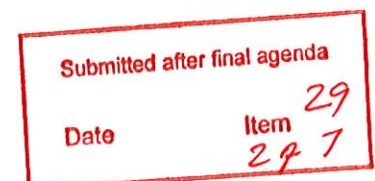
At the request of my client Joyce Fischer, I am sending you copies of the recorded right of ways against my client's property.

Our objections to your plan are as follows:

1. The easement you refer to as 10' is a actually aright-of-way 6' wide with 3' granted by predecessor owners to Fischer's property to the Power Company and Central Telephone. This 3' extends from the center of the power pole to Fischer's building and is "owned" by Fischers. They have no intention of selling it to you to allow a "0" clearance between buildings.

Even if this had been a deeded easement by predecessor owners of Fischer's property to the utility companies, under the Nevada Statutes, if the utility companies chose to abandon the purported easement, the owner of the property would have the right to acquire the return of the dedicated portion without consideration. My secretary confirmed this fact with Sharon McShea of Nevada Power.

2. I am advised that you have not contacted Nevada Power or the Telephone Company to determine the feasibility of moving the utilities.



TRP, Inc.  
Attn: Caron Richardson  
Re: Big Town Mechanical - Agenda Item SDR-25482/Fischer  
February 14, 2008  
Page two

In this regard, the Fischers have single-phase and three-phase power to the business. They are a vehicle repair shop for insurance companies and have been established with these companies for many years. They will not agree to a shut down of their power, phones and business to accommodate you moving the utilities. This could cause them to lose valuable clients and employees.

3. In extending your building to the street on the side adjacent to the Fischer's building, you will be blocking the location advertising sign of the Fischer's business. Since you will lose the purported five-foot easement of Fischer's property which you had planned to take for your building and it is doubtful that the Power and Telephone Company will let you build against the power pole, this substantially reduces the value of the extension you have made to the street on that side.
4. It is my understanding that the extension of your building on the north side as planned will also reduce the common drive-way entrance from 16' to 12' making it impossible for a wrecker to bring a vehicle in to Fischer business from that drive-way. We realize that there is another drive-way but the wreckers come in from both directions and use both drive-ways.

I will be in court this morning but will be in the office this afternoon. My secretary, Nancy, will be in the office if you need something further.

Sincerely,

*George D. Frame/n.f.*  
George D. Frame

GDF:nf  
Encs.

Submitted after final agenda	
Date	Item 29 397

BOOK 456

RIGHT-OF-WAY GRANT

367252

I (We) MARNELL AND BIANCHI CO., INC., A NEVADA CORPORATION for One Dollar and other valuable consideration, do hereby grant and convey to SOUTHERN NEVADA TELEPHONE DIVISION, CENTRAL TELEPHONE CO., its successors and assigns, the perpetual right to construct, operate, add to, maintain, and to finally remove a line or lines consisting of poles, guys, anchors, wires, cables, and other fixtures and apparatus, or any thereof; for the transmission and distribution of electricity, telephone and/or other communication circuits, upon, over, under, and across the parcel(s) of land hereinafter described and the right of ingress and egress to and over said parcel(s); together with permission to cut and trim brush and trees as deemed necessary to reasonably insure the safe and proper operation of said line or lines.

THE ABOVE REFERRED TO PARCEL OF LAND IS SITUATE IN THE SOUTH HALF (S 1/2) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, FURTHER DESCRIBED AS FOLLOWS:

A STRIP OF LAND, 6.0 FEET WIDE, BEING 3.0 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 4 WITH THE WEST LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY (100 FEET WIDE), THENCE SOUTH 27°56'15" WEST ALONG THE SAID WEST LINE A DISTANCE OF 875.88 FEET TO A POINT, THENCE NORTH 62°03'45" WEST A DISTANCE OF 602.11 FEET TO A POINT, THENCE SOUTH 35°34'12" WEST A DISTANCE OF 71.0 FEET TO A POINT, THENCE SOUTH 62°03'45" EAST A DISTANCE OF 116.80 FEET TO THE TRUE POINT OF BEGINNING, THENCE SOUTH 2°29'28" WEST A DISTANCE OF 65.0 FEET TO A POINT OF TERMINATION.

Return to: Central Telephone Co. Southern Nevada Division Box 1490 P. O., Nevada attn: sps dept.



The Grantor(s) retain(s) the right to fence, plant, maintain and so use said parcel(s) for own purpose so long as such use is consistent with and does not interfere with the rights herein granted.

WITNESS the Corporate name and seal this 25th day of June, 1963 (SEAL)

STATE OF Nevada ) ss. COUNTY OF Clark

By Anthony A. Marnell, President Marnell and Bianchi Co., Inc.

By Dominic A. Bianchi, Vice-President

On this 25th day of June, 1963, personally appeared before me, a Notary Public in and for said County and State, Anthony A. Marnell, and Dominic A. Bianchi, known to me to be the President and Vice-President of the Corporation that executed the foregoing instrument, and upon oath did each depose that he is the officer of said Corporation as above designated; that he is acquainted with the seal of the Corporation and that the seal affixed to said instrument is the corporate seal of said Corporation; that the signatures to said instrument were made by officers of said Corporation as indicated after said signatures; that the said Corporation executed said instrument freely and voluntarily and for the uses and purposes therein mentioned.



By Kenneth J. Gannogne, Notary Public

(SEAL) MY COMMISSION EXPIRES MAY 21, 1967

NO. 367252 RECORDED AT THE REQUEST OF Central Telephone Co. JUN 26 10 42 AM 63 OFFICIAL RECORDS BOOK NO. 456 CLARK COUNTY, NEVADA PAUL G. HORN, RECORDER FEE \$2.00 DEPUTY

E-1

200

Submitted after final agenda Date Item 29 487

INQ. 68-522

734262

RIGHT OF WAY GRANT

ANTHONY A. MARNELL and MARIE I. MARNELL, 1/2 interest;  
DOMINIC A. BIANCHI and LILA R. BIANCHI, 1/2 interest

BOOK 914

For One Dollar and other valuable consideration, do hereby grant and convey to NEVADA POWER COMPANY and CENTRAL TELEPHONE COMPANY, jointly and severally, and to their successors and assigns, the perpetual right to construct, to operate, to add to, to maintain, and to finally remove a line of lines consisting of poles, guys, anchors, wires, cables, and other fixtures and apparatus, of any thereof, for the transmission and distribution of electricity, and for telephone and/or other communication circuits, upon, over, under, and across the parcel(s) of land hereinafter described and the right of ingress and egress to and over said parcel(s); together with permission to cut and to trim brush and trees, as deemed necessary, to insure the safe and proper operation of said line or lines.

The above referred to parcel of land, situate in the City of Las Vegas, County of Clark, State of Nevada, is that portion of the South Half (S $\frac{1}{2}$ ) of Section 4, Township 21 South, Range 61 East, M.D.M., Nevada, described as follows:

A strip of land 6.00 feet in width being 3.00 feet on each side of the following described centerline:

Commencing at the point of intersection of the North line of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section 4 with the West line of the L.A. and S.L. (Union Pacific) railroad right of way (100.00 feet wide); thence South 27°56'15" West along said West line a distance of 675.88 feet to a point; thence North 62°03'45" West a distance of 360.00 feet to a point on the West line of Western Avenue; thence South 27°56'15" West along said West line of Western Avenue, a distance of 200.00 feet to a point; thence North 62°03'45" West a distance of 242.11 feet to a point; thence South 35°34'12" West a distance of 130.00 feet to the POINT OF BEGINNING; thence South 62°03'45" East a distance of 100.00 feet to the point of ending.

WHEN RECORDED MAIL TO  
LAND SECTION  
NEVADA POWER CO.  
BOX 230-LAS VEGAS, NEV.

The Grantor(s) retain(s) the right to fence, to plant, to maintain and in so use said parcel(s) for their own purpose so long as such use is consistent with standard electrical and telephone practices and does not interfere with the rights herein granted.

WITNESS my (our) hand(s) this 31st day of October 1968

*Dominic A. Bianchi*  
Dominic A. Bianchi

*Anthony A. Marnell*  
Anthony A. Marnell

*Lila R. Bianchi*  
Lila R. Bianchi

*Marie I. Marnell*  
Marie I. Marnell

STATE OF NEVADA }  
COUNTY OF CLARK }

On this 31st day of October 1968

personally appeared before me, a Notary Public in and for said County and State, *Dominic A. Bianchi & Marie I. Marnell* and *Anthony A. Marnell* who acknowledged to me that they executed the foregoing instrument, who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned.

*Joyce M. Hartley*  
Notary Public



FOR RECORDER'S USE ONLY

INSTR. NO. 734262  
OFFICIAL RECORD BOOK NO. 914  
RECORDED AT REQUEST OF NEVADA POWER CO.  
DEC 29 9 50 AM '68  
CLARK COUNTY, NEVADA  
PAUL E. BORN, RECORDER  
FEE \$40.00 DEPUTY

Submitted after final agenda  
Date: 3/1/69  
Item 29  
597

INQ. 68-532

BOOK 950

762593

ANTHONY A. MARNELL & MARIE I. RIGHT OF WAY GRANT MARNELL, husband and wife as community property, an undivided one-half interest; and DOMINIC A. BIANCHI & LILA R. BIANCHI, husband and wife as community property, an undivided one-half interest

IN W&L, for One Dollar and other valuable consideration, do hereby grant and convey to NEVADA POWER COMPANY and CENTRAL TELEPHONE COMPANY, jointly and severally, and to their successors and assigns, the perpetual right to construct, to operate, to add to, to maintain, and to finally remove a line or lines consisting of poles, guys, anchors, wires, cables, and other fixtures and apparatus, or any thereof, for the transmission and distribution of electricity, and for telephone and/or other communication circuits, upon, over, under, and across the parcel(s) of land hereinafter described and the right of ingress and egress to and over said parcel(s); together with permission to cut and to trim brush and trees, as deemed necessary, to insure the safe and proper operation of said line or lines.

The above referred to parcel of land, situate in the City of Las Vegas, County of Clark, State of Nevada, is that portion of the South Half (S½) of Section 4, Township 21 South, Range 61, M.D.M., Nevada, and being the South six (6) feet of the following described parcel:

COMMENCING at the point of intersection of the North line of the Southeast Quarter (SE¼) of said Section 4 with the West line of the L.A. and S.L. (Union Pacific) railroad right of way - 100 feet wide; thence South 27°56'15" West along the said West line a distance of 675.88 feet to a point; thence North 62°03'45" West a distance of 360.00 feet to a point on the West line of Western Avenue; thence South 27°56'15" West along said West line of Western Avenue, a distance of 200.00 feet to the TRUE POINT OF BEGINNING; thence North 62°03'45" West a distance of 242.11 feet to a point; thence South 35°34'12" West a distance of 227.01 feet to a point; thence South 62°03'45" East a distance of 272.26 feet to a point; thence North 27°56'15" East a distance of 225.00 feet to the TRUE POINT OF BEGINNING.

Reference Document OR 485:390707

WHEN RECORDED MAIL TO:  
LAND SECTION  
NEVADA POWER CO.  
BOX 230-LAS VEGAS, NEV.

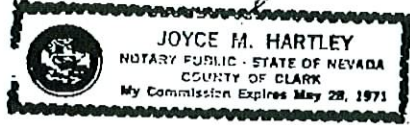
The Grantor(s) retain(s) the right to fence, to plant, to maintain and to so use said parcel(s) for their own purpose so long as such use is consistent with standard electrical and telephone practices and does not interfere with the rights herein granted.

WITNESS my (our) hand(s) this 25th day of April 1969  
Dominic A. Bianchi  
Lila R. Bianchi  
Anthony A. Marnell  
Marie I. Marnell

RW 2249-105  
STATE OF NEVADA  
COUNTY OF CLARK

On this 25th day of April 1969, personally appeared before me, a Notary Public, Lila R. Bianchi & Anthony A. & Marie I. Marnell who acknowledged that I had executed the above instrument.

Joyce M. Hartley  
Notary Public



FOR RECORDER'S USE ONLY  
INST. NO 762593  
OFFICIAL RECORD BOOK NO. 950  
RECORDED AT REQUEST OF  
NEVADA POWER CO.  
MAY 16 9 58 AM '69  
CLARK COUNTY, NEVADA  
PAUL E. HORN, RECORDER  
30 DEPUTY

Submitted after final agenda  
Date Item 29  
697

30/60

950804.00892

**RIGHT OF ENTRY**

I (We) **FRANK E. MARTIN** and **BONNIE K. MARTIN** as Trustees of the 1981 Martin Family Trust for and in consideration of One Dollar (\$1.00) receipt of which is hereby acknowledged, permission is hereby granted to NEVADA POWER COMPANY and/or their agents and/or contractors to enter in and upon land described as a portion of the Southeast Quarter (SW 1/4) of Section 4, Township 21 South, Range 61 East, M.D.M., Clark County, APN: 162-04-302-001, for the purpose of installing, energizing and maintaining electrical facilities as shown on Nevada Power Company Work Request Number: 54054  
 Job Name: **MARTIN-HARRIS**  
 ROE #: **126-0951-j**

NEVADA POWER COMPANY will pay for damages, if any, sustained to the above described property as a result of the negligence of NEVADA POWER COMPANY and/or their agents and/or contractors related to the above described Work Request.

If a permanent easement is required for work to be completed on (my,our) property, (I, we) will execute your standard form GRANT OF EASEMENT, to describe the area of the work.

WITNESS my (our) hand(s) this 27th day of July, 1995.

Frank Martin, Trustee  
 BY: **FRANK MARTIN** TITLE: **TRUSTEE**

Bonnie Martin, Trustee  
 BY: **BONNIE MARTIN** TITLE: **TRUSTEE**

STATE OF NEVADA  
 COUNTY OF CLARK

On this 27th day of July, 1995.

before me, Julie M. Spencer  
 a Notary Public in and for said State, personally

appeared Frank & Bonnie Martin  
 personally known to me to be the person who executed the above instrument, and acknowledged to me that they executed the same for the purposes herein stated.

Julie M. Spencer  
 Notary Public



**JULIE M. SPENCER**  
 Notary Public - Nevada  
 Clark County  
 My appt. exp. Mar. 17, 1998

Recorders Stamp

CLARK COUNTY, NEVADA  
 JUDITH A. VANDEVER, RECORDER  
 RECORDED AT REQUEST OF:  
 NEVADA POWER COMPANY  
 08-04-95 11:05 REC 1  
 OFFICIAL RECORDS  
 BOOK: 950804 INST: 00892  
 FEE 7.00 RPTT. .00

Notary Public Statement and/or Seal

x06:rev. 3/24/94

**WHEN RECORDED MAIL TO  
 LAND SECTION  
 NEVADA POWER COMPANY  
 P.O. BOX 230  
 LAS VEGAS, NV 89151**

Submitted after final agenda  
 Date Item 30  
 797