

Assembly

MINUTES OF MEETING- COMMITTEE ON JUDICIARY, Feb. 1, 1965

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Meeting commenced 10:00 A.M.

Present: Close, Parsons, Olsen, and Kean

Absent: Swobe, Knisley, Delaney, Rosaschi, Jacobsen

The meeting was taken up with comments by and the showing of a number of films by Mr. Don McNelley, Administrator Real Estate Division of the Chamber of Commerce and Mr. Glen Latourette, Chief Investigator for the Western District of the Real Estate Division. The films were for the benefit of the committee in their consideration of AB 80, the land subdivision act.

The film shown was of the Gamble Ranch deal of a year or two ago. Land on the North of Elko on the left Highway 40 quite near Wendover was advertised as lush meadows, utilities available, near a thriving community, etc., when the truth was that it was very arid land, no irrigation water, wells, or streams, the thriving community is Montello which is very small and isolated, utilities available only if the companies see fit.

The Committee was told that approximately 125-150 parcels of land were sold, of 5-10 acres each. The operation was run by a Mr. Johnson in Los Angeles who has since been indicted and convicted. However, it was necessary for him to be prosecuted by the Federal Government through the Post Office Department, because Nevada is one of three states only who do not have any land subdivision act, the other being Utah and Texas.

Mr. Latourette explained that we have never had laws to regulate the sale of land in a subdivision set-up. We have always had to depend on the cooperation of other agencies, such as the Federal Government through the Post Office.

Mr. McNelley also passed around a looseleaf of pictures having to do with the Gamble Ranch operation.

Mrs. Parsons reported that on last Saturday there was a meeting with the Silver Peak group, who have applied for 100 acres for a townsite. They say that if this act is passed they cannot obtain this land.

Mr. McNelley replied that he couldn't see why this act should cause them any trouble, that it only applies or governs the subdivision of land after it is acquired by a group or individual.

Mr. Close asked Mr. McNelley what his feeling was about the number of lots being 25. Mr. McNelley didn't seem to think that there was anything wrong with this. Mr. Olsen brought out that a subdivider couldn't make out with any less than 25 lots.

Mr. Latourette mentioned that the people interested would like to have authority to govern even the smallest subdivision, such as 1 lot, but that if they can't have that, they will be glad to have this one which will regulate the big ones.

Mr. Close asked if there is any injunctive relief in this act we are considering and was told that apparently there is not.

Mr. Close also asked if the enforcing officer in these things has been the Attorney General.

Mr. Latourette replied that usually they bring action through the District Attorney in the county in which a violation takes place. He added, however, that most action has been taken by the Federal Government through the Post Office.

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It was brought out that in the Gamble operation lots were sold under contract and nothing was recorded so there was nothing to check. No survey stakes either to help determine where a particular piece of property is located.

Mr. McNelley brought along a copy of a bill which was introduced to the Legislature last session but did not get off the ground. Mr. Close asked if he could be supplied with a copy of the bill for study. Mr. McNelley suggested that some provisions in the old bill are an improvement over the present proposed bill.

Mr. McNelley asked the Committee to study a Public Report Section in the Act.

Meeting adjourned 11:15 a.m.