

Minutes of the Nevada State Legislature

Senate Committee on Government Affairs

Date: Feb. 26, 1979

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Present: Chairman Gibson
Vice Chairman Keith Ashworth
Senator Dodge
Senator Echols
Senator Ford
Senator Kosinski
Senator Raggio

Also Present: See Attached Guest Register

Chairman Gibson opened the fourteenth meeting of the Government Affairs committee at 2:00 p.m. The first item on the agenda to be discussed was SB-120

SB-120 Removes exemption of certain large parcels from laws relating to subdivision and parcel maps.

SB-120 was discussed during the February 7th meeting and due to the amount of interest and controversy the bill was scheduled for another hearing.

Ken Kjer, Chairman of the Incline Village Improvement District, read from his prepared testimony to the committee and provided copies of his testimony as well as suggested amendments to the bill. Mr. Kjer reiterated from his earlier testimony the need for review and controls at the county level. (See Attachment #1) Mr. Kjer also entered into the records a letter and supporting maps from the Board of County Commissioners in Elko. (See Attachment #2).

Senator Keith Ashworth felt that review power for those owning 40 acres or more had been thoroughly reviewed in prior sessions and it was felt that those falling in this category could be exempt from the laws relating to subdivision and parcel maps.

Brent Kolvert, Douglas County, concurred with Mr. Kjer's comments and stated that in order to have planning for the future they must be able to see what is going on in these larger parcels, know that the individuals intend to do with their land. Mr. Kolvert pointed that the bill allows for a waiver by the governing body in certain circumstances. It will not affect someone who sells off a 40 acre parcel to a farmer or rancher. What the county is concerned about is the selling of 40 acre parcels to land developers. In order to conform to our Master Plan we need to know if this type of sale will affect future planning in our county.

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Senator Raggio felt that the language in the bill will not be enabling with regard to requiring improvements. Mr. Kjer responded that they were not asking for the power to require specific improvements but the ability to review for better planning.

Senator Dodge felt that in the last session there was discussion on Chapter 323, giving the people some enabling language. The Senator felt that Chapter 323 did give the authority needed to review.

Steve McMorris, District Attorney's office in Carson City, testified in favor of the suggested changes as presented by Mr. Ken Kjer. Mr. McMorris felt that Chapter 323 gives them no power and would prefer that this chapter be amended to give the enabling legislation requested.

Reece Harper, registered land surveyor, testified to the committee in favor of amending NRS 278.323 and handed out copies of the suggested amendments. (See Attachment #3) Mr. Harper concurred with testimony given by Mr. Kjer, Mr. Kolvert and Mr. Morris.

David Small, Carson City District Attorney, stated that he was in favor of the bill and suggested amendment by Mr. Harper. Mr. Small agreed that even at the 40 acre level the counties need some review powers. Mr. Small concluded by stating that the water area problem should be addressed in this bill also.

Senator Dodge asked Mr. Small if the water rights problem existed with people changing from agricultural to municipal. Mr. Small said yes and that they issued the growth management authority water permits according to water availability. Senator Dodge questioned if this procedure is also used for those parcels above 40 acres. Mr. Small responded by stating, not at the present time.

Jack Bay, Realtor, representing himself, testified to the committee that he doesn't support SB-120 and would like to be able to study the suggested amendments. He does not want the 40 acre parcels to fall under the same category as the subdivisions. Mr. Bay felt that the master plan will change with the change of administration and could lead to some expensive changes for the land owners.

David Hoy, Attorney representing the D.H. Development Company, testified to the committee that his company was misrepresented by the Washoe County District Attorney's office on the February 7th meeting. Mr. Hoy stated that the D.H. Development Company owns 6,000 acres on Peavine Mountain and that it has been subdivided into 40 acre parcels. Mr. Hoy pointed out the jeep trail and easements on a large map. (Att #4) Read a portion to the committee, "an easement for ingress and egress to each of the above described parcels and for public utilities over, upon and across those lands designated as "roadway easement", "jeep trail", and "unimproved dirt road" on the Record of Survey Maps recorded on May 12, 1977".

Mr. Hoy concluded his testimony by stating that he would prefer to see amending the language in Chapter 119 to give the language needed for review power.

Senator Ford informed Mr. Hoy that by being more specific you will be more demanding on the land owner. The counties and land owners should be able to meet and discuss future growth so that neither the county or the land owner is faced with an undue burden.

Chairman Gibson appointed a sub-committee at this time to work on the proposed amendments. The Chairman of the sub-committee is Senator Dodge; members are Senator Ford and Senator Kosinski. Senator Dodge asked for names and numbers of those present that would be interested in attending the sub-committee meeting and the committee would report their findings back to the regular committee for action at a later date.

AB-13 Prescribes order of offices and questions on ballots for general election.

Secretary of State, William Swackhammer, testified to the committee that he favors the bill but offered some language to amend the bill in order to make it more workable.

Mr. Swackhammer stated that he would like the bill to apply to both the general and primary election. He also felt that the order should be changed to the following: (a) President and Vice President (b) U.S. Senate (c) U.S. Congress (d) Statewide partisan offices (in constitutional order) (e) State senators and assemblymen (f) County and township partisan offices. (g) Statewide nonpartisan offices (h) District nonpartisan offices. (i) Township nonpartisan offices. (Changes lines 9 through 14 on page 1)

Mr. Swackhammer referred the committee to the language on page 2 and asked if the word "standards" on line four - could be better clarified. They do not have problems in the paper ballot counties but the order is not always followed in those counties with the punch card system.

Assemblyman Don Mello, one of the sponsors, testified that the reason for the bill is to help make the voting process more consistent in Washoe County. Mr. Mello informed the committee that in the last election it was difficult to follow the format, therefore, Mr. Stan Colton was asked to offer advice on how to correct the problem. Mr. Colton had previously been the registrar of voters in Clark County. Mr. Mello did not object to the changes suggested by Mr. Swackhammer.

Mr. Stan Colton, State Treasurer, testified to the committee on the reason for having the statewide partisan offices ahead of the statewide non-partisan offices. Mr. Colton indicated that they put a

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sleeve over the partisan portion of the ballot and the non-partisan voter only used the portion that he is eligible to use. It helps the registrar. Mr. Colton wanted to leave some latitude for placement on the ballot to the county clerk on those local offices.

Chairman Gibson asked Mr. Daykin to come to the meeting to clarify whether or not the secretary of state has the power to put the placement on the ballots. Chairman Gibson went over the suggested amendments for Mr. Daykin and Mr. Daykin stated that he would be sure the amending language accomplished the intent of the committee and give Mr. Swackhammer the authority to make appropriate placement on the ballots.

Senator Raggio moved "Amend and Do Pass" on AB-13
Seconded by Senator Keith Ashworth
Motion carried unanimously.

AB-216 Deletes redundant requirement for posting notice
in subdivision map review.

Senator Dodge stated that this bill is merely a housekeeping measure to clear up a redundancy in the statutes.

Frank Daykin stated that the open meeting law provisions cover the publishing or posting requirements.

Senator Ford moved a "Do Pass" on AB-216
Seconded by Senator Kosinski
Motion carried unanimously.

SB-72 Defines population and changes population basis
for exercise of certain powers.

Russ McDonald, legal representative for Washoe County, testified to the committee, continuing from the meeting on Friday, Feb. 23rd. Mr. McDonald began on Section 52 and noted the sections that he would need to consult with Washoe County on. Mr. McDonald concluded by stating that he would return to the committee on Wednesday, Feb. 28th, with the information on those statutes in question. (See Attachment #5)

Chairman Gibson referred the committee to BDR-17-1951 which amends Chapter 218. The measure requires legislative counsel to prepare a memorandum on joint resolutions concerning their constitutionality. Senator Ford requested this bill and feels that it will help the committees considering the bill, as many times a committee considers a bill that is unconstitutional without knowing it.

There was no objection by the committee to introduce BDR-17-1951.

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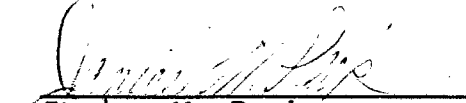
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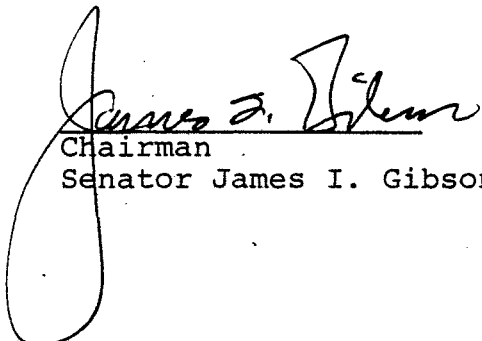
With no further business the meeting was adjourned at 5:10 p.m.

Respectfully submitted



Janice M. Peck
Committee Secretary

Approved:



Chairman
Senator James I. Gibson

SUMMARY--Permits County or City review of divisions of lands into lots, parcels, sites, units or plots, each of which comprises 40 or more nominal acres.

AN ACT relating to the division of land into lots, parcels, sites, units or plots, each of which comprises 40 or more nominal acres and providing for the review and approval by local government of such decisions; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 278.323 is hereby amended to read as follows:

278.323. 1. Any person who proposes to divide [dividas] land into lots, parcels, sites, units or plots of land, each of which comprises 40 or more nominal acres of land, including roads and roadway easements shall [, prior to any sale of such land,] file [in the office of the county recorder] with the clerk of the governing body of the county or city in which the land is located a map which illustrates the proposed division of land [, including standard roadway easements across the land to be sold for ingress to and egress from each parcel] together with a filing fee in an amount as determined by the governing body. A copy of the map shall be filed with [the governing body and] the real estate division of the department of commerce.

2. The governing body shall review and approve, conditionally approve or disapprove such a map and if unusual circumstances exist, may waive the requirement of such a map or survey. Unless the time is extended by mutual agreement a request for waiver or the submission of such map shall be acted upon within 45 days or in the absence of action, shall be deemed approved.

3. The governing body may consider:

- (a) Existing and proposed easements for access to each parcel or lot, the width of such easements and the general conformity with the governing body's master plan of streets and highways;
- (b) Adequate off-site access to the proposed division from a public, county, or state road or highway;
- (c) Such topographical information and data as the governing body may deem necessary including identification of such natural hazards as flood plains;
- (d) Existing and proposed easements for irrigation and drainage ditches, canals and laterals;
- (e) Existing and proposed utility easements;
- (f) Proposed parcel or lot size, dimensions and design;
- (g) General conformity with the zoning ordinances and master plan, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence.

4. The approval of a ~~map~~ map and the associated land division shall be noted on the map in the form of a certificate attached thereto and executed by the clerk of the governing body.

5. [The map need not be based upon a current survey but shall refer to the government survey of such land.] The area of roadway easements for ingress and egress to and

from each parcel shown by the map shall be deemed to be a continuing dedication thereof to the governing body, which at its option, at any time, may accept such easements.

6. The requirements of NRS 278.466 and 278.467 shall apply to such maps.

EXHIBIT 115

COMMISSIONERS

JOHN C. CARPENTER
WILLIAM B. GIBBS
DALE PORTER, JR.

GEORGE R. E. BOUCHER
COUNTY MANAGER
(702) 738-5398

Board of County Commissioners

ELKO COUNTY COURTHOUSE
ELKO, NEVADA 89801

February 26, 1979

Nevada Legislature
Senate Committee on Government Affairs
Senator James Gibson, Chairman

Re: Senate Bill 120
Committee Hearing scheduled for Monday,
February 26, 1979, 2:00 p.m.

Dear Mr. Chairman and Committee Members:

This statement from Elko County will be submitted to the Committee by Mr. Robert Sullivan, Carson River Basin Council of Governments. We fully realize that a personal representative appearance before a Committee Hearing can more completely express the message desired. However, Elko County cannot have a representative appear today.

The Board of County Commissioners met in special session on February 23, 1979 and unanimously confirmed their support for S.B. 120. Elko County has not favored the 40 acre parcel land division clause since the adoption by the 1973 Legislature.

The original philosophy that parcels 40 acres or more in size are not conducive for subdivision consideration is false. Such land division is big business for certain land developers, and the process is gaining momentum. Such land division is an evasion of logical and practical land development.

Elko County was confronted with a 40+acre land division proposal early in 1974. Elko County even went to court and lost because the statutes specifically provided for the 40+acre exception as not being a subdivision regardless of the number of parcels.

Ultimately, this land division known as Mountain Meadow Ranchos by Landex did make the courts, and the Nevada Real Estate Division has an extensive file on the subject. Mountain Meadow Ranchos involved taking the 58,000+acre Pilot Ranch that was a checkerboard land pattern ranch in Pilot Valley which is immediately west of the Utah-Nevada border. The Landex Corporation took 91 sections of land and, by a totally different concept from aliquot part description, created 1,325 parcels each 40 or more acres in size. There was no apparent consideration given to parcel design, whether the parcel was on the valley floor or on the upper elevations of Pilot Mountain, which is over 10,000 feet in elevation.

Re: Senate Bill 120
Committee Hearing-2/26/79

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February 26, 1979

Anyone who has ever seen Pilot Mountain can easily recognize the impregnable features that prevail with respect to easy access. Two positive features for Pilot Mountain lots are an excellent view and solitude.

Exhibit "A" is submitted as supplemental information relating to the Mountain Meadow Ranchos land divisions.

Exhibit "B" is submitted as an overall statistical sheet of the 40+acre land division business which has taken place in Elko County since July 1, 1973. The bottom line totals are 154,094 acres and 1,814 parcels. Please note that the first four on the exhibit make note of "in process."

As indicated in Exhibit "C", the Winecup Ranch was sold in June 1978. The Winecup Ranch is also a checkerboard land pattern ranch. Earlier proposals were to pursue 160-acre parcels, but the present trend appears to be going to the 40+acre size. In recent weeks, Shirley Haws (see Exhibit "B") has shown the County her proposal which involves dividing the Black Mountain area.

Based on the overall size of the Winecup Ranch, the four "in process" activities are just the beginning of what can happen if the land market for such parcels is lucrative and on-going. The entire Winecup Ranch could be consumed by 40+acre parcelling.

Not included on the Exhibit "B" list are two additional large checkerboard ranches that -- if preliminary information becomes verified -- may also be going into the 40+acre disposal status in the near future.

The Board of County Commissioners firmly believes that, so long as the 40+acre parcel exclusion remains as is in Chapter 278, there is the potential of every private land ownership in Elko County currently 80+ acres or more in size to be divided whenever a particular owner of said lands determines this is the way to divide and sell land.

Therefore, we urge the Senate Government Affairs Committee to recommend the passage of Senate Bill 120 of January 25, 1979.

Thank you for every consideration.

Sincerely yours,

John C. Carpenter
William B. Gibbs
Dale Porter, Jr.

By (See attached draft of this letter
written by Mr. Boucher; letter
typed in Carson City)

George R. E. Boucher
County Manager

GREB:mer

E X H I B I T 2 302

Board of County Commissioners

Phone: (702) 738-5398

August, 1974

AN ELKO COUNTY INFORMATION STATEMENT ONMOUNTAIN MEADOW RANCHES

As a client of Landex you have signed a contract to purchase a parcel of land in eastern Elko County, Nevada known as Mountain Meadow Ranches. Potentially, each buyer was provided with an Owner's Property Report. However, you have now contacted an office of Elko County asking additional questions.

The first answer that should be received from Elko County is how Mountain Meadow Ranches became an entity. The Nevada Legislature during the 1973 session was confronted with many subdivision amendment proposals. After the adjournment, it was discovered that in the definition of what was to be a subdivision, a loop hole had been created. The sale of parcels 40 acres in size or larger was not to be considered a subdivision action.

Mountain Meadow Ranches was locally known as the Pilot Ranch prior to the Landex purchase. The ranch comprised of 58,000 + acres of checkerboard pattern land sections. The location of the Pilot Ranch lands lie in Townships 34N through 37N and Ranges 68,69, and 70. This is adjacent to the Utah line northwesterly from Wendover.

The geography of the ranch lands includes a sizeable area of Pilot Valley and higher elevations of Pilot Mountain to the east of the valley. On the west side, higher elevations of the Toano Range from the Silver Zone Pass area to thirteen miles North are involved. Elevation difference is 4,300 feet in the lowest alkali flat of Pilot Valley to 7,500 + feet in the Toano Range and 10,000 + feet on Pilot Mountain.

Agriculturally, the Pilot Ranch was a desert grazing operation as at the ranch site only 100 acres was considered irrigable. The irrigation water is piped from a collection of higher elevation springs on the west slope of Pilot Mountain. Much of the ranch land is poor grazing land and is in the lowest grazing classification. A basic statement for the land in the Pilot Valley area is a good 40 acre parcel on a good feed year might feed one cow for one month.

Pilot Creek is an ephemeral stream based on a short period flow or day length flow due to a cloudburst runoff. At the present, Pilot Creek flow does not reach the Great Salt Lake because a road fill stops the flow in Nevada.

The average precipitation for the Pilot Valley is low as the average for Montello and Wendover, Nevada are 6.09 and 4.74 inches respectively. Much of the precipitation is received in the form of cloudbursts during the summer. The ranch should be considered as arid lands.

The domestic and desirable ground water resources in the Pilot Valley are not optimistic. The old Lake Bonneville's highest shoreline elevation was 5,200 + feet. Water samples of ground water below this elevation in Pilot Valley indicate salinity and sodium hazards that are undesirable for irrigation purposes, and exceed the limits recommended for drinking water standards.

Mapping for the Mountain Meadow Ranches area is limited and very general in most respects. Part of the area has been mapped by the U.S. Geological Survey. The map that Landex provided you with using the blue squares is one of the better maps. A primary concern you will be confronted with before you could accomplish any development on a parcel would be getting it surveyed. You must prove where your land actually exists. Survey references in this area are limited and the cost of a survey could be very expensive.

The Pilot Ranch was purchased for approximately \$30.00 per acre and resold to Mountain Meadow Ranches customers at probably \$130.00 per acre. The best advice that can be extended to a buyer is to make an on the ground check to verify if this is actually what is wanted as a land purchase.

Before attempting any development or improvement to this property, the owner should accomplish contact with Elko County to determine compliance with County ordinances and State statutes. Elko County has several ordinances such as subdivision, zoning, and land use. The National Building, Electrical and Plumbing Codes have been adopted by Elko County and these codes apply to all new construction and remodeling.

A point of information regarding the resubdividing of the 40 + acre and larger parcel is that Elko County by ordinance and inclusion of the Nevada Revised Statutes has very strict and detailed requirements. The subdivision ordinance is strictly enforced as is all the other ordinances. Exceptions to the ordinances are not accepted on the basis of no knowledge of the law.

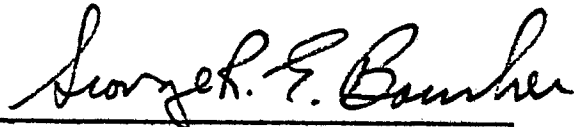
Within the Elko County long range planning, there is no great growth anticipated in the Mountain Meadow Ranches area. Wendover development has been limited for years because of water supply and normal economics of the area. Growth in the Mountain Meadow Ranches should be considered on a speculation basis only.

MOUNTAIN MEADOW RANCHES

August, 1974

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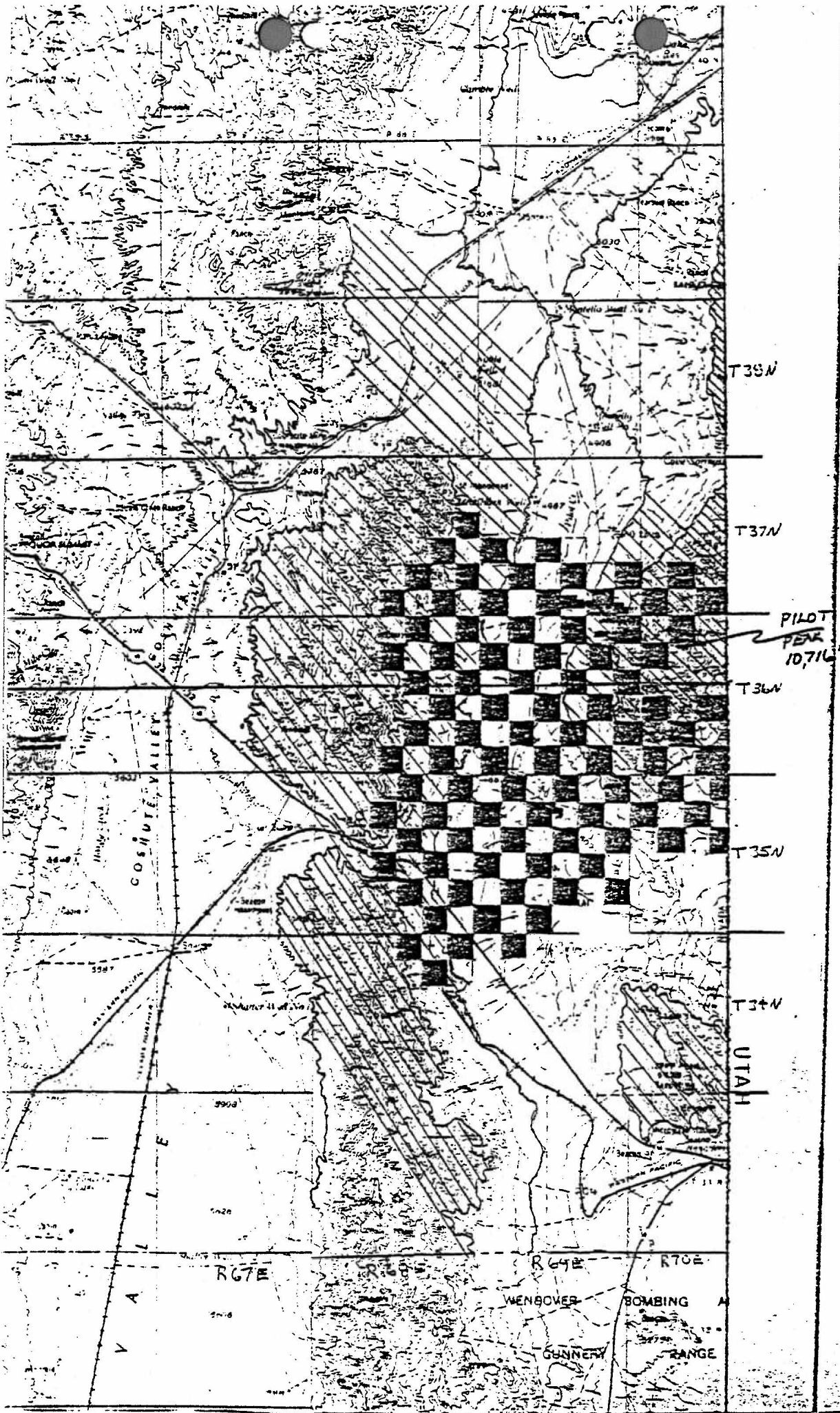
Additional questions concerning the Mountain Meadow Ranches can be directed to the Elko County Manager, Courthouse, Elko, Nevada 89801.



GEORGE R.E. BOUCHER

Elko County Manager

GREB/lm



NAME	NUMBER OF ACRES	NUMBER OF LOTS
Lake Properties	23,930	In process
Shirley Haws	10,883	" "
Circle M	20,610	" "
C D Ranch	14,902	" "
Smith Creek	1,520	38
Landex	58,000	1,325
Western Hills	1,675	40
Gold Creek	5,000	65
Fox	3,200	38
Ivy	740	6
Mogan	3,626	102
Perdriau Investment	3,628	55
Wells Cattle - Land	1,240	34
Silas Sinton	146	3
Nolind	80	2
Nolind	160	4
Corbett	320	8
Jones	167	4
Jones	320	8
Jones	165	4
Lipparelli	262	6
Womack	1,520	38
Wheeler	160	1
Mogan	100	2
Mogan	160	4
Gleason	1,120	16
Mogan	140	3
Mogan	160	4
Mogan	160	4

ELKO DAILY FREE PRESS, Elko, Nevada Thursday, June 29, 1978

Winecup Ranch sold for \$4.5 million

Sale of the Winecup Ranch in northeastern Elko County by Oppenheimer Industries Inc. to Derral Christensen of Delta, Utah, has been announced. Tony Oppenheimer, vice president of the selling corporation, reported the sale price as \$4.5 million.

Oppenheimer and United Farm Agency co-brokered the sale of the 388,000 acre ranch, which once was owned by movie actor Jimmy Stewart.

Other past owners of the ranch include Bill Addington in recent times and, according to the book "Nevada's Northeast Frontier", in earlier days the Utah Construction Co., John Tinnan, Jasper Harrell and John

Sparks, who served as Nevada governor from 1902 until his death in 1908.

The headquarters of the big ranch, situated not far from Thousand Springs between Wells and Jackpot, boasts a main ranch house that reportedly encompasses 7,568 square feet of floor space.

"The sale of the Winecup Ranch reflects the continuing interest in ranchland by major investors," said Oppenheimer. "Buyers realize that current cattle prices are considerably higher than in past years and that large real estate holdings have continued to appreciate in value rapidly over the years."

Oppenheimer said portions of the ranch may be subdivided into large tracts that will continue to be managed as cattle operations. However, he added, individual investors are expected to maintain second homes on the property, from which they will enjoy hunting and other recreational activities found in Nevada.

Oppenheimer Industries is one of the largest cattle and ranch management firms in the United States. As a general partner, it has managed the property for the Winecup Ranch Partnership for the last nine years.

MISCELLANEOUS REAL ESTATE

FARM REAL ESTATE

By Owner

160 acres or more

Own a piece of the Winecup Ranch. \$145 per acre and up. Excellent Farm and Ranch property with plenty of water available. Located 41 miles south of Jackpot, Nevada, and Highway '93. Thousand Springs Trading Post located on property. Three landing strips. Plenty of deer, antelope, and fishing on property. Owner will finance with small down payment. Call Monte Tipton at 801-486-3558 or 801-942-1711, or Guy Tipton at 702-752-9986.

EDFP 7/24/78

Nevada legislature
Senate Committee on Government Affairs
Senator James Gibson
Chairman

Re: Senate Bill 120
Committee Hearing scheduled
for Monday, February 26,
1979 at 2:00 P.M.

Dear Mr. Chairman and Committee
Members:

This statement from Elko County
will be submitted to the Committee
by Mr. Robert Sullivan, Carson
River Basin Council of Governments.
We fully realize that a personal
representative appearance before
a committee hearing can more
completely express the message
desired. However, Elko County
cannot have a representative
appear today.

The Board of Commissioners met in special session on February 23, 1979 and unanimously confirmed their support for S.B. 120. Elko County has not favored the 40 acre parcel land division clause since the adoption by the 1973 legislature.

The original philosophy that parcels 40 acres or more in size are not conducive for subdivision consideration is false. Such land division is big business for certain land developers and the process is gaining momentum. Such land division is an evasion of logical and practical land development.

Elko County was confronted with a 40+ acre land division proposal early in 1979. Elko County even went to court and lost because the statutes specifically provided for the 40+ acre exception as not being a subdivision regardless of the number of parcels.

Ultimately this land division known as Mountain Meadow Ranches by handox did make the courts and the Nevada Real Estate Division has an extensive file on the subject. Mountain Meadow Ranches involved taking the 58,000+ acre Pilot Ranch that was a checker-board land pattern ranch

4
in Pilot Valley that is immediately west of the Utah-Nevada border.

The Landex Corporation took 91 sections of land and by a totally different concept ~~and~~ from aliquot part description created 1,325 parcels each 40 or more acres in size. There was no apparent consideration given to parcel design whether the parcel was on the valley floor or on the upper elevations of Pilot Mountain which is over 10,000 feet in elevation.

Anyone that has ever seen Pilot Mountain can easily recognize the

the Winecup Ranch was sold in June 1978. The Winecup Ranch is also a checkerboard land pattern ranch. Earlier proposals were to pursue 160 acre parcels, but the present trend appears to be going to the 40+ acre size. In recent weeks Shirley Haws has shown the county her proposal that involves dividing the Black Mountain area.

Based on the overall size of the Winecup Ranch the four "in process" activities are just the beginning of what can happen if the land market for such parcels is lucrative and on going. The entire Winecup Ranch

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could be consumed by 40+ acre parcelling.
Not included on the Exhibit
"B" list are two additional
large checkerboard ranches
that if preliminary information
becomes verified may also
be going into the 40+ acre
disposal status in the near
future.

The B of C. C.
firmly believes that so
long as the 40+ acre parcel
exclusion remains as is
in Chapter 278 there is
the potential of every
private land ownership
in Elko County currently
80+ acres or more in
size to be divided whenever

a particular owner of said lands determines this is the way to divide and sell land. Therefore we urge the Senate Government Affairs Committee to recommend the passage of Senate Bill 120 of January 25, 1979.

Thank you for every consideration.

Sincerely yours,

John C. Carpenter, Chairman
William B. Gibbs
Dale Porter, Jr.

by

George R. E. Boucher
Elko County Manager

Explanation - Matter underlined is new; mater in brackets () is material to be omitted.

278.323 DIVISION OF LAND INTO 40 ACRE OR LARGER PARCELS: MAP, DEDICATION OF EASEMENTS REQUIRED.

Any person who divides the land into lots, parcels, sites, units or plots of land, each of which comprises 40 or more nominal acres of land, including roads and roadway easements, shall prior to any sale of such land, file in the office of the County Recorder in which the land is located, a map which illustrates and defines the proposed division of land.

[, including standard roadway easements across the land to be sold for ingress and egress from each parcel.] A copy of the map shall be filed with the clerk of the Governing Body and the Real Estate Division of the Department of Commerce and with the Division of Water Resources. [The map need not be based upon a current survey but shall refer to the Government Survey of such land. The area of roadway easements for ingress and egress to and from each parcel as shown by the map shall be deemed to be a continuing dedication thereof to the Governing Body, which at its option, at any time, may accept such easements.]

Said map shall:

1. Be entitled "Division of Land Map;"
2. Be prepared by a land surveyor registered under the provision of NRS 625.250 through 625.325, and contain a statement by the surveyor stating that all lots, parcels, sites, units or plots contain 40 nominal acres or more;
3. A. Be based on an actual survey of such land into parcels of 40 or more acres performed in conformance with the provisions of NRS 625.330 through 625.350 inclusive;
 B. Or be based on the most recent Government survey of such land in 40 or more nominal acres, and indicate the date of such Government survey with a statement certifying that the parcels conform to the aliquot parts of said survey;
4. Clearly show all easements for ingress, egress and public utilities to each parcel.
5. Include a certificate signed and acknowledged, pursuant to the provisions NRS 111.270, by the person who is the owner of the land, stating;

A. Consenting to the preparation and recordation of said map;

B. Offering a continuing dedication of the areas of roadway easements, for ingress and egress, to the Governing Body, which, at its option, at any time, may accept any or all of such easements, and that said mapped easements are suitable for the purpose intended.

C. Offering the areas illustrated as public utility easements and roadway as a continuing grant of easement for public utility purposes.

STATE OF NEVADA)
) SS
COUNTY OF WASHOE)

Betty Carlson, being first duly sworn, deposes and says: That affiant is, and was when the herein described mailing took place, a citizen of the United States, over 21 years of age; that on the 2nd day of May, 1978, affiant deposited in the United States Post Office at Reno, Nevada a copy of a letter addressed to Richard J. Allen, Director of Planning, Regional Planning Commission of Reno, Sparks and Washoe County, P. O. Box 1286, Reno, Nevada 89504 from Hoy & Miller, Chartered on behalf of DH Development Co. enclosed in a sealed envelope upon which first class postage was fully prepaid and that there is a regular communication by mail between the place of mailing and the place as addressed.

Betty Carlson
Betty Carlson

SUBSCRIBED AND SWORN TO before
me this 2nd day of May, 1978.

Nanette Holm
Notary Public

NANETTE HOLM
Notary Public — State of Nevada
Washoe County
My Commission Expires July 23, 1980

HOY & MILLER, CHARTERED
ATTORNEYS AND COUNSELLORS AT LAW

DAVID R. HOY
LEROY M. GIRE
(ADMITTED IN CALIFORNIA ONLY)
350 SOUTH CENTER STREET
SUITE 550
RENO, NEVADA 89501
(702) 786-8000

JOHN C. MILLER
BLOHM BUILDING
SUITE 201
ELKO, NEVADA 89801
(702) 738-8064

May 2, 1978

Mr. Richard J. Allen
Director of Planning
Regional Planning Commission
of Reno, Sparks and Washoe County
P. O. Box 1286
Reno, Nevada 89504

Dear Mr. Allen:

As you know, this firm represents DH Development Company, the owner of a substantial amount of land in District 17, Peavine Mountain. My clients and I have been reviewing the Land Use Plan adopted by the Regional Planning Commission and transmitted to the Washoe County Commission by your letter of March 28, 1978.

There are several elements of the plan and the language to which my clients object. Specifically, however, we object to the staff recommendations, summaries and conclusions contained in the adopted Land Use Plan which appear to be based upon hearsay and which are paraphrased from other sources. Particularly, we object to the paragraph concerning roadway easements. The Land Use Plan on Page 9, Item 10, provides in part as follows:

"The roadway easements associated with these parcels are not reasonable and consequently serve as a constraint to the division of 40 acre parcels. (See the letter from Washoe County Engineer)"

The letter of the Washoe County Engineer does not say the easements are "not reasonable," rather it says that "reasonable physical access cannot be developed within the easements provided."

At first blush, this would appear to be merely semantics, however, when the facts are examined it is clear that more than semantics are involved. Initially it should be pointed out that the County Engineer referred to the fact

Mr. Richard J. Allen
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that some of the easements had been located around the perimeters of the parcels without consideration to physical constraints. It was his assumption that there were no other easements that led to his erroneous conclusion.

The plan fails to mention the fact that the recorded Covenants, Conditions and Restrictions on the property provide that all of the roads, jeep trails, etc. which now exist on the property are reserved as easements in addition to the perimeter easements. Obviously these roads and jeep trails do provide reasonable physical access and do consider the physical constraints. Additionally, the right is reserved in the recorded restrictions to move the perimeter easements to provide additional access to the property. It was contemplated that there may be a need to realign some of the easements to take into consideration such things as grade and physical layout, at some future time.

A copy of the C. C. & R.'s was given to you and the facts concerning the additional easements were pointed out to you specifically and to members of the Regional Planning staff prior to the meeting of Regional Planning Commission on March 7, 1978. When no changes were made in the proposed Land Use Plan to reflect the true facts, I made a specific point at the March 7, 1978 meeting of calling the omission to the attention of the Regional Planning Commission. It is very disconcerting, to say the least, that the final product of Regional Planning Commission staff does not reflect the true state of affairs with respect to easements on the DH Development property.

Very truly yours,

HOY & MILLER, CHARTERED

By _____
David R. Hoy

DRH:bc

When recorded, mail to:
DH Development Co.
100 North Arlington, Suite 340C
Reno, Nevada

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JUL 24 1978

DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS

This Declaration of Covenants, Conditions and Restrictions is made this 24th day of July, 1978, by DH Development Co., a Nevada corporation ("Declarant"), holder of record and fee title in and to that certain real property situated in the County of Washoe, State of Nevada, and more particularly described as follows:

Parcels 81 to 141 inclusive, as shown on the Records of Survey, recorded on May 12, 1977, under Filing Numbers 464354, 464355 and 464356 in the office of the Washoe County Recorder.

WHEREAS, Declarant, prior to selling any of said properties, desires to subject the same to the following conditions, restrictions, reservations and charges for the benefit of said properties and its present and subsequent acquirers and users as hereinafter set forth.

NOW, THEREFORE, Declarant hereby declares that all of the property described herein is held, and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved subject to the following limitations, covenants, conditions and restrictions, all of which are declared and agreed to be in furtherance of a plan for the sale of the lands and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the lands and every part thereof. All of the limitations, covenants, conditions and restrictions shall run with the land and shall be binding on all parties having or acquiring any right, title or interest in the described land or any part thereof.

1. All of the above described parcels are zoned "A-7 (Third Rural Conservation)" as defined in Washoe County Ordinance No. 57 adopted on December 7, 1970, as amended and as such Ordinance may be amended from time to time and may only be used

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as set forth therein, subject to approval by the State Health Department or other governmental bodies where applicable.

Notwithstanding the foregoing, the property described herein may be used in such manner as the governing body having jurisdiction over it may approve by the adoption of a change of land use, variance, change of master plan or such other method as the governing body may adopt and may be used or divided into smaller lots or parcel sizes than those permitted by these conditions if allowed by the applicable zoning prescribed by the governing body.

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2. There is hereby accepted and reserved to Declarant, its successors and assigns, for the benefit of Declarant and all persons acquiring an interest in the above described property and for the benefit of the owners and all persons acquiring an interest in Parcels 1 to 80 inclusive, as shown on the Records of Survey, recorded on April 4, 1977, under Filings Numbers 457245 and 457246, and on April 20, 1977, under Filing Number 460162, in the Office of the Washoe County Recorder,

[REDACTED]

under Filing Numbers 464354, 464355 and 464356 in the Office of the Washoe County Recorder,

[REDACTED]

The easements around the perimeter of the parcels described as "roadway easements" on the Records of Survey have not been constructed and are for the purpose of reserving to Declarant for the benefit of all of the property described herein the right to construct roadways for ingress and egress. Declarant reserves the right until October 31, 1981 to redesignate and realign such roadway easements as is necessary in the sole opinion of Declarant, its successors or assigns. The

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reservation of roadway easements and the right to realign and redesignate roadway easements shall not, and does not, obligate Declarant to, in fact, exercise the right to redesignate or realign, nor does it obligate in any fashion whatsoever Declarant to construct any roadways or public utilities. No action by Declarant shall in any way obligate Declarant to maintain any roadways which now exist or which may hereafter be constructed. In addition, Declarant reserves the right to abandon or vacate any easements which in its sole discretion it determines are not necessary.

Said exception and reservation is for the benefit of and to provide ingress and egress to all purchasers acquiring an interest in the above described property. No such roadway easement shall be obstructed or blocked in any manner whatsoever so as to interfere with ingress and egress to any other parcel lying within the above described property.

3. No activity noxious or offensive shall be conducted within any building or on any portion of any parcel, including, but not limited to, any of the following: raising of pigs, goats or fowl; operation of feed lots, stockyards, commercial kennels, junk-yards or scrap-iron works.

4. All refuse cans and clotheslines shall be maintained at all times in fenced service yards. Burning of refuse is not permitted.

5. No construction shall commence until a building permit for said construction has been obtained from the local governing body having jurisdiction. Upon commencement of construction of any building, the work on the structure shall be diligently pursued to completion in a workmanlike manner.

6. No signs, advertisements, billboards or advertising structures of any kind may be erected or maintained on any of the parcels without the consent in writing of Declarant; provided, however, that permission is hereby granted for the

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erection of not more than one advertising board on each parcel, which advertising board shall not be more than four (4) square feet in size and may be used for the sole and exclusive purpose of advertising for sale or lease the parcel upon which it is erected.

7. There is hereby excepted and reserved to Declarant, its successors and assigns, all water rights and the right to all water from existing springs, creeks, rivers, wells, reservoirs, lakes, ponds or tanks now existing upon said property including, without limitation, Permit Numbers 29556, 27724, 27725, 27726, 27728, 29982, 29983, and 29984 and Certificates of Appropriations of Water Numbers 5511, 5512, 5513, 5514, 5515, 5516, 5517, 5518, 5519, 5520, 5521 and 5522 and pending Application Numbers 34895 and 34896, together with an easement across all the land described herein for ingress and egress for the purpose of operating, using, maintaining, replacing, renewing or removing any and all existing water facilities and for transportation of said water over, under and across the property described herein.

8. Notwithstanding anything to the contrary contained herein, Declarant hereby reserves the right to graze livestock. There is hereby reserved in favor of Declarant, its successors and assigns, through and including October 31, 1981, all range, use and grazing rights, with the right to the use and possession of the properties for pasturage and grazing purposes. Any person acquiring an interest in the above described parcels shall have the right to terminate the grazing reservation within his parcel by erecting a good and substantial fence, not to exceed six feet in height, inside the boundary lines of his parcel, provided, however, that no fence shall be erected in such a manner as to preclude or block any roadway reserved herein or preclude access to any other parcel of land for grazing purposes.

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All of the conditions, restrictions and charges set forth in this Declaration are imposed upon said property for the direct benefit thereof and said conditions, restrictions and charges shall run with the land and continue to be in full force and effect until twenty years from the date hereof and shall automatically be extended for successive ten year periods unless then amended or abandoned upon the approval in writing of a majority of the owners of the herein described parcels. All persons acquiring an interest in said land accept the same subject to the conditions, covenants and restrictions set forth herein.

Until twenty years from the date hereof, Declarant shall have the right to enforce a breach of these covenants as long as Declarant is the record owner of any of the parcels of real property described herein. A breach of any of these covenants, conditions and restrictions may also be enforced by any property owner at such time as Declarant no longer has an interest in any parcel of the land described herein.

These restrictions may be enforced by an action for damages or by seeking and obtaining an injunction, both preliminary and permanent against the conduct of which complaint is made. Should action be brought to enforce the provisions hereof, the successful party in such litigation shall be entitled to receive, in addition to all other manner of relief, reasonable attorney's fees.

Notwithstanding any of the provisions of this Declaration, any breach of any of the conditions, covenants and restrictions herein set forth shall not defeat nor render invalid the lien of any mortgage or Deed of Trust made in good faith and for value as to said parcels or any part thereof, but such conditions, covenants and restrictions shall be binding upon and effective against anyone whose title thereto is acquired by foreclosure, trustee sale or otherwise.

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Provided further, that if any paragraph, sentence or other portion of said conditions, covenants and restrictions herein contained shall be or become illegal, null or void for any reason, or shall be held by any court of competent jurisdiction to be so, the remaining portions shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this Declaration the day and year first above written.

DH DEVELOPMENT CO.

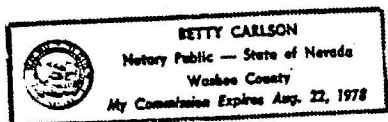
By: *Robert J. Beaumont*
Robert J. Beaumont,
President

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STATE OF NEVADA)
) SS
COUNTY OF NEVADA)

On this 24th day of July, 1978, personally appeared before me, a Notary Public, Robert J. Beaumont, President of DH Development Co. who acknowledged that he executed the within instrument on behalf of DH Development Co.

Betty Carlson
Notary Public



546759

CERTIFIED COPY
THE FOREGOING DOCUMENT IS A FULL TRUE AND CORRECT COPY OF THE RECORD IN THE OFFICE OF COUNTY RECORDER, WASHOE COUNTY, NEVADA.
WITNESS MY HAND AND SEAL THIS 23 DAY OF July, 1978
JOE MELCHER, COUNTY RECORDER
BY Helen Greer DEPUTY

OFFICIAL RECORDS
WASHOE CO., NEVADA
RECORD REQUESTED BY
DH Development Co.
JUL 24 11 56 AM '78
JAMES K. JONES
COUNTY RECORDER
FEE \$8.00 DEP fee

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Sec. 51 NRS 258.010 (Constables) Election, appointment; term of office; power of county commissioners to abolish office.

Sec. 52 NRS 258.065 (Constables) Clerks: Appointment; oath, bond; compensation; duties.

Sec. 53 NRS 258.075 (Constables) Reports of deaths to public administration in certain counties.

Sec. 54 NRS 260.010 (County public defenders) Creation of office by ordinance; appointment; term.

Sec. 55 NRS 260.040 (County public defender) Compensation; deputies and employees; private practice of law prohibited in certain counties; office expenses.

Sec. 56 NRS 267.485 (Commission form of city government) "Municipality" defined. (Contracts with federal government relating to water drainage, sanitary sewer and water supply facilities)

Sec. 57 NRS 268.085 (Powers and duties of all cities) Television installation systems: notice to board of county commissioners.

Sec. 58 NRS 268.570 (Annexation by cities and counties having a population of 200,000 or more) Applicability of NRS 268.570 to 268.608.

Sec. 59 NRS 268.577 City prohibited from soliciting commencement of annexation proceedings.

Sec. 60 NRS 268.610 (Annexation by cities in counties having a population of less than 200,000) Applicability of NRS 268.610 to 268.670.

Sec. 61 NRS 268.626 City annexation commission: creation; numbers, selection of members.

Sec. 62 NRS 269.011 (Unincorporated towns) Applicability of NRS 269.016 to 269.022, inclusive, and 269.024 to 269,0248, inclusive.

Sec. 63 NRS 269.0165 Town board form of government adopted by means of initiative petition; application of section.

Sec. 64 NRS 269.400 (General Obligation Bonds for Town Improvements, Facilities) "Town" defined.

Sec. 65 NRS 269.530 (Alternative provisions for formation of towns) Applicability of the Unincorporated Town Government Law.

Sec. 66 NRS 277.060 Cooperative agreements concerning water, sewage facilities between counties, cities, towns, districts.

Sec. 67 NRS 278.040 Members of city, county planning commissions : Appointment; compensation; term; removal; vacancies.

Sec. 68 NRS 278.150 Master plan: Adoption by planning commission.

Sec. 69 NRS 278.170 Coordination of master plans; adoption of all or parts.

Sec. 70 NRS 278.345 Subdivision of city land in certain counties not having regional planning commissions to file tentative maps with county planning commission; action by county planning commission.

Sec. 71 NRS 278.564 (Subdivision Deed Restrictions in Unincorporated Areas of Certain Counties) Construction committee: establishment by deed restrictions; annual notification to building inspector.

Sec. 72 NRS 278.565 Deed restrictions: copy to accompany tentative map; filing with building inspector; delivery to prospective purchasers.

Sec. 73 NRS 278.566 Reports of construction committee prerequisite to issuance of building permit; exceptions.

Sec. 74 NRS 280.020 (280.090 defines "population") Definitions. (Metropolitan Police Departments)

Sec. 75 NRS 280.100 (Metropolitan Police Departments) Applicability of chapter.

Sec. 76 NRS 280.190 (Metropolitan Police Department) Budget, funding apportionment plan: preparation; approval.

Sec. 77 NRS 280.310 (Metropolitan Police Department) Civil service system: civil service board; rules or regulations; personnel officer.

Sec. 78 NRS 280A.081 (Metropolitan Fire Departments) Applicability of chapter.

Sec. 79 NRS 281.010 Elected and appointed officers

Sec. 80 NRS 293.557 Publication of list of registered voters.

Sec. 81 NRS 293.560 Close of registration: time; publication of notice.

Sec. 82 NRS 318.0953 (General Improvement Districts) County Commissioners as ex officio district board of trustees of certain districts.

Sec. 83 NRS 318.1194 (General Improvement Districts) Television maintenance facilities: Franchises for television installation systems; approval of electors required in certain districts.

Sec. 84 NRS 332.215 (Local Government Purchasing Act) Local government purchasing study committee: Creation; members; meetings; duties.

Sec. 85 NRS 354.603 (Local Government Budgets) Separate bank, savings and loan accounts of school districts, county hospitals in counties having populations under 20,000.

Sec. 86 NRS 361.340 County boards of equalization: Composition, qualifications, terms, quorum, meetings; attendance of district attorney, assessor.

Sec. 87 NRS 361.483 Payment of taxes; quarterly installments; penalties.

Sec. 88 NRS 365.550 (Motor Vehicle Fuel Taxes) Allocation to counties of tax receipts collected under NRS 365.180; Formula; remittances; limitations on use.

Sec. 89 NRS 371.107 (Vehicle Privilege Tax) Duties of county assessor of counties having a population of 100,000 or more in administering exemptions.

Sec. 90 NRS 371.125 (Vehicle Privilege Tax) Collection of privilege tax by county assessors of counties having a population of less than 100,000; designation of county assessors as agents to assist in administering exemptions.

Sec. 91 NRS 373.040 (County Motor Vehicle Fuel Tax) Regional street and highway commission: number, selection and terms of representatives.

Sec. 92 NRS 373.140 (County Motor Vehicle Fuel Tax) Street and highway construction projects: submission to regional street and highway commission; evaluation and approval.

Sec. 93 NRS 373.143 (County Motor Vehicle Fuel Tax) Annual reports to department by regional street and highway commissions in counties having less than 100,000 population.

Sec. 94 NRS 373.145 (County Motor Vehicle Fuel Tax) Submission of project specifications, plans to state highway engineer by regional street and highway commissions in counties having less than 100,000 population.

Sec. 95 NRS 386.120 County school districts: number of trustees,

Sec. 96 NRS 386.170 Election of trustees in school districts
in counties having a population of
200,000 or more.

Sec. 97 NRS 386.365 Policies, regulations of boards of
trustees in counties having a population
of 100,000 or more; Procedure.

Sec. 98 NRS 387.170 County school district funds: Creation;
transfers.

Sec. 99 NRS 427A.130 (Services to Aging Persons) Advisory
Committee on older Americans: Creation;
number, appointments, qualifications,
dismissal of members; recommendations.

Sec. 100 NRS 432.100 (Registries for Child Abuse and Neglect)
Creation, maintenance of central registry;
designation of regional registries.

Sec. 101 NRS 445.546 Local air pollution control programs:
Establishment.

Sec. 102 NRS 445.630 (Air Pollution) [State environmental]
Commission regulations: Control of motor
vehicle emissions; program of motor
vehicle inspection and testing.

Sec. 103 NRS 450.060 (County Hospitals) Acquisition of additional
buildings, sites when board of hospital
trustees takes over existing hospital.

Sec. 104 NRS 450.070 (Board of County Hospital Trustees) Number;
election; terms of office.

Sec. 105 NRS 450.090 County commissioners as members of (hospital)
board: Selection.

Sec. 106 NRS 450.130 (Hospital) Trustees' compensation and expenses.

Sec. 107 NRS 450.250 (County) Hospital fund: Expenditures; control by board.

Sec. 108 NRS 450.290 (County Hospital) Issuance of general obligation bonds; pledge of gross, net revenues.

Sec. 109 NRS 450.510 Counties less than 100,000 may contract with community nonprofit hospital for care of indigent patients; enlargements, alteration of hospital.

Sec. 110 NRS 451.070 (Dead Bodies) Power of city to order disinterment and removal of all human remains interred in cemetery declared dangerous to health, safety and welfare.

Sec. 111 NRS 466.095 City or county license prerequisite to pari-mutuel wagering license for greyhound racing.

Sec. 112 NRS 474.200 (County Fire Protection Districts Created by Election) Levy, collection and use of taxes.

Sec. 113 NRS 481.057 Offices of drivers' license division (department of motor vehicles): Office hours in counties over 100,000.

Sec. 114 NRS 482.160 (Motor Vehicle Department) Director's administrative rules and regulations; branch offices; appointment of agents.

Sec. 115 NRS 482.180 Motor vehicle fund: Creation; deposits and transfers; distribution of privilege taxes collected to counties, Carson City; commissions on collections.

Sec. 116 NRS 482.225 (Vehicle Licensing) Collection of use tax upon application for registration.

Sec. 117 NRS 484.2155 (Traffic Laws) "Urban area" defined.

Sec. 118 NRS 541.160 (Water Conservancy Districts) District board may levy and collect taxes, special assessments; classification of methods.

Sec. 119 NRS 630.273 Physicians' assistant: Issuance, conditions of certificate.

Sec. 120 NRS 662.015 General powers of banking corporations.

Sec. 121 NRS 677.330 (Thrift Companies) Mobile branch offices.

Sec. 122 NRS 693A.350 (Insurance Code) Merger, consolidation of mutual insurers.

Sec. 123 NRS 693A.370 (Insurance Code) Bulk reinsurance.

Sec. 124 NRS 704.230 (Public Utility Regulation) Installation, use of water meters.

Sec. 125 NRS 706.881 (Taxicab Regulation) Applicability of NRS 706.8811 to 706.885 to counties of 200,000 or more.

Sec. 126 NRS 711.095

(Community Antenna Television Systems)
Limitation on issuance of certificate of
public convenience and necessity in certain
counties where general improvement district
organized; approval by electors.

Sec. 127 NRS 280.090

(To be repealed) (Metropolitan Police Departments)
"Population" defined.

ASSEMBLY BILL NO. 216—COMMITTEE ON JUDICIARY

JANUARY 25, 1979

Referred to Committee on Commerce

SUMMARY—Deletes redundant requirement for posting notice in subdivision map review. (BDR 22-292)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to planning and zoning; deleting a redundant requirement for posting notice; and providing other matters properly relating thereto

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 278.330 is hereby amended to read as follows:
2 278.330 1. The initial action in connection with the making of any
3 subdivision is the preparation of a tentative map.
4 2. The subdivider shall file copies of such map with the planning
5 commission, or with the clerk of the governing body if there is no plan-
6 ning commission together with a filing fee in an amount [as] determined
7 by the governing body.
8 3. The commission, the clerk of the governing body or, when per-
9 mitted by the governing body, the subdivider or any other appropriate
10 agency shall distribute copies of the map and any accompanying data
11 to all state and local agencies charged with reviewing the proposed sub-
12 division.
13 4. If there is no planning commission, the clerk of the governing
14 body shall submit the tentative map to the governing body at its next
15 regular meeting.
16 5. If there is a planning commission it shall, within 45 days after
17 receiving a tentative map, recommend approval, conditional approval or
18 disapproval of the map in a written report filed with the governing body.
19 [6. The agenda of any meeting of the planning commission or any
20 governing body, which includes the review of the tentative map shall be
21 published or posted in a prominent public place.]

A. B. 13

ASSEMBLY BILL NO. 13—ASSEMBLYMEN MELLO, WEISE, BARENGO, BREMNER, WESTALL, HARMON, WAGNER, COULTER, DINI, GLOVER, RUSK, WEBB, MANN, PRICE, GETTO, HAYES, SENA, JEFFREY, VERGIELS, HORN, HICKEY, ROBINSON, BANNER, BEDROSIAN, PRENGAMAN, RHOADS, CRADDOCK, FIELDING, FITZPATRICK, BRADY, STEWART, BENNETT, TANNER AND CHANEY

JANUARY 15, 1979

Referred to Committee on Elections

SUMMARY—Prescribes order of offices and questions on ballots for general election. (BDR 24-494)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to elections; prescribing the order in which offices and questions must be set out on ballots for general election; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 293.268 is hereby amended to read as follows:
2 293.268 1. The offices for which there are candidates [and] , the
3 names of the candidates therefor, [shall be listed in the order in which
4 they are certified by the secretary of state. Such offices and names shall
5 be followed by the county and other offices for which there are candi-
6 dates with the names of the candidates for such offices listed in alpha-
7 betical order.] *and the questions to be voted upon must be printed on*
8 *ballots in the following order:*
9 (a) *Statewide offices.*
10 (b) *State senators and assemblymen.*
11 (c) *District judges.*
12 (d) *County and township offices.*
13 (e) *Questions presented to the voters of the state.*
14 (f) *Questions presented only to the voters of a particular special dis-*
15 *trict or political subdivision of the state.*
16 2. The secretary of state may, by regulation, set standards for the
17 placement of county and township offices.