

SUMMARY OF RESEARCH; SHOSHONE WOOD ROAD #991980

1956 - USGS Topo Proof Map

1976 - FLPMA

The use of and jurisdiction of SHOSHONE WOOD ROAD #991980 pre-dates the Bureau of Land Management. Historical records of the area indicate jurisdiction for use by the public and private property owners is the obligation of Nye County.

NYE COUNTY ROAD COMMISSION RESOLUTION NO. RC2013-102

A RESOLUTION FOR ESTABLISHING SHOSHONE WOOD ROAD NO. 991980 A COUNTY PUBLIC ROAD PURSUANT TO NEVADA REVISED STATUTES 403.170, 405.191 AND R.S. 2477

WHEREAS, the Nye County Board of Road Commissioners (the Board) pursuant to Nevada Revised Statutes 405.191 has examined the documents attached as Exhibit 1; and

WHEREAS, the Nye County Board of Road Commissioners has examined Nevada Senate Concurrent Resolution No. 6, 75th Leg., 2009 Nv. Sess (2009) (enacted) and under 43 U.S.C. Section 932 (repealed Pub. L. 94-579, title VII, Sec. 706(a), Oct, 21, 1976, 90 Stat. 2793) (with provision recognizing the validity of rights-of way already established) and is urged to map and document certain county roads to preserve certain rights-of-way granted by Congress over public lands in Nevada; and WHEREAS, on January 19, 2010, the Nye County Board of County Commissioners approved to pursue the activities necessary to map and document all county roads over which historical jurisdiction exists and Commissioner Lorinda A. Wichman was designated as point of contact for the project; and

WHEREAS, the Board pursuant to Nevada Revised Statutes 405.191 is empowered to locate, determine the width and open for public use roads which exists upon a right-of-way granted by Congress over public lands of the United States not reserved for public uses in chapter 262, section 8, 14 Statutes 253 (former 43 U.S.C §932, commonly referred to as R.S. 2477) and accepted by general public use and enjoyment before, on or after July 1, 1979; and

WHEREAS, the Board pursuant to Nevada Revised Statutes 405.191 is empowered to locate, open for public use and establish thereon county roads or highways, but public use alone has been and is sufficient to evidence an acceptance of the grant of a public user right-of-way pursuant to former 43 U.S.C. §932; and

WHEREAS, the Nye County Board of Road Commissioners pursuant to Nevada Revised Statutes 403.170 is authorized and required to lay out and designate county roads which are neither main or general county roads but have been established by usage, or were constructed for use by the public as minor county roads; and

WHEREAS, the Nye County Board of Road Commissioners pursuant to Nevada Revised Statutes 403.190 shall cause a map to be made showing the county minor road and its designation and shall cause the map to be filed with the clerk of the Board of Road Commissioners, the Nevada Department of Transportation, and the county recorder; and

1 WHEREAS, pursuant to Nevada Revised Statutes 403.180 a public hearing was held on
2 _____, 2013; and

3 NOW THEREFORE, IT IS HEREBY RESOLVED, that the Nye County Board of Road
4 Commissioners does hereby locate, open for public use, lay out and designate the public county road
5 right-of-way known as SHOSHONE WOOD ROAD; Nye County Road Number 991980; United States
6 Geological Survey (USGS) Reference Code: o39117a4; road length 4,180 feet long (0.79 miles); road
7 width approximately eight (8) feet as a minor county road; and

8 NOW THEREFORE, IT IS HEREBY RESOLVED, that the Nye County Board of Road
9 Commissioners does hereby determine and declare that the minor county road known as SHOSHONE
10 WOOD ROAD; Nye County Road Number 991980; United States Geological Survey (USGS)
11 Reference Code: o39117a4; road length 4,180 feet long (0.79 miles); road width approximately eight (8)
12 feet as more fully described in the attached map Exhibit 1, Attachment 1 has been: (a) established by
13 usage or (b) was mechanically constructed for use by the public and (c) has been in continuous use as a
14 public highway for a period of at least fifty six (56) years over public lands and prior to the October 21,
15 1976 repeal of RS2477 ; and

16 NOW THEREFORE, IT IS HEREBY RESOLVED, that the Nye County Board of Road
17 Commissioners does hereby acknowledge and determine that the county minor road known as
18 SHOSHONE WOOD ROAD; Nye County Road Number 991980; United States Geological Survey
19 (USGS) Reference Code: o39117a4; road length 4,180 feet long (0.79 miles); road width approximately
20 eight (8) feet applies only to the segments of the road that traverse land reserved by the United States
21 Forest Service, Department of Agriculture and land managed by the Bureau of Land Management,
22 United States Department of the Interior, and does not apply to segments of the road that traverse land
23 owned by any other person or entity; and

24 NOW THEREFORE, IT IS HEREBY RESOLVED, and hereby ordered that the minor county
25 road known as SHOSHONE WOOD ROAD; Nye County Road Number 991980; United States
Geological Survey (USGS) Reference Code: o39117a4; road length 4,180 feet long (0.79 miles); road
width approximately eight (8) feet shall be represented on the Nye County Road Inventory as a minor
road; and

NOW THEREFORE, IT IS HEREBY RESOLVED, and hereby ordered that the map, Exhibit 1,
Attachment 1 designating county minor road known as SHOSHONE WOOD ROAD; Nye County Road
Number 991980; United States Geological Survey (USGS) Reference Code: o39117a4; road length

4,180 feet long (0.79 miles); road width approximately eight (8) feet shall be filed with the clerk of the Nye County Board of Road Commissioners, the Nevada Department of Transportation, and the county recorder; and

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Nye County Board of Road Commissioners pursuant to Nevada Revised Statutes 403.190, does hereby declare the filing of the map, Exhibit 1, Attachment 1 is evidence of the existence and location of the county minor road known as SHOSHONE WOOD ROAD; Nye County Road Number 991980; United States Geological Survey (USGS) Reference Code: o39117a4; road length 4,180 feet long (0.79 miles); and

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Nye County Board of Road Commissioners pursuant to Nevada Revised Statutes 403.180 does hereby determine that no maintenance is required on minor county roads and there will be no change in the maintenance schedule by the Nye County Road Department until and at such time it is determined to be necessary; and

BE IT FURTHER RESOLVED, that the Nye County Board of Road Commissioners does hereby determine that signs indicating the road number, lack of maintenance, common name or any other informational message deemed appropriate by the Nye County Road Department may be placed on the county minor road known SHOSHONE WOOD ROAD; Nye County Road Number 991980; United States Geological Survey (USGS) Reference Code: o39117a4; road length 4,180 feet long (0.79 miles)

APPROVED this _____ day of _____, 2013.

NYE COUNTY BOARD OF
ROAD COMMISSIONERS:

ATTEST:

Dan Schinhofen, Chairman

Sandra L. Merlino, Nye County Clerk
and Ex-Officio Clerk of the Board

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EXHIBIT 1

Attachment 1: 991980 USGS Topographic Locator Map

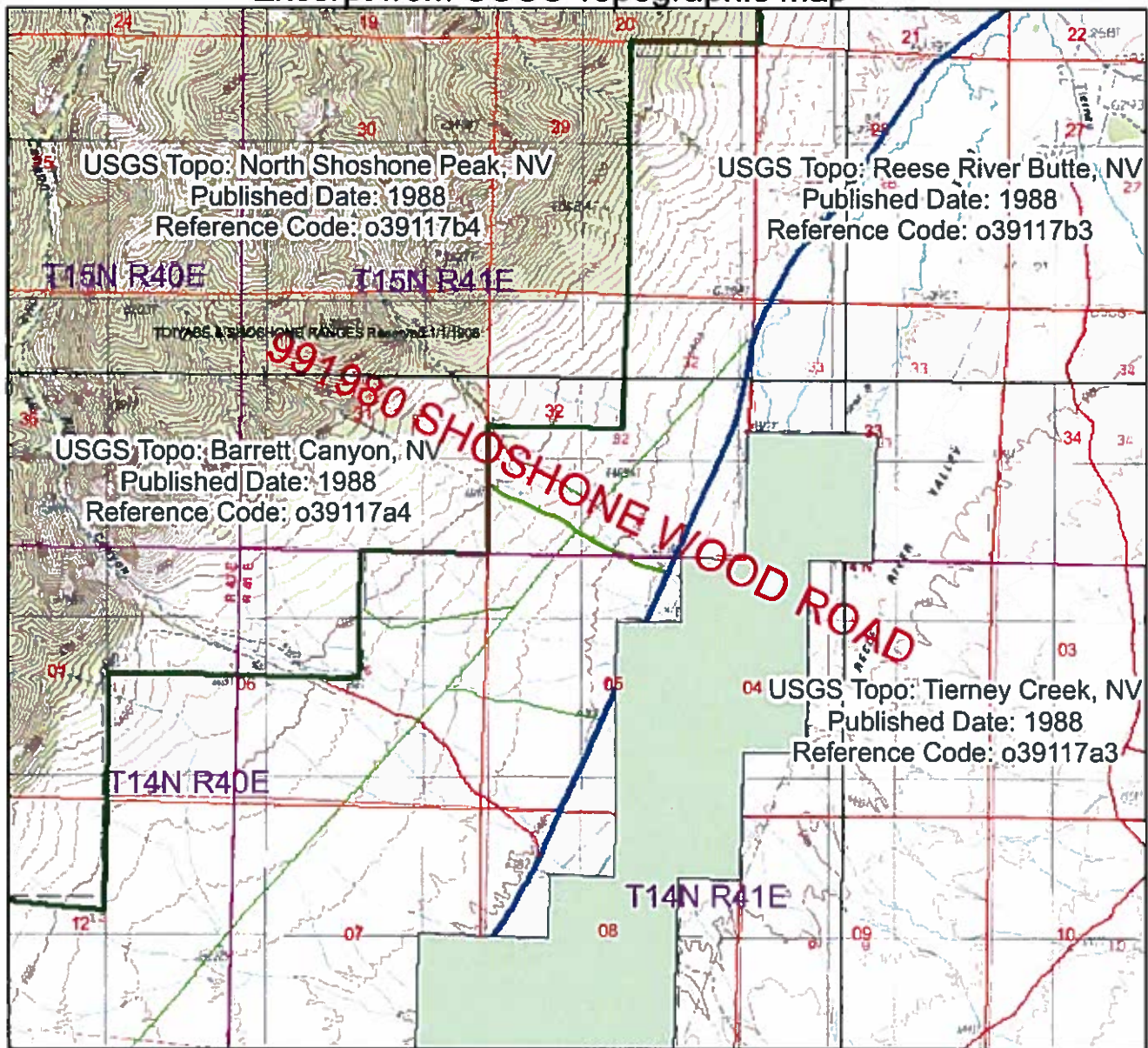
Attachment 2: Legal Description and Coordinates

Attachment 3: Photographs

Attachment 4: 1956 - USGS Topo Proof Map

Locator Map

Excerpt from USGS Topographic Map



Coordinate System: NAD 1983 StatePlane Nevada Central FIPS 2702 Feet
Projection: Transverse Mercator
Datum: North American 1983
False Easting: 1,640,416.6667
False Northing: 19,685,000.0000
Central Meridian: -116.6667
Scale Factor: 0.9999
Latitude Of Origin: 34.7500
Units: Foot US

Map Source: Central Nevada GIS
and Cartography Services, LLC. (CNGIS)
Data Source: Base Map - Department of
Agriculture, Natural Resources Conservation
Services. Downloaded from
<http://datagateway.nrcs.usda.gov>
Maintained Roads – supplied by the NYE
County GIS Department
Minor Roads – Digitally collected by CNGIS

Legend

- | | |
|---------------------|--------------------------|
| Subject Road | County Boundary |
| Road in Process | Dept. of Defense |
| Road Sent to County | Dept. of Energy |
| Road Recorded | Bureau of Indian Affairs |
| County Maintained | USFS Boundary |
| Not Maintained | |
| State Highway | |

Date of Production: 8/27/2012

Beginning and Ending Points and Legal Description

The road is the monument.

Common Name: SHOSHONE WOOD ROAD

County: Nye

County Road Number: 991980

Beginning Latitude/Longitude: 39.113944 N, -117.387904 W

Beginning Legal Description: Township 14 North, Range 41 East, Within Section 5

Ending Latitude/Longitude: 39.118754 N, -117.40106 W

Ending Legal Description: Township 15 North, Range 41 East, Within Section 32

Total Road Length (in Horizontal Distance): 4,180' (0.79 Miles)

Overall Average Disturbed Width: Approximately
eight (8) feet.

All Projections are NAD 1983 StatePlane Nevada Central FIPS 2702 Feet in Decimal Degrees

The collected centerline report for this road is in a database maintained by the Nye County GIS Dept.

This road provides access to other roads, private property, water rights, and mining claims or to hunting, fishing, firewood, wildlife viewing, camping, hiking, motor vehicle recreation, mineral exploration or other general outdoor recreation areas or any combination thereof.

"The RS 2477 assertion is to the segments of the road that traverse land reserved by the United States Forest Service, Department of Agriculture and land managed by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity."

6' Pole

991980
at start

DATE 2011-06-18 17:33:11
TIME 4:49:00
FILE 112110100
M. 000-01 00 00

991980

UTC 2012-08-14 17:38:04
252°08' 0.3"
-8:117°22'02.24"
N:032°06'28.70"

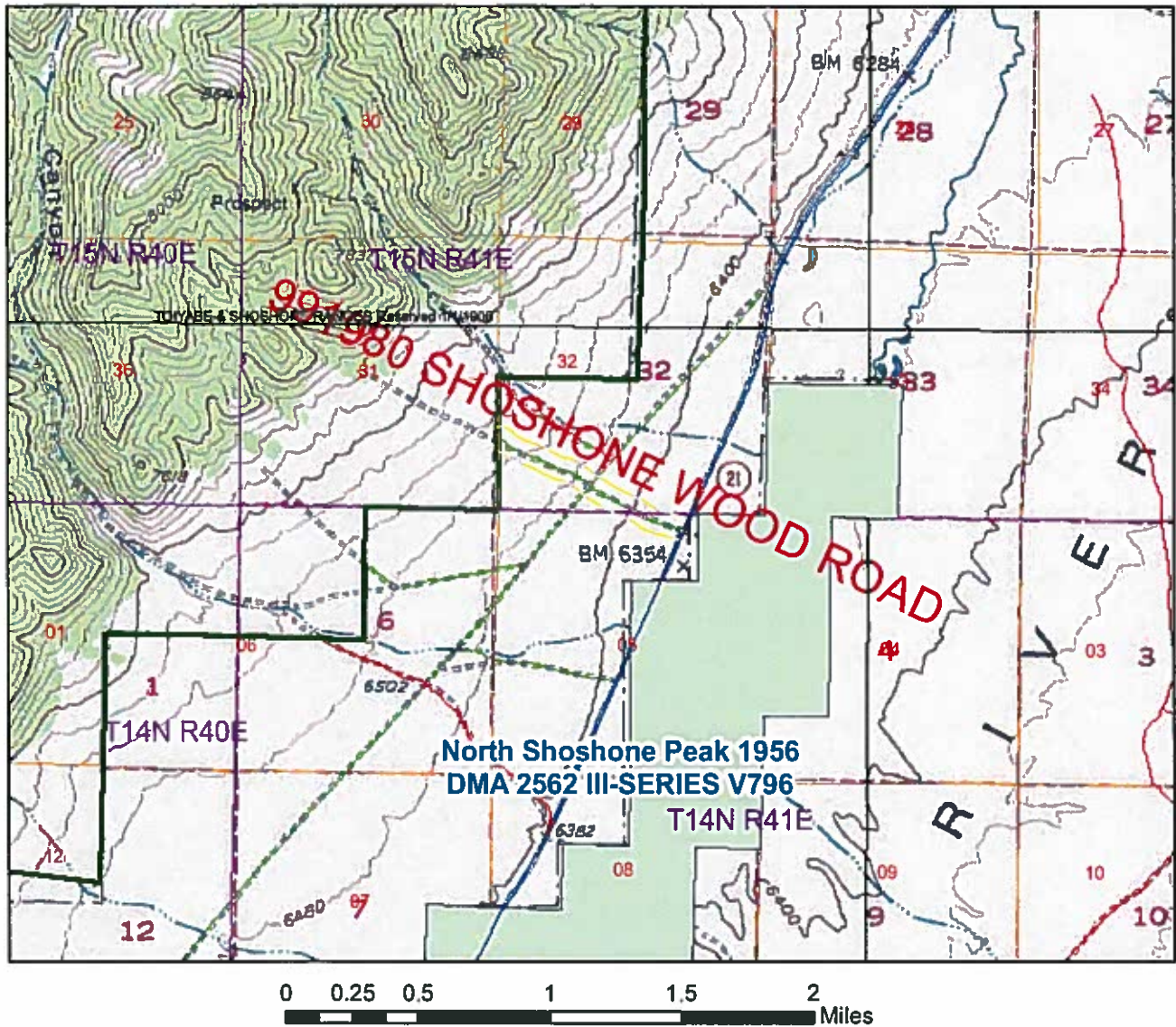
END
of evidenced track

9919880

07/02/2012:03:16:17:40:51
283-0000 Day
W:117°22'22.24"
N:039°06'28.70"

Proof Map

Excerpt from Historic USGS Topographic Map



Coordinate System: NAD 1983 StatePlane Nevada Central FIPS 2702 Feet
 Projection: Transverse Mercator
 Datum: North American 1983
 False Easting: 1,640,416.6667
 False Northing: 19,685,000.0000
 Central Meridian: -116.6667
 Scale Factor: 0.9999
 Latitude Of Origin: 34.7500
 Units: Foot US

Map Source: Central Nevada GIS and
 Cartography Services, LLC. (CNGIS)
 Data Source: Base Map - Department of Agriculture, Natural
 Resources Conservation Services. Downloaded from
<http://datagateway.nrcs.usda.gov>
 Maintained Roads - supplied by the Nye County GIS Department
 Minor Roads - Digitally collected by CNGIS
 Historic Topo Maps - Mary B Ansari Map Library, University of
 Nevada, Reno
<http://www.delamare.unr.edu/maps/digitalcollections/nvmaps/histopo.html> and other Geoprocessed old Maps



Date of Production: 11/9/2012