

10-14-01

IN AS MUCH AS MR RAMALLO HAS TOLD MY WIFE
AND I THAT HE SPENT HIS "LIFE SAVINGS" TO PURCHASE
THE PARCEL OF LAND NEXT TO OURS, AND HAS TOLD DWAYNE
DAVIS THAT HE HAS "NO MONEY." I WOULD REQUEST THAT
THE COUNTY COMMISSIONERS REQUIRE MR. RAMALLO POST
A COMPLETION BOND PRIOR TO ANY CONSTRUCTION BEING
APPROVED. I WOULD ALSO REQUEST THAT MR. RAMALLO POST AN ENVIRONMENTAL BOND.
THIS REQUEST IS AN ATTEMPT TO AVOID A PARTIALLY
COMPLETED EYESORE IF MR RAMALLO SHOULD FIND
HIMSELF SHORT OF FUNDS SOME TIME IN THE FUTURE.

BRUCE P. SHIELDS
B.P.S.
ROSEANNE P. SHIELDS

NRS 405.195

FIVE OR MORE RESIDENTS OF THIS STATE MAY PETITION ANY BOARD OF COUNTY COMMISSIONERS TO OPEN, REOPEN, CLOSE, RELOCATE OR ABANDON A PUBLIC ROAD WITHIN THE COUNTY THE PETITION MUST BE ACCOMPANIED BY PROOF OF THE PETITIONERS (PAUL SHIELDS), RESIDENCY AND ADEQUATE MAPS AND DOCUMENTATION TO JUSTIFY A HEARING ON THE PETITION

WE THE UNDERSIGNED REQUEST THE COUNTY COMMISSIONERS OF LINCOLN COUNTY, NEVADA CONDUCT A HEARING PURSUANT TO NRS 405.195 REGARDING A COMMONLY USED ROAD, TEN FEET WITHIN THE PROPERTY LINE OF PARCEL 11-110-08 WHICH CONNECTS HIGHWAY 318 AND HIGHWAY 375, AN EXTENSION OF COUNTY ROAD 405.

- Genevieve Bogan P.O. Box 329 Alamo NV 89001
- Wynona Reynolds P.O. Box 983 Caliente NV 89008
- Donald Belmont P.O. Box 983 Caliente NV 89008
- Susan Amos P.O. Box 222 Alamo NV 89001
- Margaret M. Erickson P.O. Box 72 Hiko, NV 89017
- James J. ... P.O. Box 72 Hiko, NV 89017
- Wendy ... HCR 61 Box 3 Hiko NV 89017
- Victoria ... HCR 61 Box 3 Hiko, NV 89017
- Anna ... HCR 61 Box 2 Hiko, NV 89017
- Keith ... HCR 61 Box 2 Hiko NV 89017
- Douglas ... HCR 61 Box 38 Hiko, NV 89017
- John ... HCR 61 Box 64 Hiko NV 89017
- Bern ... HCR 61 Box 71 Hiko NV 89017
- Robert P. Shields HCR 61-Box 71 Hiko NV 89017
- Keith ... HCR 61 Box 91 Hiko, NEVADA 89017-9633

NRS 405.195

FIVE OR MORE RESIDENTS OF THIS STATE MAY PETITION ANY BOARD OF COUNTY COMMISSIONERS TO OPEN, REOPEN, CLOSE, RELOCATE OR ABANDON A PUBLIC ROAD WITHIN THE COUNTY THE PETITION MUST BE ACCOMPANIED BY PROOF OF THE PETITIONERS, (PAUL SHIELDS), RESIDENCY AND ADEQUATE MAPS AND DOCUMENTATION TO JUSTIFY A HEARING ON THE PETITION

WE THE UNDERSIGNED REQUEST THE COUNTY COMMISSIONERS OF LINCOLN COUNTY, NEVADA CONDUCT A HEARING PURSUANT TO NRS 405.195 REGARDING APPROXIMATELY SIXTY FEET OF ACCESS ROAD CONNECTING THE SHIELDS RESIDENCE, PARCEL # 011-110-22 TO HIGHWAY 315, CROSSING PARCEL # 11-110-08 OWNED BY LUIS RAMALLO.

- Genevieve Logan P.O. Box 329 Alamo NV 89001
- Wynona Cassville P.O. Box 983 Caliente NV 89008
- Byrd King P.O. Box 983 Caliente NV 89008
- Alice Ames PO Box 222 Alamo NV 89001
- Margaret M. Erickson P.O. Box 72, Hiko, NV 89017
- Thomas J. Erickson P.O. Box 73, Hiko, NV 89017
- Douglas Miller HCR 61 Box 3 Hiko NV 89017
- Victoria W. Miller HCR 61 Box 3 Hiko, NV 89017
- Lucy Whipple HCR 61 Box 2 Hiko, NV 89017
- Kathy Whipple HCR 61 Box 2 Hiko NV 89017
- Douglas J. Erickson HCR 61 Box 58 Hiko, NV 89017
- John W. King HCR 61 Box 64 Hiko NV 89017
- Paul Shields HCR 61 Box 77 Hiko NV 89017
- Rosemary P. Shields HCR 61 Box 77 Hiko NV 89017
- Kurt King HCR 61 Box 91 Hiko NV 89017

159 159

New Text Document.txt

We the undersigned, residents of Pahranaagat Valley, are opposed to the construction of a gas station, truck stop, mini mart, and or restaurant proposed by Luis Ramallo and any corporate oil company such as Terrible Herbst at the location of highway 375 and highway 318, adjacent to Crystal Springs.

signature: Douglas J. Lammore
printed name: Douglas J. Lammore
address: HCR 61 Box 38 Hiko, NV 89017

signature: John J. Hunt
printed name: John J. Hunt
address: HCR 61 Box 64 Hiko NV 89017

signature: Roseanna P. Shields
printed name: ROSEANNA P. SHIELDS
address: HCR 61 Box 71 Hiko, NV 89017

signature: Bruce P. Shields
printed name: BRUCE P. SHIELDS
address: HCR 61 Box 71 Hiko NV 89017

signature: _____
printed name: _____
address: _____

signature: _____
printed name: _____
address: _____

signature: _____
printed name: _____
address: _____

signature: _____
printed name: _____
address: _____

signature: _____
printed name: _____
address: _____

signature: _____
printed name: _____
address: _____

New Text Document.txt

We the undersigned, residents of Pahranaagat Valley, are opposed to the construction of a gas station, truck stop, mini mart, and or restaurant proposed by Luis Ramallo and any corporate oil company such as Terrible Herbst at the location of highway 375 and highway 318, adjacent to Crystal Springs.

signature: *Delores Stewart*
printed name: DELORES STEWART
address: PO BOX 535 ALAMO, NV 89001

signature: *Beth Jarvis*
printed name: Beth Jarvis
address: HCR 61 Box 4 Hiko NV 89017

signature: *Douglas Miller*
printed name: Douglas E. Miller
address: HCR 61 Box 3 Hiko, NV 89017

signature: *Wesley Wilson*
printed name: Wesley Wilson
address: PO Box 621 Alamo NV 89001

signature: *Mary Millard*
printed name: MARY MILLARD
address: PO Box 157 ALAMO NV 89001

signature: *Dennis Todd Palmer*
printed name: DENNIS TOD PALMER
address: P.O. BOX 304 ALAMO, NV 89001

signature: *Susan C. Amos*
printed name: SUSAN C. AMOS
address: P.O. Box 222 Alamo NV 89001

signature: *Victoria W. Miller*
printed name: Victoria W. Miller
address: HCR 61 Box 3 Hiko, NV 89017

signature: *Gwendolyn Whipple*
printed name: Gwendolyn Whipple
address: HCR 61 Box 2 Hiko, NV 89017

signature: *Keith Whipple*
printed name: Keith Whipple
address: Hiko, NV 89017

New Text Document.txt

We the undersigned, residents of Pahranaagat Valley, are opposed to the construction of a gas station, truck stop, mini mart, and or restaurant proposed by Luis Ramallo and any corporate oil company such as Terrible Herbst at the location of highway 375 and highway 318, adjacent to Crystal Springs.

signature: Genevieve Logan
printed name: GENEVIEVE LOGAN
address: P.O. Box 329 Alamo NV 89001

signature: Mike Prince
printed name: Mike Prince
address: P.O. Box 568 Alamo NV 89001

signature: Jim Logan
printed name: JIM LOGAN
address: P.O. Box 329 ALAMO NV 89001

signature: Nolan F. Shumway
printed name: Nolan F. Shumway
address: Box 175 Alamo, NV 89001

signature: Newt Holaday
printed name: Newt Holaday
address: Box 372 Alamo, Nev 89001

signature: Jane Bradshaw
printed name: JANE BRADSHAW
address: Hiko

signature: Denise Nay
printed name: Denise Nay
address: P.O. Box 62 Hiko NV 89017

signature: Marcia Gardner
printed name: Marcia Gardner
address: P.O. Box 327

signature: Bernice Bryant
printed name: Bernice Bryant
address: P.O. Box 402 Alamo NV 89001

signature: E. E. H. H.
printed name: E. E. H. H.
address: P.O. Box 242 Alamo NV 89001

New Text Document.txt

We the undersigned, residents of Pahrnagat Valley, are opposed to the construction of a gas station, truck stop, mini mart, and or restaurant proposed by Luis Ramallo and any corporate oil company such as Terrible Herbst at the location of highway 375 and highway 318, adjacent to Crystal Springs.

signature: Mary L. Rhude
 printed name: MARY L. RHUDE
 address: P.O. Box 385 ALAMO NV 89001

signature: Marian Fudge
 printed name: Marian Fudge
 address: PO Box 491 Alamo, NV 89001

signature: Nedra Shumway
 printed name: Nedra SHUMWAY
 address: PO Box 161 Alamo Nev 89001

signature: Jeanine D. Amming
 printed name: P.O. Box 381
 address: Alamo, NV 89001

signature: Michael Condit
 printed name: Michael Condit
 address: P.O. Box 185 Alamo, NV 89001

signature: Bob Labbe
 printed name: BOB LABBE
 address: Box 566 Alamo, NV 89001

signature: Orpha Labbe
 printed name: ORPHA LABBE
 address: Box 566, Alamo, NV 89001

signature: Darrel D. Hansen
 printed name: Darrel D. Hansen
 address: PO Box 450 Alamo, NV 89001

signature: Margaret M. Erickson
 printed name: MARGARET M. ERICKSON
 address: P.O. Box 72, Alamo, NV 89001

signature: Ivy Woodley
 printed name: Ivy WOODLEY
 address: PO Box 233, Alamo, NV 89001

1 of 4

TABLE ISSUE UNTIL ROAD DISPUTE IS SOLVED

NRS 405.191. PUBLIC ROAD DESIGN: PUBLIC ROAD INCLUDES: A US HIGHWAY, A STATE HIGHWAY OR A MAIN, GENERAL OR MINOR COUNTY ROAD AND ANY OTHER WAY LAID OUT OR MAINTAINED BY ANY GOVERNMENTAL AGENCY.

GRAVEL, GRADED & STOP SIGNS
EACH BOARD OF CO. COMM. MAY LOCATE AND DETERMINE 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 43 U.S.C. 932

NRS 405.193 PUBLIC AGENCY NOT REQUIRED TO MAINTAIN OR ACCEPT ROAD MADE PUBLIC BY PRESCRIPTIVE USE:

ACCEPTED USE AS ACCESS TO PRIVATELY OWNED PROPERTY

THE RESULTING BENEFIT TO THE GENERAL PUBLIC

NRS 405.195 - MY PETITIONS.

4) IF THE ORDER OF THE BOARD IS TO CLOSE OR ABANDON A PUBLIC ROAD, THE BOARD SHALL, UPON THE PETITION OF 5 OR MORE RESIDENTS OF THE STATE, DESIGNATE AND PROVIDE AN ALTERNATE ROUTE SERVING THE SAME AREA.

PER JIM WILKINS ALTERNATE ACCESS FROM HWY 375 TO SHIELDS PROPERTY IS ESTIMATED AT \$39,000.00

2 of 4

NO ESTIMATE ON ALTERWALE OF COUNTY ROAD 405 EXTENSION, CONNECTING HIGHWAYS 375 + 318.

NRS 405.201

1. "ACCESSORY ROAD" MEANS ANY WAY ESTABLISHED OVER PUBLIC LANDS BETWEEN 1866 AND 1979 PURSUANT TO SECTION 8 OF CHAPTER 262 AS TO WHICH GENERAL PUBLIC USE OR ENJOYMENT BEFORE 1979 IS NOT ESTABLISHED BUT WHICH PROVIDES ACCESS TO PRIVATELY OWNED LAND.

NRS. 202

Removals PERMIT TO FENCE

3. WITHOUT OBTAINING A PERMIT FROM ANY PUBLIC AGENCY, A PRIVATE OWNER OF LAND SERVED BY AN ACCESSORY ROAD OR A RAISER OF LIVESTOCK USING SUCH A ROAD MAY MAINTAIN THE ROAD AND REMOVE DEBRIS OR VEGETATION FROM IT, BUT MAY NOT PERFORM NEW CONSTRUCTION.

NRS 405.203

2. A BOARD OF CO. COMM. MAY PERMANENTLY CLOSE AN ACCESSORY ROAD IN ITS COUNTY WHEN THE PUBLIC SAFETY OR WELFARE SO REQUIRES BEFORE PERMANENTLY CLOSING AN ACCESSORY ROAD, THE BOARD OF CO. COMM. SHALL HOLD A PUBLIC HEARING. THE BOARD SHALL GIVE WRITTEN NOTICE OF THE TIME AND PLACE OF THE HEARING TO EACH OWNER OF LAND SERVED BY THE ROAD, AND TO EACH

3 of 4

RAISER KNOWN TO USE THE ROAD
3. FOLLOWING THE HEARING, THE BOARD OF Co. Comm. SHALL NOT CLOSE THE ROAD UNLESS BENEFIT TO PUBLIC SAFETY OR WELFARE FROM ITS CLOSING OUTWEIGHS THE DETRIMENT TO OWNERS OF LAND SERVED BY THE ROAD, TO RAISERS OF LIVESTOCK USING THE ROAD AND THE GENERAL PUBLIC.

* 4. IF THE CLOSING OF AN ACCESSORY ROAD 39,000⁰⁰ DEPRIVES AN OWNER OF ACCESS BY ROAD TO ESTIMATE HIS LAND, THE PUBLIC AGENCY CLOSING THE *** ROAD SHALL PAY HIM JUST COMPENSATION FOR HIS LOSS.

NRS 405.204

1. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT THE PUBLIC INTEREST OF THE STATE OF NEVADA IS SERVED BY KEEPING ACCESSORY ROADS OPEN AND AVAILABLE FOR USE BY THE RESIDENTS OF THIS STATE BECAUSE

B) ACCESSORY ROADS PROVIDE ACCESS FOR THE CONTROL OF FIRE ON ADJACENT LANDS, THE ENFORCEMENT OF LAW BY PEACE OFFICERS, SEARCH AND RESCUE OPERATIONS, MEDICAL PERSONNEL AND AMBULANCES, AND PUBLIC UTILITIES.

2. THE LEGISLATURE THEREFORE DIRECTS THAT, IF AN AGENCY OF THE US RESPONSIBLE FOR THE LANDS OVER WHICH AN ACCESSORY ROAD RUNS PURSUES THE CLOSING OF AN ACCESSORY ROAD OR DEMANDS A FEE OR PERMIT FOR THE USE OF AN ACCESSORY ROAD

4 of 4

THE ATTORNEY GENERAL MAY BRING AN ACTION FOR A DECLARATORY JUDGMENT AS SOON AS PRACTICABLE ON BEHALF OF:

- (a) THE STATE AND ITS RESIDENTS;
- (b) OWNERS OF LANDS SERVED BY THE ROAD;
- (c) HOLDERS OF GRAZING RIGHTS SERVED BY THE ROAD; AND
- (d) ALL OTHER USERS OF THE ROAD.

TO VINDICATE THE RIGHTS OF ALL USERS TO THE IMPROVED MAINTENANCE, USE AND ENJOYMENT OF THE ROAD, AND THE RIGHTS OF OWNERS OF LANDS SERVED BY THE ROAD TO JUST COMPENSATION FOR ANY CLOSING FOUND NECESSARY.

BOARD TO CONSIDER LIABILITY ASSUMED BY THEM IN ACCEPTING MAPS WITH NO SHOWING OF ACCESSES.

NO. 117122

FILED AND RECORDED AT REQUEST OF PAULI SHIELDS

OCTOBER 15, 2001

AT 30 MINUTES PAST 4 O'CLOCK

PM IN ROOM 159 OF OFFICIAL

RECORDS PAGE 157

BRUNNEN, NEVADA
Julie Boucher
COUNTY RECORDER