

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440 Phone (775)
847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Board of Highway Commissioners

From: Storey County Planning Department

Meeting Date: October 7, 2025

Meeting Location: Storey County Courthouse, 26 S. B Street, Virginia City, Storey County, Nevada

Staff Contact: Jessica Prager

Request: RESOLUTION 25-798 establishing a minor county public road identified as Unnamed, Storey County Road Number 911490 (2 segments), pursuant to Nevada Revised Statutes 403.170 and 405.191. This request is to establish the minor county road on land managed by the Bureau of Land Management.

Location: Segment 1: The road is approximately located east of C Street (NV 341) and traverses along the east side of the Mount Saint Mary Cemetery. The road appears to traverse through APN 001-312-20. The roadway segment is approximately 454 linear feet in length and approximately 12 feet wide. The road is on land identified as public land.

Segment 2: The road is approximately located east of C Street (NV 341) and traverses along the east side of the Mount Saint Mary Cemetery. The road appears to traverse through APN 004-301-07 and along the parcel boundary of APN 001-312-19. The roadway segment is approximately 2,862 linear feet in length and approximately 12 feet wide. The road is on land identified as public land.

Background & Analysis

Storey County has commenced the process of identifying existing public access roadways located on public land. Nevada Revised Statutes Section 405.191 identifies what is considered a public road. Storey County is following this definition to designate roadways that meet the following:

Any way 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. Except as otherwise provided in this subsection, each board of county

commissioners may locate and determine the width of such rights-of-way and 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. In a county in which a board of county highway commissioners has exclusive control of all matters relating to the construction, repairing and maintaining of public highways, roads and bridges within the county pursuant to NRS 403.090, the board of county highway commissioners may locate and determine the width of those rights-of-way and open those rights-of-way for public use for the purpose of designating county roads pursuant to NRS 403.170 or taking any other action concerning those rights-of-way pursuant to chapter 403 of NRS.

Storey County entered into a contract with Mr. Jerry Elkins to do the research on various roadway sections located within Storey County that had not previously been researched by Storey County or identified as a county-recognized road. Utilizing this research, Storey County is recognizing each roadway segment that meets the NRS Section 405.191 definition on public property. The research, map, legal description and photographs are included for each roadway segment and a Resolution recognizing the roadway segment by the Storey County Board of Highway Commissioners is generated for each segment.

Upon recordation of the Resolution, each segment of roadway will be added to the overall Storey County map of county roads and designated as a minor county road. The map will then be presented to the State of Nevada Department of Transportation as identified in NRS Section 403.190.

It should be noted that NRS 403.170(1)(c) states that county roads designated as minor county roads do not have to be maintained and it further provides that the state and county are immune from liability for damages suffered by anyone using a minor county road. The statute also does not require signage to create immunity from liability.

County staff are proceeding with recognizing the roadways that are located on publicly owned land only. Some of the research does include other roadway areas, including areas privately owned. If the need arises in the future, this research is anticipated to be utilized in the legal process of identifying public access across private property.

The applicable NRS sections identified in this report are attached as exhibits to this staff report.

Unnamed, Storey County Road Number 911490

These roadway segments are approximately located east of C Street (NV 341) and traverses along the east side of the Mount Saint Mary Cemetery. The roadway segment 1 appears to be located in APN 001-312-20, which is managed by the Bureau of Land Management. Roadway segment 2 appears to be located in APN 004-301-07. The roadway segments add up to approximately 3,316 linear feet in length and approximately 12 feet wide. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but that it is not maintained by Storey County. It must be used by motorists at their own risk.

Attached to this staff report is a legal description of the Unnamed Storey County Road Number 911490, which includes maps and photographs of the roadway. A Resolution establishing the roadway on public land as a minor public road is also attached for consideration for adoption. Staff is recommending approval of the proposed Resolution.



Yellow line indicates approximate location of the roadway segment

Suggested Motion

In coordination with the recommendation by staff, I (commissioner) move to adopt Resolution 25-798, identifying Storey County Road Number 911490 (2 segments), commonly known as Unnamed Rd (segment 1), Total Road Segment Length (in Horizontal Distance): 454 (0.09 Miles) Overall Average Disturbed Width:

Approximately twelve (12) feet, and Unnamed Rd (segment 2), Total Road Segment Length (in Horizontal Distance): 2,862 (0.54 Miles) Overall Average Disturbed Width: Approximately twelve (12) feet as a minor county road. The effect of identifying the road as a minor county road is to identify it as a public road, available for public use but not maintained by Storey County. It must be used by motorists at their own risk.

RESOLUTION 25-798

STOREY COUNTY BOARD OF HIGHWAY COMMISSIONERS
STOREY COUNTY, NEVADA

A RESOLUTION ESTABLISHING A MINOR COUNTY PUBLIC ROAD IDENTIFIED AS COUNTY ROAD NUMBER 911490 (2 SEGMENTS), UNNAMED (SEGMENT 1), UNNAMED (SEGMENT 2), PURSUANT TO NEVADA REVISED STATUTES 403.170 and 405.191.

WHEREAS, in response to the urging of the Nevada Legislature in Senate Concurrent Resolution No. 6, in the 75th Legislative Session of 2009, the Storey County Board of Commissioners (Board) on February 18, 2020, approved of a project to inventory and map all roads or rights-of-way that qualify to be classified as minor county roads under Nevada law and which were granted for public use under what was formerly codified as section 2477 of the Revised Statutes of the United States, 43 U.S.C. § 932 (R.S. 2477), and which were expressly recognized and preserved when R.S. 2477 was repealed under the enactment of the Federal Land Policy and Management Act of 1976, (See § 701(a)); and

WHEREAS, the Board pursuant to NRS 405.191 is empowered to locate and determine the width of those rights-of-way and open those rights-of-way for public use for the purpose of designating county roads pursuant to NRS 403.170; and

WHEREAS, the Board pursuant to NRS 403.170 is tasked with laying out and designating roads which are neither main nor general county roads but have been established by usage, or were constructed for use by the public, and shall designate these roads as minor county roads; and

WHEREAS, the Board has examined the documents attached as Exhibit 1 and concludes that the roads or rights-of-way depicted therein qualify to be designated as minor county roads and open to the public; and

WHEREAS, pursuant to NRS 403.170 a public hearing was held on October 7, 2025,

NOW THEREFORE BE IT RESOLVED, that the Storey County Board of Highway Commissioners does hereby locate, open for public use, layout and designate the public county road right-of-way Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twelve (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862' (0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet, as a minor county road;

BE IT FURTHER RESOLVED, that the Storey County Board of Highway Commissioners does hereby determine and declare that the minor Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twelve (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862'

(0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet,, as more fully described in the attached Exhibit 1, has been: (a) established by usage or (b) was constructed for use by the public and prior to the October 21, 1976 repeal of R.S. 2477; and

BE IT FURTHER RESOLVED, that the Storey County Board of Highway Commissioners does hereby acknowledge and determine that Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twelve (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862' (0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet, as more fully described in the attached Exhibit 1, applies only to the segments of the road that traverse 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; and

BE IT FURTHER RESOLVED, and hereby ordered that the minor Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twenty (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862' (0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet, as more fully described in the attached Exhibit 1, shall be represented on the Storey County Road Inventory as a minor road; and

BE IT FURTHER RESOLVED, and hereby ordered that the Exhibit 1, designating county minor road, Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twelve (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862' (0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet, as more fully described in the attached Exhibit 1, shall be filed with the Clerk of the Storey County Board of Highway Commissioners, the Nevada Department of Transportation, and the County Recorder; and

BE IT FURTHER RESOLVED, that the Storey County Board of Highway Commissioners pursuant to Nevada Revised Statutes 403.190, does hereby declare the filing of Exhibit 1 is evidence of the existence and location of Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twelve (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862' (0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet,

BE IT FURTHER RESOLVED, that the Storey County Board of Highway Commissioners pursuant to Nevada Revised Statutes 403.170 does hereby determine that no maintenance is required on minor county roads and there will be no change in the maintenance schedule by the Storey County Public Works Department until and at such time it is determined to be necessary; and

BE IT FURTHER RESOLVED, that the Storey County Board of Highway Commissioners does hereby determine that signs indicating the road number, lack of maintenance, common name or any other informational message deemed appropriate by the Storey County Public Works Department may be placed on the county minor road, Storey County Road Number 911490 (2 Segments), commonly known as Unnamed (Segment 1), Total Road Segment Length (in Horizontal Distance): 454' (0.09 miles), Overall Average Disturbed Width: Approximately twelve (12) feet; and Unnamed (Segment 2), Total Road Segment Length (in Horizontal Distance): 2,862' (0.54 miles), Overall Average Disturbed Width: Approximately twelve (12) feet, as more fully described in the attached Exhibit 1.

This resolution shall be effective upon its adoption.

PROPOSED AND ADOPTED this ____ day of _____, 2025.

THOSE VOTING AYE: _____

THOSE VOTING NAY: _____

STOREY COUNTY BOARD OF
HIGHWAY COMMISSIONERS

By: Chairman _____

ATTEST:

Clerk of the Board

Beginning and Ending Points and Legal Description

The road is the monument.

Common Name: Unnamed Road

County: Storey

County Road Number: 911490

Segment 1

Beginning Latitude/Longitude: 39.31464 N, -119.637362 W

Beginning Legal Description: Township 17 N, Range 21 East, Within Section 28

Ending Latitude/Longitude: 39.314232 N, -119.635909 W

Ending Legal Description: Township 17 N, Range 21 East, Within Section 28

Total Road Segment Length (in Horizontal Distance):454' (0.09
Miles) Overall Average Disturbed Width: Approximately
twelve (12) feet.

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

The collected centerline report for this road is in a database maintained by the Storey County GIS
Outsource Contractor.

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 and managed by the
Bureau of Land Management and US Forest Service, United States Department of the Interior and
segments of the road that traverse land owned by any other person or entity.”

Beginning and Ending Points and Legal Description

The road is the monument.

Common Name: Unnamed Road

County: Storey

County Road Number: 911490

Segment 2

Beginning Latitude/Longitude: 39.313023 N, -119.635303 W

Beginning Legal Description: Township 17 N, Range 21 East, Within Section 28

Ending Latitude/Longitude: 39.310388 N, -119.627583 W

Ending Legal Description: Township 17 N, Range 21 East, Within Section 28

Total Road Segment Length (in Horizontal Distance):2,862' (0.54
Miles) Overall Average Disturbed Width: Approximately
twelve (12) feet.

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

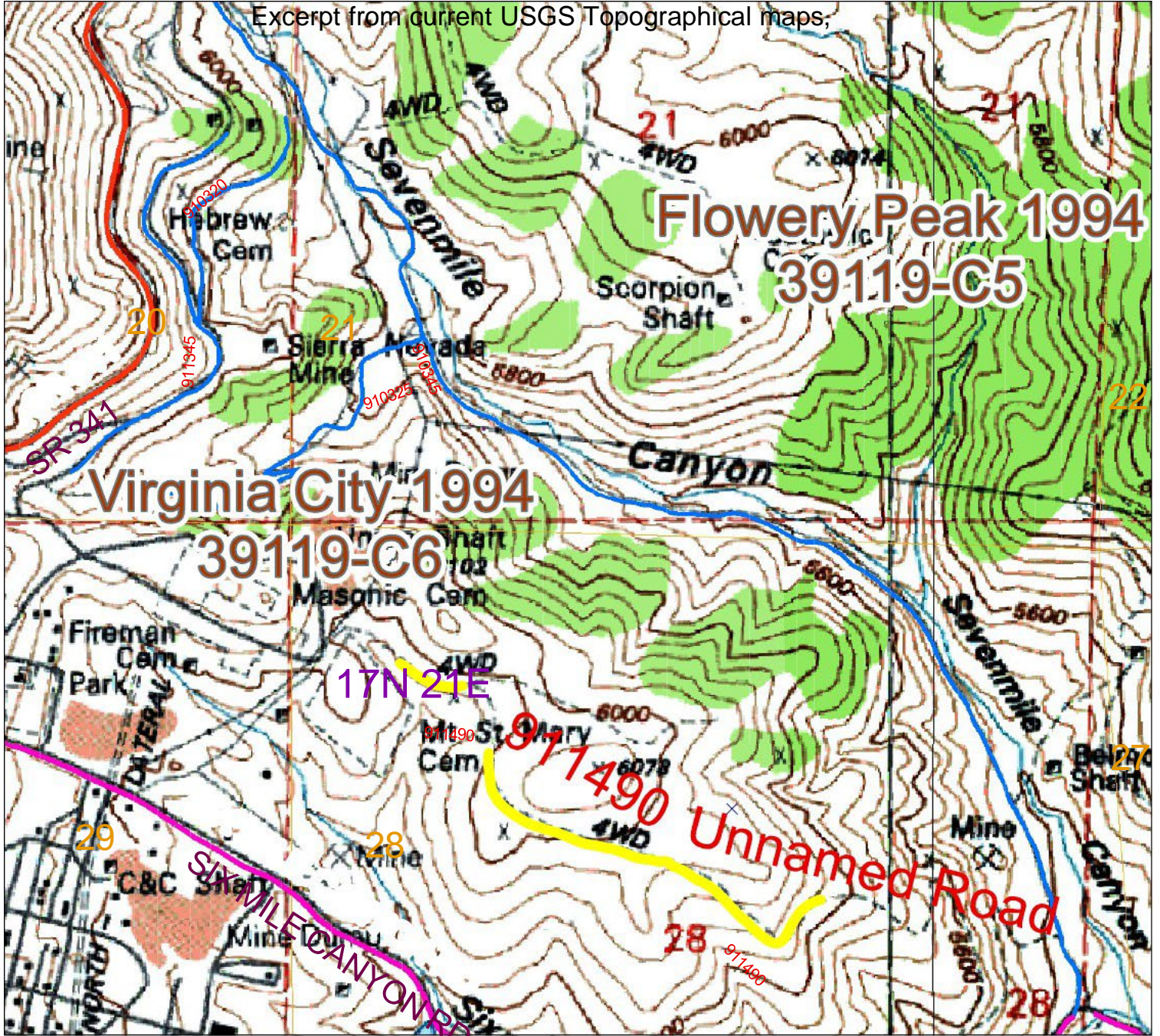
The collected centerline report for this road is in a database maintained by the Storey County GIS
Outsource Contractor.

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 and managed by the
Bureau of Land Management and US Forest Service, United States Department of the Interior and
segments of the road that traverse land owned by any other person or entity.”

Locator Map

Excerpt from current USGS Topographical maps,



Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Map Source: Central Nevada GIS and Cartography Services, LLC. (CNGIS)
Jerry Elkins 775-761-7777

Data Source: *Base Map* – USGS Topographical maps,
State and Local County Roads – supplied by Storey County's contracted 3rd party GIS provider.
RS2477 Roads – Digitally collected by CNGIS

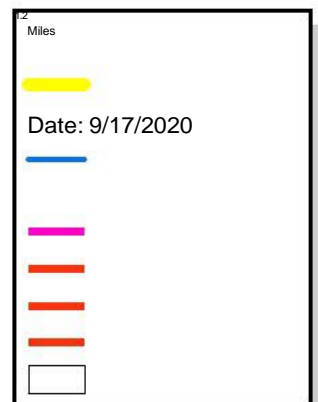


Exhibit 1

Legend

Subject Road

RS2477 Roads

Road in Process

State and County Roads SIX MILE CANYON RD SR 341

SR 342

SR 439

USGS Quadrangle Grid

911490 (1)

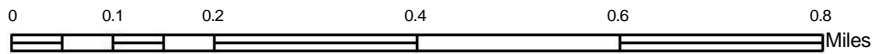
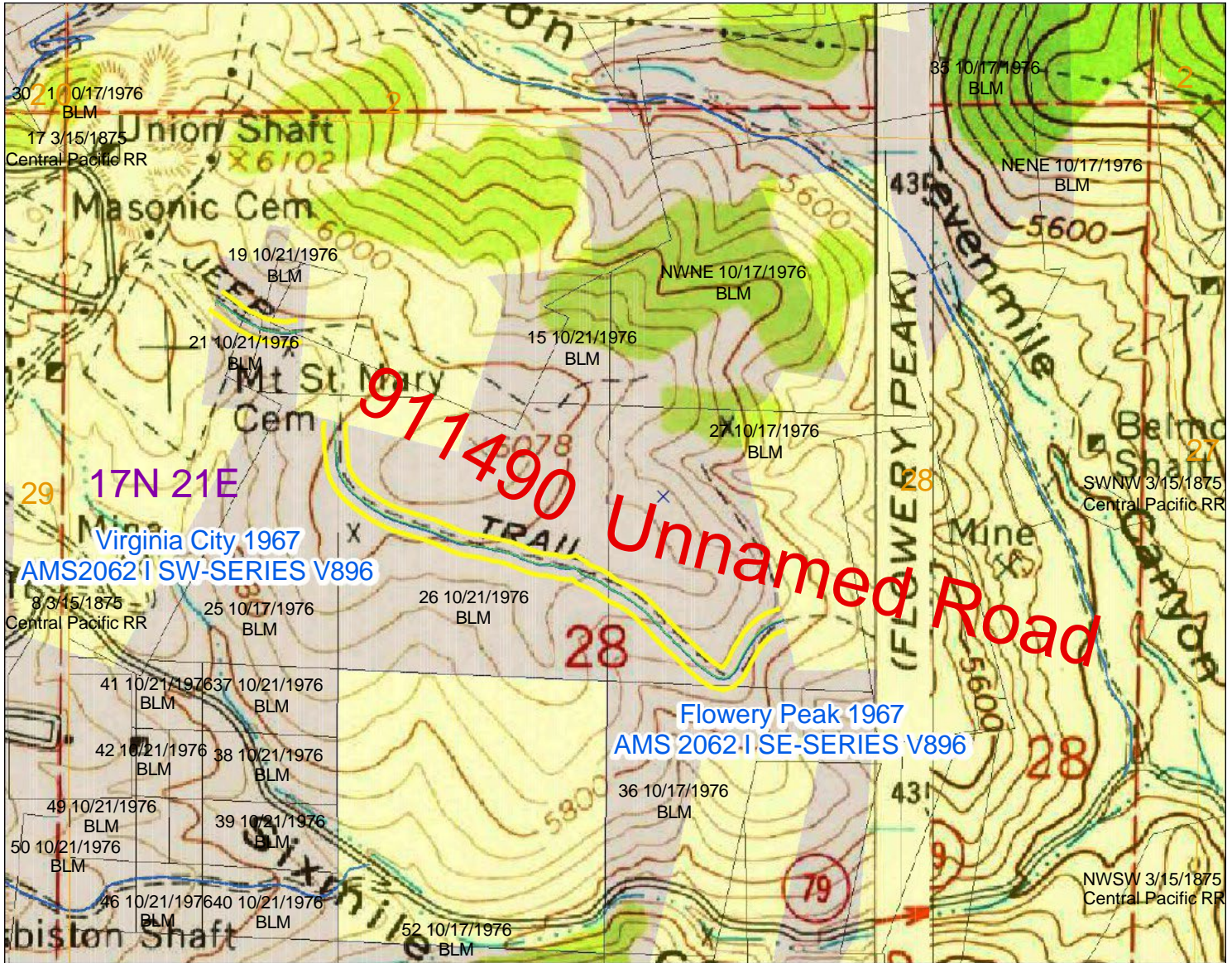


911490 (2)



Proof Map

Excerpt from historic maps: USGS Topographical maps, GLO Survey maps, BLM Surface Management maps, various State and NDOT transportation maps



Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

Date: 9/16/2020

Map Source: Central Nevada GIS and Cartography Services, LLC. (CNGIS)

Jerry Elkins 775-761-7777

Data Source: *Base Map* – USGS Topographical maps, GLO Survey maps, BLM Surface Management maps, various historic State and NDOT Transportation maps.

State and Local County Roads – supplied by Storey County's contracted 3rd party GIS provider.

RS2477 Roads – Digitally collected by CNGIS

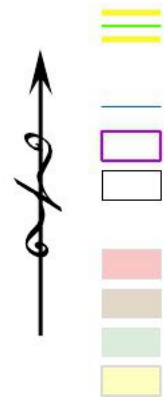


Exhibit 1

Legend

Subject Road

RS2477 Roads Project

Roads in Process Township/Range Label

Date of Transfer from Public

Land Ownership Status

Bureau of Indian Affairs Bureau of Land Management

Bureau of Reclamation Private Ownership