

ASSEMBLY BILL NO. 94—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF NEVADA ASSOCIATION OF COUNTIES)

FEBRUARY 12, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes regarding fees charged and collected by certain officials of local governments. (BDR 20-419)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local governments; authorizing a county recorder to charge and collect an additional fee to pay for the acquisition and improvement of technology used in the office of the county recorder; increasing the amount of certain fees charged and collected by certain officials of local governments; 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.** Chapter 247 of NRS is hereby amended by adding thereto a  
2     new section to read as follows:

3     1. *If a county recorder imposes an additional fee pursuant to*  
4     *subsection 2 of NRS 247.305, the proceeds collected from such a fee*  
5     *must be accounted for separately in the county general fund. Any interest*  
6     *earned on money in the account, after deducting any applicable charges,*  
7     *must be credited to the account. Money that remains in the account at*  
8     *the end of a fiscal year does not revert to the county general fund, and*  
9     *the balance in the account must be carried forward to the next fiscal*  
10    *year.*

11    2. *The money in the account must be used only to acquire technology*  
12    *for or improve the technology used in the office of the county recorder,*  
13    *including, without limitation, costs related to acquiring or improving*  
14    *technology for converting and archiving records, purchasing hardware*  
15    *and software, maintaining the technology, training employees in the*  
16    *operation of the technology and contracting for professional services*  
17    *relating to the technology.*

18    3. *The county recorder shall submit an annual report to the board of*  
19    *county commissioners of the county which contains:*



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1 (a) *An estimate of the proceeds that the county recorder will collect*  
2 *from the additional fee imposed pursuant to subsection 2 of NRS 247.305*  
3 *in the following fiscal year; and*

4 (b) *A proposal for expenditures of the proceeds from the additional*  
5 *fee imposed pursuant to subsection 2 of NRS 247.305 for the costs*  
6 *related to the technology required for the office of the county recorder*  
7 *for the following fiscal year.*

8 **Sec. 1.5** NRS 247.305 is hereby amended to read as follows:

9 247.305 1. If another statute specifies the fee to be charged for a  
10 service, county recorders shall charge and collect only the fee specified.  
11 Otherwise county recorders shall charge and collect the following fees:

12 For recording any document, for the first page .....~~\$7~~ **\$10**

13 For each additional page ..... 1

14 For recording each portion of a document which must be  
15 separately indexed, after the first indexing..... 3

16 For copying any record, for each page ..... 1

17 For certifying, including certificate and seal ..... 4

18 For a certified copy of a certificate of marriage ..... ~~7~~ **10**

19 For a certified abstract of a certificate of marriage ..... ~~7~~ **10**

20 2. *Except as otherwise provided in this subsection, a county recorder*  
21 *may charge and collect, in addition to any fee that a county recorder is*  
22 *otherwise authorized to charge and collect, an additional fee not to*  
23 *exceed \$3 for recording a document, instrument, paper, notice, deed,*  
24 *conveyance, map, chart, survey or any other writing. A county recorder*  
25 *may not charge the additional fee authorized in this subsection for*  
26 *recording the originally signed copy of a certificate of marriage described*  
27 *in NRS 122.120. On or before the fifth day of each month, the county*  
28 *recorder shall pay to the county treasurer the amount of fees collected by*  
29 *him pursuant to this subsection for credit to the account established*  
30 *pursuant to section 1 of this act.*

31 3. Except as otherwise provided in subsection ~~3.1~~ 4, a county recorder  
32 shall not charge or collect any fees for any of the services specified in this  
33 section when rendered by him to:

34 (a) The county in which his office is located.

35 (b) The State of Nevada or any city or town within the county in which  
36 his office is located, if the document being recorded:

37 (1) Conveys to the state, or to that city or town, an interest in land;

38 (2) Is a mortgage or deed of trust upon lands within the county which  
39 names the state or that city or town as beneficiary;

40 (3) Imposes a lien in favor of the state or that city or town; or

41 (4) Is a notice of the pendency of an action in eminent domain filed  
42 by the state pursuant to NRS 37.060.

43 ~~3.1~~ 4. A county recorder shall charge and collect the fees specified in  
44 this section for copying of any document at the request of the State of  
45 Nevada, and any city or town within the county. For copying, and for his  
46 certificate and seal upon the copy, the county recorder shall charge the  
47 regular fee.



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1 ~~14~~ 5. For purposes of this section, "State of Nevada," "county," "city"  
2 and "town" include any department or agency thereof and any officer  
3 thereof in his official capacity.  
4 ~~15~~ 6. Except as otherwise provided *in subsection 2 or* by an  
5 ordinance adopted pursuant to the provisions of NRS 244.207, county  
6 recorders shall, on or before the fifth working day of each month, account  
7 for and pay to the county treasurer all such fees collected during the  
8 preceding month.  
9 **Sec. 2.** NRS 247.310 is hereby amended to read as follows:  
10 247.310 1. Except as otherwise provided by law, county recorders  
11 shall charge the following fees for recording affidavits of proof of labor on  
12 mining claims and for recording, pursuant to subsection 3 of NRS 517.230,  
13 affidavits of intent to hold mining claims:  
14 For recording any such affidavits that embrace therein one  
15 claim.....~~15~~ \$2  
16 For each additional mining claim embraced in the affidavit ..... ~~11~~ 2  
17 2. Except as otherwise provided by an ordinance adopted pursuant to  
18 the provisions of NRS 244.207, county recorders shall, on or before the 5th  
19 working day of each month, account for and pay to the county treasurer all  
20 such fees collected during the preceding month.  
21 **Sec. 3.** NRS 248.275 is hereby amended to read as follows:  
22 248.275 1. The sheriff of each county in this state may charge and  
23 collect the following fees:  
24 For serving a summons or complaint, or any other process, by  
25 which an action or proceeding is commenced, except as a writ  
26 of habeas corpus, on every defendant.....~~15~~ \$17  
27 For traveling and making such service, per mile in going only,  
28 to be computed in all cases the distance actually traveled, for  
29 each mile ..... ~~11~~ 2  
30 If any two or more papers are required to be served in the  
31 same suit at the same time, where parties live in the same  
32 direction, one mileage only may be charged.  
33 For taking a bond or undertaking in any case in which he is  
34 authorized to take a bond or undertaking ..... ~~11~~ 5  
35 For a copy of any writ, process or other paper, when demanded  
36 or required by law, for each page ..... ~~12~~ 3  
37 For serving every rule or order ..... 15  
38 For serving one notice required by law before the  
39 commencement of a proceeding for any type of eviction..... ~~15~~ 26  
40 For serving not fewer than 2 nor more than 10 such notices to  
41 the same location, each notice ..... ~~12~~ 20  
42 For serving not fewer than 11 nor more than 24 such notices to  
43 the same location, each notice ..... ~~11~~ 17  
44 For serving 25 or more such notices to the same location, each  
45 notice..... ~~19~~ 15



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- 1 For mileage in serving such a notice, for each mile necessarily  
2 and actually traveled in going only ..... ~~HH~~ 2  
3 But if two or more notices are served at the same general  
4 location during the same period, mileage may only be  
5 charged for the service of one notice.  
6 For serving a subpoena, for each witness summoned..... 15  
7 For traveling, per mile in serving subpoenas, or a venire, in  
8 going only, for each mile..... ~~HH~~ 2  
9 When two or more witnesses or jurors live in the same  
10 direction, traveling fees must be charged only for the most  
11 distant.  
12 For serving an attachment on property, or levying an execution,  
13 or executing an order of arrest or order for the delivery of  
14 personal property, together with traveling fees, as in cases of  
15 summons ..... 15  
16 For making and posting notices and advertising for sale, on  
17 execution or any judgment or order of sale, not to include the  
18 cost of publication in a newspaper ..... 15  
19 For issuing each certificate of sale of property on execution or  
20 order of sale, and for filing a duplicate thereof with the  
21 county recorder, which must be collected from the party  
22 receiving the certificate ..... ~~HH~~ 5  
23 For drawing and executing every sheriff's deed, to be paid by  
24 the grantee, who shall in addition pay for the  
25 acknowledgment thereof ..... ~~HH~~ 20  
26 For serving a writ of possession or restitution, putting any  
27 person into possession entitled thereto..... ~~HH~~ 21  
28 For traveling in the service of any process, not otherwise  
29 provided in this section, for each mile necessarily traveled,  
30 for going only, for each mile ..... ~~HH~~ 2  
31 For mailing a notice of a writ of execution ..... ~~HH~~ 2  
32 The sheriff may charge and collect ~~HH~~ \$2 per mile traveled, for going  
33 only, on all papers not served, where reasonable effort has been made to  
34 effect service, but not to exceed \$20.  
35 2. The sheriff may also charge and collect:  
36 (a) For commissions for receiving and paying over money on execution  
37 or process, where lands or personal property have been levied on,  
38 advertised or sold, on the first \$500, 4 percent; on any sum in excess of  
39 \$500, and not exceeding \$1,000, 2 percent; on all sums above that amount,  
40 1 percent.  
41 (b) For commissions for receiving and paying over money on  
42 executions without levy, or where the lands or goods levied on are not sold,  
43 on the first \$3,500, 2 percent, and on all amounts over that sum, one-half of  
44 1 percent.  
45 (c) For service of any process in a criminal case, or of a writ of habeas  
46 corpus, the same mileage as in civil cases, to be allowed, audited and paid  
47 as are other claims against the county.  
48 (d) For all services in justices' courts, the same fees as are allowed in  
49 subsection 1 and paragraphs (a), (b) and (c) of this subsection.



1 3. The sheriff is also entitled to further compensation for his trouble  
2 and expense in taking possession of property under attachment, execution  
3 or other process and of preserving the property, as the court from which the  
4 writ or order may issue certifies to be just and reasonable.

5 4. In service of a subpoena or a venire in criminal cases, the sheriff is  
6 entitled to receive mileage for the most distant only, where witnesses and  
7 jurors live in the same direction.

8 5. The fees allowed for the levy of an execution, for advertising and  
9 for making and collecting money on an execution or order of sale, must be  
10 collected from the defendants, by virtue of the execution or order of sale, in  
11 the same manner as the execution is directed to be made.

12 6. Except as otherwise provided by an ordinance adopted pursuant to  
13 the provisions of NRS 244.207, all fees collected by a sheriff must be paid  
14 into the county treasury of his county on or before the fifth working day of  
15 the month next succeeding the month in which the fees are collected.

16 **Sec. 4.** NRS 258.125 is hereby amended to read as follows:

17 258.125 1. Constables are entitled to the following fees for their  
18 services:

19 For serving a summons or other process by which a suit is  
20 commenced in civil cases ..... ~~15~~ ~~10~~ **\$17**  
21 For summoning a jury before a justice of the peace ..... ~~15~~ **7**  
22 For taking a bond or undertaking ..... ~~15~~ **5**  
23 For serving an attachment against the property of a defendant ..... ~~15~~ **9**  
24 For serving subpoenas, for each witness ..... ~~15~~ **15**  
25 For a copy of any writ, process or order or other paper, when  
26 demanded or required by law, per folio ..... ~~12~~ **3**  
27 For drawing and executing every constable's deed, to be paid by  
28 the grantee, who must also pay for the acknowledgment  
29 thereof ..... ~~12~~ **20**  
30 For each certificate of sale of real property under execution ..... ~~12~~ **5**  
31 For levying any writ of execution or writ of garnishment, or  
32 executing an order of arrest in civil cases, or order for  
33 delivery of personal property, with traveling fees as for  
34 summons ..... ~~15~~ **9**  
35 For serving one notice required by law before the  
36 commencement of a proceeding for any type of eviction ..... ~~15~~ **26**  
37 For serving not fewer than 2 nor more than 10 such notices to  
38 the same location, each notice ..... ~~12~~ **20**  
39 For serving not fewer than 11 nor more than 24 such notices to  
40 the same location, each notice ..... ~~10~~ **17**  
41 For serving 25 or more such notices to the same location, each  
42 notice ..... ~~19~~ **15**  
43 For mileage in serving such a notice, for each mile necessarily  
44 and actually traveled in going only ..... ~~11~~ **2**  
45 But if two or more notices are served at the same general  
46 location during the same period, mileage may only be  
47 charged for the service of one notice.



- 1 For each service in a summary eviction, except service of any  
2 notice required by law before commencement of the  
3 proceeding, and for serving notice of and executing a writ of  
4 restitution.....~~151~~ 21  
5 For making and posting notices, and advertising property for  
6 sale on execution, not to include the cost of publication in a  
7 newspaper.....~~151~~ 9  
8 For each warrant lawfully executed .....~~1351~~ 48  
9 For mileage in serving summons, attachment, execution, order,  
10 venire, subpoena, notice, summary eviction, writ of  
11 restitution or other process in civil suits, for each mile  
12 necessarily and actually traveled, in going only..... ~~11~~ 2  
13 But when two or more persons are served in the same suit,  
14 mileage may only be charged for the most distant, if they  
15 live in the same direction.  
16 For mileage in making a diligent but unsuccessful effort to  
17 serve a summons, attachment, execution, order, venire,  
18 subpoena or other process in civil suits, for each mile  
19 necessarily and actually traveled, in going only..... ~~11~~ 2  
20 But mileage may not exceed \$20 for any unsuccessful effort  
21 to serve such process.  
22 2. A constable is also entitled to receive:  
23 (a) For receiving and taking care of property on execution, attachment  
24 or order, his actual necessary expenses, to be allowed by the court which  
25 issued the writ or order, upon the affidavit of the constable that the charges  
26 are correct and the expenses necessarily incurred.  
27 (b) For collecting all sums on execution or writ, to be charged against  
28 the defendant, on the first \$3,500, 2 percent thereof, and on all amounts  
29 over that sum, one-half of 1 percent.  
30 (c) For service in criminal cases, except for execution of warrants, the  
31 same fees as are allowed sheriffs for like services, to be allowed, audited  
32 and paid as are other claims against the county.  
33 3. Deputy sheriffs acting as constables are not entitled to retain for  
34 their own use any fees collected by them, but the fees must be paid into the  
35 county treasury on or before the 5th working day of the month next  
36 succeeding the month in which the fees were collected.  
37 4. Constables shall, on or before the 5th working day of each month,  
38 account for and pay to the county treasurer all fees collected during the  
39 preceding month, except fees which may be retained as compensation.  
40 **Sec. 5.** NRS 259.200 is hereby amended to read as follows:  
41 259.200 1. A justice of the peace is entitled, for each day necessarily  
42 employed in holding an inquest, to a fee of ~~15191~~ \$23.  
43 2. This fee must be paid out of the county treasury as other demands  
44 against the county are paid.  
45 **Sec. 6.** (Deleted by amendment.)  
46 **Sec. 7.** NRS 17.110 is hereby amended to read as follows:  
47 17.110 The statement must be filed with the clerk of the court in which  
48 the judgment is to be entered. The clerk shall endorse upon it and enter in  
49 the judgment book a judgment of the court for the amount confessed, with



1 ~~§24~~ §28 costs. The judgment and affidavit, with the judgment endorsed,  
2 thereupon become the judgment roll.  
3 **Sec. 8.** NRS 19.013 is hereby amended to read as follows:  
4 19.013 1. Except as otherwise provided by specific statute, each  
5 county clerk shall charge and collect the following fees:  
6 On the commencement of any action or proceeding in the  
7 district court, or on the transfer of any action or proceeding  
8 from a district court of another county, except probate or  
9 guardianship proceedings, to be paid by the party  
10 commencing the action, proceeding or transfer..... \$56  
11 On an appeal to the district court of any case from a justice's  
12 court or a municipal court, or on the transfer of any case from  
13 a justice's court or a municipal court ..... 42  
14 On the filing of a petition for letters testamentary, letters of  
15 administration, setting aside an estate without administration,  
16 or a guardianship, which fee includes the court fee prescribed  
17 by NRS 19.020, to be paid by the petitioner:  
18 Where the stated value of the estate is more than \$2,500..... 72  
19 Where the stated value of the estate is \$2,500 or less, no  
20 fee may be charged or collected.  
21 On the filing of a petition to contest any will or codicil, to be  
22 paid by the petitioner..... 44  
23 On the filing of an objection or cross-petition to the appointment  
24 of an executor, administrator or guardian, or an objection to  
25 the settlement of account or any answer in an estate or  
26 guardianship matter ..... 44  
27 On the appearance of any defendant or any number of  
28 defendants answering jointly, to be paid upon the filing of the  
29 first paper in the action by him or them ..... 44  
30 For filing a notice of appeal ..... 24  
31 For issuing a transcript of judgment and certifying thereto..... 3  
32 For preparing any copy of any record, proceeding or paper, for  
33 each page..... 1  
34 For each certificate of the clerk, under the seal of the court..... 3  
35 For examining and certifying to a copy of any paper, record or  
36 proceeding prepared by another and presented for his  
37 certificate..... 5  
38 For filing all papers not otherwise provided for, other than  
39 papers filed in actions and proceedings in court and papers  
40 filed by public officers in their official capacity ..... 15  
41 For issuing any certificate under seal, not otherwise provided for..... 6  
42 For searching records or files in his office, for each year ..... 1  
43 For filing and recording a bond of a notary public, per name ..... 15  
44 For entering the name of a firm or corporation in the register of  
45 the county clerk ..... ~~15~~ 20  
46 2. Except as otherwise provided by specific statute, all fees prescribed  
47 in this section are payable in advance if demanded by the county clerk.  
48 3. The fees set forth in subsection 1 are payment in full for all services  
49 rendered by the county clerk in the case for which the fees are paid,





1 including the preparation of the judgment roll, but the fees do not include  
2 payment for typing, copying, certifying or exemplifying or authenticating  
3 copies.

4 4. No fee may be charged any attorney at law admitted to practice in  
5 this state for searching records or files in the office of the clerk. No fee  
6 may be charged for any services rendered to a defendant or his attorney in  
7 any criminal case or in habeas corpus proceedings.

8 5. Each county clerk shall, on or before the fifth day of each month,  
9 account for and pay to the county treasurer all fees collected during the  
10 preceding month.

11 **Sec. 9.** NRS 122.060 is hereby amended to read as follows:

12 122.060 1. The clerk is entitled to receive as his fee for issuing the  
13 license the sum of ~~\$13~~ **\$21**.

14 2. The clerk shall also at the time of issuing the license collect the sum  
15 of ~~\$3~~ **\$10** and pay it over to the county recorder as his fee for recording  
16 the originally signed copy of the certificate of marriage described in NRS  
17 122.120.

18 3. The clerk shall also at the time of issuing the license collect the  
19 additional sum of \$4 for the State of Nevada. The fees collected for the  
20 state must be paid over to the county treasurer by the county clerk on or  
21 before the 5th day of each month for the preceding calendar month, and  
22 must be placed to the credit of the state general fund. The county treasurer  
23 shall remit quarterly all such fees deposited by the clerk to the state  
24 treasurer for credit to the state general fund.

25 4. The clerk shall also at the time of issuing the license collect the  
26 additional sum of \$15 for the account for aid for victims of domestic  
27 violence in the state general fund. The fees collected for this purpose must  
28 be paid over to the county treasurer by the county clerk on or before the 5th  
29 day of each month for the preceding calendar month, and must be placed to  
30 the credit of that account. The county treasurer shall, on or before the 15th  
31 day of each month, remit those fees deposited by the clerk to the state  
32 treasurer for credit to that account.

33 **Sec. 9.3.** NRS 122.060 is hereby amended to read as follows:

34 122.060 1. The clerk is entitled to receive as his fee for issuing the  
35 license the sum of \$21.

36 2. The clerk shall also at the time of issuing the license collect the sum  
37 of \$10 and pay it over to the county recorder as his fee for recording the  
38 originally signed copy of the certificate of marriage described in NRS  
39 122.120.

40 3. The clerk shall also at the time of issuing the license collect the  
41 additional sum of \$4 for the State of Nevada. The fees collected for the  
42 state must be paid over to the county treasurer by the county clerk on or  
43 before the 5th day of each month for the preceding calendar month, and  
44 must be placed to the credit of the state general fund. The county treasurer  
45 shall remit quarterly all such fees deposited by the clerk to the state  
46 treasurer for credit to the state general fund.

47 4. The clerk shall also at the time of issuing the license collect the  
48 additional sum of ~~\$15~~ **\$20** for the account for aid for victims of domestic  
49 violence in the state general fund. The fees collected for this purpose must



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1 be paid over to the county treasurer by the county clerk on or before the 5th  
2 day of each month for the preceding calendar month, and must be placed to  
3 the credit of that account. The county treasurer shall, on or before the 15th  
4 day of each month, remit those fees deposited by the clerk to the state  
5 treasurer for credit to that account.

6 **Sec. 9.7.** NRS 122.181 is hereby amended to read as follows:

7 122.181 1. The commissioner of civil marriages or his deputy  
8 commissioner of civil marriages is entitled to receive as his fee for  
9 solemnizing a marriage ~~{ \$35. All fees received for solemnizing marriages~~  
10 ~~by the commissioner or his deputy }~~ **\$45. The fee** must be deposited in the  
11 county general fund.

12 **2. The commissioner of civil marriages or his deputy commissioner**  
13 **of civil marriages shall also at the time of solemnizing a marriage collect**  
14 **the additional sum of \$5 for the account for aid for victims of domestic**  
15 **violence in the state general fund. The fees collected for this purpose**  
16 **must be paid over to the county treasurer by the county clerk on or before**  
17 **the fifth day of each month for the preceding calendar month, and must**  
18 **be credited to that account. The county treasurer shall, on or before the**  
19 **15th day of each month, remit those fees deposited by the clerk to the**  
20 **state treasurer for credit to that account.**

21 **Sec. 10.** NRS 278.450 is hereby amended to read as follows:

22 278.450 ~~{ The }~~ **For the recordation of any final map, the** county  
23 recorder shall collect a fee of ~~{ \$35, plus 35 cents per lot or unit mapped, for~~  
24 ~~the recordation of any final map. }~~ **\$50 for the first sheet of the map and**  
25 **\$10 for each additional sheet.** The fee must be deposited in the general  
26 fund of the county where it is collected.

27 **Sec. 11.** NRS 278.468 is hereby amended to read as follows:

28 278.468 1. If a parcel map is approved or deemed approved pursuant  
29 to NRS 278.464, the preparer of the map shall:

30 (a) Cause the approved map to be recorded in the office of the county  
31 recorder within 1 year after the date the map was approved or deemed  
32 approved, unless the governing body establishes by ordinance a longer  
33 period, not to exceed 2 years, for recording the map. The map must be  
34 accompanied by a written statement signed by the treasurer of the county in  
35 which the land to be divided is located indicating that all property taxes on  
36 the land for the fiscal year have been paid.

37 (b) Pay a ~~{ \$17 }~~ **fee of \$17 for the first sheet of the map plus \$10 for**  
38 **each additional sheet** to the county recorder for filing and indexing.

39 2. Upon receipt of a parcel map, the county recorder shall file the map  
40 in a suitable place. He shall keep proper indexes of parcel maps by the  
41 name of grant, tract, subdivision or United States subdivision.

42 **Sec. 12.** NRS 278.4725 is hereby amended to read as follows:

43 278.4725 1. Except as otherwise provided in this section, if the  
44 governing body has authorized the planning commission to take final  
45 action on a final map, the planning commission shall approve,  
46 conditionally approve or disapprove the final map, basing its action upon  
47 the requirements of NRS 278.472:



1 (a) In a county whose population is 40,000 or more, within 45 days; or  
2 (b) In a county whose population is less than 40,000, within 60  
3 days,  
4 after accepting the final map as a complete application. The planning  
5 commission shall file its written decision with the governing body. Except  
6 as otherwise provided in subsection 5, or unless the time is extended by  
7 mutual agreement, if the planning commission is authorized to take final  
8 action and it fails to take action within the period specified in this  
9 subsection, the final map shall be deemed approved unconditionally.  
10 2. If there is no planning commission or if the governing body has not  
11 authorized the planning commission to take final action, the governing  
12 body or its authorized representative shall approve, conditionally approve  
13 or disapprove the final map, basing its action upon the requirements of  
14 NRS 278.472:  
15 (a) In a county whose population is 40,000 or more, within 45 days; or  
16 (b) In a county whose population is less than 40,000, within 60  
17 days,  
18 after the final map is accepted as a complete application. Except as  
19 otherwise provided in subsection 5 or unless the time is extended by  
20 mutual agreement, if the governing body or its authorized representative  
21 fails to take action within the period specified in this subsection, the final  
22 map shall be deemed approved unconditionally.  
23 3. An applicant or other person aggrieved by a decision of the  
24 authorized representative of the governing body or by a final act of the  
25 planning commission may appeal to the governing body within a  
26 reasonable period to be determined, by ordinance, by the governing body.  
27 The governing body shall render its decision:  
28 (a) In a county whose population is 40,000 or more, within 45 days; or  
29 (b) In a county whose population is less than 40,000, within 60  
30 days,  
31 after the date on which the appeal is filed.  
32 4. If the map is disapproved, the governing body or its authorized  
33 representative or the planning commission shall return the map to the  
34 person who proposes to divide the land, with the reason for its action and a  
35 statement of the changes necessary to render the map acceptable.  
36 5. If the final map divides the land into 16 lots or more, the governing  
37 body or its authorized representative or the planning commission shall not  
38 approve a map, and a map shall not be deemed approved, unless:  
39 (a) Each lot contains an access road that is suitable for use by  
40 emergency vehicles; and  
41 (b) The corners of each lot are set by a professional land surveyor.  
42 6. If the final map divides the land into 15 lots or less, the governing  
43 body or its authorized representative or the planning commission may, if  
44 reasonably necessary, require the map to comply with the provisions of  
45 subsection 5.  
46 7. Upon approval, the map must be filed with the county recorder.  
47 Filing with the county recorder operates as a continuing:



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1 (a) Offer to dedicate for public roads the areas shown as proposed roads  
2 or easements of access, which the governing body may accept in whole or  
3 in part at any time or from time to time.

4 (b) Offer to grant the easements shown for public utilities, which any  
5 public utility may similarly accept without excluding any other public  
6 utility whose presence is physically compatible.

7 8. The map filed with the county recorder must include:

8 (a) A certificate signed and acknowledged by each owner of land to be  
9 divided consenting to the preparation of the map, the dedication of the  
10 roads and the granting of the easements.

11 (b) A certificate signed by the clerk of the governing body or authorized  
12 representative of the governing body or the secretary to the planning  
13 commission that the map was approved, or the affidavit of the person  
14 presenting the map for filing that the time limited by subsection 1 or 2 for  
15 action by the governing body or its authorized representative or the  
16 planning commission has expired and that the requirements of subsection 5  
17 have been met. A certificate signed pursuant to this paragraph must also  
18 indicate, if applicable, that the governing body or planning commission  
19 determined that a public street, easement or utility easement which will not  
20 remain in effect after a merger and resubdivision of parcels conducted  
21 pursuant to NRS 278.4925, has been vacated or abandoned in accordance  
22 with NRS 278.480.

23 (c) A written statement signed by the treasurer of the county in which  
24 the land to be divided is located indicating that all property taxes on the  
25 land for the fiscal year have been paid.

26 9. A governing body may by local ordinance require a final map to  
27 include:

28 (a) A report from a title company which lists the names of:

29 (1) Each owner of record of the land to be divided; and

30 (2) Each holder of record of a security interest in the land to be  
31 divided, if the security interest was created by a mortgage or a deed of  
32 trust.

33 (b) The signature of each owner of record of the land to be divided.

34 (c) The written consent of each holder of record of a security interest  
35 listed pursuant to subparagraph (2) of paragraph (a), to the preparation and  
36 recordation of the final map. A holder of record may consent by signing:

37 (1) The final map; or

38 (2) A separate document that is filed with the final map and declares  
39 his consent to the division of land.

40 10. After a map has been filed with the county recorder, any lot shown  
41 thereon may be conveyed by reference to the map, without further  
42 description.

43 11. The county recorder shall charge and collect for recording the map  
44 a fee *set by the board of county commissioners* of not more than ~~the~~ *per*  
45 ~~page set by the board of county commissioners.~~ *\$50 for the first sheet of*  
46 *the map plus \$10 for each additional sheet.*

47 **Sec. 13.** NRS 278A.570 is hereby amended to read as follows:

48 278A.570 1. A plan which has been given final approval by the city  
49 or county, must be certified without delay by the city or county and filed of



\* A B 9 4 R 1 \*

1 record in the office of the appropriate county recorder before any  
2 development occurs in accordance with that plan. A county recorder shall  
3 not file for record any final plan unless it includes:

4 (a) A final map of the entire final plan or an identifiable phase of the  
5 final plan if required by the provisions of NRS 278.010 to 278.630,  
6 inclusive;

7 (b) The certifications required pursuant to NRS 116.2109; and

8 (c) The same certificates of approval as are required under NRS  
9 278.377 or evidence that:

10 (1) The approvals were requested more than 30 days before the date  
11 on which the request for filing is made; and

12 (2) The agency has not refused its approval.

13 2. Except as otherwise provided in this subsection, after the plan is  
14 recorded, the zoning and subdivision regulations otherwise applicable to  
15 the land included in the plan cease to apply. If the development is  
16 completed in identifiable phases, then each phase can be recorded. The  
17 zoning and subdivision regulations cease to apply after the recordation of  
18 each phase to the extent necessary to allow development of that phase.

19 3. Pending completion of the planned unit development, or of the part  
20 that has been finally approved, no modification of the provisions of the  
21 plan, or any part finally approved, may be made, nor may it be impaired by  
22 any act of the city or county except with the consent of the landowner.

23 4. ~~The~~ *For the recording or filing of any final map, plat or plan,*  
24 *the* county recorder shall collect a fee of \$50 ~~plus 50 cents per lot or unit~~  
25 ~~mapped.~~ *for the recording or filing of any final map, plat or plan - first*  
26 *sheet of the map, plat or plan plus \$10 for each additional sheet.* The fee  
27 must be deposited in the general fund of the county where it is collected.

28 **Sec. 14.** NRS 403.190 is hereby amended to read as follows:

29 403.190 1. Except as otherwise provided in subsection 3, upon  
30 laying out and designating the county roads as required in NRS 403.170,  
31 the board of county highway commissioners shall cause a map of the  
32 county to be made, showing the county roads and their designations. The  
33 board shall file one copy of the map with the clerk of the board of county  
34 highway commissioners, one copy with the department of transportation,  
35 one copy with the county clerk and one copy with the county recorder.

36 2. When any road has been designated by the board of county highway  
37 commissioners as a standard county road, as provided in NRS 403.180, that  
38 designation must be made on the copies of the map on file with the clerk of  
39 the board of county highway commissioners, the county clerk, the  
40 department of transportation and the county recorder.

41 3. The board of county highway commissioners need not include a  
42 minor county road upon the map required by subsection 1. Any person who  
43 uses a minor county road may file with the county recorder a map showing  
44 the location of the road, appropriately emphasized in black ink upon the  
45 map by the person filing it. The map must:

46 (a) Be a topographical map prepared by the United States Geological  
47 Survey, unless the board of county highway commissioners determines that  
48 other specific maps are acceptable.



1 (b) Have written on its face, in black ink, the townships, ranges and  
2 sections through which the road traverses.

3 The map so filed is evidence of the existence and location of the road. Each  
4 person filing such a map shall pay to the county recorder a fee of *\$17 for*  
5 *the first sheet of the map plus \$10 ~~+~~ for each additional sheet.*

6 **Sec. 15.** NRS 625.370 is hereby amended to read as follows:

7 625.370 1. The charge for filing and indexing any record of survey is  
8 \$17 ~~+~~ *for the first page plus \$10 for each additional page.*

9 2. The record of survey must be suitably filed by the county recorder  
10 and he shall keep proper indexes of such survey records by name of tract,  
11 subdivision or United States land subdivision.

12 **Sec. 16.** 1. This section and sections 9 and 9.7 of this act become  
13 effective on July 1, 2001.

14 2. Sections 1 to 8, inclusive, and 10 to 15, inclusive, of this act become  
15 effective on October 1, 2001.

16 3. Section 9 of this act expires by limitation on December 31, 2002.

17 4. Section 9.3 of this act becomes effective on January 1, 2003.

