

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE
OF NEVADA, IN AND FOR THE COUNTY OF EUREKA.

CHARLES E. BUTLER, PLAINTIFF,)

-vs-)

Peter Merialdo, as administrator)
of the estate of Andrew Benson,)
Deceased.)

Defendant.)

No. 2362

Filed Oct. 22nd, 1936,

Ed. Delaney

Clerk.

-DECREE ESTABLISHING-TITLE-

This cause coming on regularly for trial this 22nd day of October, 1936, before the above entitled Court, HON. EDGAR EATHER, presiding, a jury having been waived by the Plaintiff and Defendant herein, upon the Complaint of the Plaintiff and the Answer of Defendant on file herein, the Plaintiff appearing by his Attorneys, MORLEY GRISWOLD & MILTON J. REINHART, and the Defendant appearing in propria persona; and it appearing that the Plaintiff at the time of filing his Complaint filed for record in the office of the County Recorder of Eureka County, Nevada, a Notice of the Pendency of this action containing a statement of the object of this action and a particular description of the property affected thereby,

AND IT APPEARING thru documentary and oral proofs presented to the Court that all of the facts, things and matters set forth in Plaintiff's Complaint herein are true and that Plaintiff now is and by himself and his predecessors in interest have been continuously for more than fifteen (15) years next immediately preceding the filing of this Complaint, in the actual, exclusive, continuous, uninterrupted, open notorious, peaceable and adverse possession of the real property described in the Complaint and that Plaintiff and his predecessors in interest have for more than five years next immediately preceding the filing of this Complaint, paid all taxes of every kind levied or assessed or due against said real property and water rights and/or any and every part thereof,

AND THE COURT having fully examined into and determined the legality of Plaintiff's title, and all title and claim of the Defendant, and the adverse claims to and clouds upon the said real property and every part thereof described in said Complaint,

AND THE COURT being fully advised in the premises, and it appearing that Plaintiff is entitled to the relief prayed for,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff is the owner of said land seized in fee simple absolute, and in the actual, peaceable possession of the real property described in the Complaint herein, and of each and every part and parcel thereof, and that said Defendant has no right, title, interest or estate in or lien upon said property and water rights, or any part thereof.

AND IT IS HEREIN FURTHER ORDERED, ADJUDGED AND DECREED that the said Defendant Peter Merialdo, as Administrator of the Estate of Andrew Benson, Deceased, and those claiming or to claim by, thru or under him, he, and he, and they hereby are perpetually enjoined and forbidden to claim any right, title, interest or estate in or to said premises hostile or adverse to the possession and title of the Plaintiff herein; and said Defendant, Peter Merialdo, as Administrator of the Estate of Andrew Benson, Deceased, and those claiming under him, are hereby perpetually forbidden and enjoined from commencing or bringing any suit at law or equity to disturb the said Plaintiff in his possession and title thereto and from setting up any claim or interest or estate therein adversely to the title of the Plaintiff herein, and from disturbing the Plaintiff in his possession and title thereto, and from setting up any claim or interest or estate therein adversely to the title of the Plaintiff herein, and from disturbing the Plaintiff in the quiet and peaceable enjoyment of said described premises and water rights.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that said property herein referred to and described in said Complaint, and which title is hereby quieted, established and determined in the Plaintiff herein, is situated in the County of Eureka, State of Nevada, and is described as follows, to-wit:

IN TOWNSHIP 32 North, RANGE 48 EAST, M.D.B. & M.,
Section 36: NE $\frac{1}{4}$ of SE $\frac{1}{4}$;
Together with all water, water rights, dams and ditches now or heretofore used upon or in connection with the above described premises.

DONE IN OPEN COURT this 22nd day of October, 1936.

Edgar Eather
District Judge.-

STATE OF NEVADA,)
)ss.
COUNTY OF EUREKA.)

I, Ed. Delaney, County Clerk and ex-officio Clerk of the Third Judicial District Court of the State of Nevada, Eureka County, do hereby certify that the annexed is a full, true and correct copy of Decree Establishing Title as appears as of record and on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand officially and affixed the Seal of said COURT, at office in the town of Eureka, this 22nd day of October, A.D. 1936.

(SEAL OF COURT)

Ed Delaney, County Clerk.
And ex-officio Clerk of the District Court,
Eureka County.

Recorded at the Request of Griswold & Reinhart Oct. 22, A.D. 1936 At 40 minutes past 2 P.M.

Peter Merialdo--Recorder.