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FEB 3 1984

JOAN SHANGLE,
CLERK

1 No. 3102

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

JAMES E. ARNOLD and JOY F. ARNOLD,

Plaintiffs and
Applicants,

vs.

ORDER APPOINTING RECEIVER

KEVIN R. KELLY, CAROL D. KELLY,
LEONARD GERSTEIN, OFFRA GERSTEIN,
JOAQUIN C. BALISTRERI and
KATHERYN A. BALISTRERI,

Defendants.

The Applicants above named filed their Application for
Receiver herein on the 23rd day of January, 1984; Notice of
Hearing of the Application was given to Defendants by certified
mail as of the 23rd day of January, 1984; the Application came on
regularly to be heard as noticed; the Applicants appeared by and
through their Attorney, RICHARD G. BARROWS, ESQ., of the law firm
of WILSON and BARROWS, LTD.; the Defendants did not appear in
person or through counsel in opposition to the Application;
evidence and arguments were presented in favor of the
Application, and it was submitted for decision, AND GOOD CAUSE
APPEARING THEREFOR,

THE COURT HEREBY FINDS AND CONCLUDES:

1. That due and legal notice of the hearing of the
Application was given in accordance with law;

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1.

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1 2. That the Applicants have caused to be filed for
2 record a notice of breach and election to sell real property
3 under a power of sale contained in a deed of trust;

4 3. After such filing, the beneficiaries of the deed of
5 trust have applied herein to this Court as the district for the
6 county in which the real property is located, for the appointment
7 of a receiver of such real property;

8 4. The real property ("Real Property") is described on
9 Exhibit A attached hereto and made a part hereof;

10 5. There is personal property ("Personal Property")
11 subject to such deed of trust, and it is described on Exhibit B
12 attached hereto and made a part hereof;

13 6. The Personal Property is in danger of being lost,
14 removed, materially injured or destroyed;

15 7. The Real Property is in danger of substantial waste
16 and the income therefrom is in danger of being lost;

17 8. The Real and Personal Property may become
18 insufficient to discharge the debt which it secures;

19 9. All averments of the Application are true and
20 correct;

21 10. A receiver should be appointed to take possession
22 of the Real and Personal Property and collect the rents and
23 profits therefrom;

24 11. Walter Plaskett is qualified, ready, willing and
25 able to serve as receiver;

26 12. Bond is not required by law.

27 ACCORDINGLY, IT IS HEREBY ORDERED:

28 1. That Walter Plaskett be, and he hereby is,
29 appointed receiver of the Real and Personal Property, to collect
30 the rents and profits derived therefrom, and to maintain and
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1 protect the same during the pendency of the non-judicial
2 foreclosure, or until further order of this Court;

3 2. That in the event the Real and Personal Property is
4 redeemed or the defaults timely cured within the period allowed
5 by law, the rents and profits collected by the receiver shall be
6 returned to the Defendants, less: the costs of the receivership,
7 the reasonable expenses necessarily incurred by the receiver in
8 the care and maintenance of the Real and Personal Property, the
9 reasonable and necessary costs, fees and expenses of the
10 non-judicial foreclosures, and the sums paid for the protection
11 of the security such as for taxes, insurance, and deeds of trust,
12 security interests, liens, and encumbrances which are prior to
13 Applicant's Deed of Trust and Security Agreement;

14 3. That in the event the Property is not redeemed or
15 the defaults timely cured within the period allowed by law, and
16 the Real and Personal Property is sold (or the Personal Property
17 otherwise commercially disposed of), the funds remaining in the
18 hands of the receiver, if any, after payment of all expenses,
19 costs and fees described in the paragraph nextthereinabove, shall
20 be held by the receiver for the benefit of the Applicants and
21 Defendants, subject to further order of the Court and subject to
22 proceedings for a deficiency judgment, if any, instituted
23 pursuant to NRS 40.451-40.459;

24 4. That the receiver shall be vested with all the
25 usual powers, rights, and duties of receivers appointed by this
26 Court, and, in particular, with the following rights, powers and
27 duties:

28 A. To continue to operate the Real and Personal
29 Property as a farm according to the dictates of good
30 farming practice in the area;

31 B. To employ such employees and agents as are

1 necessary to accomplish the purposes of the
2 receivership;

3 C. To apply the rents and profits collected upon
4 the payments necessary for the protection of the Real
5 and Personal Property such as taxes, insurance, deeds
6 of Trust, security interests, liens and encumbrances
7 which are prior to those being foreclosed by
8 Applicants;

9 D. To make such sale or other commercial
10 disposition of such portion of the Personal Property as
11 he deems advisable and necessary in accordance with
12 the Security Agreement and the UCC;

13 E. To make all necessary repairs as restoration
14 to the Real Property to prevent further waste and
15 reverse its course;

16 F. To sell the hay crop from the Real Property at
17 such time and upon such terms as the receiver deems
18 advisable.

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20 DATED: February 3, 1984.

21 /s/ Merlyn H. Hoyt
22 DISTRICT JUDGE
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EXHIBIT A

PARCEL 1 :

TOWNSHIP 21 NORTH, RANGE 54 EAST, MDB&M

Section 17: E½

EXCEPTING THEREFROM all oil and gas in and under said land as reserved in Patent from the United States of America, recorded October 23, 1963, in Book 27, Page 57, Deed Records, Eureka County, Nevada.

PARCEL 2:

TOWNSHIP 21 NORTH, RANGE 54 EAST MDB&M

Section 17: W½

EXCEPTING THEREFROM all oil and gas in and under said land as reserved in Patent from the United States of America, recorded October 23, 1963, in Book 27, Page 56, Deed Records, Eureka County, Nevada.

TOGETHER WITH all improvements situate thereon.

TOGETHER WITH all waters, water rights, rights to the use of water, dams, ditches, canals, pipelines, reservoirs and all other means for the diversion or use of waters appurtenant to the said property or any part thereof, or used or enjoyed in connection therewith, and together with all stockwatering rights used or enjoyed in connection with the use of any of said lands.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

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EXHIBIT B

New Holland Balewagon	Model 1068
New Holland Windrower	Model 1116
New Holland Baler	Model 500
<i>g</i> John Deere Baler	Model 330
<i>g</i> John Deere Swather	Model 1014
Case Tractor	Model 1030
John Deere Tractor	Model 302A
Farmall Tractor	Super M
Krause 14' Offset Disc	
John Deere 24' Disc	
24' Cauldgerpacker	
40' Pipe Trailer	
6 Crown-Am Wheel Lines	
<i>g</i> 8 Wade Rain Wheel Lines	
Valley Center Pivots (2)	1260
Underground PVC Irrigation Mainline (9)	
General Electric 50 HP Electric Motors (2)	
Century 50 HP Electric Motors (2)	
100 HP Electric Panels (2)	
50 HP Electric Panels (4)	
12X48 Fleetwood Mobile Home:	
Washer, Dryer, Refrigerator,	
Television	
12X56 Skyline Mobile Home	
Partly Furnished, to include	
Washer, Dryer, Refrigerator	
12X20 Metal Shed	
1000 Gallon Diesel Tank	
500 Gallon Gas Tank	
Set of Farmhand Side Rakes	
Farmhand Windrow Turner Rake	
Hydraulic Lift (Cherry Picker)	
Engine Stand	
Portable Water Pump	
3500 Watt Portable Homelite Electric Generator	
267 Boxes of Baling Wire	
Chicago 5 Speed Heavy Duty Drill Press	
Chicago 3/4 HP Bench Grinder	
225 Amp Lincoln Welder	
Hydraulic Floor Jack	
80 Compartment Metal Bolt-Nut Bins (4)	
12 Drawer Craftsman Tool Box	
Victor Equipment Cutting Torch	
Heavy Duth Shop Workbenches (5)	
Compartment Storage Bins (9)	
Blackwelder Poison Drill	
1 HP Sears Air Compressor	
1961 Ford Pickup - Field Truck	
100 HP Electric Motors (2)	
McKee 14' Field Cultivator (Danish Harrow)	
7' Spiked-Tooth Harrows	
12" 3 pt. Auger	
6' Bigmar Scara-Scraper	
Pallet Forks for Front End Loader	
24' Disc	
Spare Parts for All Equipment	
Hand Tools	
Oil and Gas Hand Pumps	
Shovels, Forks, Rakes, Picks, Axes, and Other Tools	

WILSON, WILSON AND BARRHOWS, LTD.
ATTORNEYS AT LAW
P.O. BOX 200
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EXHIBIT B

Electrical, Plumbing and Carpentry Tools and
Spare Parts
Spare Parts for PVC Mainlines and Irrigation Equipment
Shop Space Heater

All farm products, livestock, equipment and supplies now or
at any time hereafter located, growing or to be grown
or raised on the real property described on Exhibit A
attached hereto

TOGETHER WITH all property of the Debtor of the same
character as that covered by this Security Agreement
which the Debtor may hereafter acquire at any time
until the termination of this Security Agreement.

TOGETHER WITH all substitutions, products and
replacements of the foregoing, and all the
proceeds and accounts receivable resulting from
the sale or other transfer thereof.

STATE OF NEVADA, }
COUNTY OF EUREKA. }

I, Joan Shangle 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 Order Appointing Receiver #3102 Donald and Betty et al 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 my office in the town of
Eureka, this 2nd day of February, A. D. 1983

Joan Shangle County Clerk,
And ex-officio Clerk of the District Court, Eureka County.

By _____, Deputy.

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OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
H. H. REDALLATI, RECORDER
FILE NO. 92738
DATE 11:00