

1 Case No. 3186

NO. _____
FILED

2 JUN 3 1988

3 JOAN SHANGLE, CLERK
4 BY M. Platt DEPUTY

5 118809

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

8
9 DAVID McCANDLESS,
Plaintiff,

10 vs.

11 EARL F. NUTTALL and RAVEY
12 A. NUTTALL, husband and wife,
13 COUNTY OF EUREKA, EDGAR SADLER,
14 and the heirs-at-law of EDGAR
15 SADLER, FLOYD SADLER, and the
16 heirs-at-law of FLOYD SADLER,
17 REINHOLD SADLER and the heirs-
18 at-law of REINHOLD SADLER,
19 DOES 1 to 50, and all other
20 persons known or unknown,
21 claiming any right, title,
22 estate, lien or interest in
23 the real property described
24 in this Complaint adverse to
25 Plaintiff's ownership, or any
26 cloud upon Plaintiff's title
27 thereto.

28 Defendants.

JUDGMENT AND DECREE

21 This cause coming on regularly to be heard this 3rd
22 day of June, 1988, before the above-entitled Court, upon the
23 Complaint herein duly filed, with a copy of the Summons attached;
24 and service has been made on all Defendants in this action by
25 publication in the Eureka Sentinel, a newspaper of general cir-
26 culation, printed and published in the City of Eureka, County
27 of Eureka, State of Nevada, for four consecutive weeks, due proof
28 thereof being on file with the Clerk hereof.

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1 It appearing to said Court from the evidence taken in
2 open court that all of the material allegations of the Complaint
3 are sustained by testimony free from all legal objections or
4 exceptions as to its competency, admissibility, and sufficiency.

5 And it further appearing to the satisfaction of this
6 Court that a Notice Lis Pendens in said action has been duly
7 filed in the Office of the Recorder of Eureka County, Nevada;
8 that a copy of the Summons in this action, describing the pro-
9 perty as mentioned in the Complaint, has been regularly and duly
10 posted on the parcel of land as described in the Complaint; that
11 prior to the filing of this Complaint, Plaintiff and his prede-
12 cessors in interest have paid all taxes of every kind levied or
13 assessed and due against the property as mentioned in the
14 Complaint for more than five years last past; that Plaintiff, and
15 his predecessors in interest, have been in the actual and exclu-
16 sive and adverse possession of said property described in the
17 Complaint for more than fifteen years prior to the filing of said
18 Complaint; and that all and each of the Defendants in this action
19 have been duly and regularly served with process by publication
20 in the manner required by law.

21 And the Court being thus fully advised, now finds in
22 favor of the Plaintiff as follows:

23 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
24 Plaintiff was, at the time of the commencement of this action,
25 and now is the owner absolutely in fee simple of the premises
26 hereinafter described, and his right and interest in said premi-
27 ses as such owner in fee simple is hereby declared and
28 established of record.

1 IT IS FURTHER ORDERED AND DECREED that the Defendants,
2 their successors and assigns, and all other persons or entities
3 known or unknown, claiming any right, title, estate, lien or
4 interest in the real property described in the Complaint on file
5 herein adverse to Plaintiff's ownership, or any cloud upon
6 Plaintiff's title thereto, and all persons claiming under them
7 subsequent to the filing of the notice of the pendency of this
8 action be, and they are hereby forever barred from any and all
9 claim of right or title to the said premises, or lien thereon, or
10 any part thereof; that the following is a particular description
11 of the lands affected by this Judgment and Decree, to-wit:

12 A portion of Lot 8, Block 56 of the Town
13 of Eureka, County of Eureka, State of Nevada,
described as:

14 Beginning at the Southwest corner of Lot 8,
15 Block 56; THENCE North 78 Degrees East, 48.06
16 feet; THENCE North 28 Degrees 24 Minutes 50
17 Seconds East, 89.22 feet; THENCE South 78
18 Degrees 12 Minutes West, 51.04 feet; THENCE
19 South 26 Degrees 53 Minutes West, 87.03 feet
20 to the point of beginning.

21 EXCEPTING THEREFROM all uranium, thorium or other
22 material which is or may be peculiarly essential
23 to the production of fissionable materials lying
24 in and under said land as reserved by the United
25 States of America, in Patent recorded December 9,
26 1947, in Book 23, Page 226, Deed Records, Eureka
27 County, Nevada.

28 DONE IN OPEN COURT this

3rd day of June, 1988.

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

SS

I, the undersigned COUNTY CLERK, and Ex-Officio
CLERK of this DISTRICT COURT, do hereby CERTIFY
that the foregoing is a true and correct copy of the original on file in
my office and that I have carefully compared the same with the
original.

WITNESS My Hand and Seal of said
DISTRICT COURT this 3rd day of June 1988.

John A. [Signature]
County Clerk and Ex-Officio Court Clerk

[Signature] Deputy Clerk

SEAL

Affixed

17 [Signature]
DISTRICT JUDGE

COPY

RECORDED AT THE REQUEST OF

Donald Banta

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OFFICE: RECORDS
EUREKA COUNTY OFFICE
M.M. BIRDALE
FILE NO. 118809
FEE \$ 2.00

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