

COPY

Case No. 3430

166801

NO. FILED

MAY 05 1997

JOAN SHANGLE, CLERK
BY *[Signature]* DEPUTY

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

FRANK OTEGUI and ANNA OTEGUI, Husband
and wife,

Plaintiffs/
Counterdefendants,

vs.

MARY DIEHL,

Defendant/
Counterclaimant.

ORDER ADOPTING SETTLEMENT
OF PARTIES & CANCELING
THE NOTICE OF LIS PENDENS

The court, having reviewed the stipulation for entry of an
order adopting settlement of parties & canceling notice of lis
pendens, filed in the above-captioned matter on *May* 1997, and
good cause appearing therefor, hereby enters the following order
adopting settlement of parties & canceling the notice of lis
pendens.:
A. Plaintiffs shall execute and deliver a grant, bargain and
sale deed to Defendant's attorneys, thereby transferring their
interest in the subject property to Defendant, after Defendant causes
to be issued and delivered to Plaintiffs' attorneys a certified check
payable in the amount of Eight Thousand Dollars [\$8,000.00].
B. Defendant shall permit Plaintiffs to remain in possession

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1 of the subject property for a period of one Hundred and Twenty [120]
2 days after the effective date of the stipulation, with the effective
3 date of the stipulation deemed to be the last signature date of
4 either plaintiffs or Defendant; however, plaintiffs shall neither
5 alter or remove fixtures already on, nor place additional fixtures
6 on the subject property during the aforementioned period of
7 possession, and plaintiffs shall be responsible for the payment of
8 all expenses incurred by them as a consequence of the aforementioned
9 period of possession. ["fixtures" shall include, but not be limited
10 to, fencing, concrete slabs, retaining walls, landscaping, and
11 permanent outbuildings affixed to the subject property.]
12 c. The Notice of Lis Pendens recorded on April 24, 1996, shall
13 be cancelled, and the Recorder of the County of Eureka shall record
14 a copy of the order presented by the attorneys for Defendant. The
15 Notice of Pendency of Partition Action filed and recorded on July 2,
16 1996, shall be cancelled, and the Recorder of the County of Eureka
17 shall record a copy of the order presented by the attorneys for
18 Defendant.

DATED this 2nd day of May, 1997.

DISTRICT JUDGE

[Signature]

SEVENTH JUDICIAL DISTRICT COURT,
IN AND FOR COUNTY OF EUREKA,
STATE OF NEVADA } SS
I, the undersigned COUNTY CLERK and Ex-Officio
CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY
that the foregoing is a full, 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 9th day of May, 1997
County Clerk and Ex-Officio Court Clerk
Deputy Clerk

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OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
[Signature]
97 MAY -9 PM 1:18
EUREKA COUNTY NEVADA
M.N. REBAL EATL, RECORDER
FILE NO. 8.00
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