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AUG 01 1997

JUAN SHANGLE, CLERK

BY Joan Shangle DEPUTY

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF

THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

DONALD G. SCOTT,

Plaintiff,

vs.

LINDA C. SCOTT, JOHN DOE,

JANE DOE, JOHN DOE CORPORATION,

and all unknown spouses, heirs

or successors of any or all of

the above named Defendants and

all other persons or entities

unknown claiming any right,

title, estate, lien or interest

in the real property described

in the Complaint adverse to the

Plaintiff's ownership, or any

part thereof, or any cloud upon

Plaintiff's title thereto,

Defendants.

The above-entitled cause coming on duly and regularly for

trial this ~~1st~~ day of ~~Aug~~, 1997, before the above-entitled

Court, without a jury, Plaintiff being represented in Court by his

attorney, ROSS P. HARDLEY, of Elko, Elko County, Nevada;

IT APPEARING that all of the Defendants have failed to

answer, plead, appear or file any pleading or motion within the

time provided by law, or at all, after having been duly and regu-

larly served with Summons and Complaint in the manner provided by

1 law, and the default of the said Defendants, and each of them,

2 having been duly entered;

3 IT FURTHER APPEARING that Plaintiff, at the time of filing

4 his Complaint herein, filed for record in the office of the County

5 Recorder of the County of Eureka, State of Nevada, a notice of the

6 pendency of this action containing a statement of the object of the

7 action and a particular description of the property affected

8 thereby;

9 IT FURTHER APPEARING that Summons herein has been duly and

10 regularly published in the EUREKA SENTINEL, a newspaper printed and

11 published in the City of Eureka, County of Eureka, State of Nevada,

12 being the County where the said property is situated, at least once

13 a week for a period of four consecutive weeks, as more fully

14 appears from the Affidavit of Publication on file herein; that a

15 copy of the Summons herein (which Summons contained a description

16 of the real property affected by this action) was posted in a

17 conspicuous place on each separate parcel of the property described

18 in the Complaint within thirty days from the issuance of said

19 Summons, as more particularly appears from the Affidavit of Posting

20 on file herein; that all Defendants not personally served have been

21 duly and regularly served by publication and mailing and in the

22 manner required by the Order for Publication of Summons on file

23 herein, as more fully appears from the Affidavit for Publication of

24 Summons and Order for Publication of Summons and Affidavit of

25 Mailing on file herein; that all of the provisions of Sections

26 40.090 and 40.100, NRS, have been fully complied with;

27 That as more fully appears from the Affidavit of ROSS P.

28 HARDLEY, Attorney for Plaintiff, on file herein, since the com-

1 commencement of this action, Plaintiff has neither learned the name or

2 names of any Defendants impleaded herein as unknown Defendants, nor

3 received any information indicating a line of search or inquiry

4 which, if properly pursued, might lead to the discovery of such

5 name or names, and that the same still remain unknown to Plaintiff,

6 although diligent search and inquiry have been made by or in behalf

7 of Plaintiff, and resulted in failure to learn such name or names,

8 and that the same are still unknown to Plaintiff.

9 IT FURTHER APPEARING through documentary and oral proof

10 presented to the Court that all of the facts, things and matters

11 set forth in Plaintiff's Complaint are true and the Court hereby

12 finds as follows:

13 FINDINGS OF FACT

14 I.

15 That the following described real property is situate in the

16 County of Eureka, State of Nevada:

17 Lots 7 and 8 in Block 35 of CRESCENT VALLEY RANCH &  
18 FARMS, UNIT #1, as shown on the map thereof filed in  
19 the Office of the County Recorder of Eureka County,  
20 Nevada, on April 6, 1959.

21 TOGETHER with any and all buildings and improvements  
22 situate on said property.

23 TOGETHER with the tenements, hereditaments and  
24 appurtenances thereunto belonging or in anywise  
25 appertaining, and the reversion and reversions,  
26 remainder and remainders, rents, issues and profits  
27 thereof.

28 II.

The Plaintiff, DONALD G. SCOTT, is now and by himself and

his predecessors in interest, has been continuously for more than

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fifteen (15) years next preceding the filing of the Complaint in this action in the actual, exclusive, continuous, uninterrupted, open, notorious, visible, peaceful and adverse possession of said real property, claiming to own and hold the same against the world.

III.

Plaintiff and/or his predecessors in interest have for more than five (5) years next preceding the filing of the Complaint in this action paid all taxes of every kind levied or assessed or due against the said real property or appurtenances thereto, or any part thereof.

IV.

That the Defendants named herein, nor any of them, nor any other persons, have any right, title, estate, lien or other interest whatsoever in, to or upon said real property, or any portion thereof, superior to the Plaintiff.

CONCLUSIONS OF LAW

From the foregoing Findings of Fact, the Court concludes that the Plaintiff, DONALD G. SCOTT, is the owner of and entitled to the possession of the above described real property and that the Defendants, nor any of them, nor any other person, have any right, title, interest, lien or other claim in or to the said real property above described.

DEGREE QUIETING TITLE

NOW THEREFORE, the Court having made its Findings of Fact and Conclusions of Law, and good cause appearing therefor, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That the Plaintiff, DONALD G. SCOTT, is the owner in fee simple absolute of the hereinafter described real property and is entitled to the possession thereof; and that the Plaintiff's title to said real property is hereby quieted, established and settled as against any and all persons and against the whole world.

That the real property hereinabove referred to and the title to which is hereby established and quieted in the name of the Plaintiff as set forth above, is that certain real property situate in the County of Eureka, State of Nevada, and more particularly described as follows, to-wit:

Lots 7 and 8 in Block 35 of CRESCENT VALLEY RANCH & FARMS, UNIT #1, as shown on the map thereof filed in the Office of the County Recorder of Eureka County, Nevada, on April 6, 1959.

TOGETHER with any and all buildings and improvements situate on said property.

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.

2. That none of the Defendants herein named, nor any of

them, nor any of the unknown Defendants, nor any other person or persons, nor anyone holding by, through or under them, has or have any right, title, interest, estate, lien or other claim in or to

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the above described real property, or any part thereof, and said Defendants, and each of them, and all persons claiming through or under them, hereby are perpetually enjoined, restrained and barred from claiming or asserting any estate, interest, title, right, lien, claim or possession in or to said real property, or any part thereof, adverse to the Plaintiff herein.  
3. Plaintiff shall bear his own costs and expenses of this action.

SO ORDERED this 1st day of August, 1997.

*[Handwritten signature]*  
DISTRICT JUDGE

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 1st day of August 19 97  
\_\_\_\_\_  
County Clerk and Ex-Officio Court Clerk  
Deputy Clerk

BOOK 310  
PAGE 324  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
Ross P. Gardner  
97 AUG - 8 PM 2:59

EUREKA COUNTY NEVADA  
M.N. REBAL/RECORDING  
FILE NO. 167595  
FEES \$12.00

BOOK 310 PAGE 329