

Official Record

Recording requested By  
ROBERT J WINES

Eureka County - NV  
Mike Rebaleati - Recorder

Fee: \$16.00 Page 1 of 3  
RPTT: Recorded By FES  
Book- 0461 Page- 0132



0210432

1 CASE NO. CV-0707-091

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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

9 WALTER D. SMITH, as Trustee of the  
10 Walter D. Smith Trust, a Living Revocable  
11 Trust; STEVEN D. SMITH; JULIE M.  
12 SMITH and MICHAEL P. SANSINENA,

Plaintiffs,

12

vs.

LIS PENDENS

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14 EUREKA LIVESTOCK COMPANY, a  
15 co-partnership comprised of SAM  
16 RUDNICK and FILBERT ETCHEVERRY;  
17 the spouse of SAM RUDNICK; the heirs,  
18 successors and assigns of SAM RUDNICK;  
19 the spouse of FILBERT ETCHEVERRY;  
20 JIM ETCHEVERRY, individually and in  
21 his capacity as heir to FILBERT  
22 ETCHEVERRY; the spouse and children  
23 of JIM ETCHEVERRY; the heirs, successors  
24 and assigns of FILBERT ETCHEVERRY;  
25 MICHAEL ETCHEVERRY, individually,  
26 in his capacity as heir to FILBERT  
27 ETCHEVERRY, and as a co-partner in  
28 EUREKA LIVESTOCK COMPANY;  
the heirs, successors and assigns of  
MICHAEL ETCHEVERRY; the spouse  
of MICHAEL ETCHEVERRY; LEON  
SANSINENA; the spouse of LEON  
SANSINENA; the children of LEON  
SANSINENA; all other persons unknown,  
claiming any right, title, interest or estate  
in and to Lots 1, 2, 3, 4, 5 and 6, Block 54,  
Town of Eureka or patented mining claims,  
situate in the County of Eureka, known as  
"Stella" and "Seventy-Six (76)",

Defendants.

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PLEASE TAKE NOTICE that, under date of July 23, 2007, a Verified Complaint to Quiet Title was filed, bearing the above caption, in the above-entitled Court.

Pursuant to NRS 14.010 and 40.090, notice is hereby given as follows:

**A. NAMES OF PARTIES:**

**Plaintiffs:** WALTER D. SMITH, as Trustee of the Walter D. Smith Trust, a Living Revocable Trust; STEVEN D. SMITH; JULIE M. SMITH and MICHAEL P. SANSINENA.

**Defendants:** EUREKA LIVESTOCK COMPANY, a co-partnership comprised of SAM RUDNICK and FILBERT ETCHEVERRY, the spouse of SAM RUDNICK, the heirs, successors and assigns of SAM RUDNICK, the spouse of FILBERT ETCHEVERRY, JIM ETCHEVERRY, individually and in his capacity as heir to FILBERT ETCHEVERRY, the spouse and children of JIM ETCHEVERRY, the heirs, successors and assigns of FILBERT ETCHEVERRY, MICHAEL ETCHEVERRY, individually, in his capacity as heir to FILBERT ETCHEVERRY, and as a co-partner in EUREKA LIVESTOCK COMPANY, the heirs, successors and assigns of MICHAEL ETCHEVERRY, the spouse of MICHAEL ETCHEVERRY, LEON SANSINENA, the spouse of LEON SANSINENA, the children of LEON SANSINENA, all other persons unknown, claiming any right, title, interest or estate in and to Lots 1, 2, 3, 4, 5 and 6, Block 54, Town of Eureka or patented mining claims, situate in the County of Eureka, known as "Stella" and "Seventy-Six (76)".

**B. OBJECT OF THE ACTION:**

Plaintiffs are the owners in fee simple and possessors of the real property described below and seek to quiet their title from any and all adverse claims and remove any and all clouds thereon.

**C. PROPERTY IN QUESTION:**

**PARCEL 1:**

Lots 1, 2, 3, 4, 5 and 6, Block 54, in the Town of Eureka, according to the official map thereof, filed in the Office of the County Recorder of Eureka County, State of Nevada.

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2 EXCEPTING THEREFROM all uranium, thorium of any other material which is or  
3 may be determined to be peculiarly essential to the production of fissionable  
4 materials, whether or not of commercial value, lying in and under said land, as  
5 reserved by the UNITED STATES OF AMERICA, in patent recorded December 19,  
6 1947, Book 23, Page 226, Deed Records, Eureka County, Nevada.

7 TOGETHER WITH any and all buildings and improvements situate thereon.

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

11 APN: 001-122-01.

12 **PARCEL 2:**

13 Two patented mining claims situate in the County of Eureka, State of Nevada, known  
14 as and named "Stella" and "Seventy-Six (76)".

15 TOGETHER WITH any and all improvements situate thereon, and all water rights  
16 and any other rights held in connection therewith.

17 APN: 410-000-79.

18 DATED this 7<sup>th</sup> day of August, 2007.

19 ROBERT J. WINES, PROF. CORP.  
20 687 6<sup>th</sup> Street, Suite 1  
21 P.O. Box 511  
22 Elko, NV 89803

23 By *Robert J. Wines*  
24 ROBERT J. WINES, ESQ.  
25 Nevada State Bar # 459

26 STATE OF NEVADA )  
27 ) SS.  
28 COUNTY OF ELKO )

On this 7<sup>th</sup> day of August, 2007, personally appeared before me, a Notary Public, ROBERT  
J. WINES, known or proved to me to be said person, who acknowledged that he executed the  
foregoing instrument as attorney for Plaintiffs.

**CATHERINE J. HUNT**  
Notary Public, State of Nevada  
Appointment No. 02-72514-6  
My Appt. Expires Jan. 27, 2010

*Catherine J. Hunt*  
NOTARY PUBLIC