

Official Record

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ROBERT J WINES PC

Eureka County - NV

Mike Rebaleati - Recorder

Fee: \$19.00

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RPTT:

Recorded By: FES

Book- 517 Page- 0287

APN: 005-080-26

Recording Requested By:

Robert J. Wines, Prof. Corp.

Send Tax Statements To:

Name: James M. Kline and Helen M. Taylor-Kline

Address: P.O. Box 553

City, State, Zip: Carlin, NV 89822

After Recording Return To:

Name: Robert J. Wines, Prof. Corp.

Address: 687 6th Street, Suite 1

City, State, Zip: Elko, NV 89801



Decree of Quiet Title
(Title of Document)

Please complete Affirmation Statement below:

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons. (Per NRS 239B.030)

- or -

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law: _____

DATED this 21st day of July, 2011.

Eric M. Morley
ERIC M. MORLEY, ESQ.

JUL 15 2011

Eureka County Clerk
By: *(Signature)*

1 CASE NO. CV-1103-149

2 Dept. II

3 AFFIRMATION:

4 Pursuant to NRS 239B.030 this document does not
5 contain the social security number of any person.

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

8
9 JAMES M. KLINE and HELEN M.
10 TAYLOR-KLINE, husband and wife,

11 Plaintiffs,

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
DECREE OF QUIET TITLE**

12 vs.

13 DAVID WILSON; the spouse, heirs,
14 successors and assigns of DAVID WILSON;
15 JOHN DETWEILER; the spouse, heirs,
16 successors and assigns of JOHN
17 DETWEILER; and all other persons unknown
18 claiming right, title, estate, lien or interest in
19 the real property, described as Section 12:
20 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Township 31 North, Range 49 East,
21 M.D.B.&M., adverse to plaintiff's ownership,
22 or any cloud upon plaintiff's title thereto,

23 Defendants.

24 The above-entitled action came regularly for hearing on the 15th day of July, 2011 before this
25 Court, sitting without a jury, and the Court having heard and examined the evidence presented by
26 the Plaintiff, and the Defendants not having filed a response or otherwise appeared, and their default
27 having been duly entered, the Court now makes the following Findings of Fact, Conclusions of Law,
28 Judgement and Decree:

FINDINGS OF FACT

1. That Plaintiffs, JAMES M. KLINE and HELEN M. TAYLOR-KLINE, husband
and wife, have been in actual, open and adverse possession of the real property more particularly
described as:

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Eureka County
Clerk-Treasurer

1 Township 31 North, Range 49 East, M.D.B.&M.

2 Section 12: SE¼SE¼

3 EXCEPTING THEREFROM twenty-five percent (25%) of all oil, gas and
4 minerals as reserved by JOSEPH H. HENION and VIRGINIA W. HENION in
5 Deed recorded August 15, 1957, in Book 25, Page 169, Deed Records, Eureka
6 County, Nevada.

7 FURTHER EXCEPTING THEREFROM one-half of all oil, gas, minerals and
8 fissionable materials as reserved by WILLIAM H. PARKER and ELAINE JULE
9 PARKER, husband and wife, in Deed recorded June 8, 1961, in Book 26, Page
10 72, Deed Records, Eureka County, Nevada.

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

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

15 SUBJECT TO all exceptions, reservations, restrictions, restrictive covenants,
16 assessments, easements, rights and rights of way of record.

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18 2. That Plaintiffs, **JAMES M. KLINE and HELEN M. TAYLOR-KLINE**, have
19 been in adverse possession of the premises described herein for a period of more than fifteen (15)
20 years prior to this action.

21 3. That Defendants, **DAVID WILSON; the spouse, heirs, successors and assigns**
22 **of DAVID WILSON; JOHN DETWEILER; the spouse, heirs, successors and assigns of**
23 **JOHN DETWEILER; and the heirs, successors and assigns of any named Defendants**, have
24 abandoned or relinquished their claims, if any, to the aforesaid property; and Defendants named
25 as all other persons or entities unknown claiming any right, title, estate, lien or interest in the real
26 property described in the Complaint adverse to ownership or any cloud upon Plaintiff's title
27 thereto, have no claim whatsoever to said Plaintiff's ownership, nor have they any cloud upon
28 Plaintiffs' title thereto.

29 4. That Plaintiffs, **JAMES M. KLINE and HELEN M. TAYLOR-KLINE**, or
30 their successors in interest have paid all taxes, charges, assessments or levies by governmental
31 bodies or agencies upon said lands for more than the past five (5) years.

32 ///

1 CONCLUSIONS OF LAW

2 1. That Plaintiffs, **JAMES M. KLINE and HELEN M. TAYLOR-KLINE**, have
3 been in, and met all requirements at law for the actual, exclusive and adverse possession of the
4 afore-described lands for the required period of time; and have paid all taxes, charges, levies and
5 assessments required by law to be paid relative to said lands for the required period of time.

6 2. That Defendants, **DAVID WILSON; the spouse, heirs, successors and assigns**
7 **of DAVID WILSON; JOHN DETWEILER; the spouse, heirs, successors and assigns of**
8 **JOHN DETWEILER; and the heirs, successors and assigns of any named Defendants**, have
9 abandoned or relinquished their claims, if any, to the aforesaid property; and Defendants named
10 as all other persons or entities unknown claiming any right, title, estate, lien or interest in the real
11 property described in the Complaint adverse to ownership or any cloud upon Plaintiffs' title
12 thereto, have no claim whatsoever to said Plaintiffs' ownership, nor have they any cloud upon
13 Plaintiffs' title thereto.

14 3. That Plaintiffs, **JAMES M. KLINE and HELEN M. TAYLOR-KLINE**, have
15 fully complied with requirements of law and are entitled to a judgement and decree quieting title
16 to the following described lands:

17 Township 31 North, Range 49 East, M.D.B.&M.

18 Section 12: SE $\frac{1}{4}$ SE $\frac{1}{4}$

19 EXCEPTING THEREFROM twenty-five percent (25%) of all oil, gas and
20 minerals as reserved by JOSEPH H. HENION and VIRGINIA W. HENION in
21 Deed recorded August 15, 1957, in Book 25, Page 169, Deed Records, Eureka
22 County, Nevada.

23 FURTHER EXCEPTING THEREFROM one-half of all oil, gas, minerals and
24 fissionable materials as reserved by WILLIAM H. PARKER and ELAINE JULE
25 PARKER, husband and wife, in Deed recorded June 8, 1961, in Book 26, Page
26 72, Deed Records, Eureka County, Nevada.

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

28 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.

SUBJECT TO all exceptions, reservations, restrictions, restrictive covenants,
assessments, easements, rights and rights of way of record.

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1 **JUDGEMENT AND DECREE OF QUIET TITLE**

2 The Court having made its Findings of Fact and Conclusions of Law in this matter, now
3 therefore adjudges and decrees as follows:

4 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiffs, **JAMES M.**
5 **KLINE and HELEN M. TAYLOR-KLINE**, own in fee simple and are entitled to the quiet and
6 peaceful possession of all that real property described as follows:

7 Township 31 North, Range 49 East, M.D.B.&M.

8 Section 12: SE¼SE¼

9 EXCEPTING THEREFROM twenty-five percent (25%) of all oil, gas and minerals
10 as reserved by JOSEPH H. HENION and VIRGINIA W. HENION in Deed recorded
August 15, 1957, in Book 25, Page 169, Deed Records, Eureka County, Nevada.

11 FURTHER EXCEPTING THEREFROM one-half of all oil, gas, minerals and
12 fissionable materials as reserved by WILLIAM H. PARKER and ELAINE JULE
PARKER, husband and wife, in Deed recorded June 8, 1961, in Book 26, Page 72,
13 Deed Records, Eureka County, Nevada.

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

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

17 SUBJECT TO all exceptions, reservations, restrictions, restrictive covenants,
assessments, easements, rights and rights of way of record.

18 APN: 005-080-26.

19 **IT IS FURTHER DECREED** that any and all claims asserted by Defendants, **DAVID**
20 **WILSON; the spouse, heirs, successors and assigns of DAVID WILSON; JOHN**
21 **DETWEILER; the spouse, heirs, successors and assigns of JOHN DETWEILER; and the**
22 **heirs, successors and assigns of any named Defendants**, to said property, if any, are extinguished,
23 and Defendants, named herein and all of them, including all other persons or entities unknown
24 claiming any right, title, estate, lien or interest in the real property described in the Complaint
25 adverse to ownership or any cloud upon Plaintiffs' title thereto, have no estate, right, title, lien or
26 interest in or to the above-described property or any part thereof.

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DONE THIS DAY IN OPEN COURT, the 15th day of July, 2011.

Steve L. Dobrescu
DISTRICT JUDGE

COPIED

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.	
DISTRICT COURT, this <u>15th</u> day of <u>July</u> 20 <u>11</u>	
County Clerk and Ex-Officio Court Clerk <u>Joanna M. Cantrell</u>	Deputy Clerk