

APN: 007-040-05; 007-170-02

**Mailing Address of Grantee or
Other Person Requesting
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Wilson | Barrows | Salyer | Jones
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Elko, Nevada 89801

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EUREKA COUNTY, NV

2020-240357

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\$37.00

Pgs=6

04/09/2020 11:33 AM

WILSON BARROWS SALYER JONES

LISA HOEHNE, CLERK RECORDER

Social Security Number Affirmation Statement:

☒ In accordance with NRS 239B.030, the undersigned person recording this document hereby affirms that this document does not contain personal information, including full social security number of any person;

-OR-

☐ In accordance with NRS 239B.030, the undersigned person recording this document hereby affirms that this document does contain personal information, including full social security number of a person.

Tiffany Eklund

Paralegal

Name

Title

Signature

Title of Document Recorded:

DECREE QUIETING TITLE

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ORIGINAL

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ERROR
NO. AVUE
JAN 14 2020
Clerk / Deputy Clerk
Eureka County Clerk

1 No. CV 1905-311

NO. FILED

2 Dept. 1

JAN 17 2020

By Eureka County Clerk

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4
5 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
6 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

7 MICHEL AND MARGARET ANN ETCHEVERRY
8 FAMILY LIMITED PARTNERSHIP, a California
9 Limited Partnership, and its General
10 Partner AMACHI, INC., a California
11 corporation,

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13 Plaintiff,

14
15 v.

16
17 FRANCES PETERSON, JAMES ETCHEVERRY,
18 LISA HANCE, JULIE RANDOLPH, and all of the
19 unknown spouses, heirs, personal
20 representatives, devisees, legatees, successors
21 and assigns of FILBERT E. ETCHEVERRY, AND
22 NORMA ETCHEVERRY, if any; FIRST DOE,
23 SECOND DOE, THIRD DOE, FOURTH
24 DOE COMPANY, a partnership, and
25 FIFTH DOE, INC., a corporation; and all
26 other unknown persons and entities claiming
27 any right, title, estate, lien or interest in the
28 real property described in the Complaint
29 and other pleadings herein, or any part
30 thereof, adverse to Plaintiff's ownership, or
31 any cloud upon Plaintiff's title thereto,

32
33 Defendants.
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DECREE QUIETING TITLE

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1 The above titled action came on duly and regularly to be heard on **Friday, January 17,**
2 **2020, at 11:00 a.m.** before the above titled Court, without a jury, no jury having been demanded by
3 any of the parties hereto. Plaintiff appeared in person and by their counsel, SHAWN K. JONES of the
4 law firm of WILSON | BARROWS | SALYER | JONES. Defendants FRANCES PETERSON, JAMES
5 ETCHEVERRY, LISA HANCE, AND JULIE RANDOLPH appeared by submitting their *Appearance,*
6 *Answer, Admission and Consent to Entry of Judgment in Favor of Plaintiff,* in which they waived
7 further notice, and *Stipulation,* which are on file herein. No other Defendants appeared in the action
8 and their default was requested in open court by Plaintiff for such Defendants' failure to answer or
9 otherwise appear and file any pleading or motion herein within the time allowed by law, or at all,
10 after having been duly and regularly served with *Summons* and *Verified Quiet Title Complaint*
11 ("Verified Complaint"), in the manner approved by law. Evidence and arguments were presented
12 and the matter was submitted.

13 **ACCORDINGLY, THE COURT HEREBY FINDS AND CONCLUDES AS FOLLOWS:**

14 1. Plaintiff, MICHEL AND MARGARET ANN ETCHEVERRY FAMILY LIMITED
15 PARTNERSHIP, a California Limited Partnership, and its General Partner AMACHI, INC., a California
16 corporation ("Plaintiff"), brings this action against Defendants, and in rem against the whole world,
17 to quiet, establish and determine the estate and title to, and to determine any and all adverse claims
18 to, and clouds upon, the title to that certain real property in Eureka County, Nevada, particularly
19 described on Exhibit A to the *Verified Complaint*, on file herein (the "Subject Property").

20 2. Plaintiff filed for record in the Office of the Recorder of the County of Eureka, State
21 of Nevada, an appropriate notice of pendency of this action containing a statement of the object of
22 the action, and a particular description of the Subject Property affected thereby.

1 3. Summons herein was duly issued within one (1) year of the filing of the *Verified*
2 *Complaint* and has been duly served as evidenced by each *Appearance, Answer, Admission and*
3 *Consent to Entry of Judgment in Favor of Plaintiff* on file herein.

4 4. The unknown spouses, heirs, personal representatives, devisees, legatees, successors
5 and assigns of FILBERT E. ETCHEVERRY, AND NORMA ETCHEVERRY were otherwise duly and
6 lawfully served by publication inasmuch as the *Summons* was duly and regularly published,
7 pursuant to Court Order, in the *Eureka Sentinel* at least once a week for a period of four (4)
8 successive weeks, as more fully appears in the *Eureka Sentinel Declaration of Publication* on file
9 herein.

10 5. All Defendants not personally served have been duly and regularly served by
11 publication as more fully appears in the *Eureka Sentinel Declaration of Publication* in the manner
12 required by law, and by the *Order for Publication*, which *Order* was made pursuant to the *Affidavit*
13 *for Publication*, all on file herein.

14 6. All applicable provisions of the Nevada Revised Statutes have been fully complied
15 with.

16 7. Plaintiff has appropriately filed an *Affidavit* pursuant to NRS 14.040.

17 8. FILBERT E. ETCHEVERRY and NORMA ETCHEVERRY, and Plaintiff, each previously
18 reserved an undivided one-half interest in all of their right, title, and interest in an to all coal, oil,
19 gas, hydrocarbons, geothermal products, and minerals, whether hydrocarbon or not, or metallic or
20 not, of every name and nature whatsoever, whether common or unique, and whether now known or
21 unknown, existing upon the surface of, as a part of the surface of, beneath the surface of, and within
22 all of the Subject Property or appurtenance to or associated therewith, whether their removal will
23 destroy the surface or not (the "Mineral Rights").

1 9. The Parties agree, pursuant to the *Stipulation* on file herein, that Defendants
2 FRANCES PETERSON, JAMES ETCHEVERRY, LISA HANCE, and JULIE RANDOLPH are entitled to and
3 should maintain FILBERT E. ETCHEVERRY and NORMA ETCHEVERRY'S undivided one-half interest in
4 and to the Mineral Rights;

5 10. Plaintiff has otherwise never made any conveyance of the Subject Property, or any
6 part thereof, or any interest therein.

7 11. There is no dispute in regards to Plaintiff's request made in the *Verified Complaint*.

8 12. All of the facts, averments, things, and matters set forth in the *Verified Complaint* are
9 true.

10 13. Plaintiffs are the rightful, legal and lawful owners of the Subject Property in fee
11 simple absolute.

12 14. In fact, and in equity and law, none of the Defendants have any right, title, interest or
13 estate in, or lien upon, the Subject Property, or any part thereof, except that FRANCES PETERSON,
14 JAMES ETCHEVERRY, LISA HANCE, and JULIE RANDOLPH are entitled to and should maintain
15 FILBERT E. ETCHEVERRY and NORMA ETCHEVERRY'S undivided one-half interest in and to the
16 Mineral Rights, **AND GOOD CAUSE APPEARING THEREFORE, IT IS HEREBY**

17 **ORDERED, ADJUDGED, DECLARED AND DECREED AS FOLLOWS:**

18 1. That each and every Defendant herein was duly, legally and regularly served with
19 Summons and Verified Complaint in person or otherwise, as required by law, and
20 full jurisdiction to hear and determine this cause and to make and enter this Decree
21 was and is vested in this Court.

22 2. That Plaintiff is the owner of, seized in fee simple absolute and in the actual and
23 peaceable possession of, the Subject Property described in the Verified Complaint

herein, and of each and every part and parcel thereof, subject to the reservation of Mineral Rights as set forth in paragraphs 8 and 9 above.

3. That none of the Defendants nor any other person or persons has or have any right, title, interest or estate in, or lien upon, the Subject Property, or any part thereof, subject to the reservation of Mineral Rights as set forth in paragraphs 8 and 9 above.
4. That the Defendants, and each of their servants, agents, attorneys and employees, and unknown Defendants herein described as such, and each of them, be forever restrained, enjoined and barred from claiming or asserting any estate, interest, right, title, lien, claim or possession in or to the Subject Property, or any part thereof, adverse to the Plaintiff.
5. That FRANCES PETERSON, JAMES ETCHEVERRY, LISA HANCE, and JULIE RANDOLPH are entitled to and should maintain FILBERT E. ETCHEVERRY and NORMA ETCHEVERRY'S undivided one-half interest in and to the Mineral Rights.
6. That Plaintiff forthwith record a certified copy of this Decree Quietening Title in the Office of the Eureka County Recorder.

DONE IN OPEN COURT and this written Decree signed on January 17, 2020.


DISTRICT JUDGE
SEVENTH JUDICIAL DISTRICT COURT

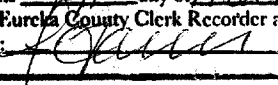
SEVENTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF EUREKA
STATE OF NEVADA

} ss

I, the Undersigned County Clerk Recorder and Ex-Officio Clerk of the Seventh Judicial District Court do hereby certify that the foregoing is a true and correct copy of the original on file in my office.

Witness hand and seal of the Seventh Judicial District Court

This 19th day of March, 2020
Eureka County Clerk Recorder and Ex-Officio Court Clerk

By: , Deputy Clerk Recorder (Seal Affixed)