

APN#: 001-113-17
Escrow No. 23-119520

**MAIL TAX STATEMENT TO AND
WHEN RECORDED RETURN TO:**

DAVID K. EASTWOOD AND SANDRA K.
EASTWOOD, TRUSTEES OF THE DAVID AND
SANDRA EASTWOOD FAMILY TRUST, DATED
MAY 9, 2019, AND TO THEIR SUCCESSORS AND
ASSIGNS
620 RUBY HILL AVENUE
EUREKA, NV 89316

EUREKA COUNTY, NV **2023-250812**
Rec:\$37.00
\$37.00 Pgs=5 **07/21/2023 03:54 PM**
WFG NEVADA - RW
KATHERINE J. BOWLING, CLERK RECORDER

**CAPTION HEADING:
Judgement Quieting Title**

**DO NOT REMOVE
THIS IS PART OF THE OFFICIAL DOCUMENT**

NO. _____ FILED

JUL 07 2023

By Eureka County Clerk
[Signature]

1 CASE NO. CV2302-099

2 DEPT. NO. 2

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

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

7 DAVID K. EASTWOOD and SANDRA K.
8 EASTWOOD, Trustees of the DAVID AND
SANDRA EASTWOOD FAMILY TRUST;

9 Plaintiff,
10 vs.

11 MIKE HAMILTON and EILEEN
12 HAMILTON; and all other unknown persons,
13 partnerships, corporations or other entities
14 claiming any right, title, estate, lien or an
interest in the property described in the
Complaint adverse to Plaintiff's ownership or
any cloud upon the Plaintiff's title thereto; and
DOES 1 through 10, inclusive.

JUDGMENT QUIETING TITLE

15 Defendants.
16 _____ /

17 A hearing was held before the Court on the 7th day of July, 2023, on the Plaintiff's Complaint
18 to Quiet Title to real property. The Court having reviewed the pleadings finds and concludes as
19 follows:

20 1. The above-entitled Court has jurisdiction over the Plaintiff, DAVID K. EASTWOOD
21 and SANDRA K. EASTWOOD, Trustees of the DAVID AND SANDRA EASTWOOD FAMILY
22 TRUST, and the Defendants, MIKE HAMILTON and EILEEN HAMILTON; and all persons,
23 partnerships, corporations, or other entities who may claim an interest in the real property, and in the
subject matter contained in the Plaintiff's Complaint.

24 2. Defendants, and unknown Defendants, have been duly served with a copy of the
25 Summons and Complaint in this action as required and directed by law more than twenty-one (21)
26 days prior hereto by personal service and/or publication, mailing, and posting.

27 3. The above-named Defendants have not appeared herein and the time for the
28 Defendants to appear has expired.

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Eureka County Clerk

1 4. The Summons and Complaint have been duly posted as required by NRS 40.100. A
2 copy of the Declaration of Posting of Summons was filed herein.

3 5. That, pursuant to a purchase and sale of the above-described property on or about July
4 03, 1995, WILLIAM D. MILES and ANGELA M. MILES executed a Grant, Bargain and Sale Deed,
5 transferring the above-described Property to PAMELA Y. MORRISON, which Deed was recorded
6 on July 03, 1995, in the office of the County Recorder of Eureka County, Nevada as Document No.
7 158174. *See* copy of Grant, Bargain and Sale Deed attached hereto as Exhibit A.

8 6. That on or about June 21, 1996, PAMELA Y. MORRISON, executed a Grant, Bargain
9 and Sale Deed, transferring the above-described Property to SANDRA K. MARILUCH and/or FAY
10 R. WILCOX, with right of survivorship, which Deed was recorded on June 21, 1996, in the office of
11 the County Recorder of Eureka County, Nevada as Document No. 163255. *See* copy of Grant, Bargain
12 and Sale Deed attached hereto as Exhibit B.

13 7. That on or about October 26, 2010, SANDRA K. MARILUCH and/or FAY R.
14 WILCOX, executed a Joint Tenancy Deed, transferring the above-described Property to SANDRA
15 K. MARILUCH, FAY R. WILCOX, DERRICK J. MARILUCH, and LACIE B. MARILUCH which
16 Deed was recorded on October 26, 2012, in the office of the County Recorder of Eureka County,
17 Nevada as Document No. 0215794. *See* copy of Joint Tenancy Deed attached hereto as Exhibit C.

18 8. That on or about May 09, 2019, SANDRA K. MARILUCH, FAY R. WILCOX,
19 DERRICK J. MARILUCH, and LACIE B. MARILUCH, executed a Grant Deed, transferring the
20 above-described Property to Plaintiff DAVID K. EASTWOOD and SANDRA K. EASTWOOD,
21 Trustees of the DAVID AND SANDRA EASTWOOD FAMILY TRUST, dated May 09, 2019, which
22 Deed was recorded on April 02, 2020, in the office of the County Recorder of Eureka County, Nevada
23 as Document No. 2020-240352. *See* copy of Grant Deed attached hereto as Exhibit D.

24 9. That on or about August 31, 1987, an Agreement for Sale of Real Estate was executed
25 between WILLIAM D. MILES and ANGELA M. MILES, Seller, and MIKE HAMILTON and
26 EILEEN HAMILTON, Buyer, which Agreement was recorded on September 08, 1987 in the office
27 of the County Recorder of Eureka County, Nevada as Document No. 1987-111427. *See* copy of
28 Agreement for Sale of Real Estate recorded September 08, 1987, attached hereto as Exhibit E.

1 10. That the Agreement for Sale of Real Estate recorded September 08, 1987 was never
2 consummated and is a cloud on the title.

3 11. That MIKE HAMILTON and EILEEN HAMILTON never completed the purchase
4 and their whereabouts are now unknown and they cannot be found after diligent search.

5 12. That Plaintiff, and Plaintiff's predecessors in interest, have been in actual, exclusive,
6 and adverse possession of such real property continuously for more than fifteen (15) years prior to
7 the filing of the complaint, claiming to own the same in fee, against the whole world, and has
8 personally, or through her predecessors in interest, paid all taxes of every kind levied or assessed and
9 due against the property during the five (5) years preceding the filing of the complaint.

10 13. That the Plaintiff, DAVID K. EASTWOOD and SANDRA K. EASTWOOD, Trustees
11 of the DAVID AND SANDRA EASTWOOD FAMILY TRUST, should be declared to be the fee
12 simple owner of the following real property situate in the County of Elko, State of Nevada, more
13 particularly described as follows:

14 Lot 12A, Block 72, Eureka Townsite, Eureka, Nevada. Per Map File #120327, filed
15 in the Office of the County Recorder, Eureka, Nevada.
16 APN: 001-113-17

17 WHEREFORE, the Court enters its judgment and decree as to the Defendants MIKE
18 HAMILTON and EILEEN HAMILTON; and all persons, partnerships, corporations, or other entities
19 who may claim an interest in the real property as follows:

20 1. It is hereby adjudged that the Defendants, MIKE HAMILTON and EILEEN
21 HAMILTON; or their successors in interest, and all persons, partnerships, corporations, or other
22 entities who may claim an interest in the real property, and each of them, are forever enjoined and
23 barred from asserting any claim whatsoever against the above-described real property.

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