

1 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
2 IN AND FOR THE COUNTY OF LINCOLN

3
4 THE TOWN OF PIOCHE, an unincor-) Civil No. 4624
5 porated Town within the County)
6 of Lincoln, a political subdiv-) Filed: October 17, 1968
7 ision of the State of Nevada,)
8 Plaintiff,) J. Ora Jr. Wadsworth
9 vs.) Clerk
10 PIOCHE PACIFIC RAILROAD CO.,)
11 Defendant) BY _____
12 Deputy

13 JUDGMENT AND DECREE

14 THIS MATTER came on for hearing on April 1, 1968, before the above-
15 entitled Court, sitting without a jury, Defendant having failed to
16 answer or otherwise plead and the default of the Defendant having
17 been entered on November 28, 1967, and James L. Wadsworth, District
18 Attorney of Lincoln County appearing for the Town of Pioche, evi-
19 dence having been adduced as to the value of the land and all the
20 facts and records appearing herein and it appearing to the Court
21 that the taking of the land is necessary for usage of the sewer
22 plant of the Town of Pioche, a lawful use pursuant to NRS 37.100;
23 the Court therefore finds:

24 1.

25 That the Court has jurisdiction over the parties and the real es-
26 tate subject matter hereof.

27 2.

28 That the use to which the property is to be applied is a use author-
29 ized by law and that the taking is necessary to such use pursuant to
30 NRS 37.100.
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3.

That the value of the property is Twenty-five Dollars (\$25.00) per acre and that the total property to be taken amounts to 14.64 acres, or a total value of Three Hundred Sixty-six Dollars (\$366.00).

THAT FROM THESE FACTS the Court concludes as a matter of law:

1.

That the Town of Pioche should have judgment in condemnation against the Defendant herein that particular property described as:

Beginning at a point 1000 feet north of the Southwest (SW) corner of Section Fourteen (14), Township One North (T1N), Range Sixty-seven East (R67E), MDB&M, thence continuing north 750 feet to the true point of beginning; thence east 850 feet; thence south 750 feet; thence west 850 feet to the place of beginning and containing 14.64 acres of land, more or less, subject to any existing roads, rights-of-way and easements now of record, said above-described property necessary for the sewer lagoon system and proper maintenance thereof.

An easement for a right-of-way beginning at a point 712 feet north of the southeast (SE) corner of Section Fifteen (15), Township One North (T1N), Range Sixty-seven East (R67E), MDB&M, said point is on the center line of the sewer easement; thence on a line north 75° 22' west 155 feet to the existing sewer main line from Pioche Housing, said easement requested being ten (10) feet each side of said line.

Also beginning at a point of the present septic tank of the Pioche Sewer System situate in the Southwest Quarter (SW4) of Section Fourteen (14), Township One North (T1N), Range Sixty-seven East (R67E), MDB&M, said point being North 56° East a distance of 33 feet, more or less, from the southwest (SW) corner of said Section Fourteen (14); thence north 42° 02' west 200 feet to a point, hereinafter called Point No.1; thence north 16° 56' 20" west 350.62 feet to a point, hereinafter called Point No. 2; thence north 14° 38' east 320 feet, more or less. Also beginning at Point No. 2 running north 75° 22' west 80 feet, more or less, to the west boundary line of said Section Fourteen (14), said easement requested being ten (10) feet each side of said line.

2.

The Court further concludes that the Plaintiff should pay to the Defendant the sum of Three Hundred Sixty-six Dollars (\$366.00) for the value therefor.

1 IT IS THEREBY ORDERED, ADJUDGED AND DECREED that the property des-
2 cribed as:

3 Beginning at a point 1000 feet north of the Southwest (SW) cor-
4 ner of Section Fourteen (14), Township One North (T1N), Range
5 Sixty-seven East (R67E), MDB&M, thence continuing north 750
6 feet to the true point of beginning; thence east 850 feet;
7 thence south 750 feet; thence west 850 feet to the place of be-
8 ginning and containing 14.64 acres of land, more or less, sub-
ject to any existing roads, rights-of-way and easements now
of record, said above-described property necessary for the sewer
lagoon system and proper maintenance thereof.

9 An easement for a right-of-way beginning at a point 712 feet
10 north of the southeast (SE) corner of Section Fifteen (15),
11 Township One North (T1N), Range Sixty-seven East (R67E), MDB&M,
12 said point is on the center line of the sewer easement; thence
13 on a line north $75^{\circ} 22'$ west 155 feet to the existing sewer
main line from Pioche Housing, said easement requested being
ten (10) feet each side of said line.

14 Also, beginning at a point of the present septic tank of the Pi-
15 oche Sewer System situate in the Southwest Quarter (SW4) of
16 Section Fourteen (14), Township One North (T1N), Range Sixty-
17 seven East (R67E), MDB&M, said point being North 56° East a
18 distance of 33 feet, more or less, from the southwest (SW) cor-
19 ner of said Section Fourteen (14); thence north $42^{\circ} 02'$ west
20 200 feet to a point, hereinafter called Point No. 1; thence
21 north $16^{\circ} 56' 20''$ west 350.62 feet to a point, hereinafter
22 called Point No. 2; thence north $14^{\circ} 38'$ east 320 feet, more or
23 less. Also beginning at Point No. 2 running north $75^{\circ} 22'$ west
24 80 feet, more or less, to the west boundary line of said Sec-
25 tion Fourteen (14), said easement requested being ten (10) feet
26 each side of said line,

27 said property consisting of 14.64 acres, plus the easements as des-
28 cribed herein, be, and the same is hereby, condemned for sewer pur-
29 poses and awarded to the Town of Pioche, an unincorporated town
30 within the County of Lincoln, a political subdivision of the State
31 of Nevada, and that henceforth the said Town of Pioche shall be the
32 legal owner thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff shall
pay to the Defendant the sum of Three Hundred Sixty-six Dollars
(\$366.00).

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from said funds
2 for the condemnation of the said property the taxes shall first be
3 paid and the remainder shall be paid into a trust fund for the use
4 and benefit of the Defendant until such time as the said funds shall
5 be disposed of according to law.

7 DATED AND DONE this 17th day of October, A.D. 1968.

Ronnie H. Wilkes
DISTRICT JUDGE

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No 56868
FILED AND RECORDED AT REQUEST OF
Ray, Exec-Dist. Attorney
March 18, 1975
AT 10 MINUTES PAST 11 O'CLOCK
P. M. IN BOOK 13 OF OFFICIAL
RECORDS PAGE 612-615 LINCOLN
COUNTY, NEVADA
David B. ...
COUNTY CLERK