

1 Filed August 17, 1978 No. 5099
2 Leslie E. Clark Clerk
3 By _____, Deputy

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

6 * * * * *

7 JAMES G. FOSTER and FLORENCE
8 F. FOSTER, husband and wife,

9 Plaintiffs,

10 -vs-

11 HARRY WILDER and MARY WILDER,
12 husband and wife,

13 Defendants.

J U D G M E N T

14 The parties hereto having filed their written
15 Consent and Stipulation to Judgment as hereinafter set forth,
16 and upon good cause appearing therefor,

17 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 18 1. That the Consent and Stipulation for Judgment
- 19 of the parties be, and it is hereby, approved.
- 20 2. That Plaintiffs take nothing by reason of their
- 21 Complaint on file herein.
- 22 3. That Defendants take nothing by reason of
- 23 their Counterclaim on file herein.
- 24 4. That Plaintiffs be, and they are hereby, found,
- 25 determined and declared to be the lawful owners of an appurtenant
- 26 easement for access purposes over a strip of land described as
- 27 follows:

28 A strip of land along the North edge of Lot Twenty-five
29 (25) and of the West half of Lot Twenty-four all in
30 Block 23 in the Town of Pioche, Lincoln County, Nevada,
31 as said lots and block are platted and described on the
32 official plat of said Town of Pioche, now on file and
of record in the Office of the County Recorder of said
Lincoln County, Nevada, and to plat and the records
thereof reference is hereby made for further particu-
lar description, said strip being approximately
fifteen feet (15') wide and overlying said Lots Twenty-

. E. HORTON
ATTORNEY AT LAW
7 AULTMAN STREET
P.O. BOX 1288
T. NEVADA 89501
298-4431

Lincoln County

1 five (25) and said West half of Lot Twenty-four (24)
2 and having thereon a driveway of compacted earth which
3 connects on the East side with Plaintiffs' property
4 below described and connects on the West side with
5 High Street, a public street, and which drive-way
6 is bounded on the North side by retaining wall of
7 concrete which separates said drive-way from High
8 Street below and which drive-way is bounded on the
9 South side by a concrete retaining wall which
10 separates said drive-way from the yard of Defendants
11 some five feet (5') above.

12 5. That Plaintiffs title to said easement be, and
13 it is hereby, quieted against all claims, demands, or pretensions
14 of Defendants, their heirs, assigns or successors in interest.

15 6. That Defendants, their heirs, assigns and successor
16 in interest be, and they are hereby, perpetually restrained and
17 enjoined from interfering in any manner with the use of said
18 easement by Plaintiffs, their heirs, assigns and successors in
19 interest, and their agents, servants, and invitees as a means
20 of ingress to and egress from that certain real property situated
21 and lying in the County of Lincoln, State of Nevada, more par-
22 ticularly described as follows:

23 All of Lots numbered Twenty-three (23) and Seventy (70);
24 the East one-half of Lots numbered Twenty-four (24) and
25 Sixty-nine (69) and the West one-half of Lots numbered
26 Twenty-two (22) and Seventy-one (71) all in Block
27 numbered Twenty-three (23) in the town of Pioche,
28 Lincoln County, Nevada, as said lots and block are
29 platted and described on the official plat of said
30 town of Pioche, now on file and of record in the
31 Office of the County Recorder of said Lincoln County,
32 Nevada, and to plat and the records thereof reference is
33 hereby made for further particular description.
34 Together with any and all buildings and improvements
35 situate thereon.

36 7. That Plaintiffs, their heirs, assigns and
37 successors in interest be, and they are hereby, perpetually
38 restrained and enjoined from parking upon the property of the
39 Defendants, which property is subject to the above described
40 easement, and they are further perpetually restrained and enjoined
41 from permitting their guests to park thereon.

42 8. That neither Plaintiffs nor Defendants recover
43 costs or attorney fees herein.

J. E. HORTON
ATTORNEY AT LAW
AULTMAN STREET
P. O. BOX 1280
LINCOLN COUNTY, NEVADA 89301
259-4431

Lincoln County

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Dated this ^{August} 14th day of July, 1978.

Merlyn H. Hoyt
District Judge

No. 62174
FILED AND RECORDED AT REQUEST OF
C. E. Horton
August 17, 1978
AT 45 MINUTES PAST 10 O'CLOCK
8 A.M. IN BOOK 26 OF OFFICIAL
RECORDS, PAGE 471 LINCOLN
COUNTY, NEVADA.

Erin [Signature]
COUNTY RECORDER

The document to which this certificate is attached is a full, true and correct copy of the original, on file and of record in the County Clerks Office, Pioche, Nevada.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, this 17 day of August, 1978.

[Signature]
Clerk

Deputy Clerk

-3 and last-

E. HORTON
ATTORNEY AT LAW
AULTMAN STREET
P. O. BOX 1246
LINCOLN, NEVADA 89301
289-4431