

Lincoln County

No. 73397  
FILED AND RECORDED AT REQUEST OF  
ATKIN, WRIGHT & MILES  
AUG. 27, 1981  
AT 30 MINUTES PAST 2 O'CLOCK  
P.M. IN BOOK 46 OF OFFICIAL  
RECORDS, PAGE 210 LINCOLN  
COUNTY, NEVADA.

1 J. MacArthur Wright  
2 Attorney for Plaintiff  
3 324 South Third Street  
4 Second Floor  
5 Las Vegas, Nevada 89101  
6 and;  
7 60 North 300 East  
8 P.O. Box 339  
9 St. George, UT 84770  
10 Ph: 628-2612

*Ann Wilkinson*  
COUNTY RECORDS  
*Harold Alexander*

11 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE  
12 OF NEVADA, IN AND FOR THE COUNTY OF LINCOLN

13 PAUL J. COX, dba COX OIL )  
14 COMPANY, )  
15 Plaintiff, )  
16 vs. )  
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AMENDED  
COMPLAINT

Civil No. 5328

COMES NOW the Plaintiff, Paul J. Cox, dba Cox Oil Company,  
a sole proprietorship, and alleges as follows:

1. Defendant, County of Lincoln is a Political Subdivision of the State of Nevada.
2. Defendant Pioche Pacific Railroad Company is believed to be a defunct Utah Corporation.
3. Defendants, Guila Wilcock, a widow, Dominick Bilingheri and John Bilingheri are residents of Lincoln County, State of Nevada.
4. This action is brought under Section 40.090 et. seq. of

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1 NRS to compel the determination of claims adverse to Plaintiff's  
2 title to certain real property located in the County of Lincoln,  
3 State of Nevada, and described as follows:

4 Commencing at the Southeast corner of Section 15,  
5 Township 1 North, Range 67 East, Mt. Diablo Meri-  
6 dian, and running thence North 132 feet to the  
7 Southerly boundary of the right of way for  
8 Highway 93; thence North 41° 23' West 122 feet  
9 along the Southerly boundary to a point where it  
10 intersects the Southeasterly boundary of the  
11 right of way of Highway No. 632, known as Ursine  
12 Highway; thence South 52° 26' West 366 feet  
13 along the Southeasterly boundary of said Ursine  
14 Highway to the South section line of said Sec-  
15 tion 15, thence East along said section line  
16 311 feet more or less to the point of beginning.

17 5. That the above described property was leased to Defend-  
18 ant Dominick Belingheri on or about January 13, 1951 by Defendant,  
19 Pioche-Pacific Railroad Company, a Utah Corporation, said lease  
20 was assigned to one Clifford Findlay and John Belingheri on or  
21 about February 1, 1951.

22 6. That said assignment to the said Clifford Findlay and  
23 John Belingheri was released back to Dominick Belingheri on or  
24 about February 1, 1951.

25 7. That Defendant, Dominick Belingheri assigned said Lease  
26 to Plaintiff, Paul J. Cox on or about April 11, 1952.

27 8. That Defendant, John Belingheri assigned any interest  
28 in said lease which he may have had to Plaintiff, Paul J. Cox on  
29 or about February 25, 1952.

30 9. That Defendant, Pioche-Pacific Railroad Company, consent-  
31 ed to the assignment of said lease to Paul J. Cox on or about May 2,  
32 1952.

33 10. That pursuant to an understanding between Plaintiff and  
34 Defendant, Pioche-Pacific Railroad Company, said Defendant agreed  
35 to transfer title to said property, upon the final payment on said  
36 lease being made, to Plaintiff after certain litigation was completed.

37 11. That final payment on the lease was made as provided  
38 and Defendant Corporation, Pioche-Pacific Railroad Company became

1 defunct before the actual transfer of the property could be  
2 accomplished.

3 12. Plaintiff, Paul J. Cox took possession of the said  
4 property upon the assignment of the lease from Pacific-Pioche  
5 Railroad Company from Defendant, Dominick Belingheri to Plaintiff  
6 on April 11, 1952 and the consent thereto by Defendant Pacific-  
7 Pioche Railroad Company on May 2, 1952 and has remained in poss-  
8 ession from said date to the present.

9 13. That Plaintiff, Paul J. Cox leased said property to  
10 Defendant, Grant Wilcock, now believed to be deceased, and to  
11 Defendant, Guila Wilcock, his wife, on or about June 3, 1967.

12 14. That Defendant, Grant Wilcock, now deceased and his  
13 wife Defendant, Guila Wilcock took possession under said lease  
14 of said property as of said date and the Defendant, Guila Wilcock,  
15 has remained in possession of said premises under said lease to  
16 the present date.

17 15. That Plaintiff, Paul J. Cox has paid the taxes on said  
18 property either personally, since taking possession in 1952, or  
19 through Defendant, Guila Wilcock, who paid taxes for some years  
20 as and for rental to Plaintiff for said premises.

21 16. Defendants claim or it appears from public record that  
22 Defendants might claim an interest or an estate in said property  
23 adverse to Plaintiff.

24 17. A judgment granted herein will not affect any person  
25 or persons not in being or ascertained at the commencement of this  
26 action, who by any contingency contained in a devise or grant or  
27 otherwise could afterward become entitled to a beneficial estate  
28 or interest in said property and every person in being who would  
29 have been entitled to such estate or interest of such event had  
30 happened immediately before the commencement of this action is  
31 named as a party hereto.

32 18. No personal claim is made against Defendants, unless

Lincoln County

1 they assert a claim adverse to Plaintiffs' claim as set forth herein

2 WHEREFORE, Plaintiff demands Judgment against Defendants  
3 as follows:

4 1. That Plaintiff owns in fee simple and is entitled to  
5 a quiet and peaceful possession of all real property situated in  
6 the County of Lincoln, State of Nevada, bounded and described as  
7 follows:

8 Commencing at the Southeast corner of Section 15,  
9 Township 1 North, Range 67 East, Mt. Diablo Meri-  
10 dian, and running thence North 132 feet to the  
11 Southerly boundary of the right of way for  
12 Highway 93; thence North 41° 23' West 122 feet  
13 along the Southerly boundary to a point where it  
14 intersects the Southeasterly boundary of the  
15 right of way of Highway No. 632, known as Ursine  
16 Highway; thence South 52° 26' West 366 feet  
17 along the Southeasterly boundary of said Ursine  
18 Highway to the South section line of said Sec-  
19 tion 15, thence East along said section line  
20 311 feet more or less to the point of beginning.

21 2. That Defendants and all persons claiming under them  
22 have no estate, right, title lien, or interest in or to said real  
23 property and are permanently enjoined from asserting any adverse  
24 claim in the Plaintiff's title to said property.

25 3. For costs of this action, and

26 4. For such other and further relief as the court deems  
27 just and proper.

28 DATED this 27<sup>th</sup> day of July, 1981.

29 *J. MacArthur Wright*  
30 J. MacArthur Wright  
31 Attorney for Plaintiff

*Paul J. Cox*  
Paul J. Cox

32 STATE OF UTAH )  
: ss.  
COUNTY OF WASHINGTON)

Paul J. Cox, being first duly sworn, deposes and says that  
he is the above named; that he has read the foregoing Complaint and  
knows the contents thereof and that the same is true of his own  
knowledge except as to those matters therein stated on information

1 and belief, and as to those, he believes them to be true.

2  
3  
4 Paul J. Cox,

5 SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of July,  
6 1981.



7  
8  
9 I. McArthur Wright  
10 NOTARY PUBLIC  
11 Residing at St. George, UT

12 My Commission Expires:

13 12/29/81

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20  
21 The document to which this certificate is attached is a full, true  
22 and correct copy of the original, on file and of record in  
23 the County Clerk's Office, Piocha, Nevada.

24 In Witness Whereof, I have hereunto set my hand and affixed the  
25 Seal of the Seventh Judicial District Court in and for the County  
26 of Lincoln, State of Nevada, this \_\_\_\_\_ day of \_\_\_\_\_ 19...

27 Clerk \_\_\_\_\_

28 Deputy Clerk \_\_\_\_\_

29 The document to which this certificate is attached is a full, true  
30 and correct copy of the original, on file and of record in  
31 the County Clerk's Office, Piocha, Nevada.

32 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 30<sup>th</sup> day of July, 1981

Clerk \_\_\_\_\_

Deputy Clerk Ann Witherson

Lincoln County

1 J. MacArthur Wright  
2 Attorney for Plaintiff  
3 324 South Third Street  
4 Second Floor  
5 Las Vegas, Nevada 89101, and;  
6 60 North 300 East  
7 P.O. Box 339  
8 St. George, UT 84770  
9 Ph: 628-2612

*Handwritten signature*

10 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE  
11 OF NEVADA, IN AND FOR THE COUNTY OF LINCOLN

12 PAUL J. COX, dba COX OIL )  
13 COMPANY, )  
14 Plaintiff, )  
15 vs. ) NOTICE OF LIS PENDENS  
16 GUILA WILCOCK, et. al., )  
17 Defendants. ) Civil No. 5328

18 NOTICE IS HEREBY GIVEN that an action has been commenced and  
19 is pending in the above entitled Court, on the Complaint of the above  
20 named Plaintiff, Paul J. Cox, dba Cox Oil Company and against the  
21 above-named Defendants to Quiet The Title to certain real property  
22 which will affect the title to certain real property situated in  
23 the County of Lincoln, State of Nevada, and particularly described  
24 as follows:

25 Commencing at the Southeast corner of Section 15,  
26 Township 1 North, Range 67 East, Mt. Diablo Meri-  
27 dian, and running thence North 132 feet to the  
28 Southerly boundary of the right of way for  
29 Highway 93; thence North 41° 23' West 122 feet  
30 along the Southerly boundary to a point where it  
31 intersects the Southeasterly boundary of the  
32 right of way of Highway No. 632, known as Ursine  
Highway; thence South 52° 26' West 366 feet along  
the Southeasterly boundary of said Ursine Highway  
to the South section line of said Section 15, thence  
East along said section line 311 feet more or  
less to the point of beginning.

33 DATED this 27<sup>th</sup> day of July, 1981.

34 *Handwritten signature*  
35 J. MacArthur Wright  
36 Attorney for Plaintiff