

1 Case No. 31-6-95LC
2 Dept. No. _____

FILED
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6 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
7 NEVADA, IN AND FOR THE COUNTY OF LINCOLN

8 * * * * *

9 KATHERINE M. DEAVER, Successor Trustee under Declaration of
10 "DEAVER 1968 TRUST" dated March 5, 1968,

11 Plaintiff,

12 vs.

13 UNION PACIFIC RAILROAD COMPANY, a Utah corporation; LINCOLN
14 COUNTY, a political subdivision of the State of Nevada; PRINCE
15 CONSOLIDATED MINING & SMELTING CO., a Utah Corporation; PIOCHE
16 PACIFIC RAILROAD COMPANY; JOHN DOE I through JOHN DOE X; JOHN DOE
17 CORPORATION I through JOHN DOE CORPORATION X; together with each
18 and every one and all of the unknown heirs of each and every one
19 of the above-named Defendants, their last known addresses being
20 Lincoln County, Nevada, unless otherwise stated herein; also all
21 other persons unknown claiming any right, title, estate, lien or
22 interest in the real property described in the complaint adverse
23 to Plaintiff's ownership, or any cloud upon Plaintiff's title
24 thereto,

25 Defendants.

26
DECREE QUIETING TITLE

27 This cause coming on regularly to be heard on this
28 15th day of November, 1995, before the above-
29 entitled Court, sitting without a jury, the Honorable DAN L.
30 PAPEZ, District Judge, presiding; the Plaintiff being represented
31 in Court by GARY D. FAIRMAN, ESQ., A Professional Corporation,

1 her attorney; said action having been dismissed as to all
2 fictitious Defendants designated by the names DOE I through DOE
3 X;

4 WHEREAS, it appears and the Court finds:

5 That a Summons and Complaint in the above-entitled
6 action was duly served on Defendants, UNION PACIFIC RAILROAD
7 COMPANY; LINCOLN COUNTY, a political subdivision of the State of
8 Nevada; PRINCE CONSOLIDATED MINING & SMELTING CO., a Utah
9 Corporation; and PIOCHE PACIFIC RAILROAD COMPANY; on the 24th day
10 of August, 1995, by publication in the Lincoln County Record;

11 That the time within which said Defendants were
12 required to appear and plead herein has expired; that they have
13 not appeared herein; that no answer, motion, or other pleading
14 has been served or filed herein; and that the default of said
15 Defendants has been duly and regularly entered; and

16 WHEREAS, the Court has heard proof of the allegations
17 of said Complaint and has required Plaintiff to be examined, on
18 oath, respecting ownership and possession of the real property
19 described in said Complaint; and the Court being satisfied that
20 the allegations of the Complaint are true and that the relief
21 asked for should be granted; now, therefore,

22 On motion of GARY D. FAIRMAN, ESQ., A Professional
23 Corporation, attorney for Plaintiff,

24 IT IS ORDERED, ADJUDGED AND DECREED:

25 1. That Plaintiff owns in fee simple and is entitled
26 to the quiet and peaceful possession of that certain parcel of

1 land situated in the County of Lincoln, State of Nevada, and more
2 particularly described as follows:

3 The Northeast Quarter (NE 1/4) of Section 15,
4 Township 1 North, Range 67 E., MDB & M,
5 excepting therefrom the East Half (E 1/2) of
6 the Southeast Quarter (SE 1/4) of the
7 Northeast Quarter (NE 1/4) of said Section
8 15.

9 2. That Plaintiff's title to said real property is
10 hereby forever quieted against any and all claims of Defendants,
11 UNION PACIFIC RAILROAD COMPANY; LINCOLN COUNTY, a political
12 subdivision of the State of Nevada; PRINCE CONSOLIDATED MINING &
13 SMELTING CO., a Utah Corporation; and PIOCHE PACIFIC RAILROAD
14 COMPANY, and all other persons unknown claiming any right, title,
15 estate, lien or interest in the real property;

16 3. That Defendants, UNION PACIFIC RAILROAD COMPANY;
17 LINCOLN COUNTY, a political subdivision of the State of Nevada;
18 PRINCE CONSOLIDATED MINING & SMELTING CO., a Utah Corporation;
19 and PIOCHE PACIFIC RAILROAD COMPANY, and any person claiming
20 under him is permanently enjoined and restrained from asserting
21 any claim or interest in or to said real property or any part
22 thereof.


23 DATED this 15th day of November, 1995.

24 Jan L. Pope
25 DISTRICT JUDGE
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Submitted by:
GARY D. FAIRMAN, ESQ.
A Professional Corporation
Attorney for Plaintiff
P.O. Box 5
Ely, Nevada 89301



GARY D. FAIRMAN, ESQ.

104170

FILED AND RECORDED AT REC'D CLERK'S OFFICE
Gary Fairman

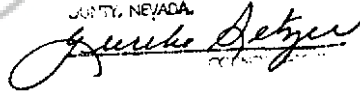
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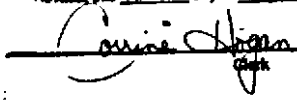
RECORDS, PAGE 571 LINCOLN

COUNTY, NEVADA



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

In witness whereof, I have hereunto set my hand and affixed the Seal of the County of Lincoln, State of Nevada, this 2nd day of Nov. 1995



Clerk

Deputy Clerk