

1 Case No. 23-4-97LC
2 Dept. No. _____

FILED
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N.R.

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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 GARY CARRIGAN,

10 Plaintiff,

11 vs.

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

24 Defendants.

25 **DECREE QUIETING TITLE**

26 This cause coming on regularly to be heard on this
27 2nd day of December, 1997, before the above-
28 entitled Court, sitting without a jury, the Honorable Judge of
29 the above-entitled Court, presiding; the Plaintiff being
30 represented in Court by GARY D. FAIRMAN, ESQ., A Professional
31 Corporation, his attorney; said action having been dismissed as

1 to all fictitious Defendants designated by the names DOE I
2 through DOE X;

3 WHEREAS, it appears and the Court finds:

4 That a Summons and Complaint in the above-entitled
5 action was duly served on Defendants on the 24th day of April,
6 1997, by publication in the Lincoln County Record;

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

12 That Disclaimers of Title have heretofore been filed by
13 Defendants, UNION PACIFIC RAILROAD COMPANY, a Utah corporation;
14 LINCOLN COUNTY, a political subdivision of the State of Nevada;
15 and PRINCE CONSOLIDATED MINING & SMELTING CO., a Utah
16 corporation; and

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

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

25 IT IS ORDERED, ADJUDGED AND DECREED:

26 1. That Plaintiff owns in fee simple and is entitled

1 to the quiet and peaceful possession of that certain parcel of
2 land situated in the County of Lincoln, State of Nevada, and more
3 particularly described as follows:

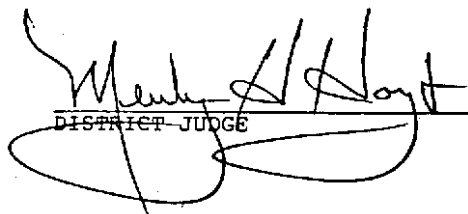
4 A parcel of land situate within the W1/2 of the SE1/4
5 of Section 10, Township 3 South, Range 67 East, Mount
6 Diablo Meridian, being more particularly described as
7 follows:

8 Beginning at the Southeast Corner of this
9 parcel at a point from which the Southeast
10 Corner of said Section 10 Bears N. 88°52'19"
11 E., a distance of 998.43 feet; thence
12 S.88°52'19" W., a distance of 51.00 feet to
13 the Southwest Corner on the Westerly boundary
14 of the Highway Right of way; thence N.
15 24°18'26" E., a distance of 2,133.91 feet to
16 the most Northerly Corner; thence S.23°03'28"
17 W., a distance of 2,112.50 feet to the
18 Southeast Corner which is the point of
19 beginning. Said parcel contains 49,143.0 sq.
20 ft. (1.13 acres), more or less.

21 2. That Plaintiff's title to said real property is
22 hereby forever quieted against any and all claims of Defendants
23 and all other persons unknown claiming any right, title, estate,
24 lien or interest in the real property;

25 3. That Defendants and any person claiming under them
26 are permanently enjoined and restrained from asserting any claim
or interest in or to said real property or any part thereof.

DATED this 2nd day of December, 1997.


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
GARY D. FAIRMAN, ESQ.
Attorney for Plaintiff

This 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, Piche 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 Dec day of 12 1997.

Clerk

Natalie Bosch
Deputy Clerk

NO. 110222

FILED AND RECORDED AT REQUEST OF:

Gary Fairman

December 12, 1997

AT 57 MINUTES PAST 9 O'CLOCK

AM IN BOOK 132 OF OFFICIAL

RECORDS PAGE 13 LINCOLN

COUNTY, NEVADA

Yuriko Setzer

COUNTY RECORDER

by *Natalie Bosch*, deputy