

1 Case No. 2-1-2000 LC  
2 Dept. No. \_\_\_\_\_

FILED  
2000 JAN 14 A 9 48  
CLERK OF DISTRICT COURT  
LINCOLN COUNTY NEVADA  
Ca

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

8 \* \* \* \* \*

9 DAN J. SIMKINS and ALICE C. SIMKINS,  
10 Plaintiffs,

11 vs.

12 UNION PACIFIC RAILROAD COMPANY, a Utah Corporation; LINCOLN  
13 COUNTY, a political subdivision of the State of Nevada; PRINCE  
14 CONSOLIDATION MINING & SMELTING CO., a Utah Corporation; PIOCHE  
15 PACIFIC RAILROAD COMPANY; SAN PEDRO, LOS ANGELES, and SALT LAKE  
16 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 Plaintiffs' ownership, or any cloud upon Plaintiffs', title  
24 thereto,

25 Defendants.

26 LIS PENDENS

NOTICE IS HEREBY GIVEN that an action has been  
commenced in the above-entitled Court by the above-named  
Plaintiffs against the above-named Defendants, which suit is now  
pending; that this action is brought for the purpose of removing  
clouds upon, and quieting title to, the hereinafter described

LAW OFFICES  
GARY D. FAIRMAN  
A PROFESSIONAL CORPORATION  
488 FIFTH AVENUE - P. O. BOX 8  
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COPY

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 Clerk's Office, Lincoln County, Nevada.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District, County of Lincoln, State of Nevada, this 14th day of June, 1902.

CLERK OF DISTRICT COURT  
COUNTY OF LINCOLN, NEVADA  
J. W. [Signature]  
County Clerk

10-1-2-10


LAW OFFICES  
GARY D. FAIRMAN  
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1 real property belonging to the Plaintiffs, situate and being in  
2 the County of Lincoln, State of Nevada, and to obtain Judgment by  
3 order of the above-entitled Court that said Defendants have no,  
4 and that none of said Defendants have any, estate, right, title,  
5 interest or lien in or upon said real property, or any part  
6 thereof, but that Plaintiffs are the owners thereof in fee simple  
7 absolute; that the said Defendants, and each of them, their, and  
8 each of their, servants, agents, attorneys and employees and all  
9 unknown Defendants and all unknown heirs described as such, and  
10 each of them, be forever restrained, enjoined and barred from  
11 claiming or asserting any estate, right, title, interest, lien,  
12 claim or possession in or to said real property or any part  
13 thereof adverse to the Plaintiffs herein, and for such other and  
14 further relief as equity may deem meet and proper in the  
15 premises. Said real property is more particularly described as  
16 follows:

17 SEE EXHIBIT "A" ATTACHED HERETO

18 DATED this 14 day of January, 2000.

19  
20 GARY D. FAIRMAN, ESQ.  
21 A Professional Corporation  
22 Attorney for Plaintiffs  
23 P.O. Box 5  
24 Ely, Nevada 89301

25  
26   
GARY D. FAIRMAN, ESQ.

Legal description of Simkins property (after Mathews trade) Page 1 of 2 pages

Simkins property description all in one piece with railroad right-of-way included within.

Description:

That property as shown on the Record of Survey Boundary Line Adjustment recorded in Plat Book B page 165 of Lincoln County Records - adjusting boundaries in the N1/2NW1/4 Section 8, T.2S., R.68E., M.D.M. specifically Map Parts D, E, F, K, L, N, P, Q, and S. Within these boundaries is the abandoned U.P. right-of-way shown as Map Parts G, H, I, and M.

This property is more particularly described as follows:

Beginning at a point\* on the north line of said Section 8 from which the NW corner of said Section 8 bears N. 89°58'19" W. 1,569.27 feet;  
Thence S. 89°58'19" E. 94.43 feet, on the said north line of Section 8\*;  
Thence S. 0°04'38" E. 146.06 feet\* to the west right-of-way of the abandoned Union Pacific Railroad;  
Thence continuing S. 0°04'38" E. 28.94 feet\*;  
Thence S. 89°58'19" E. 96.76 feet to the east right-of-way of said abandoned UPRR\*;  
Thence S. 89°58'19" E. 223.24 feet to the west right-of-way of the existing Lincoln County Road\*;  
Thence S. 0°04'39" E. 50.00 feet along the said west right-of-way of Lincoln County Road\*;  
Thence N. 89°58'19" W. 246.53 feet to the east right-of-way of said abandoned UPRR\*;  
Thence continuing N. 89°58'19" W. 30.92 feet\*;  
Thence S. 0°05'33" E. 66.34 feet to the east right-of-way of said abandoned UPRR\*;  
Thence continuing S. 0°05'33" E. 923.16 feet\*;  
Thence S. 89°54'19" E. 277.20 feet to the west right-of-way of existing Lincoln County Road;  
Thence S. 0°04'39" E. 100.00 feet on the west right-of-way of said Lincoln County Road to the north 1/16th line of said Section 8\*;  
Thence N. 89°54'19" W. 864.00 feet to an existing fence and the west right-of-way of the abandoned UPRR\*;  
Thence N. 24°55'13" E. 427.37 feet\* along said fence;  
Thence N. 15°52'05" E. 90.04 feet\* along said fence;  
Thence N. 15°52'05" E. 373.01 feet\* along said fence;  
Thence N. 15°54'00" E. 421.75 feet\* along said fence;  
Thence N. 19°11'44" E. 84.21 feet to the Point of Beginning.

Page 2 of 2 of Simkins property now - described all in one piece

Containing 11.0391 acres more or less.

The abandoned UP Railroad right-of-way inside this piece of Simkins property amounts to 2.8633 acres.

\* monumented by a 5/8" rebar with cap stamped L.SMITH PLS 12751

The Basis of Bearings is the east line of said Section 8 as shown on the as yet unapproved BLM dependent Resurvey of Section 9, T.2S., R.68E., M.D.M. (N. 0°06'10" W.)

- End of Description - Simkins one whole piece with railroad included inside

NO. **113846**

FILED AND RECORDED AT REQUEST OF  
GARY FAIRMAN

JANUARY 14, 2000

AT 10 MINUTES PAST 15 O'CLOCK

A.M. IN BOOK 146 OF ORIGINAL

RECORDS PAGE 01 LINCOLN

COUNTY, NEBRASKA

*Terrie Bouchy*  
COUNTY CLERK