

COPY

1 Case No. 25-5-2000LC

2 Dept. No. \_\_\_\_\_

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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 DENT L. LAY AND PEGGY D. LAY,  
10 TRUSTORS AND/OR TRUSTEES  
11 OF THE D.P.L. TRUST DATED  
12 APRIL 5, 1995,

13 Plaintiffs,

14 vs.

15 MORTIMER FULLER, District Judge, ED W. CLARK, County Treasurer,  
16 WM. E. HARRISON, W.F. SCHEFFEL, MILTON LEE, attorney-in-fact for  
17 W.F. SCHEFFEL, GEORGE W. FRANKS, S.F. WHITNEY, LORENE CEDARSTROM,  
18 PIOCHE MINES COMPANY, A Corporation, M.L. LEE, JOHN JANNEY, TOM  
19 BARRACLOUGH, LENA J. COOKE, J.W. CHRISTIAN, County Treasurer,  
20 MARY MEZZANO, JOHN J. FRANKS, J. LESTER LYTLE, acting Executor of  
21 the Estate of TOM BARACLOUGH, FORREST LEE BRADFIELD, JR., MAXINE  
22 H. BRADFIELD, BETTY IRENE MATTHEWS, O.M. PORTER, O.M. PORTER,  
23 Distributing Company, ROBERT D. SUCCETTI, SUE SUCCETTI, CHARLES  
24 R. KINDER, RAE KINDER, PIOCHE MINES CONSOLIDATED, INC., A Nevada  
25 Corporation, WILLIAM ORR and LUCAS PHILLIPS, Trustees of the  
26 Estate of John Janney, last place of residence, Pioche, Lincoln  
County, State of Nevada; ROGER CEDARSTROM, last place of  
residence, Lehi, State of Utah; MARY LOUIS FRANKS also known as  
MARY LOUISE FRANKS, last place of residence, Las Vegas, State of  
Nevada; GEORGE W. FRANKS, JR., last place of residence, Reno,  
State of Nevada; DAN W. FRANKS, last place of residence, Carson  
City, State of Nevada; CHARLES A. THOMPSON, last place of  
residence, State of California; ARTHUR N. KINDER, GLEN R.  
MATTHEWS also known as GLEN REED MATTHEWS, ERNEST T. GENTRY, F.E.  
WADSWORTH, HILDA KINDER, last place of residence, Panaca, Lincoln  
County, State of Nevada; DOE I through DOE X; together with each  
and every one and all of the unknown heirs of each and every one  
of the above-named Defendants, their last known addresses being  
Lincoln County, Nevada, unless otherwise stated herein; also all  
other persons unknown claiming any right, title, estate, lien or  
interest in the real property described in the complaint adverse

1 to Plaintiffs' ownership, or any cloud upon Plaintiffs', title  
2 thereto,

3 Defendants.

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5 DECREE QUIETING TITLE

6 This cause coming on regularly to be heard on this  
7 21st day of August, 2000, before the above-  
8 entitled Court, sitting without a jury, the Honorable District  
9 Judge, presiding; the Plaintiffs being represented in Court by  
10 GARY D. FAIRMAN, ESQ., A Professional Corporation; her attorney;  
11 said action having been dismissed as to all fictitious Defendants  
12 designated by the names DOE I through DOE X;

13 WHEREAS, it appears and the Court finds:

14 That a Summons and Complaint in the above-entitled  
15 action was duly served on Defendant, MORTIMER FULLER, ED W.  
16 CLARK, WM. E. HARRISON, W.F. SCHEFFEL, MILTON LEE,  
17 GEORGE W. FRANKS, S.F. WHITNEY, LORENE CEDARSTROM, PIOCHE MINES  
18 COMPANY, M.L. LEE, JOHN JANNEY, TOM BARRACLOUGH, LENA J. COOKE,  
19 J.W CHRISTIAN, MARY MEZZANO, JOHN J. FRANKS, J. LESTER LYTLE,  
20 FORREST LEE BRADFIELD, JR., MAXINE H. BRADFIELD, BETTY IRENE  
21 MATTHEWS, O.M. PORTER, O.M. PORTER, Distributing Company, ROBERT  
22 D. SUCCETTI, SUE SUCCETTI, CHARLES R. KINDER, RAE KINDER, PIOCHE  
23 MINES CONSOLIDATED, INC., WILLIAM ORR, LUCAS PHILLIPS, ROGER  
24 CEDARSTROM, MARY LOUIS FRANKS aka MARY LOUISE FRANKS, GEORGE W.  
25 FRANKS, JR., DAN W. FRANKS, CHARLES A. THOMPSON, ARTHUR N.  
26 KINDER, GLEN R. MATTHEWS aka GLEN REED MATTHEWS, ERNEST T. GENTRY

1 F.E. WADSWORTH, AND HILDA KINDER, on June, 22, June 29, July 6,  
2 and July 13, 2000, by publication in the Lincoln County Record;

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

8 WHEREAS, the Court has heard proof of the allegations  
9 of said Complaint and has required Plaintiffs to be examined, on  
10 oath, respecting ownership and possession of the real property  
11 described in said Complaint; and the Court being satisfied that  
12 the allegations of the Complaint are true and that the relief  
13 asked for should be granted; now, therefore,

14 On motion of GARY D. FAIRMAN, ESQ., A Professional  
15 Corporation, attorney for Plaintiffs,

16 IT IS ORDERED, ADJUDGED AND DECREED:

17 1. That Plaintiffs own in fee simple and is entitled  
18 to the quiet and peaceful possession of that certain parcel of  
19 land situated in the County of Lincoln, State of Nevada, and more  
20 particularly described as follows:

21 PARCEL 1

22 All that real property situated within Lot's  
23 3,4,5,6 and the east 7.00 feet of Lot 7, of  
24 Block 29, of the Town of Pioche, Sec. 22, T.1 N,  
25 R 67 E, M.D.M., County of Lincoln, State of  
26 Nevada, bounded and described as follows:

Beginning at the NE Cor. of said Lot 3, whence the  
NE Corner of Sec. 22 T I N, R 67 E M.D.M., bears  
N 32° 15' 18" E a distance of 4457.47 feet: said

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point being described as the Point of Beginning:

Thence S 28° 34' 40" E a distance of 96.00 feet to a point of intersection with the North right-of-way of Main Street which is the SE Corner of Lot 3; Thence S 56° 25' 20" W a distance of 105.00 feet to the SW Corner; thence N 28° 34' 40" W a distance of 96.00 feet to the NW Corner; thence N 56° 25' 20" E a distance of 105.00 feet to the NE Corner which is the Point of beginning. Said parcel contains 10,080.0 Sq.Ft, or 2314 acres.

PARCEL 2

All that real property situated within Lot's 7 & 8, excepting the east 7.00 feet of Lot 7, of Block 29, of the Town of Pioche, Sec. 22, T. 1. N, R 67 E, M.D.M, County of Lincoln, State of Nevada, bounded and described as follows:

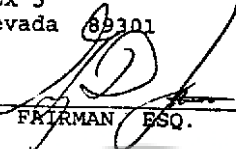
Beginning at the NW cor of said Lot 8, whence the N1/4 Cor of Sec. 22 T, 1 N.R 67 E, M.D.M, bears N. 03°26'545" W. a distance of 3650.60 feet, said point being described as the Point of Beginning; Thence N. 56°25'20" E. a distance of 50.00 feet to the NW Cor of said Lot 7; Thence S. 28°34'40" E. a distance of 96.00 feet to a point of intersection with the north right-of-way of Main Street; Thence S. 56°25'20" W. a distance of 50.00 feet to the SW corner of said Lot 8; Thence N 28°34'40" W a distance of 96.00 feet to the NW cor of said Lot 8 and the Point of Beginning;

2. That Plaintiffs' title to said real property is hereby forever quieted against any and all claims of Defendant, MORTIMER FULLER, ED W. CLARK, WM. E. HARRISON, W.F. SCHEFFEL, MILTON LEE, GEORGE W. FRANKS, S.F. WHITNEY, LORENE CEDARSTROM, PIOCHE MINES COMPANY, M.L. LEE, JOHN JANNEY, TOM BARRACLOUGH, LENA J. COOKE, J.W CHRISTIAN, MARY MEZZANO, JOHN J. FRANKS, J. LESTER LYTLE, FORREST LEE BRADFIELD, JR., MAXINE H. BRADFIELD, BETTY IRENE MATTHEWS, O.M. PORTER, O.M. PORTER, Distributing Company, ROBERT D. SUCCETTI, SUE SUCCETTI, CHARLES R. KINDER, RAE



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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.

NO. 115027

FILED AND RECORDED AT REQUEST OF

Gary D. Fairman

August 22, 2000

AT 38 MINUTES PAST 02 O'CLOCK

PM IN BOOK 150 OF OFFICIAL

RECORDS PAGE 106 LINCOLN

COUNTY, NEVADA.


Leslie Boucher

COUNTY RECORDER

By Debra Seavers, Deputy

This document to which this certificate is attached is a full, true and correct copy of the original, on file and 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 22 day of Aug 20 2000

  
Deputy Clerk