

1 Case No. CV-0832002
2 Dept. No. _____

RECORDED & INDEXED

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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 MICHAEL RYDBERG AND MARY RYDBERG,
10 Plaintiffs,

11 -vs-

12 MORTIMER FULLER, Trustee of the Townsite of Pioche, Lincoln
13 County, Nevada; HONORABLE DAN L. PAPEZ, District Judge, and
14 HONORABLE STEVE L. DOBRESCU, District Judge, as Successor
15 Trustees of MORTIMER FULLER; SOUTHERN STATES CORPORATION,
16 formerly known as RAYMOND AND ELY MINING COMPANY, a California
17 Corporation; PIOCHE CONSOLIDATED MINING AND RED COMPANY, last
18 place of residence, Lincoln County, Nevada; DOE I through DOE X;
19 together with each and every one and all of the unknown heirs of
20 each and every one of the above-named Defendants, their last
21 known addresses being Lincoln County, Nevada, unless otherwise
22 stated herein; also all other persons unknown claiming any right,
23 title, estate, lien or interest in the real property described in
24 the complaint adverse to Plaintiffs' ownership, or any cloud upon
25 Plaintiffs', title thereto,

26 Defendants.

DECREE QUIETING TITLE

27 This cause coming on regularly to be heard on this
28 21st day of January, 2003, before the above-
29 entitled Court, sitting without a jury, the Honorable District
30 Judge, JOSEPH PAVLIKOWSKI, residing; the Plaintiff being
31 represented in Court by GARY D. FAIRMAN, ESQ., A Professional

1 Corporation, his attorney; said action having been dismissed as
2 to all fictitious Defendants designated by the names DOE I
3 through DOE 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, MORTIMER FULLER, last place
7 of residence, Pioche, Nevada; SOUTHERN STATES CORPORATION,
8 formerly known as RAYMOND AND ELY MINING COMPANY, last place of
9 residence, Carson City, Nevada; and PIOCHE CONSOLIDATED MINING
10 AND RED COMPANY, last place of residence, Pioche, Nevada; and DOE
11 I through DOE X; together with each and every one and all of the
12 unknown heirs of each and every one of the above-named
13 Defendants, their last known addresses being Lincoln County and
14 Carson City, Nevada, unless otherwise stated herein; also all
15 other persons unknown claiming any right, title, estate, lien or
16 interest in the real property described in the complaint adverse
17 to Plaintiffs' ownership, or any cloud upon Plaintiffs' title
18 thereto on November 14, 2002, November 21, 2002, November 27,
19 2002, December 5, 2002, and December 12, 2002, by publication in
20 the NEVADA LEGAL NEWS; and on November 21, 2002, November 28,
21 2002, December 5, 2002, and December 12, 2002, by publication in
22 the LINCOLN COUNTY RECORD.

23 That the time within which said Defendants were
24 required to appear and plead herein has expired; that they have
25 not appeared herein; that no answer, motion, or other pleading
26 has been served or filed herein; and that the default of said

1 Defendants has been duly and regularly entered; and

2 WHEREAS, the HONORABLE DAN L. PAPEZ and HONORABLE STEVE
3 L. DOBRESU have executed Disclaimers of Title; and

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

10 On motion of GARY D. FAIRMAN, ESQ., A Professional
11 Corporation, Attorney for Plaintiffs,

12 IT IS ORDERED, ADJUDGED AND DECREED:

13 1. That Plaintiffs own in fee simple and are entitled
14 to the quiet and peaceful possession of that certain parcel of
15 land situated in the County of Lincoln, State of Nevada, and more
16 particularly described as follows:

17 That portion of the Southeast Quarter (SE
18 1/4) of Section 22, Township 1 North, Range
67 East, M.D.M., described as follows:

19 Beginning at an iron pin southeast of the
20 Burke Hoisting House in the Town of Pioche
from which iron pin the Southeast corner of
21 said Section 22 bears 32 1/2° East, 487 feet;
Thence North 82° West, 981 feet to an iron
22 pin; Thence North 13° East, 114 feet to an
iron pin; Thence North 62° East, 508 feet to
23 an iron pin south of the rail-road; Thence
North 87° East, 160 feet to an iron pin south
24 of the rail road; Thence South 58 3/4° east,
466 feet to an iron pin; and thence South 14°
West, 260 feet to the Place of Beginning.

25 NOTE: The above metes and bounds description
26 previously appeared on that certain document
recorded July 17, 1876 in Book N of Deed

1 Records, Page 589, Lincoln County, Nevada,
2 Records.

3 EXCEPTING the ground patented to the Nevada
4 Central Railroad Company.

5 FURTHER EXCEPTING all portions lying within
6 U.S. Highway 93.

7 FURTHER EXCEPTING any portion lying within
8 the following:

9 All that certain portion of the Burke and
10 Washington Patented Lode Mining Claim,
11 designated as Mineral Survey Lot No. 41;
12 embracing a portion of Section 22 and 23 in
13 Township 1 North of Range 67 East, Mount
14 Diablo Meridian, and described as follows:

15 Commencing at the Southeast corner of this
16 tract, from which Post No. 2 of said Lot 41
17 bears South 12°43'20" East, 85.1 feet and the
18 Southeast corner of Section 22, Township 1
19 North, Range 67 East, M.D.M. bears South
20 35°23'40" East, 672.7 feet; Thence South
21 86°28'40" West, 270.0 feet; Thence North
22 73°51'20" West, 130.55 feet; Thence North
23 5°3'40" East, 38.7 feet; Thence South
24 89°59'20" East, 180.00 feet; Thence North
25 78°24'20" East, 158.0 feet; Thence North
26 84°37' East, 51.1 feet; and thence South
3°31'20" East, 94.6 feet to the said
Southeast corner of the tract, the Place of
Beginning.

2. That Plaintiffs' title to said real property is
hereby forever quieted against any and all claims of Defendants,
MORTIMER FULLER, Deceased; HONORABLE DAN L. PAPEZ, HONORABLE
STEVE L. DOBRESCU; SOUTHERN STATES CORPORATION, formerly known as
RAYMOND AND ELY MINING COMPANY; and PIOCHE CONSOLIDATED MINING
AND RED COMPANY, and all other persons unknown claiming any
right, title, estate, lien or interest in the real property;

3. That Defendants, MORTIMER FULLER, last place of
residence, Pioche, Nevada; HONORABLE DAN L. PAPEZ, District

1 Judge, and HONORABLE STEVE L. DOBRESCU, District Judge; SOUTHERN
2 STATES CORPORATION, formerly known as RAYMOND AND ELY MINING
3 COMPANY, last place of residence, Carson City, Nevada; and PIOCHE
4 CONSOLIDATED MINING AND RED COMPANY, last place of residence,
5 Pioche, Nevada; and any person claiming under them are
6 permanently enjoined and restrained from asserting any claim or
7 interest in or to said real property or any part thereof.

8 DATED this 26 day of Feb, 2002.

[Handwritten Signature]
DISTRICT JUDGE

13 Submitted by:

14 GARY D. FAIRMAN, ESQ.
15 A Professional Corporation
16 Attorney for Plaintiff
17 P. O. Box 151105
18 Ely, Nevada, 89315

[Handwritten Signature]
GARY D. FAIRMAN, ESQ.

FILED FOR RECORDING
AT THE REQUEST OF
Gary Fairman
2003 FEB 26 AM 10 55
LJ: D. G. ...
FILED 18.00 DEP
LESLIE BOUCHER, J.D.

119709

This document in which this certificate is attached is a full, true and correct copy of the original, on file and record in the County Clerks Office, Pioche Nevada.

23 In witness whereof, I have hereunto set my hand and affixed the Seal of the
Southern Judicial District Court in and for the County of Lincoln, State of
Nevada, this 26 day of February, 2002

25 *[Handwritten Signature]*
26 *[Handwritten Signature]*
Deputy Clerk