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APN# \_\_\_\_\_

NOTICE OF ENTRY OF STIPULATION AND  
JUDGMENT TO QUIET TITLE AND OF  
ADVERSE POSSESSION  
(Title on Document)

FILED FOR RECORDING  
AT THE REQUEST OF

John Peter Lee  
2003 JUL 28 PM 3 07

LINCOLN COUNTY CLERK  
FEE \$3.00 SEP  
LESLIE BOUCHER TMS

**Recording requested by:**

JOHN PETER LEE, LTD. \_\_\_\_\_

**Return to:**

**Name** JOHN PETER LEE, LTD. \_\_\_\_\_

**Address** 830 LAS VEGAS BLVD. SO. \_\_\_\_\_

**City/State/Zip** LAS VEGAS, NV 89101 \_\_\_\_\_

This page added to provide additional information required by NRS 111.312 Sections 1-2  
(Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.

FILED  
2003 JUL 24 A 10 12  
CORRINE HOGAN  
LINCOLN COUNTY CLERK  
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DEPUTY

1 JOHN PETER LEE, LTD.  
JOHN PETER LEE, ESQ.  
2 Nevada Bar No. 1768  
PAUL C. RAY, ESQ.  
3 Nevada Bar No. 4365  
830 Las Vegas Boulevard South  
4 Las Vegas, Nevada 89101  
(702) 382-4044  
5 Attorneys for Plaintiff

6  
7 DISTRICT COURT  
8 LINCOLN COUNTY, NEVADA  
9

10 BILL MCINNIS, an individual,  
11 Plaintiff,

) CASE NO.: SJ-11-2000LC

12 vs.

13 BOARD OF COUNTY COMMISSIONERS,  
LINCOLN COUNTY, NEVADA, a Political  
14 Subdivision of the State of Nevada;  
UNION PACIFIC RAILROAD COMPANY,  
15 a Utah Corporation; UNITED STATES BUREAU OF  
LAND MANAGEMENT, UNITED STATES  
16 DEPARTMENT OF THE INTERIOR, a Political  
Subdivision of the United States of America;  
17 and DOES I through X, ROE CORPORATIONS  
I through X, and all other persons unknown, Claiming any  
18 right, title, estate, lien, or interest in the real property  
described in the complaint adverse to plaintiff's ownership,  
19 or any cloud upon plaintiff's title,

) Date of Hearing: N/A  
) Time of Hearing: N/A

20 Defendants.

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
830 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4044  
Telecopier (702) 383-9950

21 175.021464 dp

22 NOTICE OF ENTRY OF STIPULATION AND JUDGMENT  
23 TO QUIET TITLE AND OF ADVERSE POSSESSION

24 PLEASE TAKE NOTICE that a Stipulation and Judgment to Quiet Title and of Adverse  
25 Possession has been filed in the above captioned matter on the 11<sup>th</sup> day of July, 2003, a copy of

26 ////  
27 ////  
28 ////

COPY

The 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, Pioche Nevada.

In witness whereof, I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court and for the County of Lincoln, State of Nevada, this 27th day of July 2003

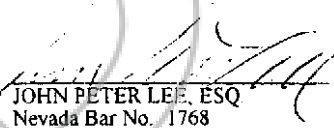
*Caroline H. [Signature]*  
Clerk

Deputy Clerk

1 which is attached hereto.

2 DATED this 21<sup>st</sup> day of July, 2003.

3 JOHN PETER LEE, LTD.

4  
5   
6 JOHN PETER LEE, ESQ.  
7 Nevada Bar No. 1768  
8 PAUL C. RAY, ESQ.  
9 Nevada Bar No. 4365  
10 830 Las Vegas Blvd. So.  
11 Las Vegas, NV 89101  
12 (702) 382-4044  
13 Attorneys for Plaintiff

14 **CERTIFICATE OF MAILING**

15 I hereby certify that on the 21<sup>st</sup> day of July, 2003, I served a copy of the Notice of Entry of  
16 Stipulation and Judgment to Quiet Title and of Adverse Possession in the above captioned matter  
17 by enclosing it in a sealed envelope upon which first class postage was fully prepaid addressed to

18 Philip H. Dunleavy, Esq.  
19 LINCOLN COUNTY DISTRICT ATTORNEY  
20 P. O. Box 60  
21 Pioche, Nevada 89043  
22 *Attorneys for Defendant Board of  
County Commissioners - Lincoln County,  
Nevada*

23 Christopher J. Raleigh, Esq.  
24 Timothy J. McGarry, Esq.  
25 RALEIGH, HUNT, McGARRY & DRIZEN, P.C.  
26 112 Garces Avenue, Suite 200  
27 Las Vegas, Nevada 89101  
28 *Attorneys for Union Pacific Railroad  
Company*

  
An Employee of JOHN PETER LEE, LTD

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
880 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4144  
Telecopier (702) 383-9950

ORIGINAL

1 JOHN PETER LEE, LTD.  
2 JOHN PETER LEE, ESQ.  
3 Nevada Bar No. 1768  
4 830 Las Vegas Boulevard South  
5 Las Vegas, Nevada 89101  
6 (702) 382-4044  
7 Attorneys for Plaintiff

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llc

DISTRICT COURT  
LINCOLN COUNTY, NEVADA

9 BILL MCINNIS, an individual,  
10 Plaintiff,  
11 vs.

CASE NO.: 53-11-2000LC

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
830 LAS VEGAS BLVD SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4044  
Telexcopier (702) 383-9950

12 BOARD OF COUNTY COMMISSIONERS,  
13 LINCOLN COUNTY, NEVADA, a Political  
14 Subdivision of the State of Nevada;  
15 UNION PACIFIC RAILROAD COMPANY,  
16 a Utah Corporation; UNITED STATES BUREAU OF  
17 LAND MANAGEMENT, UNITED STATES  
18 DEPARTMENT OF THE INTERIOR, a Political  
19 Subdivision of the United States of America;  
20 and DOES I through X, ROE CORPORATIONS  
21 I through X, and all other persons unknown, Claiming any  
22 right, title, estate, lien, or interest in the real property  
23 described in the complaint adverse to plaintiff's ownership,  
24 or any cloud upon plaintiff's title,

Date of Hearing: N/A  
Time of Hearing: N/A

Defendants.

175 021464 dp

STIPULATION AND JUDGMENT TO QUIET TITLE AND  
OF ADVERSE POSSESSION

Stipulation

24 Plaintiff, Bill McInnis filed his Complaint in the instant action on November 2, 2000.  
25 Plaintiff Bill McInnis, by and through his counsel, John Peter Lee, Ltd., and Defendants, Board of  
26 County Commissioners, Lincoln County, Nevada, a Political Subdivision of the State of Nevada,  
27 by and through its counsel, the Lincoln County District Attorney, Phillip H. Dunleavy, Esq., and  
28 Union Pacific Railroad Company, a Utah Corporation, by and through its counsel, Raleigh, Hunt

Lincoln County

JOHN PETER IEE, LTD.  
ATTORNEYS AT LAW  
630 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4044  
Telexcopier (702) 383-9950

1 & McGarry, P.C. hereby stipulate to judgment to quiet title and of adverse possession as follows:

2 1. McInnis claims ownership of the following described real property situated in the  
3 County of Lincoln, State of Nevada and its appurtenances:

4 PARCEL ONE:

5 All that parcel of land situate in Section 2 and 11 in Township 3 South, Range  
6 67 East, M.D.B.&M., Lincoln County, Nevada, described as follows:

7 All of the North Half (N1/2) of the Northeast Quarter (NE1/2) of Section 11,  
8 and that portion of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4)  
9 of Section 11 and the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4)  
10 of Section 2, all in Township 3 South, Range 67 East, M.D.B.&M., lying and being  
11 East of the right-of-way of the Union Pacific Railroad Company, of the Caliente and  
12 Pioche Railroad.

13 Also that certain parcel of land situate in the Southeast Quarter (SE1/4) of the  
14 Southwest Quarter (SW1/4) of Section 2 and the Northeast Quarter (NE1/4) of the  
15 Northwest Quarter (NW1/4) of Section 11, all in the Township 3 South, Range 67  
16 East, M.D.B.&M., described as follows:

17 Commencing at a point 325 feet West of the Northwest Corner of the  
18 Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 2, thence  
19 running South 27° 30' West 1188.2 feet to the true point of beginning, thence  
20 continuing South 27° 30' West. 1070 feet; thence North 930 feet; thence North 22°  
21 26' East 200 feet; thence East 400 feet more or less, to the true point of beginning.

22 PARCEL TWO:

23 Situate in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4)  
24 Section 2, Township 3 South, Range 67 East, M.D.B.&M., Lincoln County, Nevada  
25 more particularly described as follows:

26 Beginning at the South One Quarter Corner of Section 2, Township 3 South,  
27 Range 67 East, M.D.B.&M., thence North 0° 17' 06" West a distance of 1313.65 feet;  
28 thence East 382.00 feet; thence South 0° 22' 08" West a distance of 1313.38 feet;  
thence North 89° 42' West a distance of 367.00 feet to the point of beginning.

ASSESSORS'S PARCEL NUMBER FOR 2000 - 2002: 13-030-18  
13-160-02  
13-160-03  
13-030-21

Together with the real property located within or between Parcels One and Two for  
which an easement or right-of-way for the purpose of constructing, repairing and  
maintaining a railroad or railway is dedicated, granted, used or abandoned.

(Hereinafter "The Property".)

2. In or about the late 1800's or early 1900's, an easement or right-of-way was granted  
through The Property for the purpose of constructing, repairing and maintaining a railroad or  
railway.

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
810 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4044  
Telecopier (702) 383-9950

1 3. McInnis claims that said railroad or railway or easement, right-of-way or estate has  
2 heretofore been abandoned.

3 4. Defendant Union Pacific Railroad does not claim any right, title or interest in The  
4 Property.

5 5. Defendant Board of County Commissioners, Lincoln County, Nevada, have executed  
6 a Quitclaim Deed of any and all interests which it had, if any, in The Property. Such Quitclaim Deed  
7 was recorded in Book No.163, Page No. 289 on July 15, 2002, in the Office of the Official Recorder,  
8 Lincoln County, Nevada.

9 6. The United States Bureau of Land Management, United States Department of The  
10 Interior, removed the instant action through the United States' Notice of Filing of Notice of Removal  
11 dated December 21, 2001 to the United States District Court, District of Nevada.

12 7. The United States District Court, District of Nevada, entered its order concerning  
13 removal on December 27, 2000.

14 8. Plaintiff Bill McInnis filed his Amended Complaint to Quiet Title and of Adverse  
15 Possession in the United States District Court, District of Nevada, on May 23, 2001.

16 9. The United States Bureau of Land Management, United States Department of Interior  
17 filed the United States' Disclaimer of Interest and Request for an Order Confirming Disclaimer in  
18 United States District Court, District of Nevada, dated July 23, 2001.

19 10. On August 1, 2001, the United States District Court, District of Nevada, issued its  
20 Order Confirming Disclaiming and Dismissing Action as to the United States of America. Thereby  
21 the United States' Disclaimer in The Property was confirmed by the Honorable Kent J. Dawson,  
22 United States District Judge.

23 11. On November 29, 2001, the United States District Court, District of Nevada, entered  
24 its Order remanding the instant case to this Court, the Seventh Judicial District Court, Lincoln  
25 County, Nevada.

26 12. None of the remaining Defendants opposes Bill McInnis' claim to quiet title to The  
27 Property in himself, including the following:

28 (a) McInnis is the owner of The Property, together with the

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
838 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4044  
Telexcopier (702) 383-9950

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appurtenances, and fee simple absolute. McClinnis, by himself and by his predecessors in interest has been in the actual and exclusive possession of said real property continuously for more than fifteen (15) years prior to the filing of this Complaint, claiming to own and hold the same in fee against the whole world.

(b) McClinnis, by himself and by his predecessors in interest has for more than five (5) years immediately preceding the filing of his Amended Complaint paid all taxes of every kind, levied or assessed or due against said real property or the appurtenances or any part thereof.

(c) The Defendants, the Board of County Commissioners, Lincoln County, Nevada, and Union Pacific Railroad Company, claim no interest claim, right or title to The Property.

13. Plaintiff owns The Property in fee simple and is entitled to the quiet and peaceful possession of The Property. The Defendants and all persons claiming under them have no estate, right, title, lien or interest in or to The Property.

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1 14. All parties shall bear their own attorneys fees and costs.

2 JOHN PETER LEE, LTD. LINCOLN COUNTY DISTRICT ATTORNEY

3  
4 *[Signature]*  
5 JOHN PETER LEE, ESQ.  
6 Nevada Bar No. 1768  
7 830 Las Vegas Blvd. So.  
8 Las Vegas, NV 89101  
9 (702) 382-4044  
10 Attorney for Bill McInnis

11 *[Signature]*  
12 PHILIP H. DUNLEAVY, ESQ.  
13 P.O. Box 60  
14 Pioche, Nevada 89043  
15 (775) 962-5171  
16 Attorneys for Defendant Board of County  
17 Commissioners, Lincoln County, Nevada

18 RALEIGH, HUNT, McGARRY & DRIZEN, P.C.

19 *[Signature]*  
20 CHRISTOPHER J. RALEIGH, ESQ.  
21 Nevada Bar No. 1596  
22 TIMOTHY J. McGARRY, ESQ.  
23 Nevada Bar No. 2466  
24 112 Garces Avenue, Suite 200  
25 Las Vegas, Nevada 89101  
26 (702) 386-4842  
27 Attorneys for Union Pacific Railroad Company

28 **JUDGMENT**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff, Bill McInnis owns the following described real property situated in the County of Lincoln, State of Nevada in fee simple and is entitled to the quiet and peaceful possession of such property (hereinafter "The Property") and its appurtenances:

PARCEL ONE:

All that parcel of land situate in Section 2 and 11 in Township 3 South, Range 67 East, M.D.B.&M., Lincoln County, Nevada, described as follows:

All of the North Half (N1/2) of the Northeast Quarter (NE1/2) of Section 11, and that portion of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 11 and the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 2, all in Township 3 South, Range 67 East, M.D.B.&M., lying and being East of the right-of-way of the Union Pacific Railroad Company, of the Caliente and Pioche Railroad.

Also that certain parcel of land situate in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 2 and the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 11, all in the Township 3 South, Range 67 East, M.D.B.&M., described as follows:

Commencing at a point 325 feet West of the Northwest Corner of the

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
830 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone (702) 382-4044  
Teletypewriter (702) 381-9950

1 Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 2, thence  
2 running South 27° 30' West 1188.2 feet to the true point of beginning, thence  
3 continuing South 27° 30' West. 1070 feet; thence North 930 feet; thence North 22°  
4 26' East 200 feet; thence East 400 feet more or less, to the true point of beginning.

5 **PARCEL TWO:**

6 Situate in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4)  
7 Section 2, Township 3 South, Range 67 East, M.D.B.&M., Lincoln County, Nevada  
8 more particularly described as follows:

9 Beginning at the South One Quarter Corner of Section 2, Township 3 South,  
10 Range 67 East, M.D.B.&M., thence North 0° 17' 06" West a distance of 1313.65 feet;  
11 thence East 382.00 feet; thence South 0° 22' 08" West a distance of 1313.38 feet;  
12 thence North 89° 42' West a distance of 367.00 feet to the point of beginning.

13 ASSESSOR'S PARCEL NUMBER FOR 2000 - 2002: 13-030-18  
14 13-160-02  
15 13-160-03  
16 13-030-21

17 Together with the real property located within or between Parcels One and Two for  
18 which an easement or right-of-way for the purpose of constructing, repairing and  
19 maintaining a railroad or railway is dedicated, granted, used or abandoned.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the remaining  
21 Defendants, Board of County Commissioners, Lincoln County, Nevada and Union Pacific Railroad  
22 Company and all persons claiming under them have no estate, right, title, lien or interest in or to The  
23 Property.

24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all parties shall bear their  
25 own attorneys fees and costs.

26 IT IS SO ORDERED this 8<sup>th</sup> day of July, ~~2002~~ 2003

27 [Signature]  
28 DISTRICT COURT JUDGE

Submitted by:  
29 JOHN PETER LEE, LTD.  
30 [Signature]  
31 JOHN PETER LEE, ESQ.  
32 Nevada Bar No. 1768  
33 830 Las Vegas Boulevard South  
34 Las Vegas, Nevada 89101  
35 (702) 382-4044  
36 Attorneys for Plaintiff  
37 Bill McInnis

JOHN PETER LEE, LTD.  
ATTORNEYS AT LAW  
830 LAS VEGAS BLVD. SOUTH  
LAS VEGAS, NEVADA 89101  
Telephone: (702) 382-4044  
Telecopier: (702) 383-9930