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Gary D. Fairman

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APN 004-041-04

RECORDING REQUESTED BY:

GARY D. FAIRMAN, ESQ.
P.C. Box 151105
Ely, Nevada 89301

DECREE QUIETING TITLE

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1 Case No. CV-0839005

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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 MARGUERITE L. SMALLWOOD, TRUSTEE OF THE MARGUERITE L. SMALLWOOD
10 TRUST, DATED JUNE 7, 1995,

11 Plaintiff,

12 vs.

13 DAVID L. SMALLWOOD, Deceased, last place of residence, Lincoln
14 County, State of Nevada; GARLAND W. BALLENTINE and JANICE R.
15 BALLENTINE, husband and wife, as joint tenants, last place of
16 residence, Lincoln County, Nevada; PREFERRED ESCROW SERVICE, a
17 Nevada Corporation; WAYNE E. FAGAN and LENA M. FAGAN, husband and
18 wife, as joint tenants, last place of residence, Lincoln County,
19 Nevada; and STEWART TITLE OF NORTHEASTERN NEVADA, formerly known
20 as FRONTIER TITLE COMPANY; DOE I through DOE X; together with
21 each and every one and all of the unknown heirs of each and every
22 one of the above-named Defendants, their last known addresses
23 being Lincoln County, Nevada, unless otherwise stated herein;
24 also all other persons unknown claiming any right, title, estate,
25 lien or interest in the real property described in the complaint
26 adverse to Plaintiff's ownership, or any cloud upon Plaintiff's,
title thereto,

Defendants.

22 DECREE QUIETING TITLE

23 This cause coming on regularly to be heard on this
24 26 day of JANUARY, 2006, before the above-
25 entitled Court, sitting without a jury, the Honorable District
26 Judge, presiding; the Plaintiff being represented in Court by

1 GARY D. FAIRMAN, ESQ., A Professional Corporation, her attorney;
2 said action having been dismissed as to all fictitious Defendants
3 designated by the names DOE I 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, DAVID L. SMALLWOOD; GARLAND
7 W. BALLENTINE and JANICE R. BALLENTINE; PREFERRED ESCROW SERVICE,
8 a Nevada Corporation; WAYNE E. FAGAN and LENA M. FAGAN, and
9 STEWART TITLE OF NORTHEASTERN NEVADA, formerly known as FRONTIER
10 TITLE COMPANY, on the 15th day of September, 2005, by publication
11 in the Lincoln County Record, and by publication in Nevada Legal
12 News on September 29, 2005.

13 That the time within which said Defendants were
14 required to appear and plead herein has expired; that they have
15 not appeared herein; that no answer, motion, or other pleading
16 has been served or filed herein; and that the default of said
17 Defendants has been duly and regularly entered; and

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

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

26

1 IT IS ORDERED, ADJUDGED AND DECREED:

2 1. That Plaintiff owns in fee simple and is entitled
3 to the quiet and peaceful possession of that certain parcel of
4 land situated in the County of Lincoln, State of Nevada, and more
5 particularly described as follows:

6 PARCEL 1:

7 Commencing at the Southwest (SW) corner of the
8 Northeast Quarter (N1/4) of the Southwest Quarter
9 (SW1/4) of Section 5, Township 7 South, Range 61
10 East, M.D.B.&M., thence running due East along
11 the South line of said Northeast Quarter (NE1/4)
12 of Southwest Quarter (SW1/4) a distance of 910
13 feet more or less to the West line of Maine
14 Street at the Northeast (NE) corner of Lot 1,
15 Block 46, Alamo Townsite on file in the Office
16 of the County Recorder of said Lincoln County;
17 running thence North 1°23' West along the West
18 side of Main Street and the projection thereof
19 a distance of 685 feet, thence South 88°37' West
20 a distance of 200 feet, to the true point of
21 beginning; thence North 1°23' West a distance of
22 218.78 feet, thence due West a distance of 100
23 feet, thence South 1°23' East a distance of
24 220.67 feet, thence North 88°37' East a distance
25 of 100 feet to the point of beginning.

17 PARCEL 2:

18 A non-exclusive easement 45 feet wide for a roadway
19 and utilities, the center line of which is described
20 as follows: Commencing at a point in the West line
21 of said Main Street and the projection thereof a
22 distance of 662.50 feet bearing North 1°23' West
23 from said Northeast (NE) corner of Lot 1, Block 46;
24 running thence South 88°37' West a distance of 300
25 feet to the point of ending.

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

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3. That Defendants, DAVID L. SMALLWOOD; GARLAND W. BALLENTINE and JANICE R. BALLENTINE; PREFERRED ESCROW SERVICE, a Nevada Corporation; WAYNE E. FAGAN and LENA M. FAGAN, and STEWART TITLE OF NORTHEASTERN NEVADA, formerly known as FRONTIER TITLE COMPANY, and any person claiming under them are permanently enjoined and restrained from asserting any claim or interest in or to said real property or any part thereof.

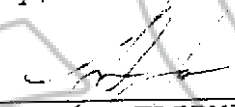
DATED this 26 day of JANUARY, 2006.



 DISTRICT JUDGE

Submitted by:

GARY D. FAIRMAN, ESQ.
 A Professional Corporation
 Attorney for Plaintiff
 P.O. Box 151105
 Ely, Nevada 89315



 GARY D. FAIRMAN, ESQ.

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, Pioche 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 29th day of FEBRUARY 2006

Clerk


Deputy Clerk