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**Official Record**

Recording requested By  
MCDONALD, CARANO, WILSON

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$17.00

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RPTT:

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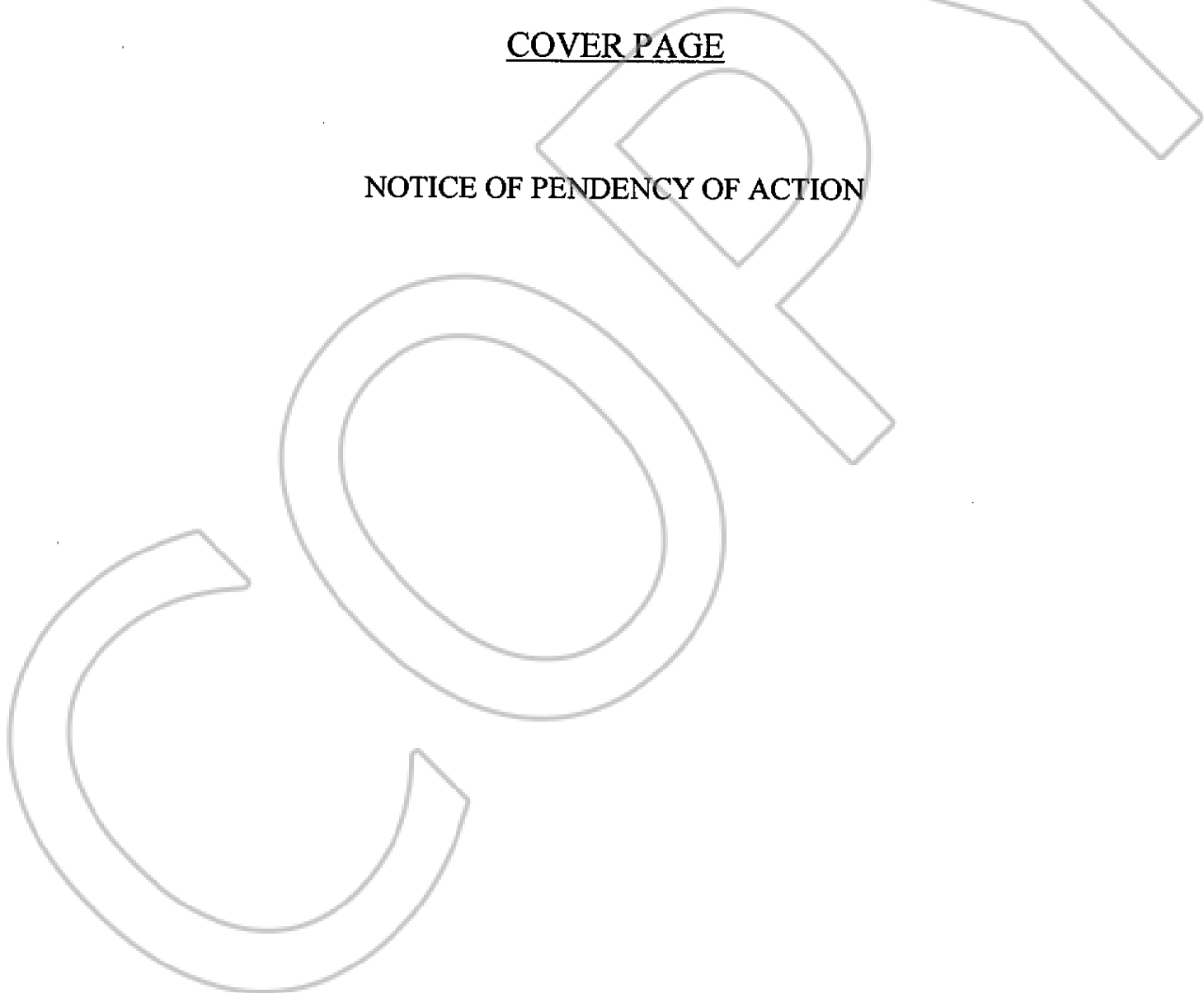
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NOTICE OF PENDENCY OF ACTION





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MIRANDA DU (NSBN 5288)  
DEBBIE LEONARD (#8260)  
McDONALD CARANO WILSON LLP  
100 West Liberty Street, 10<sup>th</sup> Floor  
P.O. Box 2670  
Reno, Nevada 89505-2670  
(775) 788-2000

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LINCOLN COUNTY CLERK  
*W*  
CLERK

Attorneys for Defendant/Counterclaimant

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

\*\*\*

RAYMOND THOMPSON,  
Plaintiff,

Case No. CV0213006  
Dept. No.

vs.

UNION PACIFIC RAILROAD COMPANY,  
a Delaware corporation; LINCOLN  
COUNTY, NEVADA, a political subdivision  
of the State of Nevada; DOES I through X;  
and all other persons unknown, claiming  
any right, title, estate, lien, or interest in the  
real property described in the complaint  
adverse to plaintiff's ownership, or any  
cloud upon plaintiff's title,

NOTICE OF PENDENCY OF ACTION

Defendants.

UNION PACIFIC RAILROAD COMPANY,  
Counterclaimant,

vs.

RAYMOND THOMPSON,  
Counterdefendant.

NOTICE IS HEREBY GIVEN that a Counterclaim has been filed in the above-  
named Court in the above-entitled matter on the 9th day of June 2009 by the  
Defendant/Counterclaimant UNION PACIFIC RAILROAD COMPANY ("Union Pacific")  
against Plaintiff/Counterdefendant RAYMOND THOMPSON, for declaratory relief and to

McDONALD-CARANO-WILSON  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA 89501  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE 775-788-2000 • FAX 775-788-2020

**MCDONALD-CARANO-WILSON**  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA 89501  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE 775-788-2000 • FAX 775-788-2000

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quiet title to certain real property. The real property affected by this action is 100-foot-wide strip of land located in the East half of Section 2 of Township 3 South, Range 67 East, located in Lincoln County, Nevada that was conveyed by John B. Atchison and Melinda Atchison to Union Pacific's predecessor-in-interest, the Oregon Short Line & Utah Northern Railway Company, by way of a grant, bargain and sale deed dated July 21, 1890 and recorded on page 513 of Book Q in the records of Lincoln County, Nevada on September 10, 1890 ("Union Pacific's Section 2 Property").

Until 1984, Union Pacific and its predecessors-in-interest operated a rail line across Union Pacific's Section 2 Property and paid centrally-assessed taxes to the State of Nevada for same. In 1984, Union Pacific legally abandoned the rail line. On or around February 10, 1984, Union Pacific purported to convey to Lincoln County, Nevada all of its right, title and interest to the right of way for said rail line. Lincoln County did not accept said conveyance, and on or around November 5, 1997, Lincoln County recorded notice on Page 148 of Book 131 of the Lincoln County records extinguishing same. As a result of said extinguishment, Union Pacific has, at all pertinent times, retained all of its right, title and interest in Union Pacific's Section 2 Property.

On information and belief, at no time has Lincoln County assigned an assessors parcel number to Union Pacific's Section 2 Property or locally assessed same.

The undersigned affirms that this Notice of Pendency of Action in Case No. CV0213006 does not contain the social security number of any person.

Dated this 8<sup>th</sup> day of June, 2009.

MCDONALD CARANO WILSON LLP

By: Debbie Leonard

MIRANDA DU  
DEBBIE LEONARD  
100 West Liberty Street, 10<sup>th</sup> Floor  
P.O. Box 2670  
Reno, NV 89505-2670

Attorneys for Defendant/Counterclaimant



### CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that I am an employee of McDonald Carano Wilson <sup>LLP</sup> and that I caused to be served on this date a true and correct copy of the **NOTICE OF PENDENCY OF ACTION** on the following:

Jared R. Johnson  
GREENE, ROBERTS & RASMUSSEN, PLLC  
3770 Howard Hughes Pkwy, Ste #195  
Las Vegas, NV 89169

Gregory Barlow  
Lincoln County District Attorney  
P.O. Box 60  
Pioche, NV 89043

DATED: June 8, 2009.

Pamela Miller

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 9<sup>th</sup> day of June, 20 09

Clerk

Deputy Clerk

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P.O. BOX 2470 - RENO, NEVADA, 89505-2470  
PHONE 775-788-2000 - FAX 775-788-2020

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