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**Official Record**

Recording requested By  
GARY D. FAIRMAN

Lincoln County - NV

Leslie Boucher - Recorder

Fee: \$19.00

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RECORDING REQUESTED BY:

GARY D. FAIRMAN, ESQ.  
P.O. Box 151105  
Ely, Nevada 89315

DECREE QUIETING TITLE

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LINCOLN COUNTY CLERK  
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Case No. CV-0836001

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

\* \* \* \* \*

KEVIN D. OLSON AND SANDRA M. OLSON, husband and wife; McCROSKY BROTHERS, a Nevada Partnership,

Plaintiffs,

-vs-

UNION PACIFIC RAILROAD COMPANY, a Utah Corporation, LOS ANGELES AND SALT LAKE RAILROAD COMPANY, a Utah Corporation; PIOCHE PACIFIC RAILROAD COMPANY; SAN PEDRO, LOS ANGELES, AND SALT LAKE RAILROAD COMPANY; LINCOLN COUNTY, a political subdivision of the State of Nevada; UNITED STATES OF AMERICA, DOE 1 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 interest in the real property described in the Complaint adverse to Plaintiffs' ownership, or any cloud upon Plaintiffs' title thereto,

Defendants.

**DECREE QUIETING TITLE**

This cause coming on regularly to be heard on this 3rd day of June, 2011, before the above-entitled Court, sitting without a jury, the Honorable District Judge, presiding; the Plaintiffs being represented in Court by GARY D. FAIRMAN, ESQ., A Professional Corporation, her attorney;



1 said action having been dismissed as to all fictitious Defendants  
2 designated by the names DOE I through DOE X;

3 WHEREAS, it appears and the Court finds:

4 That a Summons and Complaint in the above-entitled  
5 action was duly served on Defendants, UNION PACIFIC RAILROAD  
6 COMPANY; LOS ANGELES AND SALT LAKE RAILROAD COMPANY; PIOCHE  
7 PACIFIC RAILROAD COMPANY; SAN PEDRO, LOS ANGELES AND SALE LAKE  
8 RAILROAD COMPANY, and LINCOLN COUNTY, on the 18th day of  
9 February, 2011, by publication in The Lincoln County Recorder and  
10 Intermountain Commercial Record.

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

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

22 On motion of GARY D. FAIRMAN, ESQ., A Professional  
23 Corporation, attorney for Plaintiffs,

24 IT IS ORDERED, ADJUDGED AND DECREED:

- 25 1. That Plaintiffs own in fee simple and is entitled  
26 to the quiet and peaceful possession of that certain parcel of



1 land situated in the County of Lincoln, State of Nevada, and more  
 2 particularly described as follows:

3 DESCRIPTION: Abandoned Pioche Branch, U.P. R.R. property  
 4 for OLSON-McCROSKY

5 A portion of the abandoned Pioche Branch of the Union  
 6 Pacific Railroad lying between the north boundary of  
 7 State Route 319 and the north 16th line of Section 8,  
 8 T.2S., R.68E., M.D.M., located in the SW1/4NW1/4 said  
 9 Section 8 and further described as follows:

10 Beginning at the northwest corner of said abandoned  
 11 railroad property located on the north 1/16th line of  
 12 said Section 8 monumented by a 5/8 rebar with cap  
 13 stamped L. SMITH PLS 12751, a point from which the  
 14 northwest corner of said Section 8 bears N40°29'46"W  
 15 1727.92;

16 Thence S89°54'38"E 110.18' \* along the north 1/16th  
 17 line;

18 Thence S24°55'07"W 653.78' \* along the east boundary of  
 19 said railroad property to the north boundary of said SR  
 20 319;

21 Thence N89°30'28"W 109.83' \* along the north boundary  
 22 of said SR 319;

23 Thence N24°55'07"E 652.93' along the west boundary of  
 24 said railroad property to the point of beginning;

25 Containing 65,332 square feet more or less.

26 The Basis of Bearings is the east line of said Section  
 8 with Standard brass cap monuments set 1995 by the  
 Bureau of Land Management, a Dependent Resurvey which  
 has not as yet been approved.

\* = "to a 5/8" rebar and cap stamped L SMITH PLS 12751"  
 End of Description.

DESCRIPTION: WEST HALF OF RR PROPERTY (as requested)

A portion of the abandoned Pioche Branch of the Union  
 Pacific Railroad lying between the north boundary of  
 State Route 319 and the north 1/16th line of Section 8,  
 T.2S., R.68E., M.D.M., located in the SW1/4NW1/4 said  
 Section 8, and further described as follows:

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Beginning at the northwest corner of said abandoned railroad property located on the north 1/16th line of said Section 8 monumented by a 5/8" rebar with cap stamped L SMITH PLS 12751, a point from which the northwest corner of said Section 8 bears N40°29'46"W 1727.92';  
 Thence S15°34'18"W 615.68' \* to the Nevada State Route 319 north boundary;  
 Thence N89°30'28"W 109.83' \* along said State Route 319 north boundary;  
 Thence N24°55'07"E 652.93' along the west boundary of said abandoned railroad boundary to the point of beginning; Containing 32,645 square feet more or less.

The Basis of Bearings is the east line of said Section 8 with Standard brass cap monuments set 1995 by the Bureau of Land Management, a Dependent Resurvey which has not as yet been approved.

\* = "to a rebar with cap stamped L SMITH PLS 12751"  
 End of Description.

DESCRIPTION: EAST HALF OF RR PROPERTY (as requested)

A portion of the abandoned Pioche Branch of the Union Pacific Railroad lying between the north boundary of Nevada State Route 319 and the north 1/16th line of Section 8, T.2S., R68E., M.D.M., located in the SW1/4NW1/4 said Section 8, and further described as follows:

Beginning at the northwest corner of said abandoned railroad property located on the north 1/16th line of said Section 8 monumented by a 5/8" rebar with cap stamped L SMITH PLS 12751, a point from which the northwest corner of said Section 8 bears N40°29'46"W 1727.92';  
 Thence S89°54'38"E 110.18' \* along the north 1/16th line;  
 Thence S24°55'07"W 653.78' \* to the north boundary of the said State Route 319 north boundary;  
 Thence N15°34'18"E 615.68' to the point of beginning, Containing 32,687 square feet more or less.

The Basic of Bearings is the east line of said Section 8 with standard brass caps set 1995 by the Bureau of Land Management, a Dependent Resurvey which has not as yet been approved.

\* = "to a rebar with cap stamped L. SMITH PLS 12751"  
 End of Description.



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2. That Plaintiffs' title to said real property is hereby forever quieted against any and all claims of Defendants, UNION PACIFIC RAILROAD COMPANY; LOS ANGELES AND SALT LAKE RAILROAD COMPANY; PIOCHE PACIFIC RAILROAD COMPANY; SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD COMPANY, and LINCOLN COUNTY, and all other persons unknown claiming any right, title, estate, lien or interest in the real property;

3. That Defendants, UNION PACIFIC RAILROAD COMPANY; LOS ANGELES AND SALT LAKE RAILROAD COMPANY; PIOCHE PACIFIC RAILROAD COMPANY; SAN PEDRO, LOS ANGELES AND SALT LAKE RAILROAD COMPANY, and LINCOLN COUNTY, and any person claiming under him is permanently enjoined and restrained from asserting any claim or interest in or to said real property or any part thereof.

DATED this 3rd day of June, 2011.

*Jan L. Lips*  
\_\_\_\_\_  
DISTRICT JUDGE

Submitted by:  
GARY D. FAIRMAN, ESQ.  
A Professional Corporation  
Attorney for Plaintiffs  
P.O. Box 151105  
Ely, Nevada 89315

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

\_\_\_\_\_  
GARY D. FAIRMAN, ESQ.

In witness whereof, I have hereunto set my hand and affixed the seal of the Sixth Judicial District Court in and for the County of Lincoln, State of Nevada, This 7th day of June, 2011

\_\_\_\_\_  
Clerk  
*J. Stevens*  
\_\_\_\_\_  
Deputy Clerk