

LINCOLN COUNTY, NV

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MAURICE WOOD PLLC

OFFICIAL RECORD

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2023-163724

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APN# 005-231-38 and 005-231-39

ORDER GRANTING PETITION TO

TERMINATE GEORGE R. WILLIAMS'

INTEREST IN REAL PROPERTY

**Type of Document**

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

**Recording Requested by:**

Maurice Wood PLLC

**Return to:**

**Name** Maurice Wood PLLC

**Address** 8250 West Charleston Blvd. Ste. 100

**City/State/ZIP** Las Vegas, Nevada 89117

This document does not contain the personal information

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DEPUTY

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7 Attorneys for Plaintiffs, JAMES SELMAN and  
CHRISTOPHER BARTON

8 DISTRICT COURT  
9 LINCOLN COUNTY, NEVADA

10 \* \* \*

11 JAMES SELMAN, an individual; and  
CHRISTOPHER BARTON, an individual,

CASE NO. CV0802122

12 Plaintiffs,

13 ORDER GRANTING PETITION TO  
14 TERMINATE GEORGE R.  
WILLIAMS' INTEREST IN REAL  
PROPERTY

15 vs.

16 ORASA WILLIAMS, an individual;  
THANJIRA FARRINGTON, an individual;  
DEBRA WILLIAMS, an individual; WENDY  
17 MATTOS, an individual; BENJAMIN  
RAMOS, an individual; ROBERT  
GONZALEZ, an individual and THE  
18 UNKNOWN HEIRS OF GEORGE R.  
WILLIAMS,

19 Defendants.

20 Plaintiffs James Selman and Christopher Barton's Petition to Terminate George R.  
21 Williams' Interest in Real Property having come on for hearing on the 15<sup>th</sup> day of December, 2022;  
22 Plaintiffs having appeared through their attorney of record, Elizabeth Aronson, of the law firm of  
23 MAURICE WOOD, no one appearing on behalf of the Defendants; the Court having reviewed the  
24 papers and pleadings on file herein and having carefully considered the same; the Court having  
25 taken judicial notice of the Exhibits filed in connection with Plaintiffs' Request for Judicial Notice;  
26 the Court being fully advised in the premises, and good cause appearing therefore, hereby finds:

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I.

FINDINGS OF FACT

1  
2  
3 1. Plaintiff Christopher Barton ("Barton") is the record title owner of real property  
4 located in Lincoln County, Nevada, with the following legal description:

5 PARCEL 3A OF THE GEORGE R. WILLIAMS TRUST PARCEL  
6 MAP RECORDED IN BOOK C/150 OF THE LINCOLN  
7 COUNTY RECORDS

8 APN: 005-231-38 ("Parcel A").

9 2. Plaintiff James Selman ("Selman") is the record title owner of real property located  
10 in Lincoln County, Nevada, commonly known as 1281 Meadow Lane, Pioche, NV 89043, with  
11 the following legal description:

12 PARCEL 3B OF THE GEORGE R. WILLIAMS TRUST PARCEL  
13 MAP RECORDED IN BOOK C/150 OF THE LINCOLN  
14 COUNTY RECORDS

15 APN: 005-231-39 ("Parcel B").

16 3. Parcel A and Parcel B were created in 2005 from a division of a larger parcel of  
17 real property in Lincoln County Nevada with the following legal description:

18 The NW 1/4 of the SW 1/4 of the SW 1/4 of Section 34; T5N, R67E,  
19 M.D.B. & M. being more particularly described as follows:

20 Beginning at a point (1) from which the Southwest corner of Section  
21 34, T5N, R67E, M.D.B. & M. bears S O 45'36" E, a distance of  
22 660.32 feet more or less; thence N O 47'10" W, a distance of 660.32  
23 feet more or less, to the Northwest corner (2); thence N 89 41'07" E,  
24 a distance of 674.12 feet more or less, to the Northeast corner (3);  
25 thence S O 47'09" E, a distance of 661.27 feet more or less, to the  
26 Southeast corner (4); thence S 89 45'56" W, a distance of 674.13  
27 feet more or less, to the point of beginning.

28 ("Parent Parcel Property").

4. This action concerns the same title issue in Parcel A and Parcel B (collectively,  
"Subject Property").

5. On December 15, 1987, George R. Williams ("George") purchased the Subject  
Property, acquiring title by way of a Grant Bargain and Sale Deed, recorded in the official records  
for Lincoln County, Nevada as Instrument Number 88138.

6. On May 26, 1998, George conveyed his interest in the Parent Parcel Property to

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1 George R. Williams, as Trustee of the George R. Williams Revocable Living Trust; Dtd. 3-17-98  
2 ("Williams Trust").

3 7. The Grant Deed conveying George's interest in the Parent Parcel Property to the  
4 Williams Trust was recorded in the official records for Lincoln County, Nevada on May 26, 1998,  
5 as Instrument Number 111006 ("1998 Deed").

6 8. The 1998 Deed conveyed title to the Parent Parcel Property as follows:

7 **GEORGE R. WILLIAMS, AS TO AN UNDIVIDED 1/3**  
8 **INTEREST HEREBY GRANT(S), SELL(S), CONVEY(S) AND**  
9 **ASSIGN(S) TO: GEORGE R. WILLIAMS, AS TRUSTEE OF**  
10 **THE GEORGE R. WILLIAMS REVOCABLE LIVING TRUST**  
11 **DTD. 3-17-98, ALL OF HIS/HER/THEIR RIGHT, TITLE AND**  
12 **INTEREST IN THE PROPERTY DESCRIBED IN "EXHIBIT**  
13 **A"**

14 (emphasis added).

15 9. The 1998 Deed contained a mistake, error, or omission, creating a potential  
16 ambiguity as to whether George conveyed all of his interest in the Parent Parcel Property to the  
17 Williams Trust or whether George only conveyed 1/3 of his interest and maintained an individual  
18 2/3 interest in the Parent Parcel Property.

19 10. George intended to convey all of his individual interest in the Parent Parcel Property  
20 to the Williams Trust.

21 11. On December 13, 2005, a Parcel Map dividing the Parent Parcel Property into three  
22 separate parcels was recorded in the official records for Lincoln County, Nevada, as Instrument  
23 Number 125637 in Book C, page 150 of Plats ("Parcel Split Map").

24 12. As a result of the Parcel Split Map, the Subject Property (Parcel A and Parcel B)  
25 was created.

26 13. The Parcel Split Map acknowledged that title to the Parent Parcel Property was  
27 vested, in its entirety, in the Williams Trust.

28 14. The owner's acknowledgment on the Parcel Split Map, executed by George as  
Trustee, demonstrates that George intended to convey all of his interest in the Parent Parcel  
Property to the Williams Trust through the 1998 Deed.

15. The Parcel Split Map demonstrates George's belief that title was solely vested in

1 the Williams Trust and that George did not intend nor believe that he maintained any individual  
2 interest the Subject Property.

3 16. On May 25, 2017, George passed away.

4 17. No probate was opened for George.

5 18. At the time of his passing, George was the trustee of the Williams Trust.

6 19. On April 9, 2018, a Certificate of Incumbency, Affidavit of the Incumbent Trustee  
7 for the Williams Trust was recorded in the official records of Lincoln County, Nevada as  
8 Instrument Number 2018-154085 ("Certificate of Incumbency").

9 20. The Certificate of Incumbency represented that the Williams Trust's assets  
10 included the Subject Property.

11 21. The Certificate of Incumbency demonstrates the parties' belief and intent that  
12 George intended to transfer his entire individual interest in the Subject Property to the Williams  
13 Trust.

14 22. On February 23, 2021, a Quitclaim Deed conveying Parcel A from the Williams  
15 Trust to George's surviving spouse, Orasa, was recorded in the official records of Lincoln County,  
16 Nevada as Instrument Number 2021-159645.

17 23. On February 23, 2021, a Quitclaim Deed conveying Parcel B from the Williams  
18 Trust to George's surviving spouse, Orasa, was recorded in the official records of Lincoln County,  
19 Nevada as Instrument Number 2021-159646.

20 24. The Quitclaim Deeds from the Trust to Orasa demonstrate the parties' belief that  
21 George intended to convey all of his individual interest in the Subject Property to the Williams  
22 Trust.

23 25. With the recording and execution of the Quitclaim Deeds, the parties intended that  
24 fee simple title to the entire Subject Property would be transferred from the Williams Trust to  
25 Orasa as an individual.

26 26. On March 11, 2021, Barton purchased Parcel A from Orasa, acquiring title by Grant  
27 Bargain Sale Deed, recorded in the official records of Lincoln County, Nevada as Instrument  
28 Number 2021-159712 ("Barton Deed").

1           27.     With the recording of the Barton Deed, the parties intended that the undivided fee  
2 simple title to Parcel A would be transferred to Barton.

3           28.     In or around March of 2021, Selman purchased Parcel B from Orasa, acquiring title  
4 by Grant Bargain Sale Deed, recorded in the official records of Lincoln County, Nevada on April  
5 1, 2021, as Instrument Number 2021-159811 ("Selman Deed").

6           29.     With the recording of the Selman Deed, the parties intended that the undivided fee  
7 simple title to Parcel B would be transferred to Selman.

8           30.     Selman was recently informed by a lender that it could not fund a loan to be secured  
9 by Parcel B because the lender was unable to obtain a lender's title insurance policy as a result of  
10 the ambiguity in the title of the Subject Property as a result of the 1998 Deed.

11          31.     The lender was concerned that a title issue was created because the 1998 Deed may  
12 be interpreted to have only conveyed 1/3 of George's interest to the Trust and that George, as an  
13 individual, still maintains the remaining 2/3 interest in the Subject Property.

14          32.     The Lincoln County Assessor informed Plaintiffs' agent that the Assessor records  
15 do not reflect that George has any remaining interest in the Subject Property.

16          33.     The Lincoln County Assessor's records reflect the parties' intent and belief that  
17 George conveyed all of his interest in the Subject Property to the Williams Trust via the 1998 Deed  
18 and that undivided fee simple title to Parcel A and Parcel B be vested solely in Barton and Selman,  
19 respectively.

20          34.     Following Barton's purchase of Parcel A, Barton has: (a) exclusively and  
21 continuously possessed Parcel A; and (b) paid all expenses to maintain and improve Parcel A  
22 including paying all property taxes.

23          35.     Following Selman's purchase of Parcel B, Selman has: (a) exclusively and  
24 continuously possessed Parcel B and (b) paid all expenses to maintain and improve Parcel B  
25 including paying all property taxes.

26          36.     In an effort to locate any potential heirs of George who may purport to claim an  
27 interest in the Property, counsel for Plaintiff contacted Defendant Thanjira Farrington (George's  
28 daughter) in an attempt to ascertain and locate the names and place of residence of any such

1 potential heirs in accordance with NRS 12.120, who then provided counsel with a copy of the  
2 George's estate documents, identifying the named Defendants as George's heirs at law.

3 37. Prior to the hearing, Defendants Orasa Williams, Thanjira Farrington, Wendy  
4 Mattos, Benjamin Ramos, and Robert Gonzalez ("Stipulating Defendants") stipulated that a  
5 judicial decree may be entered reforming the 1998 Deed to vest George's entire interest in the  
6 Parent Parcel Property to the Williams Trust.

7 38. Prior to the hearing, Stipulating Defendants stipulated that an order may be entered  
8 declaring that George's individual interest in the Subject Property was conveyed in its entirety to  
9 the Williams Trust.

10 39. Prior to the hearing, Stipulating Defendants stipulated that an order may be entered  
11 declaring that Barton holds an undivided fee simple in Parcel A.

12 40. Prior to the hearing, Stipulating Defendants stipulated that an order may be entered  
13 declaring that Selman holds an undivided fee simple in Parcel B.

14 41. Prior to the hearing, Stipulating Defendants stipulated that an order may be entered  
15 declaring that Stipulating Defendants have no, right, interest, title, or estate in the Subject Property.

16 42. Prior to the hearing, Stipulating Defendants stipulated that an order may be entered  
17 dismissing all other claims asserted in this action, with prejudice, with each party to bear their own  
18 attorney's fees and costs.

19 43. No other named defendants appeared in the action or contacted counsel for the  
20 Plaintiffs. No other party appeared at the hearing to object to the Petition.

21 44. George's last known address was 7590 N. Jones Blvd. Las Vegas, Nevada 89131.

22 45. Following this Court's Order Authorizing by Publication, the Summons and Notice  
23 of Hearing were published in the Nevada Legal News on December 1, 2022; December 8, 2022;  
24 and December 15, 2022.

25 46. On November 23, 2022, a copy of the: (1) Verified Complaint; (2) Summons; and  
26 (3) Notice of Hearing were served by first class and certified mail, return receipt requested, postage  
27 prepaid to, the last known address for George R. Williams, Debra Williams, and to the Department  
28 of Health and Human Services.

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II

CONCLUSIONS OF LAW

1. If title or an interest in real property is affected by the death of a person, a person with an interest in the property may file a verified petition in the District Court in which the property is located to determine the rights of the deceased person. See NRS 40.525(1).

2. The Court is authorized to take evidence for or against the petition, and may render judgment thereon establishing that the death of the decedent terminated the decedent's interest in the real property described in the petition. See NRS 40.525(3).

3. Here, as a result of a mistake, inadvertence, or typographical error in the 1998 Deed from George to the Williams Trust, a cloud in title has been created as to whether George, as an individual, owns a fractional interest in the Subject Property.

4. As a result of the ambiguity in the 1998 Deed and the subsequent discrepancy as to George's interest in the Subject Property, Plaintiffs filed a Verified Complaint with this Court in accordance with NRS 40.525(1) to request that this Court hold a hearing to determine the parties' interest in the Property.

5. After taking notice of the exhibits attached to Plaintiffs' Petition, Plaintiffs' Request for Judicial Notice, and the Stipulated Judgment of Stipulating Defendants, the Court finds that George intended to convey all of his individual interest in the Subject Property to the Williams Trust through the 1998 Deed.

6. The Court hereby finds that this Court has jurisdiction over this action because the real property that is the subject of this action is located in Lincoln County, Nevada.

7. The Court further finds that Plaintiffs complied in all respects with the Nevada Rules of Civil Procedure as they pertain to service.

8. The Court further finds that Plaintiffs complied with NRS 12.120 by conducting a diligent search and inquiry to attempt to ascertain and locate the names and place of residence of any heirs of George R. Williams.



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1           9.       The Court further finds that George R. Williams' interest in the Subject Property  
2 terminated by way of the 1998 Deed such that the Defendants, including the unknown heirs of  
3 George R. Williams, are without any right title, estate, lien, or interest in the Subject Property.

4           **NOW THEREFORE:**

5           **IT IS HEREBY ORDERED** that Plaintiffs' Petition to Terminate George R. William's  
6 Interest in Real Property is GRANTED.

7           **IT IS FURTHER ORDERED** that the Grant Deed recorded on May 26, 1998, in the  
8 Official Records of Lincoln County, Nevada as Instrument Number 111006 shall be reformed to  
9 vest fee simple title to the Parent Parcel Property in its entirety to George R. Williams, as Trustee  
10 of the George R. Williams Revocable Living Trust; Dtd. 3-17-98.

11           **IT IS FURTHER ORDERED** that Plaintiff Christopher Barton holds an undivided fee  
12 simple title Parcel A.

13           **IT IS FURTHER ORDERED** that Plaintiff James Selman holds an undivided fee simple  
14 title to Parcel B.


15           **IT IS FURTHER ORDERED** that the Defendants, including the Unknown Heirs of  
16 George R. Williams are without any right, title estate, lien or interest in the Subject Property.

17           DATED this 13<sup>th</sup> day of JANUARY, 2023

18  
19   
20 \_\_\_\_\_  
DISTRICT COURT JUDGE

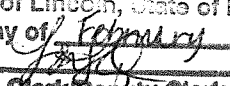
21 Submitted by:

22 MAURICE WOOD

23 By   
24 BRITTANY WOOD (BAR NO. 007562)  
25 ELIZABETH E. ARONSON (BAR NO. 14472)  
26 8250 W. Charleston Blvd., Ste 100  
27 Las Vegas, Nevada 89117  
28 *Attorneys for Plaintiffs Christopher Barton  
and James Selman*

COPY

This document to which this certificate is attached is a full, true and correct copy of the original, on file in the County Clerk's Office, Reno, Nevada. In testimony whereof, I have hereunto set my hand and the seal of the Seventh Judicial District Court in and for the County of Lincoln, State of Nevada, this 10th day of February, 2023.

  
Clerk/Deputy Clerk

**STATE OF NEVADA  
DECLARATION OF VALUE**

1. Assessor Parcel Number(s)  
 a. 005-231-38 and 005-231-39  
 b. \_\_\_\_\_  
 c. \_\_\_\_\_  
 d. \_\_\_\_\_

2. Type of Property:
- |  |   |
|--|---|
| a. <input checked="" type="checkbox"/> Vacant Land | b. <input checked="" type="checkbox"/> Single Fam. Res. |
| c. <input type="checkbox"/> Condo/Twnhse           | d. <input type="checkbox"/> 2-4 Plex                    |
| e. <input type="checkbox"/> Apt. Bldg              | f. <input type="checkbox"/> Comm'l/Ind'l                |
| g. <input type="checkbox"/> Agricultural           | h. <input type="checkbox"/> Mobile Home                 |
| <input type="checkbox"/> Other                     |   |

|  |             |
|--|-------------|
| <b>FOR RECORDERS OPTIONAL USE ONLY</b> |             |
| Book _____                             | Page: _____ |
| Date of Recording: _____               |             |
| Notes: _____                           |             |

- 3.a. Total Value/Sales Price of Property \$ \_\_\_\_\_  
 b. Deed in Lieu of Foreclosure Only (value of property ( \_\_\_\_\_ )  
 c. Transfer Tax Value: \$ 0  
 d. Real Property Transfer Tax Due \$ 0

**4. If Exemption Claimed:**

- a. Transfer Tax Exemption per NRS 375.090, Section 3  
 b. Explain Reason for Exemption: Recorded to clarify title for APN 005-231-38 and 005-231-39. Transfer tax collected on 2021-159712 and 2021-159811

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Brittany Wood Capacity: Attorney

Signature \_\_\_\_\_ Capacity: \_\_\_\_\_

**SELLER (GRANTOR) INFORMATION  
(REQUIRED)**

Print Name: Orasa Williams et al. see attached list  
 Address: 8734 Jefferson Ave  
 City: La Mesa  
 State: CA Zip: 97947

**BUYER (GRANTEE) INFORMATION  
(REQUIRED)**

Print Name: Christopher Barton et al See attached  
 Address: 8755 Rancho Destino Rd  
 City: Las Vegas  
 State: NV Zip: 89123

**COMPANY/PERSON REQUESTING RECORDING (Required if not seller or buyer)**

Print Name: Maurice Wood PLLC  
 Address: 8250 W. Charleston Blvd. Ste. 100  
 City: Las Vegas

Escrow # 8754-286  
 State: NV Zip: 89117

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

ADDITIONAL GRANTORS:

BENJAMIN RAMOS  
14109 Meadow Ridge Lane  
Rosharon, TX 77583

WENDY MATTOS  
710 N 200 W  
Hurricane, UT 84737

THANJIRA FARRINGTON  
8734 Jefferson Ave  
La Mesa CA 91941

ROBERT GONZALEZ  
3560 Carnation Circle  
Seal Beach, CA 90740

Debra Williams  
10313 SW 69<sup>th</sup> Ave.  
Tigard OR 97223-9103

Seventh Judicial District Court  
Clerk of Court  
P.O. Box 90  
Pioche, Nevada 89043

ADDITIONAL GRANTEE:

JAMES SELMAN  
HC10 BOX 21  
PIOCHE NV 89043

