

FILED

1 CASE NO. 24724

NO \_\_\_\_\_

2 DEPT. NO. II

'91 FEB 19 P4:34

3 BARBARA REED  
4 CLERK

5 BY ~~P. GREGORY~~ DEFUT

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF DOUGLAS

8  
9 IRON MOUNTAIN ACQUISITION  
COMPANY, INC.,

10 Plaintiff,

11 vs.

LIS PENDENS

12 CENTURY OAK FINANCIAL, INC.,  
13 a Nevada corporation, and  
14 CURTIS A. NELSON, an  
Individual,

15 Defendants. /

16 COMES NOW, Plaintiff, by and through its President  
17 RICHARD N. SCOTT, and its counsel MICHAEL SMILEY ROWE, ESQ.,  
18 and hereby gives notice of the pendency of the action cap-  
19 tioned above. Plaintiff is IRON MOUNTAIN ACQUISITION COMPANY,  
20 INC., of 1638 Esmeralda Avenue, Minden, Nevada 89423. Counsel  
21 for Plaintiff is MICHAEL SMILEY ROWE, ESQ., of 1638 Esmeralda  
22 Avenue, Post Office Box 2080, Minden, Nevada 89423. Defen-  
23 dants are CURTIS A. NELSON, an Individual, and CENTURY OAK  
24 FINANCIAL, INC., a Nevada corporation, with principal office  
25 in the State of Nevada located at 1000 East Williams Street,  
26 Suite 100, Carson City, Nevada 89701. The address of Defen-  
27 dant CURTIS A. NELSON is Post Office Box 700, Soulsbyville,

28 / / /

✓ MICHAEL SMILEY ROWE  
Attorney at Law  
P. O. Box 2080 • Minden, NV 89423  
(702) 782-8141

245057

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1 California 95372, and 615 Adaline Way, Gardnerville, Nevada  
2 89410.

3 The object of the action is to seek a Decree,  
4 Judgment and/or Order directing that the Defendants, and each  
5 of them, reconvey their right, title and interest in Parcel 10  
6 of the Land Division Map for Raymond P. and Pete Borda  
7 recorded in the Office of the Douglas County Recorder, State  
8 of Nevada on January 29, 1986, as Document Number 130123; said  
9 land further described as Assessor's Parcel Number 23-470-10.  
10 Plaintiff requests and Order of the Court that Defendants  
11 convey fee title to Plaintiff of all of the Defendants'  
12 interest which existed on June 27, 1990, by good and suffi-  
13 cient grant deed.

14 The object of the action is to further seek a  
15 Decree, Judgment and/or Order setting aside the corporation  
16 known as CENTURY OAK FINANCIAL, INC. and imposing liability on  
17 Defendant CURTIS A. NELSON, its President, who is the alter  
18 ego of the corporation.

19 Further, the object of the action is to seek a  
20 Decree, Judgment and/or Order rescinding the agreement between  
21 the Plaintiff and the Defendants as to Parcel 10 of the Land  
22 Division Map for Raymond P. and Pete Borda recorded in the  
23 Office of the Douglas County Recorder, State of Nevada, on  
24 January 29, 1986, as Document Number 130123; said land further  
25 described as Assessor's Parcel Number 23-470-10.

26 Further, the object of the action is to seek a  
27 Decree, Judgment and/or Order reforming the agreement between

1 the Plaintiff and the Defendants as to the purchase by the  
2 Defendants of Assessor's Parcel Number 23-470-10 to accurately  
3 reflect the agreement entered into by and between the parties  
4 as to the payment by the Defendants to the Plaintiff of the  
5 amount of ONE HUNDRED TWENTY THOUSAND DOLLARS AND NO/100 CENTS  
6 (\$120,000.00) for road and utility improvements.

7 Further, the object of the action is to seek a  
8 Decree, Judgment and/or Order declaring the Plaintiff's right  
9 in the Land Purchase Agreement, the Counteroffer, the Accep-  
10 tance to the Counteroffer, the Escrow Instructions, the  
11 Promissory Note secured by Deed of Trust, and Deed of Trust  
12 with Assignment of Rents executed by the parties in June of  
13 1990.

14 Further, the object of the action is to seek a  
15 Decree, Judgment and/or Order of the Court declaring Plain-  
16 tiff's rights to the proceeds of the sale of Subparcels 1, 4,  
17 5 and 8 of Parcel 6 of the Land Division Map for Raymond P.  
18 and Pete Borda recorded in the Office of the Douglas County  
19 Recorder, State of Nevada, on June 29, 1986, as Document  
20 Number 130123; further described as former Assessor's Parcel  
21 Number 23-470-06.

22 Further, the object of the action is to seek a  
23 Decree, Judgment and/or Order awarding to Plaintiff its attor-  
24 ney's fees and costs of suit in addition to the damages which  
25 are prayed for in the Complaint on file.

26 / / /

27 / / /

1 The Defendants property which is the subject of the  
2 action is that certain property described as:

3 Lots 1, 4, 5 and 8 of Wildflower Ridge  
4 Unit 8 recorded December 19, 1990, as  
5 found at Book 1290, Page 2545, Document  
6 Number 241312 (former A.P.N. 23-470-06)  
7 and Parcel 10 of the Land Division Map of  
8 Raymond P. and Pete Borda recorded in the  
9 Office of the Douglas County Recorder,  
10 State of Nevada on January 29, 1986, as  
11 Document Number 130123. Said Parcels may  
12 be further described as former Assessor's  
13 Parcel Number 23-470-06, and current  
14 Assessor's Parcel Number 23-470-10.

15 DATED this 19th day of February, 1991.

16 IRON MOUNTAIN ACQUISITION  
17 COMPANY, INC.

18 By: *[Signature]*

19 RICHARD N. SCOTT  
20 President

21 *[Signature]*

22 MICHAEL SMILEY ROWE, ESQ.  
23 1638 Esmeralda Ave.  
24 P. O. Box 2080  
25 Minden, Nevada 89423  
26 (702) 782-8141  
27 Attorney for Plaintiff

28 CERTIFIED COPY

29 / / /  
30 The document to which this certificate is attached is a  
31 / full, true and correct copy of the original on file and of  
32 record in my office.

33 DATE: 2/19/91

34 *[Signature]* Clerk of the *[Signature]* Judicial District Court  
35 of the State of Nevada, in and for the County of Douglas.

36 By *[Signature]*

37 BOOK 291 PAGE 2001

38 Deputy  
39 245057

40 REQUESTED BY

41 *[Signature]*  
42 IN OFFICIAL RECORDS OF  
43 DOUGLAS CO. NEVADA

44 91 FEB 20 A9:40

45 SUZANNE BEAUDREAU  
46 RECORDER

47 \$ 8<sup>00</sup> PAID *[Signature]* DEPUTY

MICHAEL SMILEY ROWE  
Attorney at Law  
P. O. Box 2080 • Minden, NV 89423  
(702) 782-8141