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FILED

CASE NO. 95-CV-0178

NO. _____

DEPT. NO. I

'96 APR 30 P1:41

APR 29 1996

DOUGLAS COUNTY
DISTRICT COURT CLERK

BARBARA REED
CLERK

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
BY P. GREGORY
IN AND FOR THE COUNTY OF DOUGLAS

EDWARD S. HASKELL and
MICHAEL P. GALGANO and
K. KERRY GALGANO,

Plaintiffs,

v.

FINDINGS OF FACT
CONCLUSIONS OF LAW

JACK MORTON THOMPSON and
KATHLEEN ANN THOMPSON, ISSAC BEDROSIAN
and LORRAINE K. BEDROSIAN,
PAUL HILL and ANN HILL, and
BEATRICE S. LINDSAY, trustee of
LINDSAY FAMILY TRUST AGREEMENT
dated July 20, 1988
SANTA CLARA COUNTY, CALIFORNIA,
UNITED STATES OF AMERICA, also all other
unknown claiming any right, title
estate, lien or interest in the real
property described herein,

Defendants

This verified Petition for Partition of Real Property pursuant to NRS 39.010 having been submitted to the Court, and all fee title property owners, EDWARD S. HASKELL, MICHAEL P. GALGANO, K. KERRY GALGANO, as cotenants having filed this verified Petition jointly, being represented by counsel, LINDA E. JOHNSON, ESQ.; a Lis Pendens having been recorded on 13th day of February, 1996; the plaintiff's having obtained a preliminary title report from Stewart Title Company which was attached to the plaintiff's

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ATTORNEY AT LAW
503 N. DIVISION STREET
CARSON CITY, NEVADA 89703
(702) 882-4435

386622

BK0496PG5940

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2 verified petition; each party claiming an encumbrance on the real
3 property having been named as a defendant in the action; all named
4 defendants having accepted service of process or in the
5 alternative having been personally served with a copy of the
6 Summons and Complaint on file herein; and the Summons having been
7 published once a week for three (3) consecutive weeks with the
8 final publication on March 9, 1996.

9 All unnamed defendants having failed to answer or otherwise
10 plead in the time allowed by law, the plaintiff having heretofore
11 entered the default of said defendants, the court finds that said
12 defendants so served are adjudged to be in default.

13 Plaintiffs having introduced evidence that all named
14 defendants having consented to the partition requested in the
15 Petition for Partition of Real Property as proposed by plaintiffs;
16 that all material allegations set forth in plaintiff's verified
17 Petition are true as alleged; that plaintiffs are the owners of
18 all that certain real property situate in the Douglas County,
19 Nevada, State of Nevada, as set forth in the complaint.

20 That the partition requested is appropriate under all the
21 facts and circumstances and no objection has been raised.

22 WHEREFORE, the court finds as follows:

23 1. A Judgment of Partitioning Real Property shall be entered
24 pursuant to the request of Plaintiffs in their verified petition
25 to partitioning Assessors Parcel No 35-310-38 located in Douglas
26 County, Nevada. Exhibit "A" attached hereto is a legal
27 description of the real property which will become the sole and

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2 separate real property of Plaintiffs, MICHAEL P. GALGANO and K.
3 KERRY GALGANO and real property shall be identified a Parcel "A".
4 Exhibit "B" attached hereto is the legal description of the real
5 property which shall become the sole and separate real property of
6 Plaintiff, EDWARD S. HASSELL and said real property shall be
7 identified as Parcel "B". Exhibit "C" describes an ingress/egress
8 easement providing access to Parcel "A". Exhibit "D" is a map of
9 the real property after partitioning is completed.

10 2. All liens and deeds of trust shall remain as encumbrances
11 on the real property after the partition is completed.

12 3. The Plaintiffs shall divide the attorney's fees and costs
13 of the partition herein, with EDWARD S. HASSELL paying one-half
14 and MICHAEL P. GALGANO and K. KERRY GALGANO paying one-half of
15 said routine attorney's fees and costs and MICHAEL P. GALGANO and
16 K. KERRY GALGANO paying all of the attorney's fees incurred as a
17 result of certain liens encumbering said real property.

18 CONCLUSIONS OF LAW

19 1. There being no objections raised, the plaintiffs are
20 entitled to a Judgment Partitioning Real Property pursuant to
21 their request in their verified Petition for Partition. Two legal
22 parcels shall be created pursuant the legal descriptions attached
23 hereto. Plaintiffs, MICHAEL P. GALGANO and K. KERRY GALGANO shall
24 own the real property described in Exhibit "A" in fee and said
25 real property shall be identified as Parcel "A" and Plaintiff,
26 EDWARD S. HASSELL shall own the real property described in Exhibit
27 "B" and in fee as his sole and separate property and said real
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property shall be described as Parcel "B". Exhibit "C" is a legal description for an ingress/egress easement providing access to Parcel "A". Exhibit "D" is a map of said real property after the partitioning is completed.

2. All liens and deeds of trust shall remain as encumbrances on said real property after the partition is completed.

3. The Plaintiffs shall divide the attorney's fees and costs of the partition herein, with EDWARD S. HASKELL paying one-half and MICHAEL P. GALGANO and K. KERRY GALGANO paying one half of said routine attorney's fees and costs and MICHAEL P. GALGANO and K. KERRY GALGANO paying all of the attorneys fees incurred as a result of certain liens encumbering said real property.

DATED this 30 day of April, 1996.

David R. Broun
DISTRICT COURT JUDGE

Submitted by:
Linda E. Johnson, Esq.
503 N. Division St.
Carson City, NV 89703

CERTIFIED COPY

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

SEAL

DATE: 4/30/96
Clerk of the 9th Judicial District Court
of the State of Nevada, In and for the County of Douglas,
By *B. Gregory* Deputy

385622
BK 0496PG5943

LEGAL DESCRIPTION

A parcel of land situated within Section 35, Township 11 North, Range 21 East, M.D.B.&M., Douglas County, Nevada and more particularly described as follows:

Commencing at the East one quarter corner of Section 35, Township 11 North, Range 21 East, M.D.B.&M.; Thence North 63 Degrees 44 Minutes 51 Seconds West, a distance of 1493.67 feet to a 5/8" rebar and the true POINT OF BEGINNING; Thence South 89 Degrees 53 Minutes 08 Seconds West, a distance of 859.43 feet to a point; Thence North 01 Degrees 12 Minutes 53 Seconds East, a distance of 471.18 feet to a point; Thence North 89 Degrees 46 Minutes 21 Seconds East, a distance of 845.01 feet to a point; Thence South 00 Degrees 32 Minutes 18 Seconds East, a distance of 472.73 feet to the POINT OF BEGINNING. Said parcel containing 402146.75 square feet or 9.23 acres, more or less.

The basis of bearings of this description is the East line of Parcel A of the Parcel Map for Thomas E. Farrell recorded June 13, 1979 in Book 679 at Page 938 of the official records of Douglas County. Said line bears S0°32'18"E as per said map.

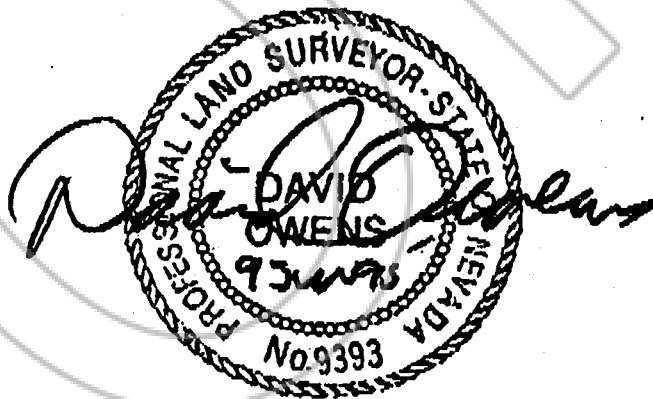


EXHIBIT "A"

386622

BK 0496 PG 5944

LEGAL DESCRIPTION

A parcel of land situated within Section 35, Township 11 North, Range 21 East, M.D.B.&M., Douglas County, Nevada and more particularly described as follows:

Commencing at the East one quarter corner of Section 35, Township 11 North, Range 21 East, M.D.B.&M.; Thence North 45 Degrees 27 Minutes 04 Seconds West, a distance of 1888.50 feet to a 5/8 REBAR and the true POINT OF BEGINNING; Thence South 00 Degrees 32 Minutes 18 Seconds East, a distance of 191.42 feet to a point; Thence South 89 Degrees 46 Minutes 21 Seconds West, a distance of 845.01 feet to a point; Thence South 01 Degrees 12 Minutes 53 Seconds West, a distance of 471.18 feet to a point; Thence South 89 Degrees 53 Minutes 08 Seconds West, a distance of 471.94 feet to a point; Thence North 00 Degrees 14 Minutes 09 Seconds West, a distance of 661.52 feet to a point; Thence North 89 Degrees 46 Minutes 21 Seconds East, a distance of 1327.87 feet to the POINT OF BEGINNING. Said parcel containing 479160.00 square feet or 11.00 acres, more or less.

The basis of bearings of this description is the East line of Parcel A of the Parcel Map for Thomas E. Farrell recorded June 13, 1979 in Book 679 at Page 938 of the official records of Douglas County. Said line bears $S0^{\circ}32'18''E$ as per said map.



EXHIBIT "B"

386622

BK 04 96 PG 5945

LEGAL DESCRIPTION

A 30 foot wide easement for roadway and public utility purposes within Section 35, Township 11 North, Range 21 East, M.D.B.&M., Douglas County, Nevada and more particularly described as follows:

Commencing at the East one quarter corner of Section 35, Township 11 North, Range 21 East, M.D.B.&M.; Thence North 59 Degrees 50 Minutes 19 Seconds West, a distance of 2530.61 feet to a point on the South line of the fifty foot wide roadway & utility easement shown on the Northerly fifty feet of Parcel A of the Parcel Map for Thomas E. Farrell recorded June 13, 1979 in Book 679 at Page 938 of the official records of Douglas County and the true POINT OF BEGINNING; Thence South 02 Degrees 21 Minutes 46 Seconds West, a distance of 4.05 feet to a point; Thence South 18 Degrees 15 Minutes 52 Seconds West, a distance of 84.84 feet to a point; Thence South 03 Degrees 38 Minutes 44 Seconds East, a distance of 105.72 feet to a point; Thence South 31 Degrees 15 Minutes 23 Seconds East, a distance of 33.42 feet to a point; Thence North 01 Degrees 12 Minutes 53 Seconds East, a distance of 77.29 feet to a point; Thence North 89 Degrees 46 Minutes 21 Seconds East, a distance of 7.98 feet to a point; Thence North 03 Degrees 38 Minutes 44 Seconds West, a distance of 52.99 feet to a point; Thence North 18 Degrees 15 Minutes 52 Seconds East, a distance of 83.23 feet to a point; Thence North 02 Degrees 21 Minutes 46 Seconds East, a distance of 9.60 feet to a point on the South line of the fifty foot wide roadway & utility easement shown on the Northerly fifty feet of Parcel A of the Parcel Map for Thomas E. Farrell recorded June 13, 1979 in Book 679 at Page 938 of the official records of Douglas County; Thence South 89 Degrees 46 Minutes 21 Seconds West, along said easement line a distance of 30.03 feet to the POINT OF BEGINNING. Said easement containing 5606.02 square feet or 0.13 acres, more or less.

The basis of bearings of this description is the East line of Parcel A of the Parcel Map for Thomas E. Farrell recorded June 13, 1979 in Book 679 at Page 938 of the official records of Douglas County. Said line bears $S0^{\circ}32'18''E$ as per said map.

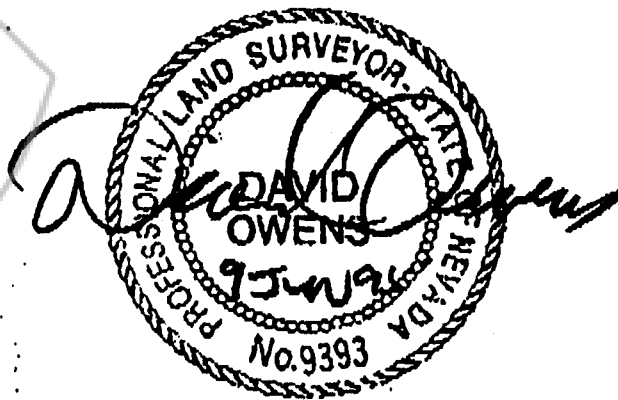
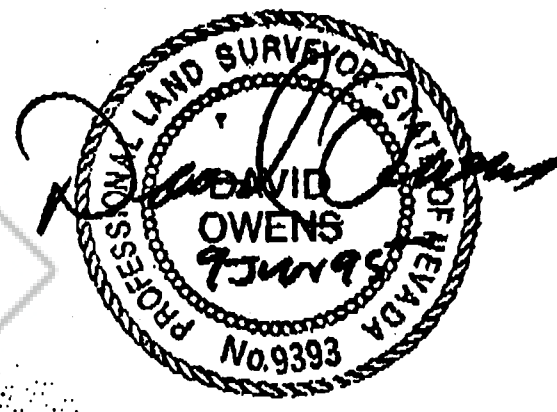
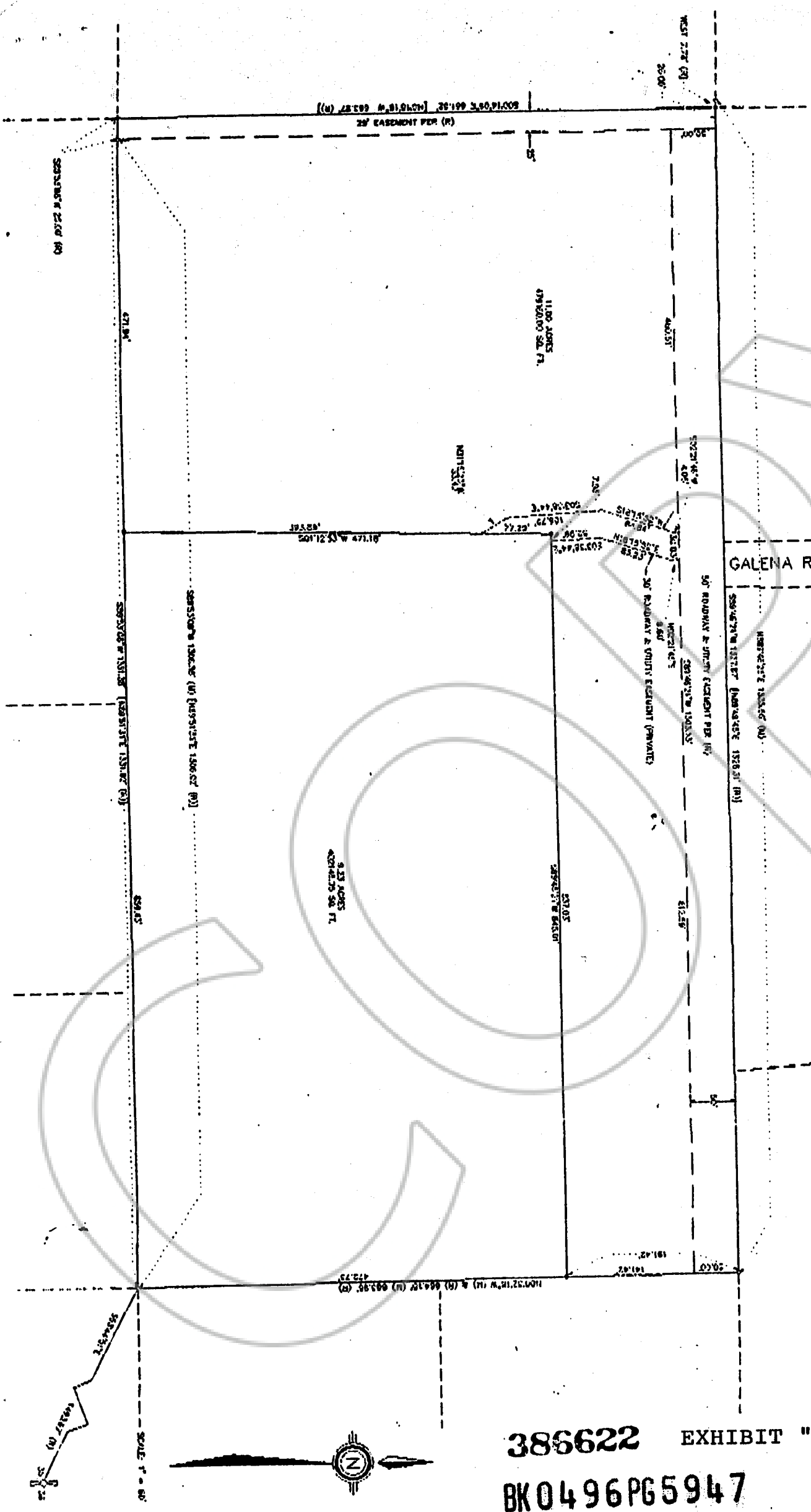


EXHIBIT "C"

386622

BK 0496 PG 5946



REQUESTED BY
Linda E Johnson
 IN OFFICIAL RECORDS OF
 DOUGLAS CO. NEVADA

'96 APR 30 P1:56

LINDA SLATER
 RECORDER

\$14.00 PAID *AL* DEPUTY

386622 EXHIBIT "D"

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