

CERTIFIED COPY

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98 JAN 20 AM 10:36
EL DORADO COUNTY
SUPERIOR COURT
BY *[Signature]* DEPUTY

1 RICHARD GLASSON (State Bar No. 84107)
P.O. Box 3390
2 276 Kingsbury Grade, Suite 2000
Lake Tahoe, Nevada 89449
3 Telephone: (702) 588-6676
4 **ARNOLD & PORTER**
JOHN J. QUINN (State Bar No. 29588)
5 LAWRENCE A. COX (State Bar No. 76140)
JAMES I. HAM (State Bar No. 100849)
6 777 South Figueroa Street, 44th Floor
Los Angeles, CA 90017-5844
7 Telephone: (213) 243-4000
8 Attorneys for Plaintiff
KOAR Tahoe Partners, L.P.
9

10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 FOR THE COUNTY OF EL DORADO
13

14 KOAR TAHOE PARTNERS, L.P., a
15 California Limited Partnership,
16 Plaintiff,
17 vs.
18 THE MITSUI TRUST AND BANKING CO.,
LTD., a Japanese Corporation; SECURED
19 CAPITAL CORP., a California Corporation;
20 ALL PERSONS UNKNOWN CLAIMING
21 ANY LEGAL OR EQUITABLE RIGHT,
TITLE, ESTATE, LIEN, OR INTEREST IN
22 THE REAL PROPERTY AND
IMPROVMENTS LOCATED THEREON
23 WHICH ARE DESCRIBED IN THIS
COMPLAINT ADVERSE TO PLAINTIFF'S
24 TITLE, OR ANY CLOUD ON PLAINTIFF'S
TITLE THERETO; and DOES 1 through 50,
inclusive,
25 Defendants.

Case No.: *SV 1318*
NOTICE OF PENDENCY OF ACTION
[CCP § 405.20]

0431754
BK0298PG0033

1 **PLEASE TAKE NOTICE** that this action was commenced on January 16 1998 by plaintiff
2 KOAR TAHOE PARTNERS, L.P. against defendants THE MITSUI TRUST AND BANKING CO.,
3 LTD.; SECURED CAPITAL CORP.; and DOES 1 through 50, inclusive, and is now pending in the
4 above-referenced named court. Said persons constitute all of the parties to this action as of the date of this
5 notice.

6
7 Plaintiff seeks relief in this action affecting title to and the right to possession of the real property
8 located in El Dorado County, California, commonly known as 4130 Lake Tahoe Boulevard, South Lake
9 Tahoe, California, and legally described as set forth in Exhibit "A" to this notice, which is by this
10 reference incorporated as though fully set forth.

11
12
13 Dated: January 16, 1998

ARNOLD & PORTER

14
15 By: _____

Michael H. Walizer
Michael H. Walizer
Attorneys for Plaintiff
KOAR TAHOE PARTNERS, L.P.

EXHIBIT "A"

Legal Description

The land referred to in this Exhibit is situated in the COUNTY OF EL DORADO, STATE OF CALIFORNIA, as to Parcel One; and in the COUNTY OF DOUGLAS, STATE OF NEVEDA, as to Parcels Two and Three, and is described as follows:

PARCEL ONE

That portion of Section 27, Township 13 North, Range 18 East, Mount Diablo Base and Meridian included within the boundaries of the land shown and designated as Parcel 1 (ONE) on the Parcel Map filed for record in the Office of the Recorder of El Dorado County, California, on May 11, 1990, in Book 41 of Parcel Maps at page 149.

PARCEL TWO

A non-exclusive easement for purposes related to construction and for pedestrian and vehicular ingress and egress, access, signage, landscaping and other purposes, as set forth in the document recorded May 10, 1990, in Book 590, page 1628, Official Records of County of Douglas, State of Nevada, and also recorded May 10, 1990, in Book 3347, page 604, Official Records of County of El Dorado, State of California.

PARCEL THREE

A non-exclusive easement for ingress and egress and temporary construction easements and related purposes, as set forth in the document recorded May 10, 1990, in Book 590, page 1666, Official Records of County of Douglas, State of Nevada, and also recorded May 10, 1990, in Book 3347, page 642, Official Records of County of El Dorado, State of California.

0431754

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PROOF OF SERVICE

State of California)
)
County of Los Angeles)

Short Title: KOAR Tahoe Partners v. Mitsui Bank Trust and Banking Co.
Case No. El Dorado County Superior Court No.1318


I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 South Figueroa Street, 44th Floor, Los Angeles, California 90017. On January 16, 1998, I served the document described as NOTICE OF PENDENCY OF ACTION by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Mr. Masao Kambayashi (U.S. Mail, Certified, Return Receipt Requested)
Mr. Hidetoshi Seino
The Mitsui Trust & Banking Co., Ltd.
601 S. Figueroa St., Suite 1950
Los Angeles, CA 90017

Mr. Bernard Siegel (U.S. Mail, Certified, Return Receipt Requested)
Mr. Mark Kuskin
Secured Capital Corp.
11150 Santa Monica Boulevard, Suite 1400
Los Angeles, CA 90025

BY MAIL) I caused such envelope to be deposited in the mail at Los Angeles, California with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. Executed on January 16 1998 at Los Angeles, California.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.



Rose Nishi

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This is a true certified copy of the record if it bears the seal, imprinted in purple ink, the date of issuance and an original signature.

Dated: **JAN 22 1998**



Superior Court Executive Officer/Clerk
El Dorado County, California
By Marilyn Valle
Deputy

REQUESTED BY
Scarpello & Allins
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

'98 FEB -2 A11 :09

LINDA SLATER
RECORDER
\$11.00 PAID ka DEPUTY

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