

GWZ

1 ALAN R. SMITH, ESQ. #1449
2 Law Offices of Alan R. Smith
3 505 Ridge Street
4 Reno, Nevada 89501
5 Telephone: (702) 786-4579
6
7 Attorney for Debtor/Plaintiff

llp
RECEIVED & FILED
98 OCT -2 AM 11:11
U.S. BANKRUPTCY COURT
PATRICIA GRAY, CLERK

8 UNITED STATES BANKRUPTCY COURT
9 FOR THE DISTRICT OF NEVADA

10 —ooOoo—

11 IN RE:
12 HIGH DESERT FINANCIAL, INC.,
13 Debtor.

CASE NO. BK-N-98-32921-GWZ
Chapter 11

14 HIGH DESERT FINANCIAL, INC.,
15 Plaintiff.

Adversary No. **ADV 98 3101**

16 vs.

**NOTICE OF PENDENCY OF
ACTION AFFECTING REAL
PROPERTY (Lis Pendens)**

17
18 CAROL S. AUSLEN, an individual,
19 and WENDY A. SCHOPF, an
20 individual,
21 Defendants.

22 Plaintiff/Debtor, HIGH DESERT FINANCIAL, INC., a Nevada corporation, has filed an
23 action in the United States Bankruptcy Court for the District of Nevada (Reno) against CAROL S.
24 AUSLEN and WENDY A. SCHOPF, Adversary No. ADV-98- 3101.

25 Plaintiff alleges that defendants Auslen and Schopf have wrongfully and illegally terminated
26 its lease interests in the real property located at 1685 Highway 395, Stores 4, 5 and 10, Minden,
27 Douglas County, Nevada, as more specifically set forth in Plaintiff's Complaint.

28 ///

1 The legal description of the real property is:

2 A parcel of land located within a portion of the Northwest one-quarter (NW 1/4) of
3 the Southeast one-half (SE 1/2) of Section 30, Township 13 North, Range 20 East,
Mount Diablo Baseline and Meridian, Douglas County, Nevada, described as follows:

4 Commencing at a point on the Easterly right-of-way of U.S. 395 as shown on the
5 State of Nevada, Department of Transportation R/W Plans for Project No. F-395-1
6 (3) and dated August, 1985, from which the South quarter corner of Section 30,
7 T.13N., R.20E., M.D.B.&M, bears South 16° 13' 35" West, 2230.45 feet, thence
8 along the Easterly right-of-way of U.S. 395 along the arc of a curve to the left, having
9 a delta angle of 6° 23' 02", radius of 1300.00 feet and an arc length of 167.13 feet to
10 THE POINT OF BEGINNING; thence North 27° 58' 16" East, 234.60 feet; thence
11 South 61° 59' 00" East, 171.92 feet; thence South 29° 11' 04" West, 263.28 feet
12 more or less to the Easterly right-of-way of U.S. 395; thence along said right-of-way
13 North 56° 53' 20" West, 165.60 feet; thence continuing North 29° 12' 11" East,
14 15.06; thence along the arc of a curve to the right, non-tangent to the preceding
15 course, having a delta angle of 00° 04' 14", radius of 1500.00 feet and an arc length
16 of 1.85 feet to THE POINT OF BEGINNING, containing 43.554 square feet, more
17 or less.

18 Assessor's Parcel Nos. 28-030-19 and 28-030-31
19 Store Nos. 4, 5 and 10

20 In its Verified Complaint, Plaintiff seeks declaratory relief that the subject leases referenced
21 above are not terminated, for an injunction preventing Defendants from denying Plaintiff access to
22 and possession of the subject property described above, as well as damages for breach of contract,
23 conversion, turnover of personal property, interference with business and economic advantage, and
24 lost profits.

25 DATED this 1st day of October, 1998.

26 LAW OFFICES OF ALAN R. SMITH

27 By Alan R. Smith

28 ALAN R. SMITH

Attorneys for Debtor/Plaintiff

29 REQUESTED BY
30 Alan Smith
31 IN OFFICIAL RECORDS OF
32 DOUGLAS CO., NEVADA

33 '98 OCT -2 P4:39

34 I certify that this is a true copy

35 Attest: Linda Slater 10/2/98
36 Deputy Clerk, Bankruptcy Court

37 LINDA SLATER
38 RECORDER

39 \$800 PAID DEPUTY

SEAL