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1 Case No. 99-CV-00239

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MAR 27 2000

DOUGLAS COUNTY  
DISTRICT COURT CLERK

BARBARA REED  
CLERK

~~B. WILLIAMS~~ DEPUTY

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

9 ALEXANDER BURGA and CANDACE  
10 BURGA, husband and wife,

11 Plaintiffs,

12 vs.

JUDGMENT QUIETING TITLE

13 PHILIP CAVELTI and URSULA CAVELTI,  
14 as Co-Trustees of the Philip Cavelti and  
15 Ursula L. Cavelti 1978 Declaration of Trust;  
16 F. LANGWITH BERRY and MARY NELSON  
17 BERRY, husband and wife; URSULA  
18 CAVELTI-LOESCH and FRITZ F. KERN,  
19 Co-Trustees of the Philip Cavelti and Ursula L.  
20 Cavelti 1978 Trust; the UNIVERSITY OF SAN  
21 FRANCISCO, a corporation; DANA F. LORD  
22 and BARBARA L. LORD, husband and wife;  
23 also all other persons unknown claiming any right,  
24 title, estate, lien or interest in the real property  
25 described in the complaint adverse to plaintiffs'  
26 ownership, or any cloud upon plaintiffs' title  
27 thereto; and DOES I through X, inclusive,

28 Defendants.

22 This matter having come regularly for hearing before this Court, Plaintiffs,  
23 ALEXANDER BURGA and CANDACE BURGA, appearing by and through their attorneys, JOHN  
24 W. GRIFFIN, ESQ., of ALLISON, MacKENZIE, HARTMAN, SOUMBENIOTIS & RUSSELL,  
25 LTD., and no Defendants appearing, due notice of which was proved, and no persons objecting, the  
26 Court having considered the evidence presented, and pleadings and papers on file herein, the Court  
27 finds as follows:

28 ///

1           1.       That the Quitclaim Deed from F. LANGWITH BERRY and MARY NELSON  
2 BERRY (hereinafter BERRYS) to the UNIVERSITY OF SAN FRANCISCO (hereinafter USF)  
3 contained errors in the legal description by referring to Township 12 North instead of Township 11  
4 North.

5           2.       That the Grant, Bargain and Sale Deed from URSULA CAVELTI-LOESCH,  
6 who acquired title as URSULA L. CAVELTI, Co-Trustee of the PHILIP CAVELTI and URSULA  
7 L. CAVELTI 1978 TRUST (hereinafter CAVELTI), to URSULA CAVELTI-LOESCH and FRITZ  
8 F. KERN, Co-Trustees of the PHILIP CAVELTI and URSULA L. CAVELTI 1978 TRUST  
9 (hereinafter CAVELTI-LOESCH/KERN) contained an error in the legal description by referring to  
10 the North ½ of the South ½ instead of the South ½ of the South ½.

11           3.       That the Grant, Bargain and Sale Deed from URSULA CAVELTI-LOESCH  
12 and FRITZ F. KERN, Co-Trustees of the PHILIP CAVELTI and URSULA L. CAVELTI 1978  
13 TRUST to the UNIVERSITY OF SAN FRANCISCO contained an error in the legal description by  
14 referring to the North ½ of the South ½ instead of the South ½ of the South ½.

15           NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
16 as follows:

17           1.       The Quitclaim Deed from BERRYS to USF is hereby reformed to correctly  
18 describe the property transferred as follows:

19           One-half interest in South ½ of the South ½ of the Northwest ¼ of  
20 Section 35, Township 11 North, Range 21 East, M.D.B. & M., as shown on that certain Land Division Map recorded on October 8,  
21 1976, as Document No. 03830, in Book 1076, Page 331, of the  
22 Official Records of said Douglas County.

23           2.       The Grant, Bargain and Sale Deed from CAVELTI to CAVELTI-LOESCH/  
KERN is hereby reformed to correctly described the property transferred as follows:

24           The South ½ of the South ½ of the Northwest ¼ of Section 35,  
25 Township 11 North, Range 21 East, M.D.B. & M., as shown on that  
26 certain Land Division Map recorded October 8, 1976, as Document  
27 No. 03830, in Book 1076, Page 331, of the Official Records of said  
28 Douglas County.

          3.       The Grant, Bargain and Sale Deed from CAVELTI-LOESCH/KERN to USF  
is hereby reformed to correctly describe the property transferred as follows:

1 The South 1/2 of the South 1/2 of the Northwest 1/4 of Section 35,  
2 Township 11 North, Range 21 East, M.D.B. & M., as shown on that  
3 certain Land Division Map recorded October 8, 1976, as Document  
4 No. 03830, in Book 1076, Page 331, of the Official Records of said  
5 Douglas County.

4. Title to the following property is quieted in the name of ALEXANDER  
BURGA and CANDACE BURGA, husband and wife as joint tenants with right of survivorship:

6 The South 1/2 of the South 1/2 of the Northwest 1/4 of Section 35,  
7 Township 11 North, Range 21 East, M.D.B. & M., as shown on that  
8 certain Land Division Map recorded October 8, 1976, as Document  
9 No. 03830, in Book 1076, Page 331, of the Official Records of said  
10 Douglas County.

Assessor's Parcel No. 35-310-02

5. That Defendants, each of them, and all persons claiming under them, are  
11 permanently enjoined from asserting any adverse claim to Plaintiffs' title to or interest in said  
12 property.

6. That Plaintiffs are not entitled to any money judgment or damages arising out  
14 of this action.

15 DATED this 27 day of March, ~~1999~~ <sup>2000</sup>

*Michael V. [Signature]*

DISTRICT JUDGE

19 Submitted by:

20 ALLISON, MacKENZIE, HARTMAN,  
21 SOUMBENIOTIS & RUSSELL, LTD.  
22 402 North Division Street  
23 P. O. Box 646  
24 Carson City, Nevada 89702

24 By: *John W. Griffin*  
25 JOHN W. GRIFFIN, ESQ.  
26 Attorneys for Plaintiffs

**SEAL**  
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.

DATE: March 27, 2000  
*B. Reed* Clerk of the 9th Judicial District Court  
of the State of Nevada, In and for the County of Douglas.

By 3 *[Signature]* Deputy

0488710

COPY

REQUESTED BY  
Allison Mackenzie et al  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2000 MAR 28 PM 2: 12

LINDA SLATER  
RECORDER  
\$ 10 <sup>SES</sup> PAID ko DEPUTY

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