

Case Nos. P25128, 94CV-0167, 94CV-0197, P31014 NO _____

Dept. No. 1

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AUG 02 2000

DOUGLAS COUNTY DISTRICT COURT CLERK

BARBARA REED CLERK
BY: J. THALER DEPUTY

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

IN THE MATTER OF THE ESTATE

[Case No. P25128]

OF

GRACE A. SETTELMAYER,

Deceased.

ORDER AND JUDGMENT OF PARTITION

LYNNE K. JONES, Executrix of the ESTATE OF GRACE A. SETTELMAYER, deceased,

Plaintiff,

[Case No. 94 CV-0167]

vs.

ARTHUR ARNOLD SETTELMAYER, JR, and PATRICIA SETTELMAYER,

Defendants.

LYNNE K. JONES, Executrix of the ESTATE OF GRACE A. SETTELMAYER, deceased,

Plaintiff,

[Case No. 94 CV-0197]

vs.

ARTHUR ARNOLD SETTELMAYER, JR, and JAMES SETTELMAYER, CO-

0497015
BK0800PG0360

When recorded return to:
Lynne K. Jones
Executrix of the Estate of Grace A. Settelmeyer, deceased
PO BOX 2311
Reno, NV 89506

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1 TRUSTEES of the ARTHUR ARNOLD
2 SETTELMAYER TRUST, and DOES 1-10,
3 inclusive,

4 Defendants.

5 IN THE MATTER OF THE ESTATE OF
6 ARTHUR ARNOLD SETTELMAYER, SR.

7 HONOR SETTELMAYER JONES, and
8 MARGARET SETTELMAYER PEIRCE,

[Case No. P31014]

9 Plaintiffs,

10 v.

11 ARTHUR ARNOLD SETTELMAYER, JR.,
12 individually and as a Trustee of the 1992
13 Arthur Arnold Settlemeyer, Sr. Trust, JAMES
14 A. SETTELMAYER, as Trustee of the 1992
15 Arthur Arnold Settlemeyer, Sr. Trust,

16 Defendants.

17 The parties to the above matters having executed the Settlement and Mutual
18 Release Agreement in this matter pursuant to the Court's prior Order Re: Execution of
19 Settlement Agreement, the Court having reviewed all relevant documents, having
20 determined that all parties entitled to notice have been given notice, and material and
21 good cause appearing therefor,

22 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

23 1. Pursuant to paragraph 1(d) of the Settlement Agreement, two (2) ten
24 (10) acre parcels, referred to as Parcels 12A and 12B, are hereby partitioned from real
25 property and improvements held by Settlemeyer Ranches, Inc., owner of record. The
26 remaining parcel that shall be retained by Settlemeyer Ranches, Inc. shall be
27 designated as Parcel 12C.
28

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1 2. The real property and improvements constituting Parcels 12A and 12B
2 are more fully described in the Record of Survey prepared by RO Anderson
3 Engineering, Inc., a true and correct copy of which is attached hereto and
4 incorporated herein as Exhibit A.
5

6 3. Attached as Exhibit B is a letter dated March 3, 2000 from the Office of
7 the Douglas County District Attorney to Stewart Title. The contents of this letter are
8 hereby confirmed by the Court, incorporated herein and made a part of this Order and
9 Judgment of Partition.
10

11 4. Parcels 12A and 12B shall each be assigned its own and separate
12 assessor's parcel number.

13 5. Parcel 12A, more particularly described in the legal description prepared
14 by RO Anderson Engineering, Inc. attached hereto as Exhibit C, and including all
15 water and water rights, ditches, ditch rights and ditch easements, appurtenant to the
16 real property including without limitation, all surface water rights appurtenant to the
17 real property and adjudicated as part of Claim Nos. 408 and 409 of that certain final
18 decree entered by the United States District Court in United States of America v.
19 Alpine Land & Reservoir Co. et al, Civil No. D-183 BRT (D. Nev. 1980) (the "Alpine
20 Decree") together with a portion of the water rights under Certificate No. 10108 as on
21 file and of record in the Office of the State Engineer, and all oil and gas and mineral
22 rights, if any, as well as any other real property interests in and to Parcel 12A are
23 partitioned. Parcel 12A shall also be conveyed with one share per acre (1 share/acre)
24 of stock in the Allerman-Virginia Ditch Company.
25
26

27 6. Parcel 12B, more particularly described in the legal description prepared
28 by RO Anderson Engineering, Inc. attached hereto as Exhibit D, and including all

1 waters and water rights, ditches, ditch rights and ditch easements, appurtenant to the
2 real property including without limitation, all surface water rights appurtenant to the
3 real property and adjudicated as part of Claim Nos. 408 and 409 of that certain final
4 decree entered by the United States District Court in United States of America v.
5 Alpine Land & Reservoir Co. et al, Civil No. D-183 BRT (D. Nev. 1980) (the "Alpine
6 Decree") together with a portion of the water rights under Certificate No. 10108 as on
7 file and of record in the Office of the State Engineer and all oil and gas and mineral
8 rights, if any, as well as any other real property interests in and to Parcel 12B are
9 partitioned. Parcel 12B shall also be conveyed with one share per acre (1 share/acre)
10 of stock in the Allerman-Virginia Ditch Company.
11

12
13 7. Lynne K. Jones, Executor of the Estate of Grace A. Settlemeyer,
14 deceased, on behalf of the Estate and its successors and assigns, acknowledges that
15 they have no right to use the existing well or any pumping facilities at the existing point
16 of diversion.
17

18 8. At least one residence shall be allowed on each of the Parcels 12A and
19 12B. Any and all regulatory or governing agencies of Douglas County are ordered
20 and directed that at least one residence shall be allowed on each of the Parcels 12A
21 and 12B, and said agencies are ordered and directed to change the zoning, grant
22 applicable variances, and/or take any other steps necessary to approve this use of the
23 parcels and to effectuate the terms of this Order and Judgment.
24

25 9. Consistent with Paragraph 8 above, attached as Exhibit E is a letter
26 dated April 6, 2000 from the Office of the Douglas County District Attorney to Mark G.
27 Simons, Esq. The contents of this letter are hereby confirmed by the Court,
28 incorporated herein and made a part of this Order and Judgment of Partition.

1 10. Overhead utilities and services shall be allowed to be installed,
2
3 constructed and maintained to and on Parcels 12A and 12B. Any and all regulatory or
4 governing agencies of Douglas County are ordered and directed that overhead utilities
5 shall be allowed to be installed, constructed and maintained to and on Parcels 12A
6 and 12B. Said agencies are ordered and directed to approve any appropriate
7 application, and grant any permit, license, or other necessary approval and/or take
8 any other steps necessary to approve overhead utilities and services and to effectuate
9 the terms of this Order and Judgment.

10
11 11. Settlemeyer Ranches, Inc. and/or the appropriate Settlemeyer person or
12 entity shall execute any necessary documents evidencing any necessary easements,
13 and any such easements are partitioned by this Order and Judgment, as are
14 reasonable and necessary to provide utilities and services to Parcels 12A and 12B.

15 12. Pursuant to a separate executed Stipulation and Order to Release Tax
16 Lien, executed by the parties and Douglas County, by and through the Douglas
17 County District Attorney, the deferred agricultural tax lien on Parcels 12A and 12B will
18 be removed.

19
20 13. The Settlemeyers, in the appropriate capacity or entity, shall convey
21 ownership of Parcel 12A and Parcel 12B to Lynne K. Jones, Executor of the Estate of
22 Grace A. Settlemeyer, deceased, by way of two separate Grant, Bargain and Sale
23 Deeds. Said deeds shall be delivered prior to close of escrow. Escrow shall close
24 within thirty (30) days of the date of this Order and Judgment of Partition.

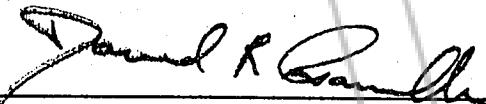
25
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1 14. This Order and Judgment is binding on and shall inure to the benefit or
2 detriment of the parties and Douglas County, as provided, and is binding on the heirs,
3 successors and assigns of the parties and Douglas County.
4

5 DATED this 2nd day of August, 2000.


6
7 
8 _____
9 DISTRICT JUDGE

10 **APPROVED AS TO FORM AND CONTENT:**

11
12 
13 _____
14 LYNNE K. JONES, in Proper Person, as
15 Executor of the Estate of Grace A. Settelmeyer, Deceased

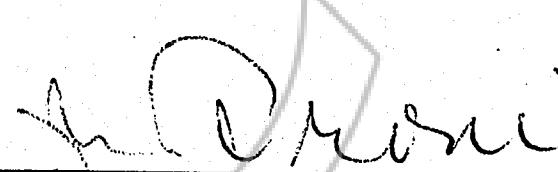
16 **APPROVED AS TO FORM AND CONTENT:**

17 ROBISON, BELAUSTEGUI, SHARP & LOW

18 By: 
19 _____
20 MARK G. SIMONS
21 Attorneys for HONOR SETTELMAYER JONES
22 and MARGARET SETTELMAYER PEIRCE

23 **APPROVED AS TO FORM AND CONTENT:**

24 BELDING, HARRIS & PETRONI, LTD.

25 By: 
26 _____
27 GLORIA M. PETRONI, ESQ.
28 Attorneys for ARTHUR ARNOLD SETTELMAYER, JR.,
PATRICIA SETTELMAYER, ARTHUR ARNOLD
SETTELMAYER, Executor of the Estate of Arthur
Arnold Settelmeyer, Sr., deceased,
ARTHUR ARNOLD SETTELMAYER, JR. and
JAMES A. SETTELMAYER, Co-Trustees of the
Arthur Arnold Settelmeyer Trust

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APPROVED AS TO FORM AND CONTENT:

DOUGLAS COUNTY DISTRICT ATTORNEY

By:

TOM PERKINS
DEPUTY DISTRICT ATTORNEY

APPROVED AS TO FORM AND CONTENT:

SETTELMAYER RANCHES, INC.

By:

Arthur Arnold Settelmeier Jr.
ARTHUR ARNOLD SETTELMAYER, JR.,
PRESIDENT

0497015

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COPY

0497015

BK0800PG0367

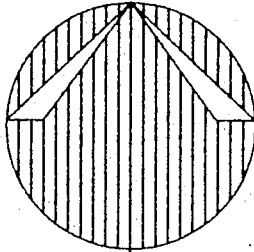
CALC. POSITION
PER DOC. NO. 363315

12

164.41'(R)

7

50' ACCESS EASEMENT
PER DOC. NO. 363315



NORTH
1" = 200'

A.P.N. 17-410-04
GALEPPI LAND
& LIVESTOCK

635.02'(R)(M)

1325.06'

2650.11'(R)

DISTRICT COURT JUDGE'S CERTIFICATE

CASE NO. 94-CV0167
DEPT. NO. 1

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

JONES v. SETTELMAYER

PURSUANT TO THE JUDGMENT ENTERED ON _____
_____, 19____, THE PARCELS SHOWN HEREON
ARE HEREBY CREATED AND THE EASEMENTS SHOWN
ARE HEREBY DEDICATED BY ORDER OF THIS COURT.
THIS RECORD OF SURVEY IS EXEMPT FROM CHAPTER
278 OF THE NEVADA REVISED STATUTES PURSUANT
TO N.R.S. 278.320 (c), BEING FILED PURSUANT TO
ORDER OF THE ABOVE NOTED COURT IN THE ABOVE
NOTED ACTION, DATED THIS _____ DAY OF _____,
19____.

BASIS OF BEARING

R. 19 E.

R. 20 E.

N 00°00'13" W (R)(M)

1850.68'(R)(M)

DAVID R. GAMBLE, DISTRICT JUDGE

0497015

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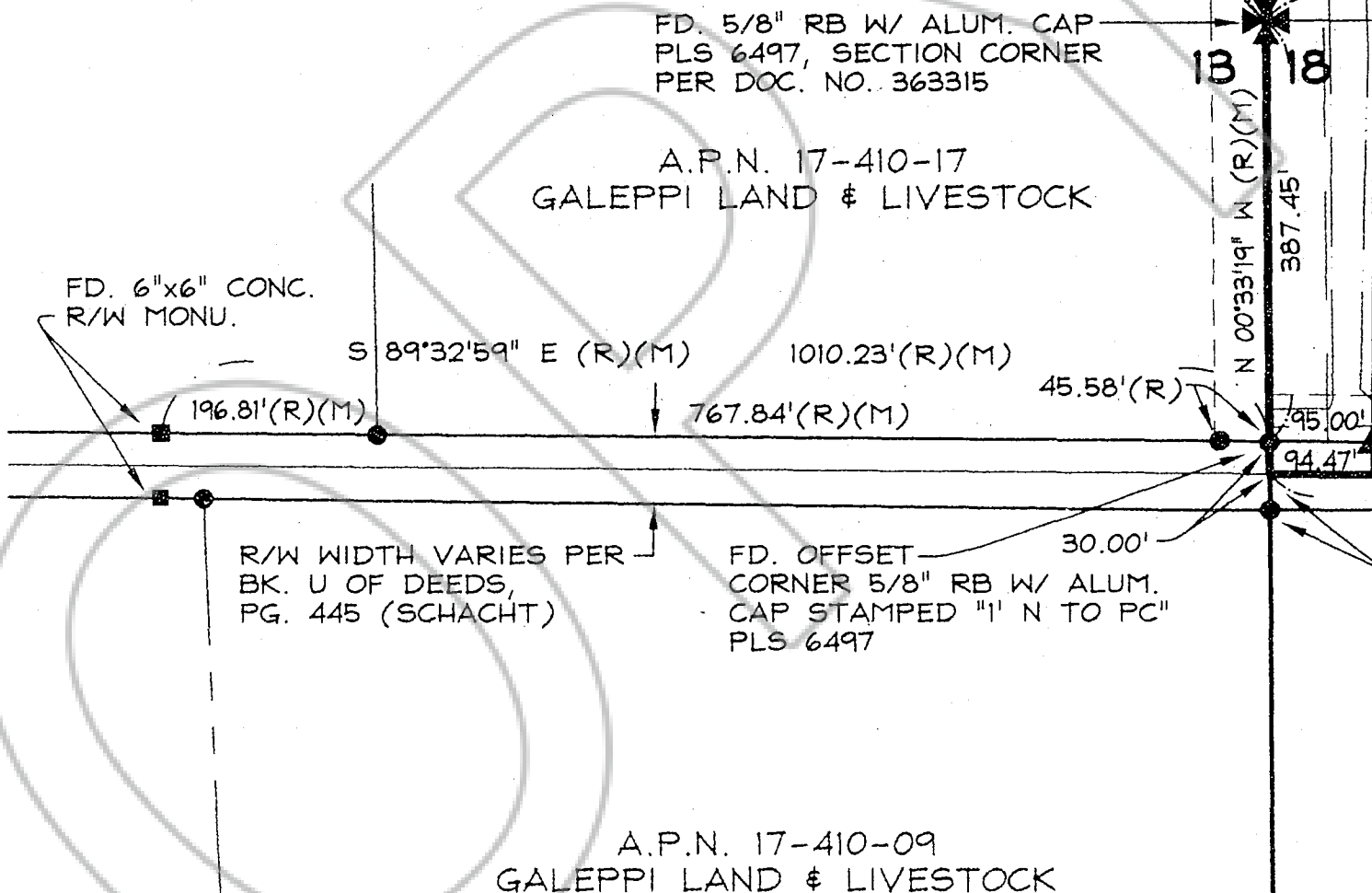
NOTES

TOTAL AREA: 48.75 ACRES

THIS MAP IS A DIVISION OF PARCEL 12 AS SHOWN ON THE DIVISION OF LAND INTO LARGE PARCELS FOR SETTELMAYER RANCHES, INC. RECORDED AUGUST 26, 1985 AS DOCUMENT NO. 122119.

A 7.5' PUBLIC UTILITY EASEMENT SHALL EXIST ALONG ALL ROAD FRONTAGES AND A 5' PUBLIC UTILITY EASEMENT SHALL EXIST ALONG ALL SIDE AND REAR LOTLINES.

THE R/W OF GENOA LANE WAS GRANTED PER PUBLIC HIGHWAY DEED IN ACCORDANCE WITH "AN ACT TO PROVIDE A GENERAL HIGHWAY LAW FOR THE STATE OF NEVADA", APPROVED MARCH 23, 1917. THIS ACT ALLOWED FOR THE GRANTING OF R/W EASEMENTS ONLY AND THE STATE OF NEVADA DEPARTMENT OF TRANSPORTATION HAS DETERMINED THE R/W PER BOOK U OF DEEDS, PAGE 362 TO BE AN EASEMENT ONLY.



R/W WIDTH VARIES PER BK. U OF DEEDS, PG. 445 (SCHACHT)

FD. OFFSET CORNER 5/8" RB W/ ALUM. CAP STAMPED "1" N TO PC" PLS 6497

BASIS OF BEARING

N 00°00'13" W -- EAST LINE OF SECTION 12, T.13N., R.19E., M.D.M. PER MAP OF DIVISION INTO LARGE PARCELS FOR GALEPPI LAND AND LIVESTOCK RECORDED JUNE 2, 1995 AS DOCUMENT NO. 363315.

0497015

BK 0800 PG 0369

A.P.N. 17-160-23
SETTELMAYER RANCHES, INC.
(PARCEL 9)

FD. BRASS CAP
HWY R/W MONU.
STA 233+00
90° 135' "N" LINE
71' "S" LINE

1217.46' N 89°43'33" E 2537.03' 1145.93'

NOTE: IN AN EFFORT TO PRESERVE EXISTING POSSESSIONS EAST OF THE CENTER OF SECTION 7, POSITIONS FOR THE C1/4 AND S1/4 OF SECTION 7 WERE HELD PER CALCULATED POSITIONS SHOWN ON THE MAP OF DIVISION INTO LARGE PARCELS FOR THE ALDAX FAMILY TRUST AGREEMENT, DOCUMENT NO. 298087. DUE TO CORRECTIONS ALONG THE RANGE LINE, SUBSEQUENT MAP OF DIVISION INTO LARGE PARCELS FOR GALEPPI LAND AND LIVESTOCK, DOCUMENT NO. 363315 AND FOUND MONUMENTATION, THE BREAKDOWN OF THE WEST ONE-HALF OF SECTION 7 DIFFERS FROM THAT AS SHOWN ON DOCUMENT NO. 298087.

A.P.N. 17-160-24
SETTELMAYER RANCHES, INC.
(PARCEL 10)

FD. BRASS CAP
HWY R/W MONU.
STA 205+00 POT
90° 135' "N" LINE
71' "S" LINE

GOV'T
LOT 3

NESW

190' R/W PER FINAL ORDER
OF CONDEMNATION
BK. 288, PG. 2567 AND
PUBLIC HIGHWAY DEED,
BK. Q, PG. 98

1325.95'

2651.89'

1326.76'

3097.68'

1215.27' N 89°46'02" E 2535.78' 1158.71'

PARCEL 12C

28.29 ACRES GROSS
27.91 ACRES NET

TOP OF BANK
EXISTING DITCH

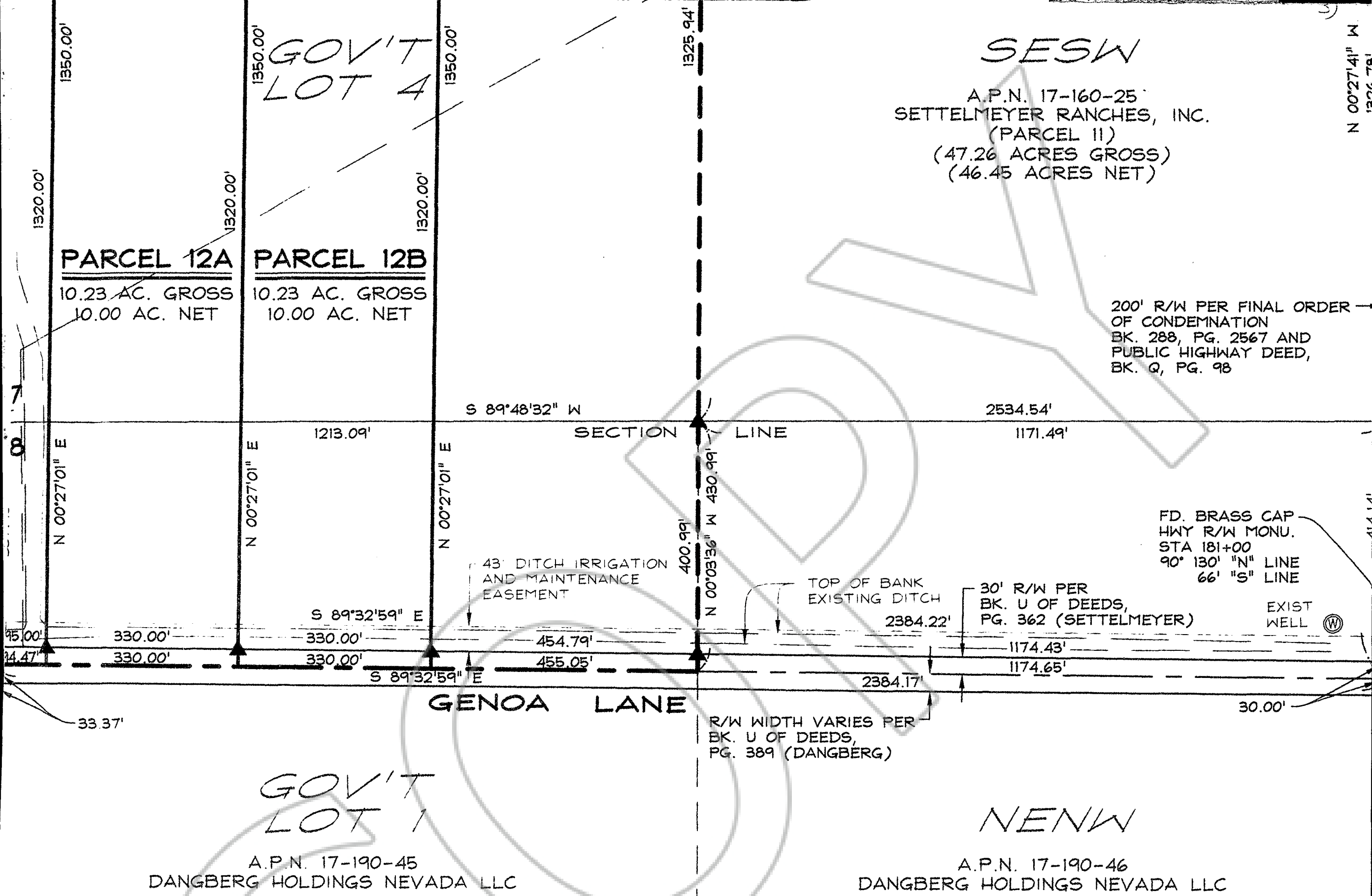
S 89°32'59" E 660.00'
330.00' 330.00'

N 00°05'26" E

OLD DIRT ROAD

0497015

BK0800PG0370



LEGEND

- ▲ SET 5/8" REBAR WITH PLASTIC CAP PLS 11172
- FOUND 5/8" REBAR AND TAG 6497 UNLESS OTHERWISE NOTED
- FOUND 3/4" IRON PIPE WITH PLUG 3519
- FOUND RIGHT-OF-WAY MONUMENT AS NOTED
- ⊠ FOUND SECTION CORNER AS NOTED
- ⊞ 1/4 CORNER AS NOTED

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 BK0800PG0371

SS CAP
MONU.
+00
"N" LINE
"S" LINE

FD. BRASS CAP
HWY R/W MONU.
STA 233+00
90° 38' "N" LINE
102' "S" LINE

A.P.N. 23-030-18
ALDAX FAMILY
TRUST
AGREEMENT

SURVEY

- 1) MATT IN THE S
- 1) THIS UNDER SETTE
- 2) THE L A POR AND T
- 3) THIS F AND A GOVER
- 4) THE M SHOWN NUMBE

CALC. POSITION
PER DOC. NO. 298087

A.P.N. 23-030-15
BENTLY NEVADA CORPORATION

SS CAP
MONU.
+00 POT
"N" LINE
"S" LINE

FD. BRASS CAP
HWY R/W MONU.
STA 205+00 POT
90° 38' "N" LINE
102' "S" LINE

OWNER

THIS IS
PRESIDENT
THIS PAR
UTILITY I
DESIGNAT

AL ORDER
AND
DEED,

1326.76'

"S" LINE

"N" LINE

80'

64'

46'

2653.79'

A.P.N. 23-040-02
BENTLY NEVADA CORPORATION

A.P.N. 23-040-01
BELIZE TRUST

COUNTY
STATE O
ON THIS
BEFORE
KNOWN B
TO THE
EXECUTED

3097.68'

S. HIGHWAY 395

S. HIGHWAY 395

N 00°02'59" E

AIRPORT ROAD

12 17
13 18

0497015
BK0800PG0372

M) 2650.22'(R) (M)
1325.11'

A.P.N. 23-040-22
THAHELD, FRED H.

N 00°27'41" W
1326.78'

"S" LINE

"N" LINE

AL ORDER
AND DEED,

80' 64' 56'

FD. 1" ROD, ACCEPTED
AS SECTION CORNER
PER DOC. NO. 298087,
238918, 111959, 108223,
84118 AND 79278

CALC. POSITION
PER DOC. NO. 298087

S 89°27'09" E

2630.04'

A.P.N. 23-040-04
LUTHER REVOCABLE TRUST

A.P.N. 23-040-21
ASSET PRESERVATION, INC.

FD. BRASS CAP
HWY R/W MONU.
STA 181+00
90° 50' "N" LINE
114' "S" LINE

CAP
ONU.

LINE
LINE

EXIST.
WELL

414.14'

00'

N 00°33'19" W (R) 1325.11'
13
18

N 00°03'12" W (R) (M) 2644.56' (R) (M)
13
18
24
10

RECORDED
FILED FOR
MINUTES
RECORDS,
RECORDED

A.P.N. 23-010-44
HALL, DONALD & THOMAS ETAL

CAP
ONU.

LINE
LINE

0497015
BK 0800 P 60373



**R.O. ANDERSON
ENGINEERING, INC.**

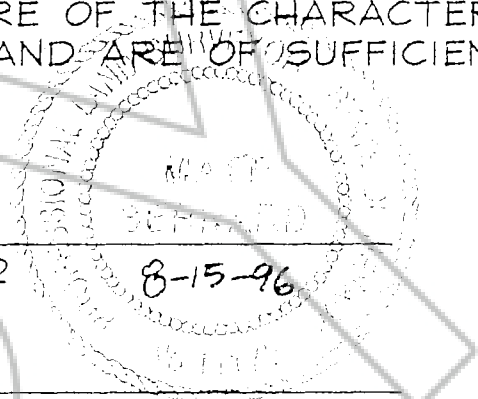
1624 10th STREET • P.O. BOX 2294 • MINDEN, NEVADA 89423
(702) 782-2322 • FAX (702) 782-7084

SURVEYOR'S CERTIFICATE

I, MATT BERNARD, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA CERTIFY THAT:

- 1) THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF ARNOLD SETTELMAYER.
- 2) THE LANDS SURVEYED LIE WITHIN THE SWSW OF SECTION 7 AND A PORTION OF THE NWNW OF SECTION 18, T.13N., R.20E., M.D.M. AND THE SURVEY WAS COMPLETED ON 06/13/96.
- 3) THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCE IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- 4) THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

Matt Bernard
 MATT BERNARD, P.L.S. 11172



OWNER'S CERTIFICATE

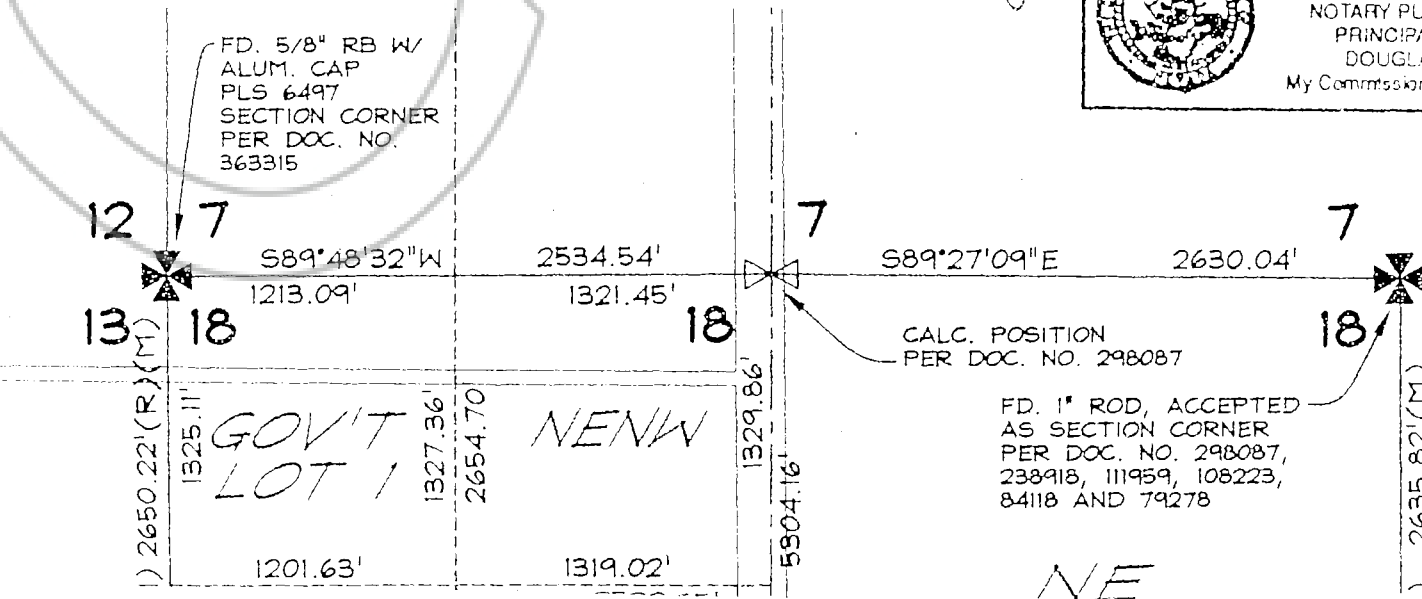
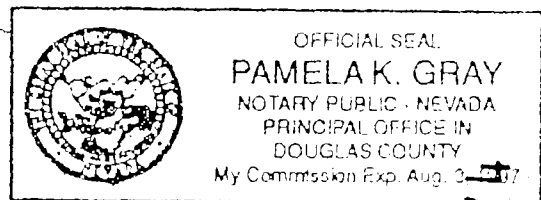
THIS IS TO CERTIFY THAT THE UNDERSIGNED, ARNOLD SETTELMAYER, PRESIDENT OF SETTELMAYER RANCHES, INC., LEGAL OWNER OF THIS PARCEL, DOES HEREBY GRANT PERMANENT EASEMENTS FOR UTILITY INSTALLATION AND IRRIGATION AND MAINTENANCE AS DESIGNATED ON THIS MAP.

Arnold Settelmeyer
 ARNOLD SETTELMAYER, PRESIDENT
 SETTELMAYER RANCHES, INC.

COUNTY OF DOUGLAS
 STATE OF NEVADA SS:

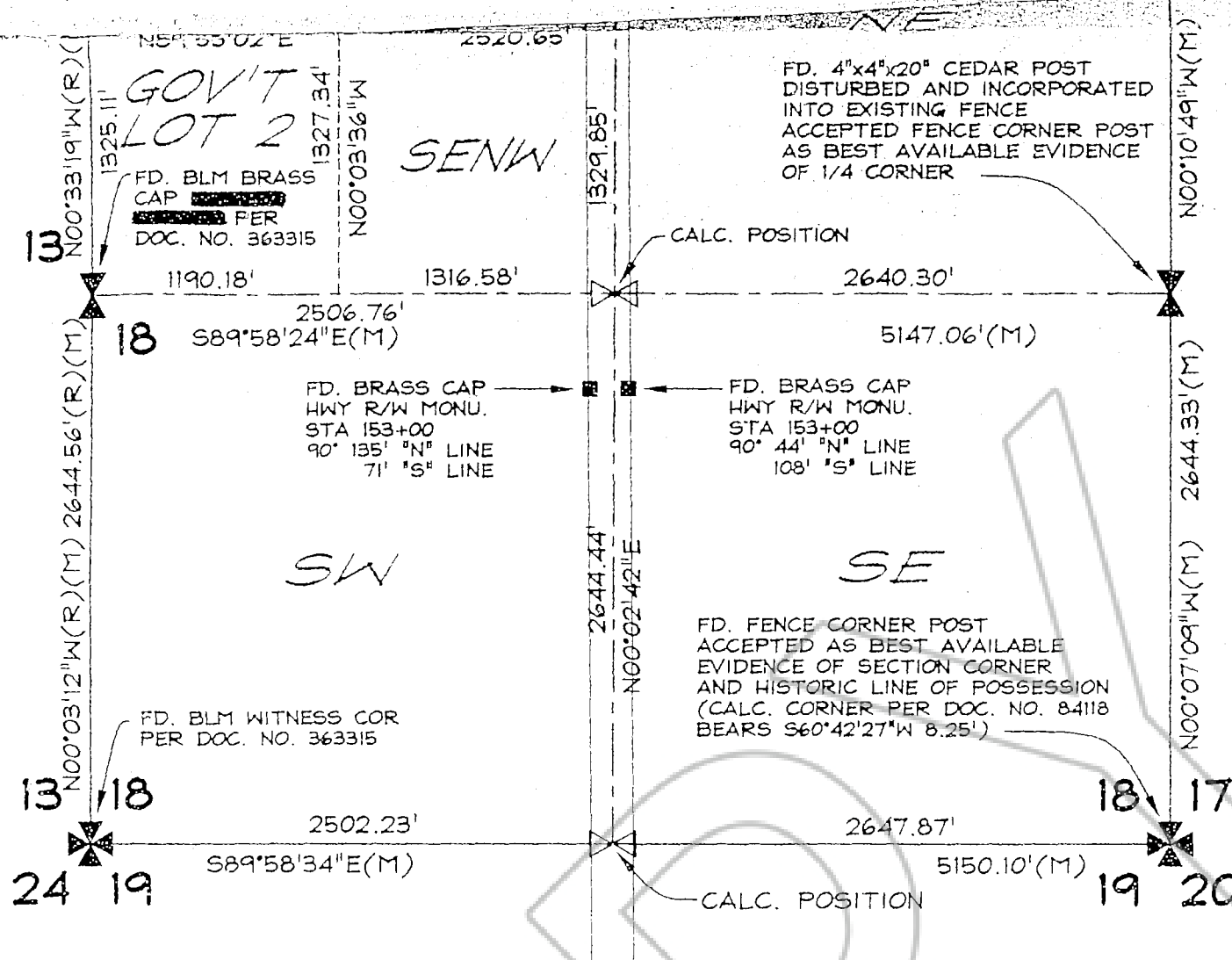
ON THIS 15 DAY OF August, 1996 PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, ARNOLD SETTELMAYER, PERSONALLY KNOWN BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE INSTRUMENT WHO ACKNOWLEDGED THAT HE EXECUTED THE INSTRUMENT.

Pamela K. Gray
 NOTARY PUBLIC



0497015
 BK0800PG0374
 BK0800 PG0374

NE



**SECTIONAL BREAKDOWN
SECTION 18, T.13N., R.20E., M.D.M.**

SCALE: 1" = 1000'

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 19____, AT _____
 MINUTES PAST _____ O'CLOCK _____ M., IN BOOK _____ OF OFFICIAL
 RECORDS, AT PAGE _____; DOCUMENT NO. _____
 RECORDED AT THE REQUEST OF ARNOLD SETTELMAYER.

0497015

DOUGLAS COUNTY RECORDER

SCALE: 1" = 200'

SHEET 1 OF 1

RECORD OF SURVEY

FOR

SETTELMAYER RANCHES, INC.

BK 0800PG0375

LOCATED WITHIN THE SWSW OF SECTION 7,
 AND A PORTION OF THE NWNW OF SECTION 18,
 T.13N., R.20E., M.D.M.

DOUGLAS COUNTY, NEVADA

**ON
NC.**

DA 89423

197-02-95
19702ROS.dwg

08/14/96

COPY

0497015

BK0800PG0376

OFFICE OF THE DISTRICT ATTORNEY
DOUGLAS COUNTY

CARSON VALLEY OFFICE
JUDICIAL & LAW ENFORCEMENT
CENTER

POST OFFICE BOX 218
MINDEN, NEVADA 89423
CRIMINAL (775) 782-9800
CIVIL (775) 782-9803
FAX (775) 782-9807

SCOTT W. DOYLE
DISTRICT ATTORNEY

LAKE TAHOE OFFICE
POST OFFICE BOX 6708
STATELINE, NEVADA 89449
(775) 586-7215
FAX (775) 586-7217

CHILD SUPPORT
ENFORCEMENT
P.O. BOX 1240 - MINDEN, NV 89423
(775) 782-9881
FAX (775) 782-9880

March 3, 2000

Stewart Title
Ms. Karen Ellison
1650 N. Lucerne
Minden, Nv. 89423

Re: Record of Survey for Settelmeyer Ranches
Your Order No. 00050055

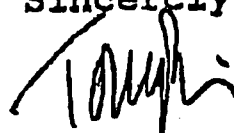
Dear Karen:

This is to follow up on our meeting of March 2, 2000, in which you showed me draft forms of court order and record of survey in an action to partition certain real property in Douglas County, Nevada. The Ninth Judicial District Court has in rem jurisdiction of the property by virtue of estate proceedings, and has equitable jurisdiction to partition the property. Douglas County is not a party to the litigation that will result in the execution of the order and record of survey.

We have reviewed this matter in the past, and will comply with the terms of an order in substantially the same form as you showed me. Because the partition is going to be ordered by a Court of competent jurisdiction, the parties are not required to go through ordinary land division procedures prescribed by Title 20 of the Douglas County Code. However, this is a unique situation, and nothing in this letter should be construed to bind Douglas County to approve of other similar procedures in the future.

Should you need any further assistance, don't hesitate to call or write.

Sincerely yours,



Thomas E. Perkins
Deputy District Attorney

TEP/vab
cc: Mimi Moss

0497015

BK0800PG0377

COPY

0497015

BK0800PG0378

197-02-95
11/04/99

**DESCRIPTION
PARCEL 12A**

All that real property situate in the County of Douglas, State of Nevada, described as follows:

Parcel 12A as shown on the unrecorded Record of Survey for Settelmeier Ranches, Inc. prepared by R.O. Anderson Engineering, Inc. located with a portion of the Southwest one-quarter of the Southwest one-quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 7 and a portion of the Northwest one-quarter of the Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, Township 13 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the corner common to Sections 12 and 13, T.13N., R.19E., and Sections 7 and 18, T.13N., R.20E., M.D.M., a found 5/8" rebar with aluminum cap, PLS 6497;

thence along the line common to said Sections 13 and 18, South 00°33'19" East, 387.45 feet to the northerly line of right-of-way known as Genoa Lane as recorded in Book U of Deeds, at Page 362 in the office of Recorder, Douglas County, Nevada;

thence continuing along said line common to Sections 13 and 18, South 00°33'19" East, 30.00 feet to the southerly right-of-way of said Book U of Deeds, Page 362, a point in the center, more or less, of said Genoa Lane;

thence along said right-of-way, South 89°32'59" East, 94.47 feet to THE POINT OF BEGINNING;

thence North 00°27'01" East, 1350.00 feet;

thence South 89°32'59" East, 330.00 feet;

thence South 00°27'01" West, 1350.00 feet;

thence along said right-of-way, North 89°32'59" West, 330.00 feet to THE POINT OF BEGINNING, containing 10.23 acres, more or less.

The above described parcel of land represents a portion of Parcel 12 as shown on the Division of Land into Large Parcels for Settelmeier Ranches, Inc. recorded August 26, 1985 in said office of Recorder as Document No. 122119 and is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or local ordinance.

Prepared By: R.O. Anderson Engineering, Inc.
P.O. Box 2294
Minden, Nevada 89423



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197-02-95
11/04/99

**DESCRIPTION
PARCEL 12B**

All that real property situate in the County of Douglas, State of Nevada, described as follows:

Parcel 12B as shown on the unrecorded Record of Survey for Settelmeyer Ranches, Inc. prepared by R.O. Anderson Engineering, Inc. located with a portion of the Southwest one-quarter of the Southwest one-quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 7 and a portion of the Northwest one-quarter of the Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 18, Township 13 North, Range 20 East, Mount Diablo Meridian, more particularly described as follows:

Commencing at the corner common to Sections 12 and 13, T.13N., R.19E., and Sections 7 and 18, T.13N., R.20E., M.D.M., a found 5/8" rebar with aluminum cap, PLS 6497;

thence along the line common to said Sections 13 and 18, South 00°33'19" East, 387.45 feet to the northerly line of right-of-way known as Genoa Lane as recorded in Book U of Deeds, at Page 362 in the office of Recorder, Douglas County, Nevada;

thence continuing along said line common to Sections 13 and 18, South 00°33'19" East, 30.00 feet to the southerly right-of-way of said Book U of Deeds, Page 362, a point in the center, more or less, of said Genoa Lane;

thence along said right-of-way, South 89°32'59" East, 424.47 feet to THE POINT OF BEGINNING;

thence North 00°27'01" East, 1350.00 feet;

thence South 89°32'59" East, 330.00 feet;

thence South 00°27'01" West, 1350.00 feet;

thence along said right-of-way, North 89°32'59" West, 330.00 feet to THE POINT OF BEGINNING, containing 10.23 acres, more or less.

The above described parcel of land represents a portion of Parcel 12 as shown on the Division of Land into Large Parcels for Settelmeyer Ranches, Inc. recorded August 26, 1985 in said office of Recorder as Document No. 122119 and is not intended for inclusion in a document conveying fee ownership. To do so is a violation of state law and/or local ordinance.

Prepared By: R.O. Anderson Engineering, Inc.
P.O. Box 2294
Minden, Nevada 89423



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OFFICE OF THE DISTRICT ATTORNEY
DOUGLAS COUNTY

CARSON VALLEY OFFICE
JUDICIAL & LAW ENFORCEMENT
CENTER
POST OFFICE BOX 218
MINDEN, NEVADA 89423
CRIMINAL (775) 782-9800
CIVIL (775) 782-9803
FAX (775) 782-9807

SCOTT W. DOYLE
DISTRICT ATTORNEY

RECEIVED

APR - 7 2000

Ans'd

LAKE TAHOE OFFICE
POST OFFICE BOX 6708
STATELINE, NEVADA 89449
(775) 586-7215
FAX (775) 586-7217

CHILD SUPPORT
ENFORCEMENT
P.O. BOX 1240 • MINDEN, NV 89423
(775) 782-9881
FAX (775) 782-9880

April 6, 2000

Mark G. Simons, Esq.
Robison, Belaustegui, Sharp & Low
71 Washington St.
Reno, Nv. 89503

Re: Settlemyer Estate; by telefax, 329-7941;
original to follow

Dear Mark:

This letter is to clarify the status of the parcels anticipated to be created by the judgment of partition. As you know, I have reviewed the form of the judgment and the map, and have indicated in previous correspondence that Douglas County would treat the decree and map as a lawful land division, pursuant to NRS 278.461, Sec. 4(e).

You have provided me with a copy of a letter from Stewart Title indicating it would not issue an endorsement that sets forth the ability to construct or permit a single family residence on a ten acre parcel. I believe this is typical in the title insurance industry, and see exclusions to the same effect, routinely, on title reports.

I have discussed this matter with the Community Development Director, and we are in agreement that the lots created by the decree would have the status of legal, nonconforming parcels, and would be entitled to one dwelling unit per parcel. The underlying zoning, A19, would not change as a result of the decree. This is analogous to the situation where a highway is established through the middle of a twenty acre A19 parcel, resulting in a lawful division of the parcel. Each resulting parcel is entitled to a single family dwelling. I am also clarifying that this land division would not be treated a division for agricultural purposes, pursuant to NRS 278.320, Sec. 4, and the resulting parcels would not be disqualified from eligibility for building permits, pursuant to Douglas County Code, Chapter 20.718.

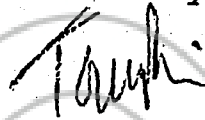
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Mark Simons, Esq.
April 6, 2000
Page Two

As you know, the issuance of building permits depends upon a number of things, including compliance with building codes, payment of fees, and the like. We do not make commitments to anybody that they will get building permits in advance of their actual applications. However, we are willing to make a commitment that the owners of each of the resulting parcels will have the right to construct a single family dwelling, as a result of the lawful division of the property into legal, nonconforming parcels. The newly created parcels will not be denied a building permit because of the fact that they do not meet the minimum acreage requirement under current zoning.

Sincerely yours,



Thomas E. Perkins
Deputy District Attorney

TEP/vab
cc: Bob Nunes

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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: August 2, 2000

Breed Clerk of the 9th Judicial District Court
of the State of Nevada, In and for the County of Douglas,

By J. Thaler Deputy

0497015

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REQUESTED BY

Lynne K Jones

OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2000 AUG -2 PM 3: 04

LINDA SLATER
RECORDER

\$ 32.00 PAID BC DEPUTY