

RECEIVED
JUL 5 2001
DOUGLAS COUNTY
DISTRICT COURT

FILED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JON M. LUDWIG
Bar No. 3998
BIBLE, HOY & TRACHOK
201 W. Liberty Street Suite 3
Reno, Nevada 89501
Attorneys for Plaintiff

NO _____

'01 JUL -5 P3:59

BARBARA REED
CLERK

BY H. CHAPPELL DEPUTY

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

INTERMOUNTAIN SLURRY SEAL INC., a
Wyoming Corporation
Plaintiff,

Case No. 01-CV-0178

Dept. II

v.

HEALTH CARE REIT, a Delaware Corporation;
HCRI NEVADA PROPERTIES INC., a Nevada
Corporation; SUMMERVILLE HEALTHCARE
GROUP, INC., a Delaware Corporation, doing
business as SUMMERVILLE SENIOR LIVING;
SIERRA BUILDERS OF NEVADA, a Nevada
Corporation and Does 1-10
Inclusive,
Defendants,

NOTICE OF PENDENCY OF ACTION

(NRS 14.010)

Pursuant to NRS 14.010, Plaintiff in this action hereby gives notice that on July
5, 2001, it filed a Complaint in an action in the Ninth Judicial District Court of the
State of Nevada, in and for the County of Douglas, entitled "INTERMOUNTAIN SLURRY
SEAL INC., A NEVADA CORPORATION V. HEALTH CARE REIT, A DELAWARE

BIBLE HOY & TRACHOK
ATTORNEYS AND COUNSELORS AT LAW

0518295

BK0701PG3214

1 CORPORATION; HCRI NEVADA PROPERTIES INC., A NEVADA CORPORATION;
2 SUMMERVILLE HEALTHCARE GROUP, INC., A DELAWARE CORPORATION, DOING
3 BUSINESS AS SUMMERVILLE SENIOR LIVING; SIERRA BUILDERS OF NEVADA, A
4 NEVADA CORPORATION AND DOES 1-10 INCLUSIVE." The parties to the action are
5 Intermountain Slurry Seal Inc., Health Care Reit, HCRI Nevada Properties Inc.,
6 Summerville Senior Living and Sierra Builders of Nevada.
7

8 The action concerns the real property situated in Douglas County, Nevada,
9 commonly known as Summerville at Virginia Creek, and more particularly described
10 as:

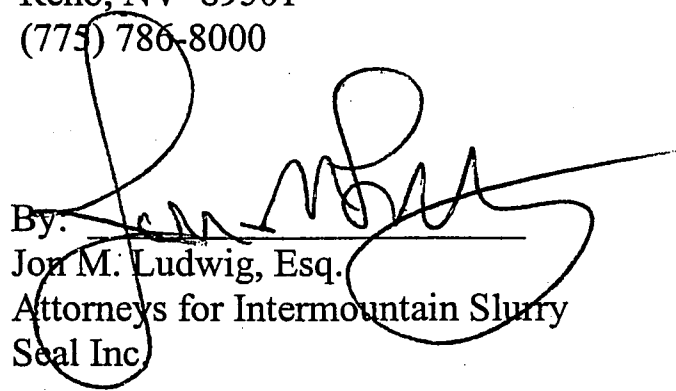
11 **1565A Virginia Ranch Road, Gardnerville, Nevada**
12 **APN: 25-740-19 and 25-740-18**

13 **Legal description attached hereto as Exhibit A.**

14 The object of Plaintiff's claims are to foreclose and enforce a certain Mechanic's
15 Lien on and against the property described herein, which Lien is evidenced and
16 secured by a duly recorded, verified claim of lien in the official records of the
17 Douglas County Recorder, Document # 0508022, Bk 0201 Pg 0164.
18

19 DATED this 5th day of July, 2001.

20
21 Bible, Hoy & Trachok
22 201 West Liberty Street
23 Reno, NV 89501
24 (775) 786-8000

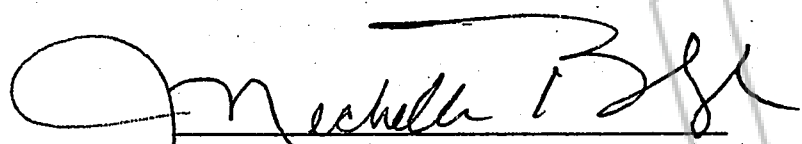
25 By: 
26 Jon M. Ludwig, Esq.
27 Attorneys for Intermountain Slurry
28 Seal Inc.

0518295


BK0701PG3215

1 STATE OF NEVADA)
) ss.
2 COUNTY OF WASHOE)

3 On this 5th day of July, 2001, personally appeared before me,
4 Jon M. Ludwig, who acknowledged to me that he executed the
5 foregoing pleading.

6 
7 _____
8 Notary Public

9 **When Recorded, Return to:**
10 **Jon M. Ludwig, Esq.**
11 **Bible, Hoy & Trachok**
12 **201 W. Liberty Street, Third Floor**
13 **Reno, NV 89501**

 MICHELLE BALOGH
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 00-60646-2 - Expires February 1, 2004

BIBLE HOY & TRACHOK
ATTORNEYS AND COUNSELORS AT LAW

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

0518295

BK0701PG3216

Exhibit "A"

DESCRIPTION

All that certain lot, piece or parcel of land situate in the County of Douglas, State of Nevada, described as follows:

PARCEL 1:

A parcel of land located within a portion of Section 10, Township 12 North, Range 20 East, M.D.M., more particularly described as follows:

Commencing at the Northeasterly corner of Lot 5, Block D as shown on the Final Map for JEWEL COMMERCIAL PARK, PHASE 2, recorded July 24, 1997 in the Office of the Recorder, Douglas County, Nevada as Document No. 417846, the Southwesterly terminus of MATHIAS PARKWAY; thence along the southerly right-of-way of said MATHIAS PARKWAY, North $44^{\circ}45'21''$ West, 423.56 feet to the POINT OF BEGINNING; thence South $45^{\circ}14'39''$ West, 20.00 feet; thence South $81^{\circ}33'55''$ West, 134.55 feet; thence North $50^{\circ}24'44''$ West, 82.61 feet to a point on the Easterly line of VIRGINIA RANCH ROAD; thence North $29^{\circ}35'16''$ East, 110.94 feet; thence along the arc of a curve to the right having a radius of 30.00 feet, central angle of $105^{\circ}39'23''$, and an arc length of 55.32 feet to a point on the Southerly right-of-way of said MATHIAS PARKWAY; thence South $44^{\circ}45'21''$ East, 161.91 feet to the POINT OF BEGINNING.

Reference is made to Record of Survey recorded September 19, 1997, in Book 997, Page 4056, as Document No. 422092.

A.P.N. 25-740-19

PARCEL 2:

A parcel of land located within a portion of Section 10, Township 12 North, Range 20 East, M.D.M., more particularly described as follows:

Commencing at the Northeasterly corner of Lot 5, Block D as shown on the Final Map for JEWEL COMMERCIAL PARK, PHASE 2, recorded July 24, 1997 in the Office of the Recorder, Douglas County, Nevada as Document No. 417846, the Southwesterly terminus of MATHIAS PARKWAY, the POINT OF BEGINNING; thence along the boundary or said Lot 5 the following three courses:

thence South $29^{\circ}35'16''$ West, 705.21 feet; thence North $46^{\circ}24'12''$ West, 620.29 feet to a point on the right-of-way of VIRGINIA RANCH ROAD; thence along said right-of-way North $29^{\circ}35'16''$ East, 567.22 feet; thence along the boundary of Lot 5A as shown on the Record of Survey for JEWEL COMMERCIAL PARK recorded September 19,

0518295

BK0701PG3217

1997 in the Office of Recorder, Douglas County, Nevada as Document No. 422092 the following three courses:

thence South 60°24'44" East, 82.61 feet; thence North 81°33'55" East, 134.55 feet; thence North 45°14'39" East, 20.00 feet to a point on the right-of-way of MATHIAS PARKWAY; thence along said right-of-way South 44°45'21" East, 423.56 feet to the POINT OF BEGINNING.

The above describes Lot 5 remainder as shown on said Record of Survey for JEWEL COMMERCIAL PARK, Document No. 422092.

Reference is made to Record of Survey recorded September 19, 1997, in Book 997, Page 4056, as Document No. 422092.

A.P.N. 25-740-18

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: July 5, 2001 **SEAL'**
B. Reed Clerk of the 5th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By H. Schuppel Deputy

REQUESTED BY
Bible Hoy + Trachot
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 JUL 13 PM 2:33

LINDA SLATER
RECORDER

\$ 11.00 PAID K2 DEPUTY

0518295

BK 0701 PG 3218