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1 Case No. 99-CV-0162

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'99 AUG 31 P2:15

DOUGLAS COUNTY  
DISTRICT COURT CLERK

3  
4 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
5 IN AND FOR THE COUNTY OF DOUGLAS

6 RONALD CRAIG SOTEROS,  
7 KIM MICHELLE SOTEROS,  
8 natural persons,

REVISED  
FINDINGS OF FACT  
AND CONCLUSIONS OF LAW

9 Plaintiffs,

10 - vs -

11 DENNIS WEBB, a natural person  
12 and d.b.a. WESTERN TWISTER,  
13 a Nevada Corporation; WESTERN  
14 TWISTER, a Nevada Corporation;  
15 SUSAN KUEPER, an individual and  
16 d.b.a. HIGH SIERRA MORTGAGE  
COMPANY; HIGH SIERRA MORTGAGE  
COMPANY, a business entity,  
form unknown, DOES I - X,

Defendants.

17 The cause having come to be heard before the court sitting without a jury this \_\_\_\_ day of  
18 August, 1999, and Plaintiffs having appeared in person and through counsel, Stephen J. Healy,  
19 Esq.; the Defendants DENNIS WEBB, a natural person and d.b.a. WESTERN TWISTER,  
20 a Nevada Corporation and WESTERN TWISTER, a Nevada Corporation having failed to answer  
21 or otherwise plead in the time allowed by law; the Plaintiffs having heretofore entered the default  
22 of said Defendants, the court finds that said defendants are adjudged to be in default.

23 The Defendants SUSAN KUEPER, an individual and d.b.a. HIGH SIERRA  
24 MORTGAGE COMPANY and HIGH SIERRA MORTGAGE COMPANY, a business entity,  
25 form unknown, having stipulated to the relief sought herein in writing by and through their  
26 counsel of record, D. G. Menchetti, Esq., the court finds these defendants have no objection to  
27

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1 the Plaintiffs' prayer for a decree of quiet title sought herein;

2 Plaintiffs having introduced evidence, both oral and documentary, Defendants having  
3 introduced no evidence, said cause having been submitted to the court for its decision and  
4 judgment, and the court having been advised, in the premises finds that:

5 1. The defendants named in the verified Complaint have been served with Summons  
6 and Complaint in the form and manner as provided by law, AND that while denying the  
7 allegations of Plaintiffs' Complaint, Defendants SUSAN KEUPER and HIGH SIERRA  
8 MORTGAGE COMPANY make no claim to the real property in question and do not object to  
9 Plaintiffs' claim for a Decree of Quiet Title; that Plaintiffs are the owners of all that certain  
10 property situate in the County of Douglas, State of Nevada, as set forth in the complaint, and said  
11 Plaintiffs' predecessor in interest have paid all taxes levied and assessed against said property  
12 that have been due.

13 2. A copy of the Summons and Complaint was posted on the parcel of land  
14 described in the Complaint by the 8th Day of July, 1999.

15 3. Defendants named in the Complaint has not had nor has any right title or interest  
16 whatsoever to said land and premise or parcels therein.

17 WHEREFORE the court finds as follows:

18 1. The Verified Complaint was filed on the 17th day of June, 1999;

19 2. Defendant DENNIS WEBB, a natural person and d.b.a. WESTERN TWISTER,  
20 was duly served with process by publication in the Nevada Appeal, a newspaper of general  
21 circulation, on July 14, 21, 28, and August 4, 1999, pursuant to Nevada Rules of Civil Procedure,  
22 Rule 4, and order on file relating thereto;

23 3. That WESTERN TWISTER, a Nevada Corporation, is a corporation that is not  
24 currently in good standing, that the resident agent of such corporation, Keith Rohrbaugh, Esq.,  
25 has relocated to the State of Oregon, and that such Summons and Complaint was therefore served  
26 on Darlene Holman of the office of the Secretary of State of the State of Nevada on July 13,  
27  
28

1 1999; and

2 4. The Defendants SUSAN KUEPER, an individual and d.b.a. HIGH SIERRA  
3 MORTGAGE COMPANY and HIGH SIERRA MORTGAGE COMPANY, a business entity,  
4 form unknown, were served on July 20, 1999.

5 CONCLUSIONS OF LAW

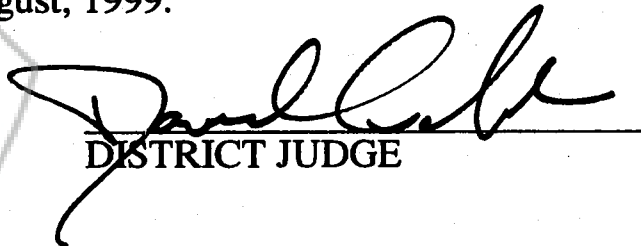
6 1. The Defendants DENNIS WEBB, a natural person and d.b.a. WESTERN  
7 TWISTER, a Nevada Corporation and WESTERN TWISTER, a Nevada Corporation, are hereby  
8 ordered, adjudged and decreed to hold no right, title or interest in the property described more  
9 particularly below, and further, such defendants are to be assessed money damages according to  
10 proof at a hearing before the Court to be set by the Plaintiffs;

11 2. The Defendants SUSAN KUEPER, an individual and d.b.a. HIGH SIERRA  
12 MORTGAGE COMPANY and HIGH SIERRA MORTGAGE COMPANY, a business entity,  
13 form unknown, having stipulated to the relief sought herein in writing by and through their  
14 counsel of record, D. G. Menchetti, Esq., the court finds these Defendants, only, have no  
15 objection to the Plaintiffs' prayer for a decree of quiet title sought herein, and that these  
16 Defendants shall pay no money to the Plaintiffs and that the case as to these defendants, only, is  
17 hereby dismissed with prejudice, each side to bear their own fees and costs.

18 3. The Plaintiffs are entitled to judgment against said defendants named in the  
19 complaint quieting title to the land and each and every parcel thereof, as described in the  
20 complaint on file herein, and described as follows, to wit:

21 (See, Legal Description, Attached as Exhibit "A").

22 Dated this 31 Day of August, 1999.

23   
24 DISTRICT JUDGE

25 Submitted by:  
26 Stephen J. Healy, Esq.  
27 5150 Mae Anne #213-119  
28 Reno, NV 89523  
775-322-7732

(GRANTEE),  
all that real property in the County of DOUGLAS, State of Nevada,  
being Assessor's Parcel Number 17-402-07, specifically described  
Lot 101, set forth on the Final Map of Genoa Lakes Phase 3, Unit 2  
Recorded in Official Records of Douglas County Nevada on May 1, 1995,  
Book 595, Page 78, as Document No. 361251. A.P.N. 17-402-07

(GRANTEE),  
all that real property in the County of DOUGLAS, State of Nevada,  
being Assessor's Parcel Number 17-402-13, specifically described  
Lot 107, set forth on the Final Map of Genoa Lakes Phase 3, Unit 2  
Recorded in Official Records of Douglas County Nevada on May 1, 1995,  
Book 595, Page 78, as Document No. 361251. A.P.N. 17-402-13

(GRANTEE),  
all that real property in the County of DOUGLAS, State of Nevada,  
being Assessor's Parcel Number 17-402-10, specifically described  
Lot 104, set forth on the Final Map of Genoa Lakes Phase 3, Unit 2  
Recorded in Official Records of Douglas County Nevada on May 1, 1995,  
Book 595, Page 78, as Document No. 361251. APN 17-402-10

(GRANTEE),  
all that real property in the County of DOUGLAS, State of Nevada,  
being Assessor's Parcel Number 17-402-15, specifically described  
Lot 111, set forth on the Final Map of Genoa Lakes Phase 3, Unit 2  
Recorded in Official Records of Douglas County Nevada on May 1, 1995,  
Book 595, Page 78, as Document No. 361251. A.P.N. 17-402-15

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

Lot 105, set forth on the Final Map of Genoa Lakes Phase 3, Unit 2 Recorded in Official Records of Douglas County Nevada on May 1, 1995, in Book 595, Page 78, as Document No. 361251.

Together with all that portion of Lot 106 as shown on aforesaid map described as follows:

A strip of land 3.50 feet in width lying southeasterly of parallel with and adjacent to the northwesterly of said Lot 106.

A.P.N. 17-402-30

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EXHIBIT A

**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: 1/8/02  
Clerk of the 9th Judicial District Court  
of the State of Nevada, In and for the County of Douglas,

By [Signature] Deputy

REQUESTED BY  
**FIRST AMERICAN TITLE CO.**

IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2002 JAN 16 AM 11:21

LINDA SLATER  
RECORDER

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\$18.00 PAID [Signature] DEPUTY