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1 CASE NO. 02-CV-0206
2 DEPT. NO. I

2002 SEP 19 PM 2:46 SEP 19 2002

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Mailing Address
P.O. Box 2080
Minden, NV 89423
Facsimile (775)782-3685

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

8
9 LAURA MOLINE and DAVID MOLINE,

10 Plaintiffs,

CONDITIONAL RELEASE OF LIS
PENDENS

11 vs.

12 DEBBI A. EARLY,

13 Defendant.

Rowe & Hales
Attorneys At Law

14
15 COMES NOW, Plaintiffs, LAURA MOLINE and DAVID MOLINE,
16 ("MOLINE"), by and through MICHAEL SMILEY ROWE, ESQ. of ROWE & HALES,
17 LLP, their counsel, and hereby files with the Court a conditional
18 release of that Notice of *Lis Pendens* filed with the Court on July 24,
19 2002, and recorded in the office of the Douglas County Recorder in the
20 Official Records of Douglas County, Nevada, on July 24, 2002, as
21 Document No. 0547897, Book 0702, Page 07960.

Physical Address
1638 Esmeralda Avenue
Minden, NV 89423
(775) 782-8141

22 Pursuant to Escrow No. 020107421, currently pending at Stewart
23 Title Company located at 1650 N. Lucerne, Minden, Nevada 89423,
24 Plaintiffs shall, on or before close of escrow in Escrow No.
25 020107421, be paid the sum of \$5,107.50 pursuant to those commission
26 instructions dated September 5, 2002, to be signed by one of the
27 Plaintiffs, the Defendant and the parties' real estate agents/brokers,
28 and pursuant to the Defendant's August 9, 2002, letter submitted to,

0553647

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1 and made a part of, the referenced escrow. Copies of the commission
2 instructions and the August 9, 2002, letter are attached hereto as
3 Exhibit "A" and incorporated herein as if set forth in full.

4 The Notice of *Lis Pendens* previously filed and recorded by
5 Plaintiffs shall be released upon receipt by Plaintiffs of the sum of
6 \$5,107.50, and upon such receipt, Plaintiffs agree that they shall
7 file a Motion to Dismiss this litigation, with prejudice.

8 DATED this 19th day of September, 2002.

9 **ROWE & HALES, LLP**

10 *Michael Smiley Rowe*

11 MICHAEL SMILEY ROWE, ESQ.

12 Nevada Bar Number 1374

13 P.O. Box 2080

14 Minden, Nevada 89423

15 (775) 782-8141

16 Attorney for Laura and David)

17 Moline

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P.O. Box 2080
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Rowe & Hales
Attorneys At Law

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VERIFICATION

STATE OF NEVADA)
) ss.
DOUGLAS COUNTY)

LAURA MOLINE, under the pain and penalty of perjury, makes the following assertions:

She is the Plaintiff in the above-entitled action; that she has read the foregoing **CONDITIONAL RELEASE OF LIS PENDENS**, and knows the contents thereof; and acknowledges that the information contained therein is true and correct to the best of her knowledge, except for those matters which are stated upon information and belief, and as to those matters she believes them to be true.

DATED: this 19th day of September, 2002.

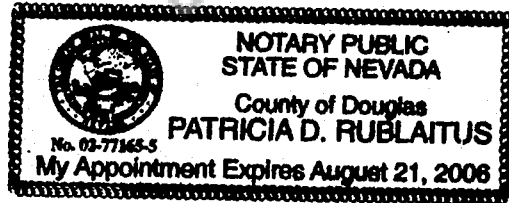
Laura Moline

LAURA MOLINE

SUBSCRIBED and SWORN to before me by LAURA MOLINE on this 19th day of September, 2002.

Patricia D. Rublaitus

NOTARY PUBLIC



Mailing Address
P.O. Box 2080
Minden, NV 89423
Facsimile (775) 782-3685

Rowe & Hales
Attorneys At Law

Physical Address
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Minden, NV 89423
(775) 782-8141

COPY

EXHIBIT "A"

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STEWART TITLE

1650 North Lucerne ~ Minden, Nevada 89423
Phone: (775) 782-2208 ~ Fax: (775) 782-4601

COMMISSION INSTRUCTIONS

ESCROW NO.: 020107421
PROPERTY ADDRESS: 1343 SOUTH RIVERVIEW DRIVE
GARDNERVILLE, NV 89410
DATE: September 5, 2002
TO: STEWART TITLE (COMMISSION ON \$147,000.00)

I hereby assign to the order of MC CALL REALTY CC and CENTURY 21/CLARK PROPERTIES licensed real estate broker(s), the sum of \$8,820.00 from funds to be received or held by you on my behalf. I acknowledge that said broker was heretofore employed to effect a transaction of the property described under the above escrow number, that I have agreed to pay said sum to said broker(s) as commission for said service as follows:

- TO: MC CALL REALTY CC (LESS \$2,205.00 FROM THIS \$4,410.00 (3%) COMMISSION TO LAURA MOJINE AT CLOSE OF ESCROW.)
- TO: CENTURY 21/CLARK PROPERTIES \$4,410.00 (3%)
LESS \$800.00 to (Goldwell) Banker Village/referral fee
LESS \$902.50 to M. Scott Properties/referral fee

DEBBI A. EARLY

APPROVED:
MC CALL REALTY CC

BY: _____
BROKER

Broker License No. Exp. Date

Agent License No. Exp. Date

FROM COMMISSION DUE THE UNDERSIGNED BROKER, ESCROW HOLDER IS DIRECTED TO DEDUCT A SUM NOT TO EXCEED \$250.00 AND PAY ONE YEAR HOME WARRANTY INVOICE AT CLOSE.

APPROVED:
CENTURY 21/CLARK PROPERTIES

BY: _____
BROKER

Broker License No. Exp. Date

Agent License No. Exp. Date

0553647

BK1002PG00881

August 9, 2002

RE: Sale of 1343 S. Riverview Drive, Gardnerville, Nevada

To Whom It May Concern:

I, Debbie Early, do hereby agree to immediately pay Laura Moline of M. Scott Properties a \$2,000.00 fee through the escrow process on the sale of the home situated at: 1343 S. Riverview Dr., Gardnerville, Nevada. Sale price to be \$147,500.00.

In addition to the aforementioned, it is understood by all parties that McCall Realty will also contribute 50% of earned listing side of commissions at close of escrow to Laura Moline.

This agreement between parties resolves all issues associated with the sale of said property to Laura Moline and she accepts terms of agreement in full by written cancellation of her offer to purchase. Time is of the essence in this matter and Laura Moline must respond in writing to McCall Realty on or before 5 PM Monday, August 12, 2002.

Respectfully,

Debbie Early
8/9/02
Debbi Early

Respectfully,

[Signature] 8/9/02
Budd Hickey
Broker/Sales Manager

DE/h

701 South Carson Street
Carson City, Nevada 89701
775.885.8200, fax 775.885.2131
www.mccallrealty.com

0553647

0223817

BK1002PG00882

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: September 27, 2002
Clerk of the 9th Judicial District Court

of the State of Nevada, in and for the County of Douglas,

By B. Penix Deputy

SEAL

REQUESTED BY
Stewart Title of Douglas County

IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2002 OCT -2 PM 3: 42

LINDA SLATER
RECORDER

7/200220
\$2000 PAID K DEPUTY

0553647

BK 1002 PG 00883

