

1 CASE NO. 99-CV-0129

RECEIVED

2 DEPT. NO. II

APR 07 2003

2003 APR -7 PM 2:37

DOUGLAS COUNTY
DISTRICT COURT CLERK

BARBARA REED
CLERK

BY **B. PHENIX**
DEPUTY

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

8 HILTON B. ATHERTON, JR.,
9 and SUEMI ATHERTON,

10 Plaintiffs,

11 vs.

12 DEAN DASKAROLIS and VEATRIKI
13 DASKAROLIS, Trustees for the
14 Daskarolis Family Trust Dated
15 July 25, 1991,
16 Defendants,

ORDER CONFIRMING SETTLEMENT
AGREEMENT AND FOR PARTITION OF
REAL PROPERTY

15 _____/
16 AND RELATED COUNTERCLAIMS

17 ROGER MEHRTENS and CAROL
18 MEHRTENS,

19 Plaintiffs,

20 vs.

21 DEAN DASKAROLIS and VEATRIKI
22 DASKAROLIS, Trustees for the
23 Daskarolis Family Trust Dated
24 July 25, 1991; DOES 1 through
25 50, inclusive,

26 Defendants.

27 _____/
28 AND RELATED COUNTERCLAIMS

29 THIS MATTER was brought on before the Court on the Stipulation
30 for Confirmation of Settlement Agreement and for Entry of Order for

0573690

BK0403PG07585

1 Partition of Real Property ("Stipulation") of Plaintiffs and
2 Counter-Defendants HILTON B. ATHERTON, JR. and SUEMI ATHERTON
3 ("ATHERTON"), and Defendants and Counter-Claimants, DEAN DASKAROLIS
4 and VEATRIKI DASKAROLIS, Trustees of the Daskarolis Family Trust
5 u.t.d. July 25, 1991 ("DASKAROLIS"). Based upon the provisions of
6 the parties' stipulation, and good cause appearing:

7 **IT IS HEREBY ORDERED:**

8 1. The above-captioned litigation, as between HILTON B.
9 ATHERTON, JR. and SUEMI ATHERTON and DEAN DASKAROLIS and VEATRIKI
10 DASKAROLIS, Trustees of the Daskarolis Family Trust u.t.d. July 25,
11 1991, shall be, and the same is hereby, settled and resolved
12 pursuant to the terms and provisions of the parties' stipulation
13 and settlement agreement, together with all of the related
14 instruments duly executed by the parties in furtherance of the
15 settlement agreement as set forth in the Stipulation. The
16 Stipulation sets forth the specifications of resolution of the
17 litigation as such points of resolution were generally set forth in
18 the record before this Court made on February 13, 2002, and July 9,
19 2002. Each, every and all of the parties' agreements, deeds, maps,
20 promissory notes and deeds of trust, together with related
21 instruments, are ratified, confirmed and approved by the Court.

22 2. The real property now owned by ATHERTON and DASKAROLIS,
23 as owners of undivided one-half interests, shall be partitioned
24 according to Exhibit "2" attached to the parties' stipulation. The
25 Court hereby orders that the real property situated in the County
26
27
28

0573690

BK0403PG07586

1 of Douglas, State of Nevada, consisting of 2.867 acres of land,
2 more or less, commonly identified as Douglas County, Nevada
3 Assessor's Parcel No. 01-120-010 shall be partitioned according to
4 the Record of Survey Map for Hilton B. Atherton, Jr. and Dean
5 Daskarolis, et al. dated February 5, 2003, a copy of which may be
6 found as Exhibit "2" to the Stipulation. The Court shall execute
7 the appropriate jurat on the original mylar map in order that the
8 same may be hereafter recorded.

9 3. It is hereby the order of this Court that the litigation,
10 and any and all claims existing between ATHERTON and DASKAROLIS,
11 shall be, and the same are hereby, settled, resolved and satisfied
12 as provided in the parties' stipulation and the related instruments
13 required to implement the settlement agreement duly executed by
14 DASKAROLIS and ATHERTON.
15

16 4. Each party shall bear their own fees and costs except as

17 / / /

18 / / /

19 / / /

20 / / /

21 / / /

22 / / /

23 / / /

24 / / /

25 / / /

26 / / /

27 / / /

28

0573690
BK0403PG07587

1 may be otherwise provided in the instruments executed by the
2 parties to effectuate their settlement agreement.

3 Dated this 2 day of April, 2003.

David R. Gamble

DAVID R. GAMBLE
DISTRICT COURT JUDGE

7 **ROWE & HALES, LLP.,**

**Law Offices of
Thomas J. Hall**

Michael Smiley Rowe

MICHAEL SMILEY ROWE, ESQ.
Nevada State Bar No. 1374
Post Office Box 2080
Minden, Nevada 89423
(775) 782-8141
Attorney for Defendants

Thomas J. Hall

THOMAS J. HALL, ESQ.
Nevada State Bar No. 0675
305 S. Arlington Avenue
Reno, NV 89505
(775) 348-7011
Attorney for Plaintiffs

CERTIFIED COPY 'SEAL'

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: April 8, 2003

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

By *[Signature]* Deputy

REQUESTED BY
Rowe & Hales, LLP
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2003 APR 16 PM 1:45

WERNER CHRISTEN
RECORDER

\$ 17.00 PAID *[Signature]* DEPUTY

0573690

BK0403PG07588