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APR 17 2003

2003 APR 17 PM 1:00

DOUGLAS COUNTY  
DISTRICT COURT CLERK

BARBARA REED  
CLERK

BY **B. PHENIX**  
DEPUTY

1 CASE NO.: 03-CV-0094

2 DEPT. NO.: II

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IN THE NINTH JUDICIAL DISTRICT OF THE STATE OF NEVADA

8

IN AND FOR THE COUNTY OF DOUGLAS

9

10 JACK WHITE CUSTOM HOMES,  
a Nevada corporation,

11

Plaintiff,

12

vs.

13

14 SANDRA L. CABLE, an individual;  
ALL PERSONS HOLDING OR CLAIMING  
15 LIENS PURSUANT TO THE PROVISIONS  
OF NRS 108.221 TO 108.246, INCLUSIVE,  
ON THE PREMISES IDENTIFIED AS 2537  
16 GENOA ASPEN DRIVE, GENOA, NEVADA;  
and DOES 1-10, inclusive,

17

Defendants.

18

19 COMES NOW PLAINTIFF, JACK WHITE CUSTOM HOMES, a Nevada  
20 corporation, by and through its attorneys, and hereby withdraws the  
21 NOTICE OF PENDING LITIGATION - LIS PENDENS , and releases the related  
22 NOTICE OF MECHANIC'S LIEN, which were previously recorded in the  
23 Office of the Douglas County Recorder, as follows:

24

RELEASE OF NOTICE OF MECHANIC'S LIEN

25

26 NOTICE IS HEREBY GIVEN THAT: The undersigned did, on the second  
day of the month of October of the year 2002, record in Book 1002,  
27 pages 00563-00565, Document No. 0553592, in the Office of the County  
28 Recorder of Douglas County, Nevada, its Notice of Mechanic's Lien

0573879

BK0403PG08500

1 (Exhibit 1 hereto), upon the below described property, owned or  
2 purportedly owned by defendants herein. NOW, THEREFORE, for valuable  
3 consideration the Plaintiff herein does release, satisfy and discharge  
4 the claim or lien, on the property described below, by reason of such  
5 Notice of Mechanic's Lien, or by reason of the work and labor on, or  
6 materials furnished for that property, pursuant to settlement of this  
7 action, each party to bear their own costs and attorney's fees, and  
8 NRS 108.2437;

9 WITHDRAWAL OF NOTICE OF PENDING LITIGATION - LIS PENDENS

10 The Notice of Pending Litigation, recorded on March 26, 2003, in  
11 Book 0303 of Official Records, pages 12493-12498, as Document No.  
12 0571352 (including a copy of the above Notice of Mechanic's  
13 Lien)(Exhibit 2 hereto), is hereby withdrawn.

14 The aforestated notices affect real property situate in the  
15 County of Douglas, State of Nevada, described as follows:

16 Lot 59 of Block J, as said Lot and Block are set forth on  
17 the Official map of GENOA LAKES PHASE 1 B, Recorded June 28,  
18 1993 in Book 693, Page 6217, as Document No. 311009, of  
Official records of Douglas County, State of Nevada.

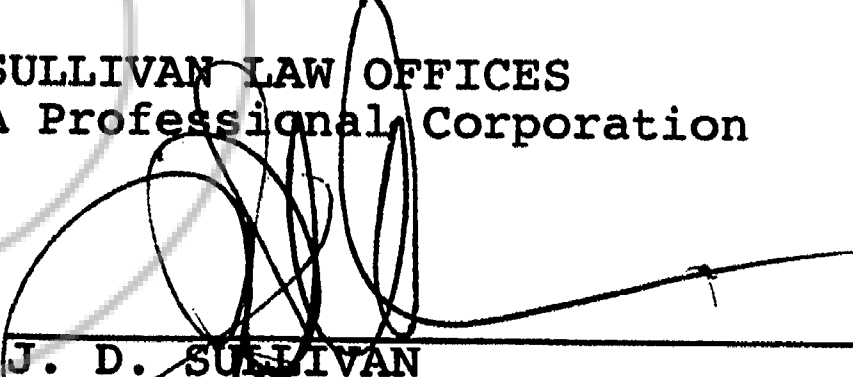
19 COMMONLY KNOWN AS:

20 2537 Genoa Aspen Drive, Genoa, Nevada  
21 APN: 1319-03-611-014

22 Dated: April 17, 2003

SULLIVAN LAW OFFICES  
A Professional Corporation

23 By:

24   
25 J. D. SULLIVAN  
26 Attorney for Plaintiff,  
27 JACK R. WHITE

28 1650 North Lucerne Street  
Minden, NV 89423

Telephone: (775) 782-6915  
Telecopier: (775) 782-3439

1 APN: 1319-03-611-014

2 WHEN RECORDED MAIL TO:

3 Sullivan Law Offices  
4 A Professional Corporation  
5 1650 N. Lucerne  
6 Minden, NV 89423

7 Telephone: 775.782.6915  
8 Fax: 775.782.3439

9 Attorneys for Claimant  
10 JACK WHITE CUSTOM HOMES

11 STATE OF NEVADA - COUNTY OF DOUGLAS

12 JACK WHITE CUSTOM HOMES,  
13 a Nevada corporation,

14 Claimant,

15 and

16 SANDRA L. CABLE, an individual,

17 Owner.

18 NOTICE OF MECHANIC'S  
19 LIEN

20 (NRS Chapter 108)

MAR 23 2003

21 TO SANDRA L. CABLE, and all other legal or equitable owners of  
22 any interest in the below-described property ("Property"), PLEASE TAKE  
23 NOTICE: Claimant was employed by and has furnished Owner, by way of  
24 express or implied contract, with labor and/or materials for use in  
25 the construction of a single family home on the Property.

26 The terms of the agreement, with said Owner, was that Claimant  
27 would provide Owner with contracted drafting, design, engineering  
28 and/or consultation, or other services, directly or indirectly (by  
subcontracting same), on Owner's behalf, and then be paid upon receipt  
by Owner of Claimant's invoices, for the services rendered. The  
original billing was \$11,433. Owner has paid \$2,500, but is  
wrongfully refusing to pay the balance.

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BK0403PG08502

EXHIBIT 1

0553592

BK1002PG00563

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1 Therefore, in light of Owner's breach and repudiation of duty to  
2 pay for all services rendered, and in lieu of contract payment,  
3 Claimant is entitled to be paid the fair market value of the labor  
4 performed, plus a reasonable allowance for overhead and profit. NRS  
5 108.222, 108.2231. After deducting all just offsets and credits, the  
6 balance due is as follows:

7	Fair Market Value:	\$11,433
8	10% Overhead	1,143
9	10% Profit	1,143
10	Payment	( 2,500)
11	Net Due	<u>\$11,219</u>

12 to which should be added interest/late charges, from July 14, 2002, at  
13 a minimum of 1.5% per month, plus the costs, expenses and attorney's  
14 fees incurred by Claimant in having to pursue the unpaid sums. The  
15 Property, subject of this Lien, is commonly known as 2537 Genoa Aspen  
16 Dr., Genoa, NV, as more particularly described in attached Schedule A.

17 Dated: September 27, 2002 Jack White  
18 Jack White, President,  
19 Jack White Custom Homes

20 STATE OF NEVADA )  
21 ) ss.  
22 COUNTY OF DOUGLAS )

23 On September 27, 2002, before me, personally appeared JACK WHITE,  
24 personally known to me, or proven to me on the basis of satisfactory  
25 evidence to be the person(s) whose name(s) is/are subscribed to the  
26 within instrument and acknowledged to me that he/she/they executed the  
27 same in his/her/their authorized capacity(ies), and that by  
28 his/her/their signature(s) on the instrument the person(s), or entity  
upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Sharon Coates  
Signature of Notary

# SCHEDULE A

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

Lot 59 of Block J, as said Lot and Block are set forth on the Official Map of GENOA LAKES PHASE B, Recorded June 28, 1993 in Book 693, Page 6217, as Document No. 311009, of Official Records of Douglas County, State of Nevada.

COPIED

REQUESTED BY  
*Sullivan Law Offices*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2002 OCT -2 PM 12:48

LINDA SLATER  
RECORDER

*s/16* PAID *12* DEPUTY

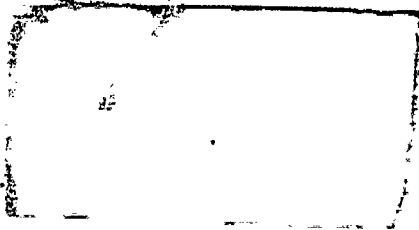
EXHIBIT 1

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BK 0403 PG 08504

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BK 1002 PG 00565



APR 1 - 2003

CASE NO.: 03-CV-0094  
DEPT. NO.: II

RECEIVED  
MAR 20 2003  
DOUGLAS COUNTY  
DISTRICT COURT CLERK

2003 MAR 26 PM 12:13

J. THALER

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

JACK WHITE CUSTOM HOMES,  
a Nevada corporation,

NOTICE OF PENDING ACTION -  
LIS PENDENS

Plaintiff,

(NRS 14.010)

vs.

SANDRA L. CABLE, an individual;  
ALL PERSONS HOLDING OR CLAIMING  
LIENS PURSUANT TO THE PROVISIONS  
OF NRS 108.221 TO 108.246, INCLUSIVE,  
ON THE PREMISES IDENTIFIED AS 2537  
GENOA ASPEN DRIVE, GENOA, NEVADA;  
and DOES 1-10, inclusive,

Defendants.

TO ALL PARTIES SET FORTH HEREIN, PLEASE TAKE NOTICE:

An action has been filed in Douglas County, State of Nevada,  
affecting the title of certain real property situate in the County of  
Douglas, State of Nevada, described as follows:

See Attached Exhibit 1 Notice of Mechanic's Lien.

The object of the action is to obtain a court decree specifically  
enforcing the aforesaid Lien by way of exectuion sale of the affected  
property, as provided by law.

Questions may be directed to the below-listed counsel for  
plaintiff.

///

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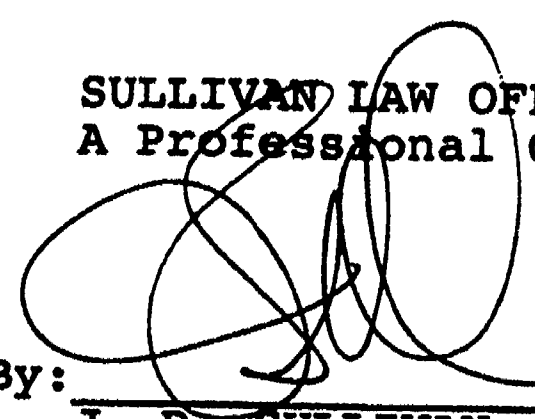
EXHIBIT 2

0571352  
BK0303PG12493

APR 9 2003

1 Dated: March 26, 2003

SULLIVAN LAW OFFICES  
A Professional Corporation

2  
3  
4 By:   
5 J. D. SULLIVAN

6 Attorneys for Plaintiff,  
7 JACK WHITE CUSTOM HOMES

8 Telephone: 775.782.6915  
9 Fax: 775.782.3439

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**CONFIDENTIAL**

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2  
EXHIBIT 2

0571352  
BK0303PG12494

1 APN: 1319-03-611-014  
2 WHEN RECORDED MAIL TO:  
3 Sullivan Law Offices  
4 A Professional Corporation  
5 1650 N. Lucerne  
6 Minden, NV 89423  
7 Telephone: 775.782.6915  
8 Fax: 775.782.3439  
9 Attorneys for Claimant  
10 JACK WHITE CUSTOM HOMES

11 STATE OF NEVADA - COUNTY OF DOUGLAS

12 JACK WHITE CUSTOM HOMES,  
13 a Nevada corporation,

NOTICE OF MECHANIC'S  
LIEN

14 Claimant,

(NRS Chapter 108)

15 and

16 SANDRA L. CABLE, an individual,  
17 Owner.

18 TO SANDRA L. CABLE, and all other legal or equitable owners of  
19 any interest in the below-described property ("Property"), PLEASE TAKE  
20 NOTICE: Claimant was employed by and has furnished Owner, by way of  
21 express or implied contract, with labor and/or materials for use in  
22 the construction of a single family home on the Property.

23 The terms of the agreement, with said Owner, was that Claimant  
24 would provide Owner with contracted drafting, design, engineering  
25 and/or consultation, or other services, directly or indirectly (by  
26 subcontracting same), on Owner's behalf, and then be paid upon receipt  
27 by Owner of Claimant's invoices, for the services rendered. The  
28 original billing was \$11,433. Owner has paid \$2,500, but is  
wrongfully refusing to pay the balance.

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EXHIBIT 2

0553592

BK0303PG12495

BK1002PG00563

CLIENT 0573879

BK0403PG08507



1 Therefore, in light of Owner's breach and repudiation of duty to  
2 pay for all services rendered, and in lieu of contract payment,  
3 Claimant is entitled to be paid the fair market value of the labor  
4 performed, plus a reasonable allowance for overhead and profit. NRS  
5 108.222, 108.2231. After deducting all just offsets and credits, the  
6 balance due is as follows:

7 Fair Market Value:	\$11,433
10% Overhead	1,143
8 10% Profit	1,143
9 Payment	( 2,500)
10 Net Due	<u>\$11,219</u>

11 to which should be added interest/late charges, from July 14, 2002, at  
12 a minimum of 1.5% per month, plus the costs, expenses and attorney's  
13 fees incurred by Claimant in having to pursue the unpaid sums. The  
14 Property, subject of this Lien, is commonly known as 2537 Genoa Aspen  
15 Dr., Genoa, NV, as more particularly described in attached Schedule A.

16  
17 Dated: September 27, 2002 Jack White  
18 Jack White, President,  
19 Jack White Custom Homes

20 STATE OF NEVADA )  
21 COUNTY OF DOUGLAS ) ss.

22 On September 27, 2002, before me, personally appeared JACK WHITE,  
23 personally known to me, or proven to me on the basis of satisfactory  
24 evidence to be the person(s) whose name(s) is/are subscribed to the  
25 within instrument and acknowledged to me that he/she/they executed the  
26 same in his/her/their authorized capacity(ies), and that by  
27 his/her/their signature(s) on the instrument the person(s), or entity  
28 upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Sharon Coates  
Signature of Notary

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BK0303PG12496 BK1002PG00566

EXHIBIT 2

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# SCHEDULE A

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

Lot 59 of Block J, as said Lot and Block are set forth on the Official Map of GENOA LAKES PHASE 1 B, Recorded June 28, 1993 in Book 693, Page 6217, as Document No. 311009, of Official Records of Douglas County, State of Nevada.

**DRAFT**

BK 0403 PG 08509  
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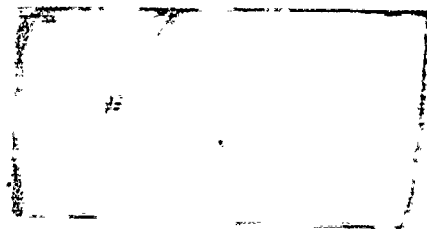
REQUESTED BY  
*Sullivan Law Offices*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2002 OCT -2 PM 12:48

LINDA SLATER  
RECORDER  
2/6 PAID 12 DEPUTY

0571352  
BK 0303 PG 12497

0553592 EXHIBIT  
BK 1002 PG 00565



**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: 3/26/03  
Blee Clerk of the 9th Judicial District Court  
of the State of Nevada, In and for the County of Douglas,

By J. Thaler Deputy

**COPIES**

REQUESTED BY  
Sullivan Law Offices  
IN OFFICIAL RECORDS OF  
DOUGLAS CO NEVADA

2003 MAR 26 PM 12: 37

WERNER CHRISTEN  
RECORDER

\$19<sup>00</sup> PAID K2 DEPUTY

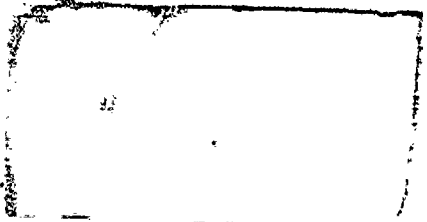
EXHIBIT 2

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PROOF OF SERVICE BY MAIL

I, Linda LeChien, declare:

That I am over the age of 18 years of age, not a party to the within action, and am a citizen of the United States. My address is 1650 North Lucerne St., Minden, Nevada 89423.

That on April 17, 2003, I served the document entitled: NOTICE OF WITHDRAWAL OF NOTICE OF PENDING ACTION; NOTICE OF WITHDRAWAL OF NOTICE OF MECHANIC'S LIEN, by placing a true and correct copy of said document in the United States mail, with first class postage fully prepaid thereon, at Minden, Nevada, addressed as follows:

Kelly R. Chase, Esq.  
P. O. Box 2800  
Minden, NV 89423

I declare under penalty of perjury under the laws of the State of Nevada, that the foregoing is true and correct and that this declaration is made at Minden, Nevada, on April 17, 2003.

*Linda LeChien*  
Linda LeChien

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: April 17, 2003

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

By [Signature] Deputy

SEAL

REQUESTED BY  
*Sullivan Law Office*

IN OFFICIAL RECORDS OF  
DOUGLAS CO. NEVADA

2003 APR 17 PM 4: 22

WERNER CHRISTEN  
RECORDER

25<sup>00</sup> PAID *KJ* DEPUTY

0573879

BK0403PG08511