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OFFICIAL RECORD

Requested By:
ROWE & HALES

APN: 1318-09-810-006

**RECORDING REQUESTED BY AND
MAIL TO:**

James R. Hales, Esq.
1638 Esmeralda Avenue
Minden, NV 89423
(775) 782-8141

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 6 Fee: 19.00
BK-0705 PG- 5276 RPTT: 0.00



DISCLAIMER - NEVADA DIVISION OF STATE LANDS

COOPER

RECEIVED

1 CASE NO. 04-CV-0286

JUL 6 2005

2 DEPT. NO. II

DOUGLAS COUNTY
DISTRICT COURT CLERK

2005 JUL -6 PM 2:42

BARBARA WELLS
BDEBOER
BY _____ DEPUTY

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5
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS
8

9 BRIAN W. ANDREWS; DEBORAH A.
10 AHLMAN, individually and as
11 trustee of The Deborah Ahlman
12 Revocable Trust; JAMES B.
13 ANDREWS; KIRK A. ANDREWS; ANN
14 KAISER, also known as ANNIE D.
15 KAISER; BRETON KAISER SHINN,

DISCLAIMER

NEVADA DIVISION OF STATE LANDS

13 Plaintiffs

14 vs.

15 ZEPHYR COVE PROPERTIES, INC., a
16 Nevada Corporation and Any and
17 All Persons Unknown Claiming Any
18 Legal or Equitable Right, Title,
19 Estate or Lien or Interest in
20 the Property Described in the
21 Complaint; State of Nevada; and
22 DOES 1 through 100, Inclusive,

20 Defendants.

21 COMES NOW, the State of Nevada, by and through the Nevada State
22 Land Registrar and the Administrator of the Nevada Division for State
23 Lands, pursuant to NRS 120.010, et. seq. "Disclaimer of Interest in
24 Property", and disclaims an interest in certain real property as set
25 forth herein.

26 The Nevada State Land Registrar and the Administrator of the
27 Nevada Division of State Lands ("NDSL"), has reviewed the Verified
28 Complaint filed herein together with the Plaintiffs' supplied legal

1 description of the subject property for which this disclaimer is
2 sought. The State of Nevada agrees as follows:

3 1. The State of Nevada does not dispute that the Plaintiffs
4 currently own that parcel of land with the APN of 1318-09-8810-006:

5 Lot 5, Block C, as shown on the Amended Map of
6 Subdivision No. 2, Zephyr Cove Properties,
7 Inc., in Sections 9 and 10, Township 13 North,
8 Range 18 East, M.D.B.&M., filed in the office
9 of the County Recorder of Douglas County,
10 Nevada on August 5, 1929, as Document No. 267.

11 2. Pursuant to the Complaint, Plaintiffs claim an ownership
12 in certain real property located between the above described parcel
13 and the high water mark of Lake Tahoe. The legal description for
14 which the Plaintiffs claim an ownership interest is set forth on
15 Exhibit B of the Complaint.

16 3. The State of Nevada disclaims any interest in that
17 property described in Exhibit B, but as amended to the following
18 legal description:

19 All that portion of Section 9, Township 13 North, Range
20 18 East, M.D.M., more particularly described as follows:

21 Beginning at the Southeast corner of Lot 5, Block C
22 of Zephyr Cove Properties Amended No. 2, filed for record
23 on August 9, 1929, as Document no. 00267, Douglas County
24 Official Records;

25 thence South 20°03'27" West 58.00 feet, more or
26 less, to the approximate Low Water Line of Lake Tahoe at
27 an elevation of 6223.0', Lake Tahoe Datum;

28 thence along said approximate Low Water Line North
59°40'16" West 31.88 feet;

thence South 77°10'21" West 30.09 feet;

thence North 29°15'44" West 29.12 feet;

thence North 20°02'00" East 67.36 feet to a point on
the Meander Line of Lake Tahoe;

thence along said Meander Line South 46°00'00" East
62.80 feet and EAST 22.73 feet to the Point of Beginning.

Containing 4,766 square feet, more or less.

///



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1 The Basis of Bearing for this description is the above
2 referenced Zephyr Cove Properties Amended no. 2.

3 Except Therefrom: any portion of the above described
4 property lying within the bed of Lake Tahoe below the
5 line of natural ordinary high water and also excepting
6 any artificial accretions to the land waterward of the
7 line of natural ordinary high water or, if lake level has
8 been artificially lowered, excepting any portion lying
9 below an elevation of 6,223.00 feet, Lake Tahoe Datum
10 established by NRS 321.595.

11 4. The "Strip", as that term is defined in the Complaint, is
12 amended for purposes of this disclaimer to consist of the land
13 identified in the above legal description.

14 5. The State of Nevada's disclaimer to the Strip is
15 conditioned and predicated upon the agreement of the parties to the
16 inclusion of the exception set forth in the legal description set
17 forth in paragraph 3.

18 6. After a review of the maps and records in the office of
19 NDSL, the State Land Registrar agrees that with respect to any or all
20 of the Strip as more particularly described in paragraph 3 above, the
21 State of Nevada has no claim, legal interest, lien, encumbrance or
22 other claim affecting the title to the Strip.

23 7. Based upon the above and foregoing, the office of the State
24 Land Registrar, the administrator of the Nevada Division of State
25 Lands, and the State of Nevada disclaim any interest in and to that
26 property identified in the Petition as the Strip, more specifically
27 and particularly identified herein.

28 8. The Nevada State Land Registrar, the Administrator of the
Nevada Division of State Lands advise the Court that they do not
oppose the Complaint filed by BRIAN W. ANDREWS; DEBORAH A. AHLMAN,
individually and as trustee of The Deborah Ahlman Revocable Trust;
JAMES B. ANDREWS; KIRK A. ANDREWS; ANN KAISER, also known as ANNIE D.



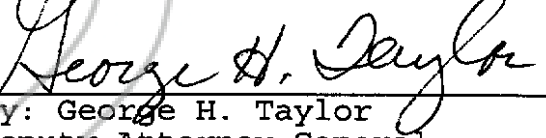
1 KAISER; and BRETON KAISER SHINN. No formal appearance in the pending
2 action will be made. The parties consent to entry of an order,
3 judgment or decree of the Court quieting title of the Strip as
4 described herein.

5 DATED this 18th day of May, 2005.

6
7 
8 PAMELA WILCOX
State Land Registrar


9 DATED this 18th day of May, 2005.

10 BRIAN SANDOVAL
11 Attorney General
12 Reviewed as to Form Only:

13 
14 By: George H. Taylor
Deputy Attorney General

15 STATE OF NEVADA)
16) ss.
17 CARSON CITY)

18 This instrument was acknowledged before me on this 18th day of
19 May, 2005 by Pamela Wilcox as State Land Registrar for
20 the State of Nevada.

21 
22 NOTARY PUBLIC

23 
24 MEGHAN O'NEAL
25 Notary Public - State of Nevada
26 Appointment Recorded in Washoe County
27 No: 03-84837-2 - Expires October 23, 2007

1 CERTIFICATE OF MAILING

2 Pursuant to N.R.C.P. 5(b), I hereby certify that I am an
3 employee of ROWE & HALES, and that on July ⁶/₈, 2005, I served the
4 **DISCLAIMER - NEVADA DIVISION OF STATE LANDS** on the following
5 individuals, by placing a true copy thereof enclosed in a sealed
6 envelope, with first class postage prepaid thereon in the United
7 States Post Office Mail addressed as follows:

8 Jeff Mennicucci
9 Zephyr Cove Properties, Inc.
10 50 W. Liberty St. #1100
11 Reno, NV 89501

12 The envelope addressed as above will be deposited today with
13 the United States Postal Service in the ordinary course of business.

14 I declare under penalty of perjury that the foregoing is true
15 and correct.

16 Executed on July ⁶/₈, 2005, in Douglas County, Nevada.

17 
18 Sonya M. Henning

19
20
21
22 **SEAL**

23 **CERTIFIED COPY**
24 The document to which this certificate is attached is a
25 full, true and correct copy of the original on file and of
26 record in my office.

27 DATE July 8, 2005
28 B. Reed Deputy District Court
of the State of Nevada, in and for the County of Douglas,
By B. Reed Deputy

