

Assessor's Parcel Number: 1318-23-212-009

Recording Requested By:

✓ Name: Chet A. Glover, Smith Larsen & Wixom

Address: 1935 Village Center Circle

City/State/Zip Las Vegas, NV 89134

Real Property Transfer Tax:

DOUGLAS COUNTY, NV 2014-854451

Rec:\$25.00

Total:\$25.00

12/15/2014 12:32 PM

SMITH LARSEN & WIXOM

Pgs=12



00005192201408544510120127

KAREN ELLISON, RECORDER

\$ _____

Order Granting Motion to Dismiss With Prejudice, Vacating Judgment, Dissolving
Preliminary Injunction, Expunging Lis Pendens, and Expunging Notice of Rescission
of Trustee's Deed Upon Sale
(Title of Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

This cover page must be typed or legibly hand printed.

RECEIVED

OCT 10 2014

DOUGLAS COUNTY
IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
DISTRICT COURT CLERK

IN AND FOR THE COUNTY OF DOUGLAS
OCT 21 PM 1:46

DAVID LANGHEIER and VICKI
LANGHEIER, husband and wife,

Plaintiffs,

vs.

JP MORGAN CHASE, NA, a national banking
association and wholly owned subsidiary of
JPMORGAN CHASE & CO., a Delaware
corporation, and CALIFORNIA
RECONVEYANCE CORPORATION, a
California corporation and DOES I-XX,

Defendants.

CASE NO: 10-CV-01600
DEPT NO: II

FILED
E. R. WILLIAMS
CLERK
BY *W. Slattery*
DEPUTY

**ORDER GRANTING MOTION TO
DISMISS WITH PREJUDICE,
VACATING JUDGMENT, DISSOLVING
PRELIMINARY INJUNCTION,
EXPUNGING LIS PENDENS, AND
EXPUNGING NOTICE OF RESCISSION
OF TRUSTEE'S DEED UPON SALE**

This matter comes before the Court on Defendants JPMorgan Chase Bank, N.A. and California Reconveyance Company's Motion to Dismiss with Prejudice, Vacate Judgment, and Dissolve Preliminary Injunction ("Motion").

Having reviewed the pleadings and papers on file in this action, and the Points and Authorities of the parties, the Court enters the following:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants' Motion is granted, and this matter is dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Order and Judgment filed in this Court in the above-captioned matter on June 26, 2012 is vacated and is of no further force and effect, pursuant to this Order and Plaintiffs' Notice of Withdrawal of Motion to Enforce Settlement Agreement and Enter Judgment filed on November 21, 2012.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Preliminary Injunction granted by this Court on April 7, 2011, and entered on April 11, 2011, is dissolved and of no further force and effect.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Lis Pendens recorded in the official records of the Douglas County Recorder as Document # 0764342, and attached hereto as Exhibit 1, is expunge and of no further force or effect. A copy of this Order may be recorded with the Douglas County Recorder forthwith.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that due to Plaintiffs failure to comply with, or complete, the parties' settlement agreement, and in lieu of Plaintiffs' Notice of Withdrawal of Motion to Enforce Settlement Agreement and Enter Judgment filed on November 21, 2012, the Notice of Rescission of Trustee's Deed Upon Sale, attached hereto as Exhibit 2, and recorded in the official records of the Douglas County Recorder as Document # 790027, shall be expunged and of no further force and effect. It shall be as if the Notice of Rescission of Trustee's Deed Upon Sale had never been recorded. A copy of this Order may be recorded with the Douglas County Recorder forthwith.

Dated this 24 day of a October, 2014.

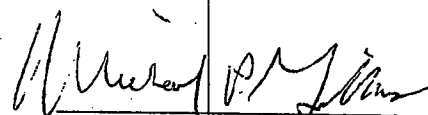

DISTRICT JUDGE

EXHIBIT 1

COPY

EXHIBIT 1

17

DOC # 0764342
05/27/2010 11:44 AM Deputy: SG
OFFICIAL RECORD
Requested By:
ALLISON MACKENZIE ETAL

APN: 1318-23-212-009

RECORDING REQUESTED BY

Douglas County - NV
Karen Ellison - Recorder
Page: 1 Of 4 Fee: 17.00
BK-0510 PG- 5432 RPTT: 0.00



WHEN RECORDED MAIL TO

ALICIA G. JOHNSON, ESQ.
ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
402 North Division Street
P.O. Box 646
Carson City, NV 89702

SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE

The party executing this document hereby affirms
that this document submitted for recording does
not contain the social security number of any
person or persons pursuant to NRS 239B.030

The party executing this document hereby affirms
that this document submitted for recording does
contain the social security number of a person or
persons as required by NRS 440.350


ALICIA G. JOHNSON

LIS PENDENS



RECEIVED

MAY 25 2010

DOUGLAS COUNTY
DISTRICT COURT CLERK

FILED

2010 MAY 25 AM 11:08

TED THUAN
CLERK

BY K. WILFERT DEPUTY

1 Case No. 10-CV-0160

2 Dept. No. II

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

8
9 DAVID LANGHEIER and VICKI
10 LANGHEIER, husband and wife,

11 Plaintiffs,

LIS PENDENS

12 vs.

13 JP MORGAN CHASE, NA, a national
14 banking association and wholly owned
15 subsidiary of JPMORGAN CHASE & CO.,
16 a Delaware corporation, and CALIFORNIA
17 RECONVEYANCE COMPANY, a
18 California corporation and DOES I-XX,

19 Defendants.

20 NOTICE IS HEREBY GIVEN that Plaintiffs, DAVID LANGEIER and VICKI
21 LANGHEIER, husband and wife, have commenced an action against JP MORGAN CHASE, NA,
22 a national banking association and wholly owned subsidiary of JPMORGAN CHASE & CO., a
23 Delaware corporation, CALIFORNIA RECONVEYANCE COMPANY, a California corporation,
24 and DOES I-XX, with regard to the real property legally described in Exhibit "A," attached hereto
25 and incorporated herein by reference, and located at 116B Snowbird Court, Stateline, Nevada,
26 89449, in the above-entitled Court, which action is now pending.

27 The object of said action is for a declaratory judgment in favor of Plaintiffs, DAVID
28 LANGEIER and VICKI LANGHEIER, setting aside wrongful foreclosure by said Defendants of
said real property known as Assessor's Parcel Number 1318-23-212-009.

Reference is made to the Verified Complaint in full particulars.

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
402 North Division Street, P. O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com




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AFFIRMATION

The undersigned does hereby affirm that this document does not contain the social security number of any person.

SIGNED and DATED this 24th day of May, 2010.

ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
402 N. Division Street
P.O. Box 646
Carson City, NV 89702

By: 
ALICIA G. JOHNSON, ESQ.
Nevada State Bar No. 10093
Attorneys for Plaintiffs

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
402 North Division Street, P. O. Box 646, Carson City, NV 89702
Telephone: (775) 687-4202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

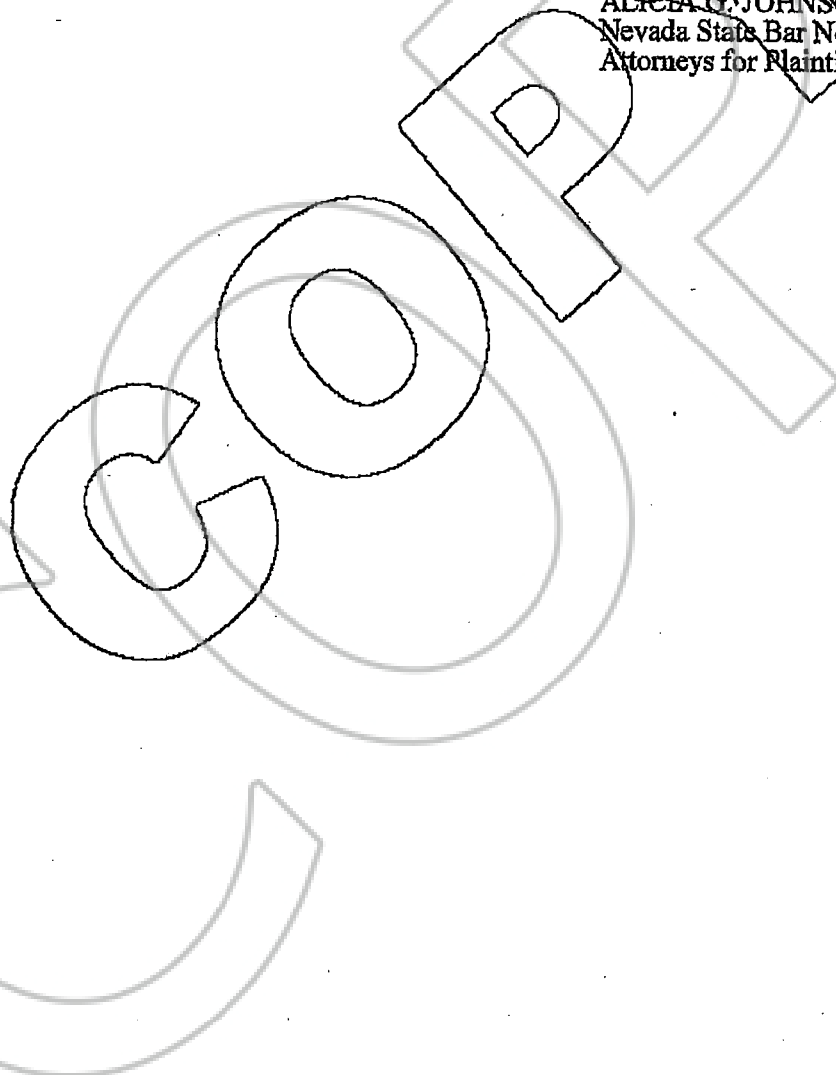




EXHIBIT A

All that real property situated in the County of Douglas, State of Nevada, bounded and described as follows:

Parcel A:

Lot 24B, as shown on the map entitled LAKE VILLAGE UNIT 2-C, filed for record in the Office of the County Recorder of Douglas County) Nevada on March 10, 1972, in Book 97, at Page 422. as Document No. 58124, of Official Records.

Excepting therefrom all that portion of said Lot 24B of LAKE VILLAGE UNIT 2-C, as conveyed in the LAKE VILLAGE HOMEOWNER'S ASSOCIATION by deed recorded October 21, 1994 in Book 1094 of Official Records at Page 3599 as Document No. 349056.

Parcel B:

All that portion of Lot 37 Common Area of LAKE VILLAGE UNIT 2-C filed for record in the Office of the County Recorder of Douglas County, Nevada on March 10, 1972 as File No. 58124 conveyed by deed to Stephen Massa 1990 Irrevocable Trust, recorded October 21, 1994 in Book 1094 of Official Records at Page 3596 as Document No. 349055.

Reference is made to the Record of Survey filed October 21, 1994 as File No. 349057.

APN: 1218-23-212-009

ALLISON, MACKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
402 North Division Street, P. O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 682-7918
E-Mail Address: law@allisonmckenzie.com

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original in file and of record in my office.

DATE

5/25/10

TED THUAN Clerk of the 9th Judicial District Court of the State of Nevada, and for the County of Douglas.

By [Signature] Deputy

EXHIBIT 2

COPY

EXHIBIT 2

DOC # 790027
09/23/2011 02:54PM Deputy: SG
OFFICIAL RECORD
Requested By:
SPL inc - LA
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 2 Fee: \$15.00
BK-911 PG-4344 RPTT: 0.00

A.P.N.: 1318-23-212-009

AND WHEN RECORDED MAIL TO
CALIFORNIA RECONVEYANCE COMPANY
9200 Oakdale Avenue
Mail Stop: CA2-4379
Chatsworth, CA 91311



Space above this line for recorder's use only

Trustee Sale No. 137559NV Loan No. 0082708736 Title Order No. 1028504

NOTICE OF RESCISSION OF TRUSTEE'S DEED UPON SALE

This Notice of Rescission is made on 09-21-2011 with respect to the following facts:

1. That CALIFORNIA RECONVEYANCE COMPANY, a California Corporation as the duly appointed trustee under that certain Deed of Trust dated 03-11-2004, and Recorded 04-08-2004, Book 0404, Page 03788, Instrument 0609725 naming DAVID D LANGHEIER AND VICKI W LANGHEIER, HUSBAND AND WIFE AS JOINT TENANTS as-trustor and WASHINGTON MUTUAL BANK, FA as beneficiary, securing a Promissory Note in the amount of \$465,000.00.
2. The Deed of Trust encumbers the real property situated in the County of DOUGLAS, State of NEVADA, described as follows:
PARCEL A: LOT 24B, AS SHOWN BY THE MAP OF LAKE VILLAGE, UNIT NO. 2C, AS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON MARCH 10, 1972, IN BOOK 97, PAGE 442, AS DOCUMENT NO. 58124. EXCEPTING THEREFROM ALL THAT PORTION OF SAID LOT 24B OF LAKE VILLAGE UNIT 2-C, AS CONVEYED TO THE LAKE VILLAGE HOMEOWNERS ASSOCIATION BY DEED RECORDED OCTOBER 21, 1994 IN BOOK 1094 OF OFFICIAL RECORD AT PAGE 3599 AS DOCUMENT NO. 349056 PARCEL B: ALL THAT PORTION OF LOT 37 COMMON AREA OF LAKE VILLAGE UNIT 2-C FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF DOUGLAS COUNTY, NEVADA ON MARCH 10, 1972 AS FILE NO. 58124 CONVEYED BY DEED TO STEPHEN MASSA 1990 IRREVOCABLE TRUST, RECORDED OCTOBER 21, 1994 IN BOOK 1094 OF OFFICIAL RECORDS AT PAGE 3596 AS DOCUMENT NO. 349055 REFERENCE IS MADE TO THE RECORD OF SURVEY FILED OCTOBER 21, 1994 AS FILE NO. 349057. Situs: 116B SNOWBIRD COURT, , STATELINE, NV 89449
3. That by virtue of a Default under the terms of the Deed of Trust the Beneficiary did declare a default, as set forth in a Notice of Default and Election to Sell, which Notice was recorded in the Office of the County Recorder of DOUGLAS, Nevada.
4. On 4-21-2011, the property was purportedly sold to JPMorgan Chase Bank, National Association, being the highest bidder at such sale who bid the amount of \$423,420.80. was in effect enjoining the sale OR through inadvertence and oversight. The Trustee's sale of 4-21-2011, as described above is null and void and of no force and effect.
6. The express purpose for this Notice of Rescission is to return the priority and existence of all lien holders to the status quo ante that existed prior to the Trustee's Sale.



Trustee Sale No. 137559NV Loan No. 0082708736 Title Order No. 1023504

NOW, THEREFORE, THE UNDERSIGNED HEREBY RESCINDS THE TRUSTEE'S SALE AND PURPORTED TRUSTEE'S DEED UPON SALE AND HEREBY ADVISES ALL PERSONS, WHOMEVER AND WHATSOEVER LOCATED, THAT THE TRUSTEE'S DEED UPON SALE DATED 4-22-11, FROM CALIFORNIA RECONVEYANCE COMPANY TO JPMorgan Chase Bank, National Association AND RECORDED 04-26-2010 AS INSTRUMENT NUMBER 762595, OF OFFICIAL RECORDS OF DOUGLAS COUNTY IS HEREBY RESCINDED AND SHALL HAVE NO FURTHER FORCE OR EFFECT WHATSOEVER.

IN WITNESS WHEREOF, CALIFORNIA RECONVEYANCE COMPANY, has caused its corporate name and seal to be hereto affixed by its authorized signature.

DATE: 09-21-2011

CALIFORNIA RECONVEYANCE COMPANY, as Trustee

BY Carlos Bernal
Carlos Bernal, Assistant Secretary

JPMORGAN Chase Bank, National Association

BY Karime Arias
Karime Arias, Assistant Secretary

BY Huey-Jen Chiu
Huey-Jen Chiu, Vice President

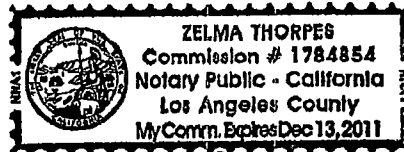
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

On 9/21/11 before me, ZELMA THORPES, "Notary Public" personally appeared HUEY-JEN CHIU, CARLOS BERNAL AND KARIME ARIAS, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Zelma Thorpes (Seal)



COPY

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original in file and of record in my office.

DATE December 8 2014

BOBBIE R. WILLIAMS Clerk of Court
of the State of Nevada, in and for the County of Douglas,

By [Signature] Deputy