

APN# 1318-27-0001-009 and  
1318-27-001-011

**Recording Requested by:**

Name: Paul Georgeson  
Address: 100 W. Liberty Street, 10th Floor  
City/State/Zip: Reno, NV 89501

**When Recorded Mail to:**

Name: Paul Georgeson, Esq.  
Address: 100 W. Liberty Street, 10th Floor  
City/State/Zip: Reno, NV 89501

**Mail Tax Statement to:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

DOUGLAS COUNTY, NV **2015-869041**  
Rec:\$32.00  
Total:\$32.00 **09/01/2015 12:17 PM**  
MCDONALD CARANO WILSON Pgs=19



KAREN ELLISON, RECORDER

( for Recorder's use only )

NOTICE OF PENDENCY OF ACTION  
**( Title of Document )**

**Please complete Affirmation Statement below:**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the social security number of any person or persons. (Per NRS 239B.030)

**-OR-**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the social security number of a person or persons as required by law: \_\_\_\_\_  
(State specific law)

Signature

Attorney at Law

Title

Paul Georgeson  
Printed Name

This page added to provide additional information required by NRS 111.312 Sections 1-2 and NRS 239B.030 Section 4.

This cover page must be typed or printed in black ink.

(Additional recording fee applies)

RECEIVED

FILED

AUG 28 2015

Douglas County  
District Court Clerk

NO \_\_\_\_\_  
2015 AUG 28 PM 3:17  
BOBBIE R. WILLIAMS  
CLERK  
BY D. GOELZ DEPUTY

1 Paul J. Georgeson, Esq.  
Nevada State Bar No. 5322  
2 Adam Hosmer-Henner, Esq.  
Nevada State Bar No. 12779  
3 MCDONALD CARANO WILSON LLP  
100 West Liberty Street, 10<sup>th</sup> Floor  
4 Reno NV 89501  
Telephone: (775) 788-2000  
5 Facsimile: (775) 788-2020  
pgeorgeson@mcdonaldcarano.com  
6 ahosmerhenner@mcdonaldcarano.com

7 *Attorneys for Sierra Nevada Construction, Inc.*

8  
9 **IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
10 **IN AND FOR THE COUNTY OF DOUGLAS**

11 SMC CONSTRUCTION, a Nevada  
corporation,

12 Plaintiff,

13 v.

14 NEVA ONE, LLC a Nevada limited liability  
15 corporation; *et al.*

16 Defendants.

Case No. 15-CV-0109

Dept. No. I

**NOTICE OF PENDENCY OF ACTION**

17  
18 **AND ALL RELATED CLAIMS**

19 NOTICE IS HEREBY GIVEN that a Statement of Facts Constituting Lien and Complaint  
20 in Intervention has been filed in the above-entitled Court on August 27, 2015 by Sierra Nevada  
21 Construction. ("SNC"), against Neva One, LLC, to foreclose on SNC's Mechanic's Lien recorded  
22 against certain real property described as follows:

23 Assessors or Property Parcel numbers 1318-27-001-009 and 1318-27-001-011 located in  
24 County of Douglas, State of Nevada.


25 That real property is the subject of previously recorded documents: a Notice of Lien  
26 recorded by SNC herein on March 09, 2015, as Document Number 2015-858062 and as amended  
27 on April 06, 2015, as Document Number 2015-859776 in the Office Douglas County Recorder.  
28 True and correct copies of the Notices of Lien are attached hereto as Exhibit A.

MCDONALD·CARANO·WILSON  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA, 89501  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE: 775-788-2000 • FAX 775 788-2020

1 The undersigned does hereby affirm that the preceding document does not contain the  
2 Social Security number of any person.

3 DATED this 28th day of August, 2015.

4  
5 McDONALD CARANO WILSON LLP

6 By:   
7 Paul J. Georgeson, Esq. (#5322)  
8 Adam Hosmer-Henner, Esq. (#12779)  
9 100 West Liberty Street, 10<sup>th</sup> Floor  
10 Reno NV 89501

11 *Attorneys for Sierra Nevada Construction, Inc.*

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 MCDONALD CARANO WILSON  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA 89501  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE: 775-788-2000 • FAX 775-788-2020

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of McDONALD CARANO WILSON LLP and that  
3 on August 28, 2015, I served the within NOTICE OF PENDENCY OF ACTION on the parties in  
4 said case by placing a true copy thereof enclosed in sealed envelopes with postage prepaid  
5 thereon in the United States Post Office mail at 100 West Liberty Street, 10<sup>th</sup> Floor, Reno,  
6 Nevada 89501 addressed as follows:

7 Michael B. Springer, Esq.  
8 Jeffrey S. Spencer, Esq.  
9 Law Offices of Michael B. Springer  
10 9460 Double R Blvd., Suite 103  
11 Reno NV 89521

12 *Attorneys for Plaintiff SMC Construction*

13 John Moore, Esq.  
14 Moore Law Group, PC  
15 3715 Lakeside Drive, Ste. A  
16 Reno, NV 89509

17 *Attorney for Lindell's Painting Service*

18 Brad M. Johnston, Esq.  
19 Hale Lane Peek Dennison & Howard  
20 5441 Kietzke Lane, Second Floor  
21 Reno NV 89511

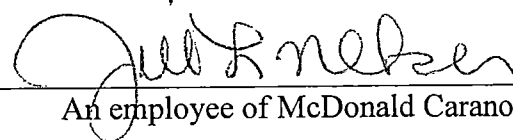
22 *Attorney for Defendant Neva One, LLC*

23 I am familiar with the firm's practice for collection and processing of correspondence for  
24 mailing with the United States Postal Service.

25 The envelopes addressed to the above parties were sealed and placed for collection by the  
26 firm's messengers and will be deposited today with the United States Postal Service in the  
27 ordinary course of business.

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

Executed on August 28, 2015 at Reno, Nevada

  
An employee of McDonald Carano Wilson

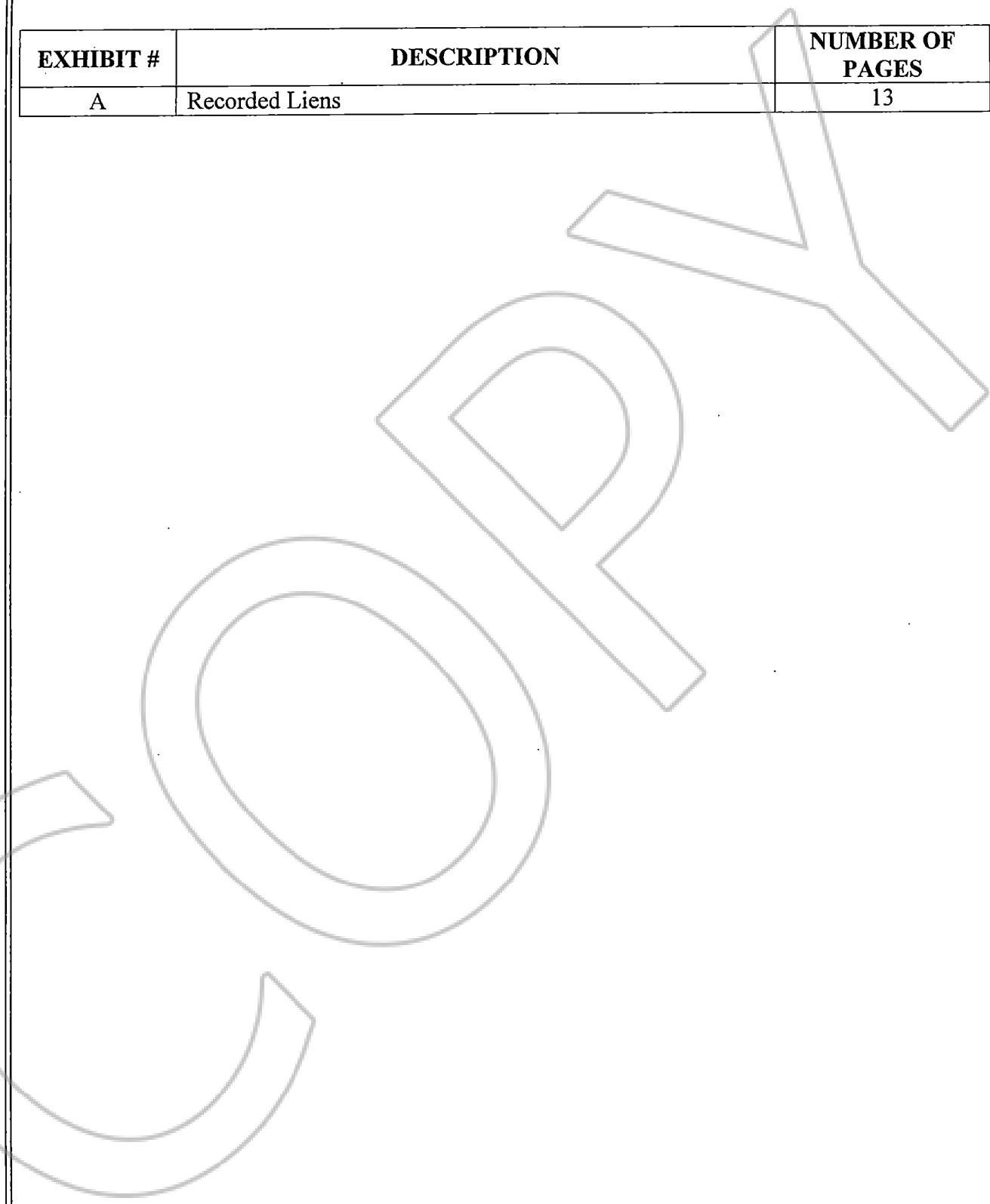
  
MCDONALD CARANO WILSON<sup>LLP</sup>  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA 89501  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE 775-788-2000 • FAX 775-788-2020

INDEX OF EXHIBITS

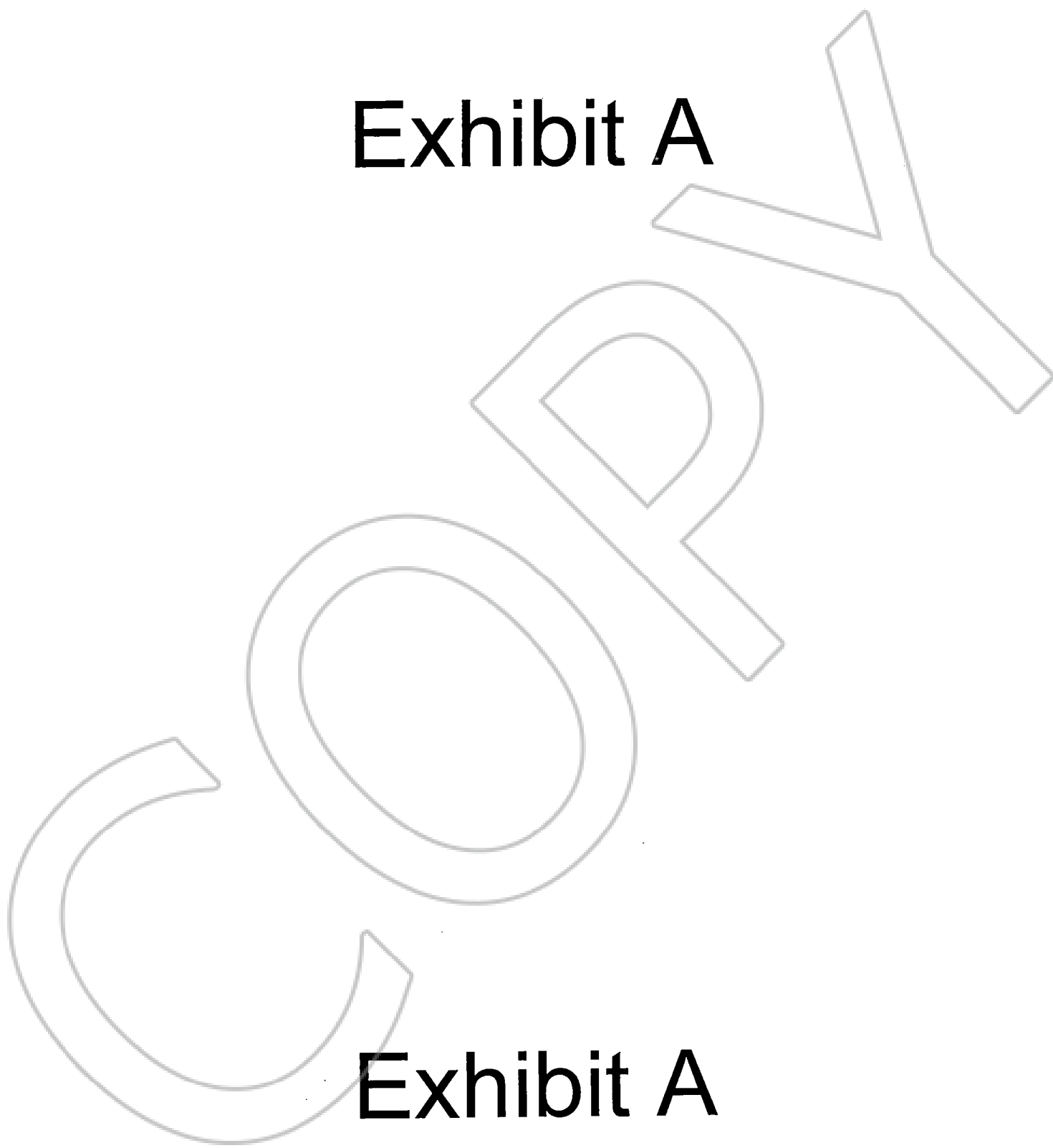
EXHIBIT #	DESCRIPTION	NUMBER OF PAGES
A	Recorded Liens	13

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 **MCDONALD-CARANO-WILSON**  
100 WEST LIBERTY STREET, 10<sup>TH</sup> FLOOR • RENO, NEVADA 89501  
P.O. BOX 2670 • RENO, NEVADA 89505-2670  
PHONE: 775-788-2000 • FAX 775 788-2020



**Exhibit A**



**Exhibit A**

**DOUGLAS COUNTY ASSESSOR'S  
PARCEL NO: 1318-27-001-009**


KAREN ELLISON, RECORDER

Recording Requested by  
Sierra Nevada Construction, Inc.

After recorded, mail to:  
Sierra Nevada Construction, Inc.  
c/o Paul J. Georgeson  
P.O. Box 2670  
Reno, NV 89505-2670  
Phone: (775) 788-2000

**Please complete Affirmation Statement below:**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons. (Per NRS 239B. 030).

  
\_\_\_\_\_  
Attorney for Lien Claimant

Paul J. Georgeson  
Printed Name

**NOTICE OF LIEN**

\*\*\*\*

This page added to provide additional information required by NRS 111.312 Sections 1-4 and NRS 239B.030 Section 4. (Additional recording fee applies)

**DOUGLAS COUNTY ASSESSOR'S  
PARCEL NO: 1318-27-001-009**

Recording Requested by  
Sierra Nevada Construction, Inc.

After recorded, mail to:  
Sierra Nevada Construction, Inc.  
c/o Paul J. Georgeson  
P.O. Box 2670  
Reno, NV 89505-2670  
Phone: (775) 788-2000

**NOTICE OF LIEN**

**The undersigned claims a lien upon the properties described in this notice for work, materials or equipment furnished or to be furnished for the improvement of the properties:**

1. The original contract amount is: ONE HUNDRED SIXTY-THREE THOUSAND, NINE-HUNDRED TEN DOLLARS AND NO/100 CENTS (\$163,910.00).
2. The total amount of all additional or changed work, materials and equipment is: TWO HUNDRED SIXTY-FIVE THOUSAND, FIVE HUNDRED FIFTY-NINE DOLLARS AND 00/100 CENTS (\$265,559.00).
3. The total amount billed to date under the contract is: THREE HUNDRED EIGHTY-FIVE THOUSAND, FOUR HUNDRED SIXTY-THREE DOLLARS AND 00/100 CENTS (\$385,463.00).
4. In addition, there remains FORTY-FOUR THOUSAND, SIX DOLLARS AND 00/100 CENTS (\$44,006.00) of work performed that has not been billed, for a



total value of work performed in the amount of FOUR HUNDRED, TWENTY-NINE THOUSAND, FOUR HUNDRED SIXTY-NINE DOLLARS AND 00/100 CENTS (\$429,469.00).

5. The total amount of all payments received to date is: TWO HUNDRED SEVENTY-NINE THOUSAND, SEVEN HUNDRED FIFTY DOLLARS AND 00/100 CENTS (\$279,750.00).

6. The principal amount of the lien for work actually completed to date, after deducting all just credits and offsets, is ONE HUNDRED FORTY-NINE THOUSAND, SEVEN HUNDRED NINETEEN DOLLARS AND 00/100 CENTS (\$149,719.00).

7. The name of the owner and/or reputed owner of the property is NEVA ONE LLC, with the physical address of 1300 Buckeye Road, Suite A, Minden, Nevada 89432.

8. The names of the persons by whom the lien claimant was employed or to whom the lien claimant furnished or agreed to furnish materials and labor is: Contractor: SMC CONSTRUCTION COMPANY, 290 Gentry Way, #1, Reno, Nevada 89502.

9. A brief statement of the terms of payment is: Monthly payments of 90% of labor and materials less 10% retention, with remaining 10% to be paid once Contractor receives final payment from the Owner, but not less than 40 days nor more than 15 days after receipt of the entire final payment from the Owner after the entire work required under the prime contract between the Owner and Contractor have been completed and accepted.

10. The real property upon which the lien is claimed consists of land commonly referred to as the HARD ROCK CAINO & HOTEL, located at 50 Highway 50, Stateline, Nevada, 89449, bearing the above-referenced Douglas County Assessor's Parcel Number (APN), and more particularly described as follows:

Section 27, RS 392/4659, Town/Block 13, Range 18;  
Changed from Parcel #0000-07-140-110, parcel map  
revised on 3/19/13 and recorded at the Douglas County  
Recorder's Office

11. Lien Claimant herein is entitled to reasonable attorney's fees, statutory interest on the amount of this lien claim, and all costs incurred in perfecting said lien claim.

DATED this 9 day of March 2015.

SIERRA NEVADA CONSTRUCTION, INC.

By

  
\_\_\_\_\_  
MARC MARKWELL  
CFO  
Sierra Nevada Construction, Inc.

VERIFICATION

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF WASHOE    )

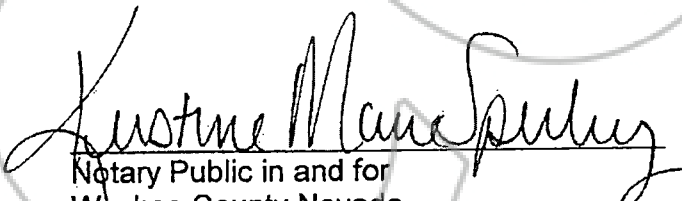
MARC MARKWELL, being first duly sworn, deposes and says:

I am the Vice President of SIERRA NEVADA CONSTRUCTION, INC. in the foregoing action, and am duly authorized to make this verification on the Lien Claimant's behalf. I have read the foregoing Notice of Lien and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

DATED this 9 day of March 2015.

  
\_\_\_\_\_  
MARC MARKWELL

SUBSCRIBED and SWORN to before me  
this 9<sup>th</sup> day of the month of March,  
of the year 2015.

  
\_\_\_\_\_  
Notary Public in and for  
Washoe County Nevada

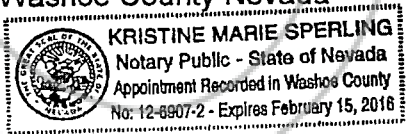




EXHIBIT "A"

Legal Description of Property

Escrow No.01301766 CD

All that certain real property situate in the County of Douglas, State of Nevada, described as follows:

PARCEL 1:

A parcel of land located within a portion of the East one-half of Section 27, Township 13 North, Range 18 East, MDB&M, Douglas County, Nevada, being more particularly described as follows:

COMMENCING at a point, being the intersection of the Westerly right-of-way line of U.S. Highway 50 and the Nevada/California state line, which bears S 48°39'46" E., 991.89 feet from the General Land Office State Line Monument as shown on the Record of Survey for Park Cattle Company, Document No. 155945 of the Douglas County Recorder's Office;

Thence N. 27°59'57" E., along said Westerly right-of-way line, 745.71 feet to the True Point of Beginning;

Thence N 62°01'24" W., 1105.54 feet to a Brass Cap in concrete;

Thence N 27°58'53" E., 713.86 feet to a 5/8" rebar and cap marked LS#625 on the Southerly right-of-way line of Loop Road per Document No. 24881 of the Douglas County Recorder's Office;

Thence 161.15 feet along said Southerly right-of-way line and along the arc of a curve to the right having a central angle of 07°53'30" and a radius of 1170.00 feet, (chord bears N. 73°30'38" E., 161.02 feet);

Thence S 62°00'03" E., 990.89 feet to said Westerly right-of-way line;

Thence S. 27°59'57" W., along said Westerly right-of-way line, 826.26 feet to the POINT OF BEGINNING.

Said land is also shown on that certain Record of Survey Supporting a Boundary Line Adjustment for Park Cattle Co., filed in the office of the County Recorder of Douglas County, State of Nevada on March 27, 1992, in Book 392, Page 4659, as Document No. 274260, Official Records.

APN: 1318-27-001-009

6438320.3

DOUGLAS COUNTY ASSESSOR'S  
PARCEL NOS: 1318-27-001-009 and  
1318-27-001-011


KAREN ELLISON, RECORDER

Recording Requested by  
Sierra Nevada Construction, Inc.

After recorded, mail to:  
Sierra Nevada Construction, Inc.  
c/o Paul J. Georgeson  
P.O. Box 2670  
Reno, NV 89505-2670  
Phone: (775) 788-2000

**Please complete Affirmation Statement below:**

I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons. (Per NRS 239B.030).



\_\_\_\_\_  
Attorney for Lien Claimant

Paul J. Georgeson  
\_\_\_\_\_  
Printed Name

**NOTICE OF FIRST AMENDED LIEN**

\*\*\*\*

This page added to provide additional information required by NRS 111.312 Sections 1-4 and NRS 239B.030 Section 4. (Additional recording fee applies)

**DOUGLAS COUNTY ASSESSOR'S  
PARCEL NOS: 1318-27-001-009 and  
1318-27-001-011**

Recording Requested by  
Sierra Nevada Construction, Inc.

After recorded, mail to:  
Sierra Nevada Construction, Inc.  
c/o Paul J. Georgeson  
P.O. Box 2670  
Reno, NV 89505-2670  
Phone: (775) 788-2000

**NOTICE OF FIRST AMENDED LIEN**

**The undersigned claims a lien upon the properties described in this notice for work, materials or equipment furnished or to be furnished for the improvement of the properties:**

**Introductory Note:**

On March 9, 2015, Lien Claimant recorded a Notice of Lien on Douglas County Assessor's Parcel No. (APN) 1318-27-001-009 as Document No. 2015-858062 in the amount of ONE HUNDRED FORTY-NINE THOUSAND, SEVEN HUNDRED NINETEEN DOLLARS AND 00/100 CENTS (\$149,719.00). This Notice of First Amended Lien is recorded pursuant to NRS 108.229, and is intended to correct errors in Lien Claimant's original Notice of Lien by (1) clarifying the subject property referenced in the Notice of Lien includes Douglas County APN 1318-27-001-009 and APN 1318-27-001-011, and (2) attaching a copy of the legal description for each of these parcels as Exhibit A. The Notice of lien is hereby amended as follows:

1. The original contract amount is: ONE HUNDRED SIXTY-THREE THOUSAND, NINE-HUNDRED TEN DOLLARS AND NO/100 CENTS (\$163,910.00).

2. The total amount of all additional or changed work, materials and equipment is: TWO HUNDRED SIXTY-FIVE THOUSAND, FIVE HUNDRED FIFTY-NINE DOLLARS AND 00/100 CENTS (\$265,559.00).

3. The total amount billed to date under the contract is: THREE HUNDRED EIGHTY-FIVE THOUSAND, FOUR HUNDRED SIXTY-THREE DOLLARS AND 00/100 CENTS (\$385,463.00).

4. In addition, there remains FORTY-FOUR THOUSAND, SIX DOLLARS AND 00/100 CENTS (\$44,006.00) of work performed that has not been billed, for a total value of work performed in the amount of FOUR HUNDRED, TWENTY-NINE THOUSAND, FOUR HUNDRED SIXTY-NINE DOLLARS AND 00/100 CENTS (\$429,469.00).

5. The total amount of all payments received to date is: TWO HUNDRED SEVENTY-NINE THOUSAND, SEVEN HUNDRED FIFTY DOLLARS AND 00/100 CENTS (\$279,750.00).

6. The principal amount of the lien for work actually completed to date, after deducting all just credits and offsets, is ONE HUNDRED FORTY-NINE THOUSAND, SEVEN HUNDRED NINETEEN DOLLARS AND 00/100 CENTS (\$149,719.00).

7. The name of the owner and/or reputed owner of the property is NEVA ONE LLC, with the physical address of 1300 Buckeye Road, Suite A, Minden, Nevada 89432.

8. The names of the persons by whom the lien claimant was employed or to whom the lien claimant furnished or agreed to furnish materials and labor is:

Contractor: SMC CONSTRUCTION COMPANY, 290 Gentry Way, #1, Reno, Nevada 89502.

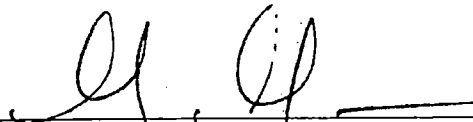
9. A brief statement of the terms of payment is: Monthly payments of 90% of labor and materials less 10% retention, with remaining 10% to be paid once Contractor receives final payment from the Owner, but not less than 40 days nor more than 15 days after receipt of the entire final payment from the Owner after the entire work required under the prime contract between the Owner and Contractor have been completed and accepted.

10. The real property upon which the lien is claimed consists of land commonly referred to as the HARD ROCK CASINO & HOTEL, located at 50 Highway 50, Stateline, Nevada, 89449, bearing the above-referenced Douglas County Assessor's Parcel Numbers (APN), and more particularly described in Exhibit A, attached hereto.

11. Lien Claimant herein is entitled to reasonable attorney's fees, statutory interest on the amount of this lien claim, and all costs incurred in perfecting said lien claim.

DATED this 6 day of April 2015.

SIERRA NEVADA CONSTRUCTION, INC.

By   
MARC MARKWELL  
Vice President  
Sierra Nevada Construction, Inc.



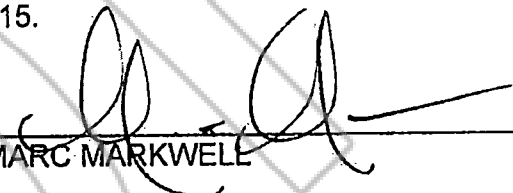
**VERIFICATION**

STATE OF NEVADA        )  
                                  ) ss.  
COUNTY OF WASHOE    )

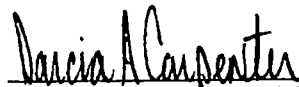
MARC MARKWELL, being first duly sworn, deposes and says:

I am the Vice President of SIERRA NEVADA CONSTRUCTION, INC. in the foregoing action, and am duly authorized to make this verification on the Lien Claimant's behalf. I have read the foregoing Notice of Lien and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters, I believe them to be true.

DATED this 6 day of April 2015.

  
MARC MARKWELL

SUBSCRIBED and SWORN to before me  
this 6 day of the month of April,  
of the year 2015.

  
Notary Public in and for  
Washoe County Nevada

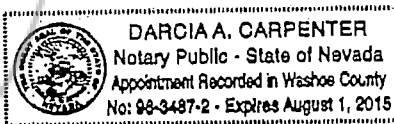


EXHIBIT "A"

Legal Description of Property

Eserow No.01301766 CD

All that certain real property situate in the County of Douglas, State of Nevada, described as follows:

PARCEL 1:

A parcel of land located within a portion of the East one-half of Section 27, Township 13 North, Range 18 East, MDB&M, Douglas County, Nevada, being more particularly described as follows:

COMMENCING at a point, being the intersection of the Westerly right-of-way line of U.S. Highway 50 and the Nevada/California state line, which bears S 48°39'46" E., 991.89 feet from the General Land Office State Line Monument as shown on the Record of Survey for Park Cattle Company, Document No. 155945 of the Douglas County Recorder's Office;

Thence N. 27°59'57" E., along said Westerly right-of-way line, 745.71 feet to the True Point of Beginning;

Thence N 62°01'24" W., 1105.54 feet to a Brass Cap in concrete;

Thence N 27°58'53" E., 713.86 feet to a 5/8" rebar and cap marked LS#625 on the Southerly right-of-way line of Loop Road per Document No. 24881 of the Douglas County Recorder's Office;

Thence 161.15 feet along said Southerly right-of-way line and along the arc of a curve to the right having a central angle of 07°33'30" and a radius of 1170.00 feet, (chord bears N. 73°30'38" E., 161.02 feet);

Thence S 62°00'03" E., 990.89 feet to said Westerly right-of-way line;

Thence S. 27°59'57" W., along said Westerly right-of-way line, 826.26 feet to the POINT OF BEGINNING.

Said land is also shown on that certain Record of Survey Supporting a Boundary Line Adjustment for Park Cattle Co., filed in the office of the County Recorder of Douglas County, State of Nevada on March 27, 1992, in Book 392, Page 4659, as Document No. 274260, Official Records.

APN: 1318-27-001-009

0430320.3



BK 114  
PG-4804

837479 Page: 4 of 4 01/29/2014

Document Number 274257 is provided pursuant to the requirements of Section 6.NRS 111.312

**PARCEL 2:**

A parcel of land located within a portion of the East one-half of Section 27, Township 13 North, Range 18, East, MDB&M., Douglas County, Nevada, being more particularly described as follows:

COMMENCING at a point, being the intersection of the Westerly right-of-way line of U.S. Highway 50 and the Nevada/California state line, which bears S. 48°59'46" E., 991.89 feet from the General Land Office State Line Monument as shown on the Record of Survey for Park Cattle Company, Document No. 155945 of the Douglas County Recorder's Office;

Thence N. 27°59'57" E., along said Westerly right-of-way line; 1571.97 feet to the True Point of Beginning;

Thence N. 62°00'03" W., 990.89 feet to the Southerly right-of-way of Loop Road per Document No. 24881 of the Douglas County Recorder's Office;

Thence 657.67 feet along said southerly right-of-way line and along the arc of a curve to the right having a central angle of 32°12'23" and a radius of 1170.00 feet, (chord bears S. 86°26'25" E., 649.04 feet), to the Northwest corner of the First Interstate Bank parcel;

Thence S. 27°59'57" W., along the Westerly line of said parcel; 187.06 feet;

Thence S. 62°00'03" E., along the Southerly line of said parcel, 400.00 feet to said Westerly right-of-way line;

Thence S. 27°59'57" W., along said Westerly right-of-way line, 81.47 feet to the POINT OF BEGINNING.

Said land is also shown on that certain Record of Survey Supporting a Boundary Line Adjustment for Park Cattle Co., filed in the office of the County Recorder of Douglas County, State of Nevada on March 27, 1992, in Book 392, Page 4659, as Document No. 274260. Official Records.

APN: 1318-27-001-011

Document Number 274258 is provided pursuant to the requirements of Section 6.NRS 111.312

6438330.3

4.

**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

*August 28, 2015*

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

By

Deputy