

Code: 1090
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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

CITY OF RENO, a political subdivision of the
State of Nevada,

Plaintiff,

vs.

WASHOE COUNTY, NEVADA, a political
subdivision of the State of Nevada; DAVANTI
INVESTMENTS, LLC, a Nevada limited liability
company; STEWART TITLE COMPANY, as
successor in interest to STEWART TITLE OF
NORTHERN NEVADA; FIRST SAVINGS
BANK FBO JOHN ANSON IRA; JOHN
ANSON, an individual; BRENT D.
ARCHIBALD as Trustee for the ARCHIBALD
FAMILY TRUST; FIRST SAVINGS BANK as
custodian for ANTHONY AUFIERE IRA
ROLLOVER; ANTHONY AUFIERE, an
individual; JIM AVANCE, an individual;
HOWARD T. BOLTON and BRENDA S.
BOLTON, individuals; the TERRY F. BUNKER
FAMILY LIMITED PARTNERSHIP and
TERRY F. BUNKER and SANDRA J.
BUNKER, General Partners; BETTE CONN as
Trustee of THE CONN FAMILY TRUST;
RICHARD L. DAME as Trustee of the SEAN
MICHAEL DAME TRUST 1; RICHARD L.
DAME, an individual; RICHARD L. DAME as
Trustee of the DAME FAMILY TRUST 1;

CASE NO.: CV24-02376

DEPT. NO.: 4

**FIRST AMENDED
COMPLAINT TO QUIET
TITLE TO REAL PROPERTY**

Arbitration Exemption Claimed:

1. Action Concerning Title to Real Property NRS 40.010; and
2. Action Seeking Equitable and/or Extraordinary Relief.

1 RICHARD L. DAME as Trustee of THE
2 ALECIA SWAPP DAME TRUST; RAYMOND
3 A. DESROCHERS and EILEEN G.
4 DESROCHERS, as Trustees of the RAYMOND
5 A. DESROCHERS AND EILEEN G.
6 DESROCHERS REVOCABLE TRUST OF
7 APRIL 26, 2005; ROBERT E. DINGES as
8 Trustee of THE DINGES FAMILY TRUST;
9 GERALD DOWLING and LUCETTE
10 DOWLING as Trustees of the GERALD AND
11 LUCETTE DOWLING TRUST DTD 7/6/99;
12 DEREK A. DUKE and CHRISTINA L. DUKE as
13 Trustees of the DUKE FAMILY TRUST DTD
14 4/23/02; DIANE GOEBEL EDWARDS, an
15 individual; KENNETH FERRARA as Trustee of
16 the KENETH FERRARA LIVING TRUST DTD
17 4-24-00; MARCY E. GENDEL, an individual;
18 BETTY A. GOEBEL and DIANE GOEBEL,
19 individuals; SUSAN HANSEN and RAY
20 HANSEN, individuals, as Joint Tenants with
21 Right of Survivorship; ARTHUR M. and GAIL
22 S. HERMAN, individuals, as Joint Tenants with
23 Right of Survivorship; FIRST SAVINGS BANK,
24 a financial institution licensed to do business in
25 Nevada, as custodian of the CLEMENT
26 HERRED IRA; CLEMENT HERRED, an
27 individual; JAMES B. HOEPPNER, an
28 individual; TREEVIEW LLC, a Nevada limited
liability company; HMK HOLDINGS, LLC;
GOING TO CALIFORNIA, LLC, DIAMONDS
AND RUST SERIES; DANIEL H. KIM, an
individual; KENNETH W. KOESTER and
REBECCA L. KOESTER, individuals;
TOORAN K. LAJVARDI as Trustee of THE
LAJVARDI FAMILY TRUST; NORMA
LALLY as Trustee of the NORLIN LIVING
TRUST, 3-20-98; NORMA LALLY as Trustee of
the NORMA LALLY LIVING TRUST;
CHRISTI L. MAHONEY as Trustee of the
CHRISTI L. MAHONEY REVOCABLE TRUST
DTD 7/29/03; LEONARD and MILLICENT
MASSARO as Trustees of the LEONARD &
MILLICENT MASSARO REVOCABLE
FAMILY TRUST; FIRST SAVINGS BANK
FBO JERRY L. MATTHEWS IRA; JERRY L.
MATTHEWS, an individual; FIRST SAVINGS

1 BANK as custodian of the AARON MCCOY
2 IRA; AARON MCCOY, an individual; BONES
3 MCCOY LLC; JEFFREY T. MCLAIN and
4 KIMBERLY A. MCLAIN, individuals; ROBERT
5 W. MICHAEL and DIANA G. MICHAEL,
6 individuals as Joint Tenants with Right of
7 Survivorship; BRIDGETT A. MILANO, an
8 individual; PAUL and ANNE MOISEYEV, as
9 Trustees of the MOISEYEV FAMILY TRUST;
10 JUDITH MOORE, an individual; FIRST
11 SAVINGS BANK as custodian of the MORGAN
12 PARRY IRA; MORGAN PARRY, an individual;
13 C. NICHOLAS PEREOS as Trustee of the 1980
14 RESTATED PEREOS FAMILY TRUST;
15 JUDITH J. PERLES, an individual; ANN
16 PERRILL, an individual; DOUGLAS
17 ROBERTSON and M. JEANNE ROBERTSON
18 as Trustees of the ROBERTSON FAMILY
19 TRUST UAD 1/24/96; ILSE RUHL as Trustee of
20 the RUHL BYPASS TRUST; WILLIAM L.
21 SCHEER and MARY L. SCHEER as Trustees of
22 the WILLIAM L. SCHEER AND MARY L.
23 SCHEER REVOCABLE LIVING TRUST; GERI
24 SELLON, an individual; ROBERT C.
25 SHIVELEY as Trustee of the SHIVELEY
26 FAMILY TRUST; BG SMITH and BARBARA
27 G. SMITH as Trustees of the BG SMITH
28 FAMILY TRUST; JOHN P. ULRICH, an
individual; WINSTROM PROPERTIES, INC., a
Nevada corporation; RUDOLF WOLF as Trustee
of THE RUDOLF WOLF REVOCABLE TRUST
DTD 10/30/2002; EQUITY LENDING
PARTNERS, LLC, a Nevada limited liability
company; CHARLES W. JOERG, as Trustee of
the MELVIN W. JOERG TESTAMENTARY
TRUST (as assignee of ROBERT W. MICHAEL
and DIANA G. MICHAEL); WESTERN TITLE
COMPANY, INC., a Nevada corporation; ELP
CAPITAL, INC., a Nevada corporation; ELP TD
HOLDINGS, LLC, a Nevada limited liability
company; DANIEL B. BROWER and JEANNE
M. BROWER as Trustees of THE D.B. AND
J.M. BROWER FAMILY REVOCABLE
LIVING TRUST, DATED FEBRUARY 27,
1991; JEFFREY A. LUNDAHL, ARCHITECH,
LTD., a Nevada professional corporation, d/b/a

1 COLLABORATIVE DESIGN STUDIO;
2 PATRICIA RIPPPIE as Trustee of the TRISH
3 RIPPPIE REALTY, INC. MONEY PURCHASE
4 PLAN; PHIL FRINK & ASSOCIATES, INC., a
Nevada close corporation; and DOES 1-100 and
ROE CORPORATIONS I-X,

5 Defendants.

6
7 **FIRST AMENDED COMPLAINT TO QUIET TITLE TO REAL PROPERTY**

8 COMES NOW Plaintiff City of Reno, a municipal corporation, by and through counsel,
9 KARL HALL, Reno City Attorney, and JASMINE MEHTA, Deputy City Attorney, and hereby
10 files this Complaint against Defendants WASHOE COUNTY, NEVADA; DAVANTI
11 INVESTMENTS, LLC, a Nevada limited liability company; STEWART TITLE COMPANY, as
12 successor in interest to STEWART TITLE OF NORTHERN NEVADA; FIRST SAVINGS
13 BANK FBO JOHN ANSON IRA; JOHN ANSON, an individual; BRENT D. ARCHIBALD as
14 Trustee for the ARCHIBALD FAMILY TRUST; FIRST SAVINGS BANK as custodian for
15 ANTHONY AUFIERE IRA ROLLOVER; ANTHONY AUFIERE, an individual; JIM
16 AVANCE, an individual; HOWARD T. BOLTON and BRENDA S. BOLTON, individuals; the
17 TERRY F. BUNKER FAMILY LIMITED PARTNERSHIP and TERRY F. BUNKER and
18 SANDRA J. BUNKER, General Partners; BETTE CONN as Trustee of THE CONN FAMILY
19 TRUST; RICHARD L. DAME as Trustee of the SEAN MICHAEL DAME TRUST 1;
20 RICHARD L. DAME, an individual; RICHARD L. DAME as Trustee of the DAME FAMILY
21 TRUST 1; RICHARD L. DAME as Trustee of THE ALECIA SWAPP DAME TRUST;
22 RAYMOND A. DESROCHERS and EILEEN G. DESROCHERS, as Trustees of the
23 RAYMOND A. DESROCHERS AND EILEEN G. DESROCHERS REVOCABLE TRUST OF
24 APRIL 26, 2005; ROBERT E. DINGES as Trustee of THE DINGES FAMILY TRUST;
25 GERALD DOWLING and LUCETTE DOWLING as Trustees of the GERALD AND
26 LUCETTE DOWLING TRUST DTD 7/6/99; DEREK A. DUKE and CHRISTINA L. DUKE as
27 Trustees of the DUKE FAMILY TRUST DTD 4/23/02; DIANE GOEBEL EDWARDS, an
28 individual; KENNETH FERRARA as Trustee of the KENETH FERRARA LIVING TRUST
DTD 4-24-00; MARCY E. GENDEL, an individual; BETTY A. GOEBEL and DIANE

1 GOEBEL, individuals; SUSAN HANSEN and RAY HANSEN, individuals, as Joint Tenants
2 with Right of Survivorship; ARTHUR M. and GAIL S. HERMAN, individuals, as Joint Tenants
3 with Right of Survivorship; FIRST SAVINGS BANK, a financial institution licensed to do
4 business in Nevada, as custodian of the CLEMENT HERRED IRA; CLEMENT HERRED, an
5 individual; JAMES B. HOEPFNER, an individual; TREEVIEW LLC, a Nevada limited liability
6 company; HMK HOLDINGS, LLC; GOING TO CALIFORNIA, LLC, DIAMONDS AND
7 RUST SERIES; DANIEL H. KIM, an individual; KENNETH W. KOESTER and REBECCA L.
8 KOESTER, individuals; TOORAN K. LAJVARDI as Trustee of THE LAJVARDI FAMILY
9 TRUST; NORMA LALLY as Trustee of the NORLIN LIVING TRUST, 3-20-98; NORMA
10 LALLY as Trustee of the NORMA LALLY LIVING TRUST; CHRISTI L. MAHONEY as
11 Trustee of the CHRISTI L. MAHONEY REVOCABLE TRUST DTD 7/29/03; LEONARD and
12 MILLICENT MASSARO as Trustees of the LEONARD & MILLICENT MASSARO
13 REVOCABLE FAMILY TRUST; FIRST SAVINGS BANK FBO JERRY L. MATTHEWS
14 IRA; JERRY L. MATTHEWS, an individual; FIRST SAVINGS BANK as custodian of the
15 AARON MCCOY IRA; AARON MCCOY, an individual; BONES MCCOY LLC; JEFFREY T.
16 MCLAIN and KIMBERLY A. MCLAIN, individuals; ROBERT W. MICHAEL and DIANA G.
17 MICHAEL, individuals as Joint Tenants with Right of Survivorship; BRIDGETT A. MILANO,
18 an individual; PAUL and ANNE MOISEYEV, as Trustees of the MOISEYEV FAMILY
19 TRUST; JUDITH MOORE, an individual; FIRST SAVINGS BANK as custodian of the
20 MORGAN PARRY IRA; MORGAN PARRY, an individual; C. NICHOLAS PEREOS as
21 Trustee of the 1980 RESTATED PEREOS FAMILY TRUST; JUDITH J. PERLES, an
22 individual; ANN PERRILL, an individual; DOUGLAS ROBERTSON and M. JEANNE
23 ROBERTSON as Trustees of the ROBERTSON FAMILY TRUST UAD 1/24/96; ILSE RUHL
24 as Trustee of the RUHL BYPASS TRUST; WILLIAM L. SCHEER and MARY L. SCHEER as
25 Trustees of the WILLIAM L. SCHEER AND MARY L. SCHEER REVOCABLE LIVING
26 TRUST; GERI SELLON, an individual; ROBERT C. SHIVELEY as Trustee of the SHIVELEY
27 FAMILY TRUST; BG SMITH and BARBARA G. SMITH as Trustees of the BG SMITH
28 FAMILY TRUST; JOHN P. ULRICH, an individual; WINSTROM PROPERTIES, INC., a

1 Nevada corporation; RUDOLF WOLF as Trustee of THE RUDOLF WOLF REVOCABLE
2 TRUST DTD 10/30/2002; EQUITY LENDING PARTNERS, LLC, a Nevada limited liability
3 company; CHARLES W. JOERG, as Trustee of the MELVIN W. JOERG TESTAMENTARY
4 TRUST (as assignee of ROBERT W. MICHAEL and DIANA G. MICHAEL); WESTERN
5 TITLE COMPANY, INC., a Nevada corporation; ELP CAPITAL, INC., a Nevada corporation;
6 ELP TD HOLDINGS, LLC, a Nevada limited liability company; DANIEL B. BROWER and
7 JEANNE M. BROWER as Trustees of THE D.B. AND J.M. BROWER FAMILY
8 REVOCABLE LIVING TRUST, DATED FEBRUARY 27, 1991; JEFFREY A. LUNDAHL,
9 ARCHITECH, LTD., a Nevada professional corporation, d/b/a COLLABORATIVE DESIGN
10 STUDIO; PATRICIA RIPPIE as Trustee of the TRISH RIPPIE REALTY, INC. MONEY
11 PURCHASE PLAN; PHIL FRANK & ASSOCIATES, INC., a Nevada close corporation; and
12 any similarly situated person, group or entity, joined herein as DOES 1-100 and ROE
13 CORPORATIONS I-X, collectively referred to herein as (“Defendants”), alleging and averring
14 as follows:

15 I. INTRODUCTION AND FACTS

16 1. City of Reno is and has been at all relevant times a municipality formed under the
17 laws of the State of Nevada and owns fee title to real property situated in the City of Reno,
18 Washoe County, that is the subject of this Complaint (the “Property”), being further described
19 and depicted in Schedule C of the Title Commitment, attached hereto as **Exhibit “1”**.

20 2. Defendant WASHOE COUNTY, NEVADA is and has been at all relevant times a
21 political subdivision of the State of Nevada.

22 3. Defendant DAVANTI INVESTMENTS, LLC, was a Nevada limited liability
23 company formed on or about June 17, 2005, which status as a Nevada limited liability company
24 was permanently revoked on or about July 8, 2011, and which borrowed \$2,450,000, which was
25 secured by the Property, as reflected in the Deed of Trust, Assignment of Rents, Security
26 Agreement and Fixture Filing recorded on May 1, 2006 in the official record of Washoe County
27 as Document No. 3382096, attached hereto as **Exhibit “2”**.

1 4. Defendant STEWART TITLE COMPANY, as successor in interest to
2 STEWART TITLE OF NORTHERN NEVADA was at all relevant times a Nevada corporation
3 and served as the trustee for various deeds of trust on the Property.

4 5. Defendant FIRST SAVINGS BANK was custodian of the JOHN ANSON IRA,
5 at all relevant times.

6 6. Defendant JOHN ANSON as owner of the JOHN ANSON IRA owned, at all
7 relevant times, an undivided 3.061% in the Property.

8 7. Defendant BRENT D. ARCHIBALD as Trustee of the ARCHIBALD FAMILY
9 TRUST, owned, at all relevant times, an undivided 1.020% interest in the Property.

10 8. Defendant FIRST SAVINGS BANK was custodian for the ANTHONY
11 AUFIERE IRA ROLLOVER at all relevant times.

12 9. Defendant ANTHONY AUFIERE as owner of the ANTHONY AUFIERE IRA
13 ROLLOVER, owned, at all relevant times, an undivided 1.224% interest in the Property.

14 10. Defendant JIM AVANCE, an individual, owned, at all relevant times, an
15 undivided 1.020% interest in the Property.

16 11. Defendants HOWARD T. BOLTON and BRENDA S. BOLTON, individuals,
17 owned, at all relevant times, an undivided 1.224% interest in the Property.

18 12. Defendant TERRY F. BUNKER FAMILY LIMITED PARTNERSHIP, formed
19 on or about January 9, 2001 and permanently revoked on or about January 31, 2014, and TERRY
20 F. BUNKER and SANDRA J. BUNKER, GENERAL PARTNERS, owned, at all relevant times,
21 an undivided 2.041% interest in the Property.

22 13. Defendant BETTE CONN as Trustee of THE CONN FAMILY TRUST, owned,
23 at all relevant times, an undivided 1.020% interest in the Property.

24 14. Defendant RICHARD L. DAME, as Trustee of the SEAN MICHAEL DAME
25 TRUST 1, owned, at all relevant times an undivided 1.224% interest in the Property.

26 15. Defendant RICHARD L. DAME, an individual, owned, at all relevant times, an
27 undivided 1.633% interest in the Property.

28

1 16. Defendant RICHARD L. DAME, as Trustee of the DAME FAMILY TRUST 1,
2 owned, at all relevant times, an undivided 1.429% interest in the Property.

3 17. Defendant RICHARD L. DAME, as Trustee of THE ALECIA SWAPP DAME
4 TRUST, owned, at all relevant times, an undivided 0.816% interest in the Property.

5 18. Defendants RAYMOND A. DESROCHERS and EILEEN G. DESROCHERS, as
6 Trustees of the RAYMOND A. DESROCHERS AND EILEEN G. DESROCHERS
7 REVOCABLE TRUST OF APRIL 26, 2005, owned, at all relevant times, an undivided 1.020%
8 interest in the Property.

9 19. Defendant ROBERT E. DINGES, as Trustee of THE DINGES FAMILY TRUST,
10 owned, at all relevant times, an undivided 4.082% interest in the Property.

11 20. Defendants GERALD DOWLING and LUCETTE DOWLING, as Trustees of the
12 GERALD AND LUCETTE DOWLING TRUST DTD 7/6/99, owned, at all relevant times, an
13 undivided 1.224% interest in the Property.

14 21. Defendants DEREK A. DUKE and CHRISTINA L. DUKE, as Trustees of the
15 DUKE FAMILY TRUST, DTD 4/23/02, owned, at all relevant times, an undivided 2.041%
16 interest in the Property.

17 22. Defendant DIANE GOEBEL EDWARDS, an individual, owned, at all relevant
18 times, an undivided 4.082% interest in the Property.

19 23. Defendant KENNETH FERRARA as Trustee of the KENNETH FERRARA
20 LIVING TRUST DTD 4-24-00, owned, at all relevant times, an undivided 2.041% interest in the
21 Property.

22 24. Defendant MARCY E. GENDEL, an individual, owned, at all relevant times, an
23 undivided 6.122% interest in the Property.

24 25. Defendants BETTY A. GOEBEL and DIANE GOEBEL, individuals, owned, at
25 all relevant times, an undivided 1.020% interest in the Property.

26 26. Defendants SUSAN HANSEN and RAY HANSEN individuals, as joint tenants
27 with rights of survivorship, owned, at all relevant times, an undivided 0.816% interest in the
28 Property.

1 27. Defendants ARTHUR M. and GAIL S. HERMAN, individuals, as joint tenants
2 with rights of survivorship, owned, at all relevant times, an undivided 1.020% interest in the
3 Property.

4 28. Defendant FIRST SAVINGS BANK was custodian of the CLEMENT HERRED
5 IRA, at all relevant times.

6 29. Defendant CLEMENT HERRED as owner of the CLEMENT HERRED IRA,
7 owned an undivided 2.041% interest in the Property, which was assigned on or about December
8 22, 2008 to Defendant TRISH RIPPIE REALTY, INC. MONEY PURCHASE PLAN,
9 PATRICIA RIPPIE, TRUSTEE, recorded on May 21, 2009 as Document No. 3761793.

10 30. Defendant JAMES B. HOEPPNER, an individual, owned, at all relevant times, an
11 undivided 2.041% interest in the Property.

12 31. Defendant TREEVIEW LLC, is a Nevada limited liability company that owned,
13 at all relevant times, an undivided 2.041% interest in the Property.

14 32. Defendant HMK HOLDINGS, LLC, was a Nevada limited liability company
15 formed on or about September 1, 2004, which status was permanently revoked on or about
16 September 30, 2011, which owned, at all relevant times, an undivided 1.020% interest in the
17 Property.

18 33. Defendant GOING TO CALIFORNIA, LLC, DIAMONDS AND RUST SERIES,
19 JEFFREY KATZ MANAGER, was, upon information and belief, a Delaware limited liability
20 company formed on or about January 30, 2006, which status was forfeited on or about
21 September 15, 2017, and which owned, at all relevant times, an undivided 1.224% interest in the
22 Property.

23 34. Defendant DANIEL H. KIM, an individual, owned, at all relevant times, an
24 undivided 4.082% interest in the Property.

25 35. Defendants KENNETH W. KOESTER and REBECCA L. KOESTER,
26 individuals, owned, at all relevant times, an undivided 1.020% interest in the Property.

27 36. Defendant TOORAN K. LAJVARDI as Trustee of THE LAJVARDI FAMILY
28 TRUST, owned, at all relevant times, an undivided 1.633% interest in the Property.

1 37. Defendant NORMA LALLY, as Trustee of the NORLIN LIVING TRUST, 3-20-
2 98, owned, at all relevant times, an undivided 2.041% interest in the Property.

3 38. Defendant NORMA LALLY as Trustee of the NORMA LALLY LIVING
4 TRUST, owned, at all relevant times, an undivided 1.020% interest in the Property.

5 39. Defendant CHRISTI L. MAHONEY, as Trustee of the CHRISTI L. MAHONEY
6 REVOCABLE TRUST DTD 7/29/03, owned, at all relevant times, an undivided 0.816% interest
7 in the Property.

8 40. Defendants LEONARD and MILLICENT MASSARO, as Trustees of the
9 LEONARD & MILLICENT MASSARO REVOCABLE FAMILY TRUST, owned, at all
10 relevant times, an undivided 1.020% interest in the Property.

11 41. Defendant FIRST SAVINGS BANK was custodian of the JERRY L.
12 MATTHEWS IRA at all relevant times.

13 42. Defendant JERRY L. MATTHEWS as owner of the JERRY L. MATTHEWS
14 IRA, owned, at all relevant times, an undivided 1.020% interest in the Property.

15 43. Defendant FIRST SAVINGS BANK, was custodian of the AARON MCCOY
16 IRA at all relevant times.

17 44. Defendant AARON MCCOY as owner of the AARON MCCOY IRA owned, at
18 all relevant times, an undivided 2.041% interest in the Property.

19 45. Defendant BONES MCCOY LLC, was a Nevada limited liability company
20 formed on or about January 6, 2000 and which status was permanently revoked on or about
21 January 31, 2011, owned, at all relevant times, an undivided 2.041% interest in the Property.

22 46. Defendants JEFFREY T. MCLAIN and KIMBERLY A. MCLAIN, individuals,
23 owned, at all relevant times, an undivided 1.020% in the Property.

24 47. Defendants ROBERT W. MICHAEL and DIANA G. MICHAEL, owned, as joint
25 tenants with rights of survivorship, at all relevant times, an undivided 1.224% interest in the
26 Property.

27 48. Defendant BRIDGETT A. MILANO, an individual, owned, at all relevant times,
28 an undivided 1.020% interest in the Property.

1 49. Defendants PAUL and ANNE MOISEYEV as Trustees of the MOISEYEV
2 FAMILY TRUST, owned, at all relevant times, an undivided 0.816% interest in the Property.
3 50. Defendant JUDITH MOORE, an individual, owned, at all relevant times, an
4 undivided 0.816% interest in the Property.
5 51. Defendant FIRST SAVINGS BANK FBO MORGAN PARRY IRA, owned, at all
6 relevant times, an undivided 4.082% interest in the Property.
7 52. Defendant MORGAN PARRY IRA owned, at all relevant times, an undivided
8 4.082% interest in the Property.
9 53. Defendant C. NICHOLAS PEREOS as Trustee of the 1980 RESTATED
10 PEREOS FAMILY TRUST, owned at all relevant times, an undivided 4.082% interest in the
11 Property.
12 54. Defendant JUDITH J. PERLES, an individual, owned, at all relevant times, an
13 undivided 1.224% interest in the Property.
14 55. Defendant ANN PERRILL, an individual, owned, at all relevant times, an
15 undivided 0.408% interest in the Property.
16 56. Defendants DOUGLAS ROBERTSON and M. JEANNE ROBERTSON, as
17 Trustees of the ROBERTSON FAMILY TRUST UAD 1/24/96, owned, at all relevant times, an
18 undivided 1.020% interest in the Property.
19 57. Defendant ILSE RUHL, as Trustee of the RUHL BYPASS TRUST, owned, at all
20 relevant times an undivided 3.061% interest in the Property.
21 58. Defendants WILLIAM L. SCHEER and MARY L. SCHEER, as Trustees of the
22 WILLIAM L. SCHEER AND MARY L. SCHEER REVOCABLE LIVING TRUST, owned, at
23 all relevant times, an undivided 0.612% interest in the Property.
24 59. Defendant GERI SELLON, an individual, owned, at all relevant times an
25 undivided 1.020% interest in the Property.
26 60. Defendant ROBERT C. SHIVELEY as Trustee of the SHIVELEY FAMILY
27 TRUST, owned, at all relevant times an undivided 1.020% interest in the Property.
28

1 61. Defendants BG SMITH and BARBARA G. SMITH, as Trustees of the BG
2 SMITH FAMILY TRUST, owned, at all relevant times, an undivided 0.816% interest in the
3 Property.

4 62. Defendant JOHN P. ULRICH, an individual, owned, at all relevant times, an
5 undivided 1.224% interest in the Property.

6 63. Defendant WINSTROM PROPERTIES, INC., a Nevada corporation, owned, at
7 all relevant times, an undivided 10.204% interest in the Property.

8 64. Defendant Rudolf Wolf as Trustee of THE RUDOLF WOLF REVOCABLE
9 TRUST DTD 10/30/2002, owned, at all relevant times, an undivided 2.041% interest in the
10 Property.

11 65. Defendant EQUITY LENDING PARTNERS, LLC, a Nevada limited liability
12 company, which was formed on or about July 10, 2006 and was dissolved on or about December
13 27, 2007, was the beneficiary and secured party under that certain Deed of Trust with
14 Assignment of Rents, Security Agreement and Fixture Filing recorded on May 3, 2007 as
15 Document No. 3528592 against the Property.

16 66. Defendant CHARLES W. JOERG, as Trustee of the MELVIN W. JOERG
17 TESTAMENTARY TRUST, owned, at all relevant times, an undivided 2.224% interest in the
18 Property, which interest was assigned from ROBERT W. MICHAEL and DIANA G.
19 MICHAEL.

20 67. Defendant WESTERN TITLE COMPANY, INC., a Nevada corporation, was the
21 trustee under a deed of trust recorded on November 14, 2007, as Document No. 3594226 against
22 the Property.

23 68. Defendant STEWART TITLE OF NORTHERN NEVADA, which was merged
24 into STEWART TITLE COMPANY, a Texas corporation, was the trustee under a deed of trust
25 recorded on May 1, 2006 as Document No. 3382096 against the Property.

26 69. Defendant STEWART TITLE OF NORTHERN NEVADA, which was merged
27 into STEWART TITLE COMPANY, a Texas corporation, was trustee under a deed of trust
28 recorded on May 3, 2007, as Document No. 3528592 against the Property.

1 70. Defendant ELP CAPITAL, INC., a Nevada corporation, which was formed on or
2 about December 29, 2004 and which status was permanently revoked on or about February 29,
3 2012. Upon information and belief, ELP CAPITAL, INC., owned some part of the debt incurred
4 by DAVANTI INVESTMENTS LLC, which was secured by that certain Deed of Trust with
5 Assignment of Rents, Security Agreement and Fixture Filing recorded on May 3, 2007 as
6 Document No. 3528592. On or about February 12, 2010, ELP CAPITAL, INC. assigned its
7 beneficial interest in the deed of trust recorded as Document No. 3528592 to ELP TD
8 HOLDINGS LLC, which assignment was recorded as Document No. 3848849.

9 71. Defendant ELP TD HOLDINGS, LLC, a Nevada limited liability company,
10 which was formed on or about January 7, 2010 and was dissolved on or about February 25, 2016.
11 ELP TD HOLDINGS, LLC acquired by assignment from DAVANTI INVESTMENTS, LLC the
12 beneficial interest in that certain Deed of Trust dated May 2, 2007 in favor of EQUITY
13 LENDING PARTNERS, LLC, a Nevada limited liability company, recorded on May 3, 2007, as
14 Document No. 3528592, which assignment was recorded on February 12, 2010 as Document No.
15 3848849.

16 72. Defendants DANIEL B. BROWER and JEANNE M. BROWER as Trustees of
17 THE D.B. AND J.M. BROWER FAMILY REVOCABLE LIVING TRUST, DATED
18 FEBRUARY 27, 1991, were beneficiaries of that certain Deed of Trust recorded on or about
19 May 25, 2007 as Document No. 3536996 to secure a principal amount of \$50,000 incurred by
20 Davanti Investments, LLC.

21 73. Defendant JEFFREY A. LUNDAHL, ARCHITECH, LTD., a Nevada
22 professional corporation, d/b/a COLLABORATIVE DESIGN STUDIO, who filed a Notice of
23 Pendency of Action, recorded on July 29, 2009 as Document No. 3786240 in the Office of the
24 Washoe County Recorder, providing notice of legal action against Davanti Investments, LLC for
25 damages in the amount of \$261,924.27 plus interest, fees and costs and to foreclose on the
26 Property.

1 74. Defendant PATRICIA RIPPIE as Trustee of the TRISH RIPPIE REALTY, INC.
2 MONEY PURCHASE PLAN, an assignee of the 2.041% interest in the Property formerly held
3 by Defendant FIRST SAVINGS BANK FBO CLEMENT HERRED IRA.

4 75. Defendant PHIL FRINK & ASSOCIATES, INC., was a Nevada close corporation
5 formed on or about June 21, 2006, which status was permanently revoked on or about June 30,
6 2014. PHIL FRINK & ASSOCIATES, INC. was the successor Trustor to Stewart Title
7 Company of Northern Nevada pursuant to Document No. 3528592 recorded on May 3, 2007 in
8 the Office of the Washoe County Recorder. The Substitution of Trustee was recorded as
9 Document No. 3562643 on August 7, 2007 in the Office of the Washoe County Recorder.

10 76. There may be other persons or entities, whether individuals, corporations,
11 associations or otherwise, who are, or may be legally responsible for the acts, omissions,
12 circumstances, and/or happenings alleged in, and/or the damages or other relief requested by, this
13 Complaint, including but not limited to former owners or affiliates of owners of the Property and
14 currently unidentified, and all other persons unknown claiming any right, title, estate, lien or
15 interest in the real property described in the Complaint adverse to Plaintiff's ownership, or any
16 cloud upon Plaintiff's title thereto. Because the true names and capacities of such defendants are
17 unknown to Plaintiff, Plaintiff sues them as Defendants DOES 1-100 ("Doe Defendants") and
18 Roe Corporations I-X. Plaintiff requests leave to amend this Complaint to assert their true names
19 and capacities when the same are ascertained, together with the appropriate charging allegations,
20 when the identities of said Defendants are obtained.

21 77. On or about June 9, 2009, Washoe County recorded as Document No. 3768428 a
22 Tax Certificate for the Washoe County Tax Liens for the Tax Year 2008/2009 against the
23 Property, which began the two-year statutory period of redemption, a copy of which is attached
24 hereto as **Exhibit "3."**

25 78. On or about June 21, 2010, Washoe County recorded as Document No. 3893647 a
26 Tax Certificate for the Washoe County Tax Liens for the Tax Year 2009/2010 against the
27 Property, a copy of which is attached hereto as **Exhibit "4"**.

1 79. On or about June 14, 2010, Washoe County issued a tax deed to itself, recorded as
2 Document No. 3891227, which tax deed is attached hereto as **Exhibit “5”**.

3 80. On or about April 1, 2011, Washoe County quitclaimed the Property to the City of
4 Reno pursuant to NRS 361.603, which deed was recorded as Document No. 3989067 in the
5 Office of the Recorder and attached hereto as **Exhibit “6”**. In order to grant the deed to the City
6 without requiring payment for the back taxes owed, the deed contained a provision that the
7 Property was to be used for open space.

8 81. On or about September 13, 2022, the Washoe County Board of County
9 Commissioners approved the City’s request to remove the open space deed restriction upon
10 payment of \$104,086.91 in back taxes by the City.

11 82. On or about November 16, 2022, the City paid the back taxes in full.

12 83. On or about December 14, 2022, Washoe County and the City recorded a
13 Declaration of Removal of Open Space Deed Restriction, as Document No. 5351910.

14 84. On or about October 24, 2023, the City entered into an Agreement for Economic
15 Development and Purchase/Sale of Real Property (0 Riverside) with Built Investments, LLC to
16 sell the Property to Built Investments, LLC.

17 85. As part of the City’s obligation to provide marketable title to Built Investments,
18 LLC to the Property, the City reached out to numerous title companies regarding whether the
19 Property was insurable, all of which refused to provide title insurance for the Property without a
20 quiet title action to clear the title. However, one title company responded that having a
21 certification from Tax Title Services that the tax lien foreclosure was done properly would be
22 helpful and might avoid a quiet title action.

23 86. On or about February 23, 2024, the City requested Tax Title Services, a company
24 specializing in reviewing whether tax lien foreclosures were done properly, to review the tax lien
25 foreclosure on the Property and issue a determination. Tax Title Services issued a certification
26 that the foreclosure was done properly, a copy of which is attached hereto as **Exhibit “7”**.

1 87. Despite the certification from Tax Title Services, no title company will insure title
2 to the Property unless the liens that remain on the title reports for the Property are removed by an
3 order quieting title to the Property.

4 88. Because the contract requires the City to provide insurable title, and because the
5 developer will not be able to secure financing absent insurable title to the Property, the City now
6 brings the instant claims.

7 89. Jurisdiction is predicated upon the residence of Plaintiff, the situs of the real
8 property at issue, the actions taken or to be taken by Defendants in Nevada, NRS 41.031, as well
9 as NRS 30.040, which permits any person whose rights, status, or other legal relations are
10 affected by a statute to have the District Court determine any question of construction or validity
11 arising under the statute and obtain a declaration of rights, status or other legal relations
12 thereunder.

13 90. This Court has jurisdiction over this matter and venue is proper pursuant to
14 Nevada Revised Statute 41.031, the action concerns real property located in Washoe County,
15 Nevada, and the events, acts, and circumstances in issue occurred in and reference Washoe
16 County, Nevada.

17 91. On information and belief, one or more of the Defendants may assert an
18 ownership interest in the Property.

19 92. As a result, title insurance companies refuse to issue title insurance without an
20 order quieting title to the Property in favor of the City.

21 **II. FIRST CLAIM FOR RELIEF**

22 **(Quiet Title)**

23 93. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 92
24 as if fully set forth herein and incorporate them herein by reference.

25 94. Pursuant to NRS 40.010, this Court has the power and authority to determine
26 adverse claims against real property, to quiet title related to an interest in real property.

27 95. Plaintiff acquired title to the Property from Washoe County on April 1, 2011,
28 which deed is attached hereto as **Exhibit "6"**.

96. Washoe County acquired title to the Property by virtue of a tax lien foreclosure dated June 14, 2010, after properly noticing the owners at the time of the foreclosure and after the period of redemption had expired. No attempt to redeem the Property was made.

97. Each of the named defendants may claim an interest in the Property because their interests remain on the title report, attached hereto as **Exhibit “1”**.

98. This adverse interest creates a potential claim and cloud on Plaintiff's title to the Property.

99. Under NRS 361.590, no defendant has a lawful claim of interest to the Property because the redemption period has long expired, and the tax deed is, absent actual fraud, “conclusive evidence of the regularity of all other proceedings, from the assessment by the county assessor to the execution of the deed.” NRS 361.590(4). Furthermore, under NRS 361.590(5), “the deed conveys to the county treasurer as trustee for the State and county the property described therein, free of all encumbrances, except any easement of record for public utility purposes, and lien for taxes or assessments by any irrigation or other district for irrigation or other district purposes, and any interest and penalties on the property....” Pursuant to the statute, the tax deed conveyed the Property free of all other liens that encumbered the Property.

100. Plaintiff seeks a quiet title judgment providing that: (i) the tax lien foreclosure is valid, effective, enforceable, binding and lawful; (ii) Washoe County became the sole owner of the Property free of all encumbrances; (iii) Washoe County properly conveyed the Property to the City; (iv) that Plaintiff is sole owner of title to the Property and (iv) that no Defendant has any right, title or interest in the Property, and all other interests, including liens and deeds of trust, have no further force and effect.

101. Dependent upon the result and disposition of this claim, Plaintiff may be entitled to attorney's fees and costs and the right to seek the same is hereby preserved and plead.

III. SECOND CLAIM FOR RELIEF

(Declaratory Relief)

102. Plaintiff repeats and realleges the allegations set forth in paragraphs 93 through 101 as if fully set forth herein and incorporate them herein by reference.

103. Pursuant to NRS 30.010, et. seq., this Court has the power and authority to declare the Plaintiff's rights and interests to the Property and resolve the Defendants' potential claims to the property.

104. Upon information and belief, one or more Defendants have or may question:

(a) whether the tax lien foreclosure was valid, binding and effective; and (b) whether all required and necessary notice was provided under the foreclosure; or (c) assert another basis to object to clear title being vested in the City.

105. A justiciable controversy thus exists between Plaintiff and Defendants with respect to the issues, contracts and agreements described herein.

106. Plaintiff seeks Declaratory Relief providing that the tax lien foreclosure was valid, cleared all other liens and interests from the Property and vested clean title in Washoe County, and that Washoe County properly transferred the Property to the City such that no Defendant has any right to object, unwind, or seek to invalidate the Deed.

107. Plaintiff seeks Declaratory Relief in the form of a Judgment of this Court providing that all Defendants have been properly notified, that all tax lien foreclosure procedures and obligations have been met to allow the title to transfer free and clear of Defendants' interests, and that no Defendant or interested person or entity with standing has any right to object or set aside the tax lien foreclosure or Deed.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment and relief against Defendants as follows:

1. A judgment quieting title in the Property to the City of Reno, without any liens or other interests;

2. A judgment declaring that the tax lien foreclosure and subsequent transfer to the City is valid, binding and effective, as well as lawful.

3. A judgment further declaring that all Defendants have been properly notified and/or proper and adequate notice has occurred, that all obligations of NRS 361.590 have been met and that no Defendant, interested person or any person or entity with standing has any right

1 to object or set aside the tax lien foreclosure and Deed or to assert any lien or other interest in the
2 Property; and

3 4. Any additional relief in favor of Plaintiff that the Court deems just and proper.

4 **AFFIRMATION**

5 The undersigned does hereby affirm that the preceding document filed in this court does
6 not contain the social security number of any person.

7 DATED this 2nd day of April, 2025.

8
9 KARL S. HALL
Reno City Attorney

10
11 By: /s/ Jasmine K. Mehta
12 JASMINE K. MEHTA
13 Deputy City Attorney
14 Nevada State Bar No. 8188
15 Post Office Box 1900
16 Reno, Nevada 89505
17 *Attorneys for City of Reno*
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1 VERIFICATION

2 STATE OF NEVADA)
3) ss.
4 COUNTY OF WASHOE)

5 I, Jasmine K. Mehta, do hereby swear under penalty of perjury that the following
6 assertions are true:

- 7 1. That I am the counsel for Plaintiff, CITY OF RENO, in the above-entitled action;
8 2. That I have read the foregoing FIRST AMENDED COMPLAINT TO QUIET
9 TITLE TO REAL PROPERTY and know the contents thereof;
10 3. That the same is true of my own knowledge, except as to those matters which are
11 therein stated upon information and belief, and as to those matters, I believe it to be true.
12 4. In making this Complaint, City of Reno has exercised reasonable diligence to
13 determine persons of record that may have some claim or any interest in the real property
14 identified in Exhibit 1 to this Complaint and has identified the above-captioned Defendants.

15 FURTHER AFFIANT SAYETH NAUGHT.

16 DATED this 2nd day of April, 2025

17 
18 JASMINE K. MEHTA

19
20 SUBSCRIBED and SWORN to
21 before me this 2nd day of April, 2025

22 

23 Notary Public



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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the RENO CITY ATTORNEY'S OFFICE, and that on this date, I am serving the FIRST AMENDED COMPLAINT on the party(s) set forth below by:

X Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices, addressed as follows:

C. Nicholas Pereos, Esq.
161 Country Estates Cir.
Reno, NV 89511
Tel. 775-329-0678
Attorney for 1980 Pereos Trust

X EFlex electronic service, addressed as follows:

CHRISTOPHER J. HICKS
District Attorney
MICHAEL W. LARGE
Deputy District Attorney
One South Sierra Street
Reno, NV 89501
Attorneys for Washoe County, Nevada

DATED this 2nd day of April, 2025.

/s/ Terri Strickland
Terri Strickland

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EXHIBIT LIST

Exhibit No.	Description	Pages
1	First Centennial Title Commitment	31
2	Davanti Investments' Deed of Trust recorded as Document No. 3382096	25
3	Tax Certificate for the Washoe County Tax Liens for the Tax Year 2008/2009 against the Property recorded as Document No. 3768428	1
4	Tax Certificate for the Washoe County Tax Liens for the Tax Year 2009/2010 recorded as Document No. 3893647	1
5	Tax Deed recorded as Document No. 3891227	43
6	Quitclaim Deed recorded as Document No. 3989067	3
7	Tax Title Services Certificate	70