

IN THE SUPREME COURT OF THE STATE OF NEVADA

PROPERTY PLUS INVESTMENTS, LLC, a
Nevada Limited Liability Corporation

Appellants,

vs.

BANK OF AMERICA, N.A., a Nevada Association,
MORTGAGE ELECTRONIC REGISTRATION
SYSTEM; an Illinois Corporation; ARLINGTON
RANCH NORTH MASTER ASSOCIATION; a
Nevada Non-Profit Corporation; ARLINGTON
RANCH LANDSCAPE MAINTENANCE
ASSOCIATION; a Nevada Non-Profit Corporation;
DOES 1 Through 25 inclusive; and ROE
CORPORATIONS, I through X, inclusive.

Respondents.

S .C. No.: 69072
D.C. No. A892200
Electronically Filed
Jun 21 2016 03:28 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

JOINT APPENDIX

**APPEAL FROM EIGHTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF CLARK, STATE OF NEVADA**

The Honorable Linda Bell

KANG & ASSOCIATES, PLLC

PATRICK W. KANG, ESQ.

Nevada Bar No.: 10381

ERICA D. LOYD, ESQ.

Nevada Bar No.: 10922

6480 W Spring Mountain Road

Suite 1

Las Vegas, Nevada 89146

P: 702.333.4223

Attorneys for Appellant

WRIGHT, FINLEY & ZAK, LLP.

CHELSEA A. CROWTON, ESQ.

Nevada Bar No.: 11547

7785 W Sahara Ave.

Suite 200

Las Vegas, Nevada 89117

P: 702.475.7964

Attorneys for Respondents

Volume 1

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COMP

PATRICK W. KANG, ESQ.

Nevada Bar No.: 010381

ERICA D. LOYD, ESQ.

Nevada Bar No.: 010922

KANG & ASSOCIATES, PLLC

6480 W. Spring Mountain Road, Suite 1

Las Vegas, Nevada 89146

P: (702) 333-4223

F: (702) 507-1468

Attorneys for Plaintiff

Property Plus Investments, LLC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

PROPERTY PLUS INVESTMENTS, LLC, a Nevada
Limited Liability Corporation

Plaintiff,

vs.

BANK OF AMERICA, N.A., a Nevada Association,
MORTGAGE ELECTRONIC REGISTRATION
SYSTEM; an Illinois Corporation; ARLINGTON
NORTH MASTER ASSOCIATION; a Nevada
Non-Profit Corporation; ARLINGTON RANCH
LANDSCAPE MAINTENANCE ASSOCIATION; a
Nevada Non-Profit Corporation; DOES 1 through
25 inclusive; and ROE CORPORATIONS, I through X,
inclusive.

Defendants.

Case No.: A-13-692200-C

Dept. No.: XIV

**COMPLAINT TO QUIET TITLE AND
DECLARATORY RELIEF**

Exempt From Arbitration:
Concerns Title To Property

COMPLAINT

COMES NOW, Plaintiff, PROPERTIES PLUS INVESTMENTS, LLC, by and through its attorneys of record, PATRICK W. KANG, ESQ., and ERICA D. LOYD, ESQ., of the law firm of KANG & ASSOCIATES, PLLC., as and for its complaint against Defendants, BANK OF AMERICA, MORTGAGE ELECTRONIC REGISTRATION SYSTEM, ARLINGTON NORTH MASTER'S ASSOCIATION, and ARLINGTON RANCH LANDSCAPE MAINTENANCE ASSOCIATION, and hereby complains, alleges and avers as follows:

PARTIES

1. PROPERTIES PLUS INVESTMENTS, LLC was at all times relevant a Nevada Limited Liability Corporation formed under the laws of the state of Nevada, lawfully conducting business transactions in Clark County, Nevada.
2. Upon information and belief, Defendant, BANK OF AMERICA was at all times relevant a Nevada Association doing and conducting business transactions in Clark County Nevada.
3. Upon information and belief, Defendant MORTGAGE ELECTRONIC REGISTRATION SYSTEMS was at all times relevant an Illinois Corporation doing and conducting business transactions in Clark County Nevada.
4. Upon information and belief, Defendant ARLINGTON RANCH NORTH MASTER ASSOCIATION was at all times relevant a Nevada Non-Profit Corporation doing and conducting business transactions as a Homeowner's Association in Clark County Nevada.
5. Upon information and belief, Defendant ARLINGTON RANCH LANDSCAPE MAINTENANCE ASSOCIATION was at all times relevant a Nevada Non-Profit Corporation doing and conducting business transactions as a Homeowner's Association in Clark County Nevada.
6. The true names and capacities, whether individual, corporate, associate or otherwise of other plaintiff and defendants, hereinafter designated as DOES 1-25 and ROES I-X, inclusive, who are in some manner responsible for injuries described herein, are unknown at this time. Plaintiff, therefore, sues said defendants by such fictitious names and will seek leave of the Court to amend this Complaint to show their true names and capacities when ascertained.
7. Upon information and belief, at all times pertinent, Defendants were agents, servants, employees or joint ventures of every other defendant herein, and at times mentioned herein were acting within the scope and course of said agency, employment, or joint venture, with knowledge and permission and consent of all other Defendants.

VENUE AND JURISDICTION

8. Venue is proper in Clark County, Nevada pursuant to NRS 13.040.
9. The exercise of jurisdiction by this Court over the Defendants in this civil action is proper pursuant to NRS 14.065.
10. The allegations for which the Plaintiff claims and complains relates to ownership and title of real property located and situated in Clark County, Nevada. Specifically, property located at 8787 Tom Noon Avenue, No.: 101, Las Vegas, 89178 in Las Vegas, Nevada with APN NO.: 176-20-714-331.

GENERAL ALLEGATIONS

1. In or around July 17, 2013, Plaintiff purchased real property commonly known as 8787 Tom Noon Avenue, No.:101, Las Vegas, Nevada 89178 with APN NO.: 176-20-714-331 ("subject property") at a properly noticed HOA foreclosure sale in accordance with NRS 116.3116 through NRS 116.31168, inclusive.
2. The Trustee Deed Upon Sale conveyed the subject property to the Plaintiff was recorded on July 30, 2013 with the Clark County Recorder's Office in Book/Instrument Number: 201307300000805. **A true and correct copy of the Trustee's Deed Upon Sale is attached hereto as Exhibit A.**
3. Plaintiff purchased the property from High Noon at Arlington Ranch Homeowner's Association ("HNARHOA") at a foreclosure auction sale. Plaintiff purchased the property \$7,500.00 (Seven Thousand Five Hundred Dollars) which, upon information and belief, \$5,979.89 was HNARHOA's super-priority lien amount. **(see Exhibit A)**
4. Upon information and belief Defendants had notice of the lien on April 08, 2010 and July 20, 2012. **(see Exhibit B)**
5. Upon information and belief Defendants had notice of the default of the above mentioned lien on July 01, 2010 and October 31, 2012. **(see Exhibit C)**
6. Upon information and belief Defendants had notice of the trustee sale for satisfaction of the above mentioned lien and default on June 21, 2013. **(see Exhibit D)**
7. Upon information and belief Defendants failed to cure the lien and default prior to the sale conducted on July 17, 2013.

- 1 8. Upon information and belief, Defendants may have held an interest in the subject
2 property at one time prior to the foreclosure sale.
- 3 9. Upon information and belief, none of the Defendants, currently, have any valid interest
4 in the subject property subsequent to the HNARHOA's foreclosure sale commenced
5 pursuant to NRS 116.3116 through NRS 116.31168, inclusive, in order to satisfy
6 HNARHOA's super-priority lien.
- 7 10. HNARHOA's foreclosure sale on its super-priority lien pursuant to NRS 116.3116
8 through NRS 116.31168, inclusive, freed and cleared all liens and encumbrances on the
9 subject property.
- 10 11. Therefore, Plaintiff acquired the title to the subject property free and clear of all liens
11 and encumbrances as well.
- 12 12. Thus, Plaintiff seeks declaratory and injunctive relief for a determination that Plaintiff is
13 the rightful holder of title to the subject property free of all prior liens and
14 encumbrances.
- 15 13. Upon information and belief, Defendants may have held an interest in the subject
16 property at one time prior to the foreclosure sale.
- 17 14. Upon information and belief, none of the Defendants, currently, have any valid interest
18 in the subject property subsequent to HNARHOA's foreclosure sale commenced
19 pursuant to NRS 116.3116 and NRS 116.31168 in order to satisfy HNARHOA's super-
20 priority lien.
- 21 15. HNARHOA's foreclosure sale freed and cleared all liens and encumbrances on the
22 subject property.
- 23 16. Therefore, Plaintiff acquired the title to the subject property free and clear of all liens
24 and encumbrances as well.
- 25 17. Thus, Plaintiff seeks declaratory relief for a determination that Plaintiff is the rightful
holder of title to the subject property free of all prior liens and encumbrances.

FIRST CLAIM FOR RELIEF
(QUIET TITLE)

18. Plaintiff repeats and realleges every allegation contained in Paragraphs 1 through 17 and reincorporated the same as if fully set forth herein.
19. Plaintiff is the rightful owner of the subject property by virtue of the HNARHOA's Trustee Deed Upon Sale and the conveyance of said Deed to Plaintiff.
20. Here, none of the Defendants had a valid interest in the subject property subsequent to the foreclosure sale pursuant to NRS 116.3116 and NRS 116.31168.
21. Upon information and belief, when HNARHOA foreclosed on its super-priority lien thereby eliminating all junior lien holders, including the original mortgagor holding a first mortgage deed of trust.
22. Plaintiff is entitled to a determination from this Court, pursuant to NRS 40.010, that the Plaintiff is the rightful owner of the Property and that the Defendants, and each of them, have no right, title, or interest in the subject property.

SECOND CLAIM FOR RELIEF
(DECLARATORY RELIEF)

23. Plaintiff hereby repleads, realleges and incorporates by reference each and every previous allegation contained in Paragraphs 1 through 22 above, as though fully set forth herein.
24. Plaintiff seeks a declaration from this Court, pursuant to NRS 40.010, that title in the subject property has vested in the Plaintiff free and clear of all liens and encumbrances, that Defendants herein have no estate, right, title or interest in the subject property, and that Defendants are forever enjoined from asserting any estate, title, right or interest in the subject property adverse to the Plaintiff.

THIRD CLAIM FOR RELIEF
(PRELIMINARY INJUNCTION)

25. Plaintiff hereby repleads, realleges and incorporates by reference each and every previous allegation contained in Paragraphs 1 through 24 above, as though fully set forth herein.

1 26. Plaintiff requests that this Court issue a preliminary injunction prevent any further
2 foreclosure, conveyance or sale of the property by any party in order to preserve peace
3 and the subject property during these quiet title proceedings.

4 27. At all times herein, relevant Defendants have once held an interest in the subject
5 property, and wrongfully and unlawfully have threatened to take ownership, possession,
6 or other action that may adversely affect Plaintiff's interest in the subject property.

7 28. Plaintiff has been and will be seriously and irreparably harmed unless Defendants
8 threatened foreclosure, unlawful conveyances and other activities complained of are
9 preliminarily and permanently enjoined and restrained by this Court. Plaintiff will suffer
10 irreparable injury of a continuing nature that cannot be adequately calculated or
11 compensated in money damages.

12 29. Not only will Defendants' threatened conduct cause great and irreparable harm to
13 Plaintiff unless enjoined or restrained, but the same threatened conduct will cause great
14 and irreparable harm to the Nevada community and housing community as well.

15 30. If an injunction does not issue restraining and enjoining Defendants, and each of them
16 from interfering with Plaintiff's rights and interests to the subject property, not only will
17 the Plaintiff be harmed but the Nevada community will be irreparably harmed as a
18 result.

19 31. Plaintiff seeks an injunction to enjoin Defendants from attempting to foreclose non-
20 judicially, conveyance and any other transfer activities of the subject property.

21 **WHEREFORE**, Plaintiff is entitled to judgment in their favor and against the, Defendants
22 and additional parties as follows:

- 23 1. For a determination that HNARHOA lawfully foreclosed on the subject property
24 pursuant to NRS 116.3116 and NRS 116.31168;
- 25 2. For a determination and declaration that Plaintiff is the rightful holder of title to the
subject property, free and clear of all liens and encumbrances;
3. For a determination and declaration the Defendants have no estate, right or title or
interest in the subject property;

- 1 4. For all costs and all attorneys' fees incurred and accrued in these proceedings; and
- 2
- 3 5. For such other and further relief as the Court may deem just and proper.
- 4

5 Dated this 22nd of November, 2013.

6 **KANG & ASSOCIATES, PLLC**

7 

8 **PATRICK W. KANG, ESQ.**

9 Nevada Bar No. 010381

10 **ERICA D. LOYD, ESQ.**

11 Nevada Bar No. 010922

12 **KANG & ASSOCIATES, PLLC**

13 6480 W. Spring Mountain Road, Suite 1

14 Las Vegas, Nevada 89146

15 P: (702) 333-4223

16 F: (702) 507-1468

17 *Attorneys for Plaintiff*

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EXHIBIT A

Inst #: 201307300000805

Fees: \$17.00 N/C Fee: \$0.00

RPTT: \$372.30 Ex: #

07/30/2013 08:44:26 AM

Receipt #: 1712712

Requestor:

ALESSI & KOENIG LLC

Recorded By: RNS Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

(2) -1

When recorded mail to and
Mail Tax Statements to:
Properties Plus Investments, LLC
1785 E. Sahara Ave. #490-939
Las Vegas, NV 89104

A.P.N. No. 176-20-714-331

TS No. 31123-8787-101

TRUSTEE'S DEED UPON SALE

The Grantee (Buyer) herein was: **Properties Plus Investments, LLC**
The Foreclosing Beneficiary herein was: **High Noon at Arlington Ranch Homeowner's Association**
The amount of unpaid debt together with costs: **\$5,979.89**
The amount paid by the Grantee (Buyer) at the Trustee's Sale: **\$7,500.00**
The Documentary Transfer Tax: **\$372.30**
Property address: **8787 TOM NOON AVE #101, LAS VEGAS, NV 89178-7792**
Said property is in [] unincorporated area: City of **LAS VEGAS**
Trustor (Former Owner that was foreclosed on): **MEGAN R SULLIBAN**

Alessi & Koenig, LLC (herein called Trustee), as the duly appointed Trustee under that certain Notice of Delinquent Assessment Lien, recorded July 20, 2012 as instrument number 0003175, in Clark County, does hereby grant, without warranty expressed or implied to: **Properties Plus Investments, LLC (Grantee)**, all its right, title and interest in the property legally described as: **HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111**, as per map recorded in Book 115, Pages 21 as shown in the Office of the County Recorder of Clark County Nevada.

TRUSTEE STATES THAT:

This conveyance is made pursuant to the powers conferred upon Trustee by NRS 116 et seq., and that certain Notice of Delinquent Assessment Lien, described herein. Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the office of the recorder of said county. All requirements of law regarding the mailing of copies of notices and the posting and publication of the copies of the Notice of Sale have been complied with. Said property was sold by said Trustee at public auction on July 17, 2013 at the place indicated on the Notice of Trustee's Sale.

Huong Lam, Esq.

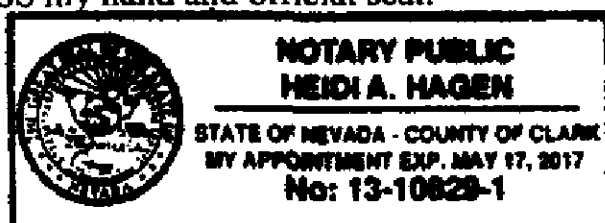
Signature of AUTHORIZED AGENT for Alessi & Koenig, Llc.

State of Nevada)
County of Clark)

SUBSCRIBED and SWORN before me JUL 22 2013 by Huong Lam

WITNESS my hand and official seal.

(Seal)



(Signature)

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)

a. 176-20-714-331
b. _____
c. _____
d. _____

2. Type of Property:

a. ☐ Vacant Land b. ☐ Single Fam. Res.
c. ☒ Condo/Twnhse d. ☐ 2-4 Plex
e. ☐ Apt. Bldg f. ☐ Comm'l/Ind'l
g. ☐ Agricultural h. ☐ Mobile Home
Other _____

FOR RECORDERS OPTIONAL USE ONLY

Book _____ Page: _____

Date of Recording: _____

Notes: _____

3.a. Total Value/Sales Price of Property

\$ 7,500.00

b. Deed in Lieu of Foreclosure Only (value of property (_____)

c. Transfer Tax Value: \$ 72,526.00

d. Real Property Transfer Tax Due \$ 372.30

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature  Capacity: Grantor

Signature _____ Capacity: _____

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Alessi & Koenig, LLC
Address: 9500 W. Flamingo Rd., Ste. 205
City: Las Vegas
State: NV Zip: 89147

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: Properties Plus Investments
Address: 1785 E. Sahara Ave. #490-939
City: Las Vegas
State: NV Zip: 89104

COMPANY/PERSON REQUESTING RECORDING (Required if not seller or buyer)

Print Name: Alessi & Koenig, LLC
Address: 9500 W. Flamingo Rd., Ste. 205
City: Las Vegas

Escrow # N/A Foreclosure
State: NV Zip: 89147

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

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EXHIBIT B

Inst #: 201207200003175

Fees: \$17.00

N/C Fee: \$0.00

07/20/2012 03:43:54 PM

Receipt #: 1242118

Requestor:

ALESSI & KOENIG LLC

Recorded By: SAO Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded return to:

176-20-714-331

ALESSI & KOENIG, LLC
9500 W. Flamingo Rd., Suite 205
Las Vegas, Nevada 89147
Phone: (702) 222-4033

A.P.N. 176-20-714-331

Trustee Sale # 31123-8787-101

NOTICE OF DELINQUENT ASSESSMENT (LIEN)

In accordance with Nevada Revised Statutes and the Association's Declaration of Covenants, Conditions and Restrictions (CC&Rs) of the official records of **Clark County, Nevada, High Noon at Arlington Ranch Homeowner's Association** has a lien on the following legally described property.

The property against which the lien is imposed is commonly referred to as **8787 Tom Noon Ave., #101, Las Vegas, NV 89178** and more particularly legally described as: **HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111 Book 115 Page 21** in the County of **Clark**.

The owner(s) of record as reflected on the public record as of today's date is (are): **Megan Sullivan**

The mailing address(es) is: **8787 Tom Noon Ave., #101, Las Vegas, NV 89178**

The total amount due through today's date is: **\$1,887.01**. Of this total amount **\$1,812.01** represent Collection and/or Attorney fees, assessments, interest, late fees and service charges. **\$75.00** represent collection costs. Note: Additional monies shall accrue under this claim at the rate of the claimant's regular monthly or special assessments, plus permissible late charges, costs of collection and interest, accruing subsequent to the date of this notice.

Date: **July 3, 2012**

By: 

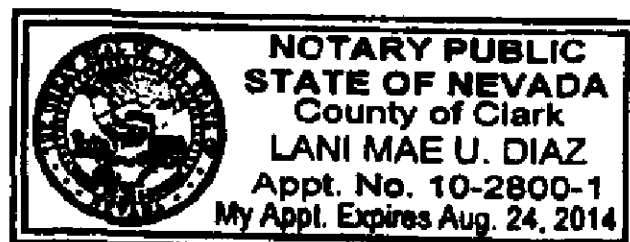
Huong Lam, Esq. of Alessi & Koenig, LLC on behalf of **High Noon at Arlington Ranch Homeowner's Association**

State of Nevada

County of Clark

SUBSCRIBED and SWORN before me July ¹²~~3~~, 2012

(Seal)



(Signature)


NOTARY PUBLIC

JA0012

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EXHIBIT C

Inst #: 201210310000600

Fees: \$17.00

N/C Fee: \$0.00

10/31/2012 08:04:08 AM

Receipt #: 1364059

Requestor:

ALESSI & KOENIG LLC

Recorded By: MAT Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded mail to:

THE ALESSI & KOENIG, LLC
9500 West Flamingo Rd., Ste 205
Las Vegas, Nevada 89147
Phone: 702-222-4033

A.P.N. 176-20-714-331


Trustee Sale No. 31123-8787-101

NOTICE OF DEFAULT AND ELECTION TO SELL UNDER HOMEOWNERS ASSOCIATION LIEN

WARNING! IF YOU FAIL TO PAY THE AMOUNT SPECIFIED IN THIS NOTICE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE! You may have the right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account. The sale may not be set until ninety days from the date this notice of default recorded, which appears on this notice. The amount due is **\$3,190.45** as of **October 5, 2012** and will increase until your account becomes current. To arrange for payment to stop the foreclosure, contact: **High Noon at Arlington Ranch Homeowner's Association, c/o Alessi & Koenig, 9500 W. Flamingo Rd, Ste 205, Las Vegas, NV 89147, (702)222-4033.**

THIS NOTICE pursuant to that certain Notice of Delinquent Assessment Lien, recorded on **July 20, 2012** as document number **0003175**, of Official Records in the County of **Clark**, State of Nevada. Owner(s): **Megan Sullivan**, of **HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111**, as per map recorded in Book **115**, Pages **21**, as shown on the Plan and Subdivision map recorded in the Maps of the County of **Clark**, State of Nevada. PROPERTY ADDRESS: **8787 Tom Noon Ave., #101, Las Vegas, NV 89178**. If you have any questions, you should contact an attorney. Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure. **REMEMBER YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION.** NOTICE IS HEREBY GIVEN THAT **Alessi & Koenig, LLC** is appointed trustee agent under the above referenced lien, dated **July 20, 2012**, on behalf of **High Noon at Arlington Ranch Homeowner's Association** to secure assessment obligations in favor of said Association, pursuant to the terms contained in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs). A default in the obligation for which said CC&Rs has occurred in that the payment(s) have not been made of homeowners assessments due from and all subsequent assessments, late charges, interest, collection and/or attorney fees and costs.

Dated: **October 5, 2012**



Huong Lam, Esq. of Alessi & Koenig, LLC on behalf of High Noon at Arlington Ranch Homeowner's Association

JA0014

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EXHIBIT D

Inet #: 201306210001581
Fees: \$17.00
N/C Fee: \$0.00
06/21/2013 12:30:06 PM
Receipt #: 1664643
Requestor:
ALESSI & KOENIG LLC
Recorded By: ANI Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

When recorded mail to:
Alessi & Koenig, LLC
9500 West Flamingo Rd., Suite 205
Las Vegas, NV 89147
Phone: 702-222-4033

APN: 176-20-714-331

TSN 31123-8787-101

NOTICE OF TRUSTEE'S SALE

WARNING! A SALE OF YOUR PROPERTY IS IMMINENT! UNLESS YOU PAY THE AMOUNT SPECIFIED IN THIS NOTICE BEFORE THE SALE DATE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE. YOU MUST ACT BEFORE THE SALE DATE. IF YOU HAVE ANY QUESTIONS, PLEASE CALL ALESSI & KOENIG AT 702-222-4033. IF YOU NEED ASSISTANCE, PLEASE CALL THE FORECLOSURE SECTION OF THE OMBUDSMAN'S OFFICE, NEVADA REAL ESTATE DIVISION, AT 1-877-829-9907 IMMEDIATELY.

NOTICE IS HEREBY GIVEN THAT:

On July 17, 2013, Alessi & Koenig as duly appointed Trustee pursuant to a certain lien, recorded on July 20, 2012, as instrument number 0003175, of the official records of Clark County, Nevada, WILL SELL THE BELOW MENTIONED PROPERTY TO THE HIGHEST BIDDER FOR LAWFUL MONEY OF THE UNITED STATES, OR A CASHIERS CHECK at: 2:00 p.m., at 9500 W. Flamingo Rd., Suite #205, Las Vegas, Nevada 89147 (Alessi & Koenig, LLC Office Building, 2nd Floor)

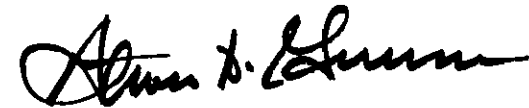
The street address and other common designation, if any, of the real property described above is purported to be: 8787 Tom Noon Ave., #101, Las Vegas, NV 89178. The owner of the real property is purported to be: Megan Sullivan

The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designations, if any, shown herein. Said sale will be made, without covenant or warranty, expressed or implied, regarding title, possession or encumbrances, to pay the remaining principal sum of a note, homeowner's assessment or other obligation secured by this lien, with interest and other sum as provided therein: plus advances, if any, under the terms thereof and interest on such advances, plus fees, charges, expenses, of the Trustee and trust created by said lien. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is \$5,019.80. Payment must be in made in the form of certified funds.

Date: JUN 03 2013

By: 
Huong Lam, Esq. of Alessi & Koenig LLC on behalf of High Noon at Arlington Ranch Homeowner's Association

JA0016



CLERK OF THE COURT

1 LISP

PATRICK W. KANG, ESQ.

2 Nevada Bar No.: 010381

ERICA D. LOYD, ESQ.

3 Nevada Bar No.: 010922

KANG & ASSOCIATES, PLLC

4 6480 W. Spring Mountain Road, Suite 1

5 Las Vegas, Nevada 89146

P: (702) 333-4223

6 F: (702) 507-1468

7 *Attorneys for Plaintiff*

Property Plus Investments, LLC

8
9
10 **DISTRICT COURT**
CLARK COUNTY, NEVADA

11
12 **PROPERTY PLUS INVESTMENTS, LLC, a Nevada**
Limited Liability Corporation

13 **Plaintiff,**

14 **vs.**

15 **BANK OF AMERICA, N.A., a Nevada Association,**
16 **MORTGAGE ELECTRONIC REGISTRATION**
17 **SYSTEM; an Illinois Corporation; ARLINGTON**
18 **NORTH MASTER ASSOCIATION; a Nevada**
19 **Non-Profit Corporation; ARLINGTON RANCH**
20 **LANDSCAPE MAINTENANCE ASSOCIATION; a**
21 **Nevada Non-Profit Corporation; DOES 1**
22 **Through 25 inclusive; and ROE**
23 **CORPORATIONS, I through X, inclusive.**

24 **Defendants.**

Case No.: A-13-692200-C

Dept. No.: XIV

NOTICE OF PENDENCY OF ACTION
(LIS PENDENS)

25 **NOTICE OF PENDENCY OF ACTION**
(LIS PENDENS)

72751
PLEASE TAKE NOTICE: THAT PLAINTIFF, PROPERTY PLUS INVESTMENTS, LLC, HAS FILED THIS
ACTION AGAINST DEFENDANTS, BANK OF AMERICA, N.A., MORTGAGE ELECTRONIC REGISTRATION SYSTEM,

1 ARLINGTON NORTH MASTER ASSOCIATION AND ARLINGTON RANCH LANDSCAPE MAINTENANCE ASSOCIATION.
2 PLAINTIFF FILED THIS ACTION ON **NOVEMBER 26, 2013**.

3
4 The Plaintiff has initiated this action against YOU seeking to quiet title on property
5 legally described as follows:

6 **LOCATION ADDRESS:** 8787 Tom Noon Avenue, No. 101, Las Vegas, Nevada 89178

7 **PARCEL NUMBER:** 176-20-714-331

8 **LEGAL DESCRIPTION:** HIGH NOON AT ARLINGTON RANCH, PLAT BOOK 115 PAGE 21,
9 UNIT 101 BLDG 111
SEC 20 TWP 22 RNG 60

10 Plaintiff seeks to protect its' property. Plaintiff is owner of the property as legally
11 described. Further, the above-captioned action has commenced and is pending in the above-
12 entitled Court, specifically, The Eighth Judicial District Court of Nevada, affecting the legally
13 described property, owned and reputedly owned by the Plaintiff in this action.

14 DATED 16th day, November 2013.

15
16
17
18
19 By: _____

KANG & ASSOCIATES

PATRICK W. KANG, ESQ.

Nevada Bar No. 010381

ERICA D. LOYD, ESQ.

Nevada Bar No. 010922

6480 W. Spring Mountain Rd., Ste. 1

Las Vegas, NV 89146

(702) 333-4223

Attorneys for Plaintiff

Inst #: 201308130001166

Fees: \$17.00

N/C Fee: \$0.00

08/13/2013 09:00:12 AM

Receipt #: 1730869

Requestor:

ALESSI & KOENIG LLC

Recorded By: DXI Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded return to:

THE ALESSI & KOENIG, LLC
9500 W. Flamingo Rd., Ste 205
Las Vegas, Nevada 89147
Phone: (702) 222-4033

A.P.N. 176-20-714-331

Trustee Sale No. 31123-8787-101

RELEASE OF NOTICE OF DELINQUENT ASSESSMENT LIEN

In accordance with the provisions of Nevada Revised Statutes chapter 116.3116 et al., the Notice of Delinquent Assessment Lien, recorded by **High Noon at Arlington Ranch Homeowner's Association**, is released. Said lien was recorded on **July 20, 2012** in Book **20120720** as instrument number **0003175**, against the property legally described as **HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111**, as per map recorded in Book **115**, Pages **21** inclusive of maps recorded in the County recorder of **Clark County, Nevada**.

The owner(s) of record as reflected on the public record as of the date of Lien recordation is (was):

MEGAN R SULLIBAN

Property Address: **8787 TOM NOON AVE #101, LAS VEGAS, NV 89178-7792**

49

Dated: **August 8, 2013**



By: Sara Aslinger of Alessi & Koenig, LLC on behalf of **High Noon at Arlington Ranch Homeowner's Association**

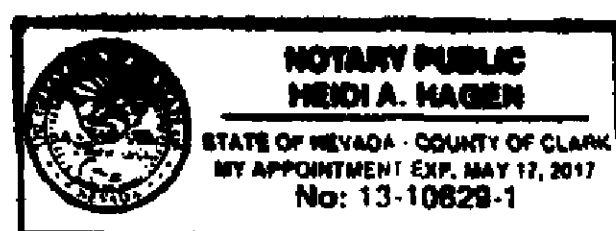
State of Nevada

County of Clark

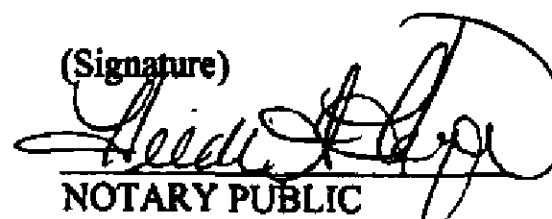
On **AUG 09 2013**, before me personally appeared Sara Aslinger, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same in his/her authorized capacity, and that by signing his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and seal.

(Seal)

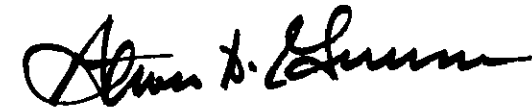


(Signature)



NOTARY PUBLIC

JA0019



CLERK OF THE COURT

1 ERR

2 PATRICK W. KANG, ESQ.

3 Nevada Bar No.: 010381

4 ERICA D. LOYD, ESQ.

5 Nevada Bar No.: 010922

6 KANG & ASSOCIATES, PLLC

7 6480 W. Spring Mountain Road, Suite 1

8 Las Vegas, Nevada 89146

9 P: (702) 333-4223

10 F: (702) 507-1468

11 Attorneys for Plaintiff

12 Property Plus Investments, LLC

13 DISTRICT COURT
14 CLARK COUNTY, NEVADA

15 PROPERTY PLUS INVESTMENTS, LLC, a Nevada
16 Limited Liability Corporation

17 Plaintiff,

18 vs.

19 BANK OF AMERICA, N.A., a Nevada Association,
20 MORTGAGE ELECTRONIC REGISTRATION
21 SYSTEM; an Illinois Corporation; ARLINGTON
22 RANCH NORTH MASTER ASSOCIATION; a
23 Nevada Non-Profit Corporation; ARLINGTON
24 RANCH LANDSCAPE MAINTENANCE
25 ASSOCIATION; a Nevada Non-Profit
Corporation; DOES 1 Through 25 inclusive;
and ROE CORPORATIONS, I through X, inclusive.

Defendants.

Case No.: A-13-692200-C

Dept. No.: XIV

**PLAINTIFF'S ERRATUM TO THE
COMPLAINT AND LIS PENDENS**

COMES NOW, Plaintiff, PROPERTY PLUS INVESTMENTS, LLC, a Nevada Limited Liability Corporation ("Plaintiff"), by and through his attorneys of record, PATRICK W. KANG, ESQ., and ERICA D. LOYD, ESQ., of the law firm of KANG & ASSOCIATES PLLC, submit that the COMPLAINT in this matter was filed on November 25, 2013 and the LIS PENDENS in this matter was filed on November 26, 2013.

1 Plaintiff filed the above-mentioned document in order to begin a quiet title action for property
2 located at 8787 Tom Noon Avenue, No. 101, Las Vegas, Nevada 89178.

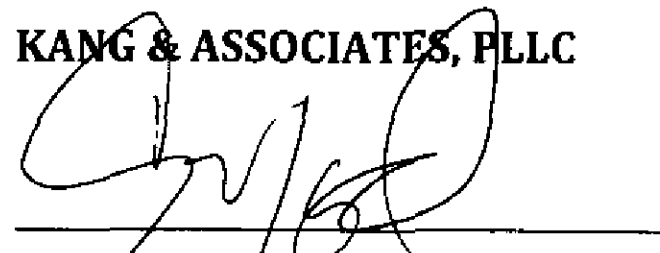
3 It has now come to the Plaintiff's attention that the COMPLAINT and the LIS PENDENS
4 on file contains an error in that the document as filed. The errors are the misspelling and
5 typographical error of the Defendant's Name in the Complaint. Plaintiff seeks to correct the
6 typographical error of the address. ARLINGTON NORTH MASTER ASSOCIATION should read
7 the legal name of ARLINGTON RANCH NORTH MASTER ASSOCIATION, Plaintiff apologizes for
8 the typographical error and has corrected said error and attached the corrected version of the
9 Complaint hereto (*see Exhibit A*) and the Lis Pendens hereto (*see Exhibit B*).

10 Plaintiff submits this Erratum to correct the oversight and the typographical error in
11 the above-reference document. Counsel for Plaintiff apologizes to the Court, and its staff, for
12 the inadvertence mentioned herein.

13 DATED this 9th day of December, 2013.

14 Respectfully Submitted,

15 **KANG & ASSOCIATES, PLLC**



16 **PATRICK W. KANG, ESQ.**

17 Nevada Bar No. 010381

18 **ERICA D. LOYD, ESQ.**

19 Nevada Bar No. 010922

20 6480 W. Spring Mountain Rd., Ste. 1

21 Las Vegas, NV 89146

22 (702) 333-4223

23 *Attorneys for Plaintiff*

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EXHIBIT A

1 **COMP**

2 **PATRICK W. KANG, ESQ.**

3 Nevada Bar No.: 010381

4 **ERICA D. LOYD, ESQ.**

5 Nevada Bar No.: 010922

6 **KANG & ASSOCIATES, PLLC**

7 6480 W. Spring Mountain Road, Suite 1

8 Las Vegas, Nevada 89146

9 P: (702) 333-4223

10 F: (702) 507-1468

11 *Attorneys for Plaintiff*

12 *Property Plus Investments, LLC*

13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 PROPERTY PLUS INVESTMENTS, LLC, a Nevada
16 Limited Liability Corporation

17 Plaintiff,

18 vs.

19 BANK OF AMERICA, N.A., a Nevada Association,
20 MORTGAGE ELECTRONIC REGISTRATION
21 SYSTEM; an Illinois Corporation; ARLINGTON
22 RANCH NORTH MASTER ASSOCIATION; a Nevada
23 Non-Profit Corporation; ARLINGTON RANCH
24 LANDSCAPE MAINTENANCE ASSOCIATION; a
25 Nevada Non-Profit Corporation; DOES 1 through
26 25 inclusive; and ROE CORPORATIONS, I through X,
27 inclusive.

28 Defendants.

Case No.: A-13-692200-C

Dept. No.: XIV

29 **COMPLAINT TO QUIET TITLE AND**
30 **DECLARATORY RELIEF**

31 **Exempt From Arbitration:**
32 Concerns Title To Property

33 **COMPLAINT**

34 COMES NOW, Plaintiff, PROPERTIES PLUS INVESTMENTS, LLC, by and through
35 its attorneys of record, PATRICK W. KANG, ESQ., and ERICA D. LOYD, ESQ., of the law firm of
36 KANG & ASSOCIATES, PLLC., as and for its complaint against Defendants, BANK OF AMERICA,
37 MORTGAGE ELECTRONIC REGISTRATION SYSTEM, ARLINGTON RANCH NORTH MASTER'S
38 ASSOCIATION, and ARLINGTON RANCH LANDSCAPE MAINTENANCE ASSOCIATION, and
39 hereby complains, alleges and avers as follows:

40 ...

PARTIES

1. PROPERTIES PLUS INVESTMENTS, LLC was at all times relevant a Nevada Limited Liability Corporation formed under the laws of the state of Nevada, lawfully conducting business transactions in Clark County, Nevada.
2. Upon information and belief, Defendant, BANK OF AMERICA was at all times relevant a Nevada Association doing and conducting business transactions in Clark County Nevada.
3. Upon information and belief, Defendant MORTGAGE ELECTRONIC REGISTRATION SYSTEMS was at all times relevant an Illinois Corporation doing and conducting business transactions in Clark County Nevada.
4. Upon information and belief, Defendant ARLINGTON RANCH NORTH MASTER ASSOCIATION was at all times relevant a Nevada Non-Profit Corporation doing and conducting business transactions as a Homeowner's Association in Clark County Nevada.
5. Upon information and belief, Defendant ARLINGTON RANCH LANDSCAPE MAINTENANCE ASSOCIATION was at all times relevant a Nevada Non-Profit Corporation doing and conducting business transactions as a Homeowner's Association in Clark County Nevada.
6. The true names and capacities, whether individual, corporate, associate or otherwise of other plaintiff and defendants, hereinafter designated as DOES 1-25 and ROES I-X, inclusive, who are in some manner responsible for injuries described herein, are unknown at this time. Plaintiff, therefore, sues said defendants by such fictitious names and will seek leave of the Court to amend this Complaint to show their true names and capacities when ascertained.
7. Upon information and belief, at all times pertinent, Defendants were agents, servants, employees or joint ventures of every other defendant herein, and at times mentioned herein were acting within the scope and course of said agency, employment, or joint venture, with knowledge and permission and consent of all other Defendants.

VENUE AND JURISDICTION

8. Venue is proper in Clark County, Nevada pursuant to NRS 13.040.
9. The exercise of jurisdiction by this Court over the Defendants in this civil action is proper pursuant to NRS 14.065.
10. The allegations for which the Plaintiff claims and complains relates to ownership and title of real property located and situated in Clark County, Nevada. Specifically, property located at 8787 Tom Noon Avenue, No.: 101, Las Vegas, 89178 in Las Vegas, Nevada with APN NO.: 176-20-714-331.

GENERAL ALLEGATIONS

1. In or around July 17, 2013, Plaintiff purchased real property commonly known as 8787 Tom Noon Avenue, No.:101, Las Vegas, Nevada 89178 with APN NO.: 176-20-714-331 ("subject property") at a properly noticed HOA foreclosure sale in accordance with NRS 116.3116 through NRS 116.31168, inclusive.
2. The Trustee Deed Upon Sale conveyed the subject property to the Plaintiff was recorded on July 30, 2013 with the Clark County Recorder's Office in Book/Instrument Number: 201307300000805. **A true and correct copy of the Trustee's Deed Upon Sale is attached hereto as Exhibit A.**
3. Plaintiff purchased the property from High Noon at Arlington Ranch Homeowner's Association ("HNARHOA") at a foreclosure auction sale. Plaintiff purchased the property \$7,500.00 (Seven Thousand Five Hundred Dollars) which, upon information and belief, \$5,979.89 was HNARHOA's super-priority lien amount. **(see Exhibit A)**
4. Upon information and belief Defendants had notice of the lien on April 08, 2010 and July 20, 2012. **(see Exhibit B)**
5. Upon information and belief Defendants had notice of the default of the above mentioned lien on July 01, 2010 and October 31, 2012. **(see Exhibit C)**
6. Upon information and belief Defendants had notice of the trustee sale for satisfaction of the above mentioned lien and default on June 21, 2013. **(see Exhibit D)**
7. Upon information and belief Defendants failed to cure the lien and default prior to the sale conducted on July 17, 2013.

8. Upon information and belief, Defendants may have held an interest in the subject property at one time prior to the foreclosure sale.
9. Upon information and belief, none of the Defendants, currently, have any valid interest in the subject property subsequent to the HNARHOA's foreclosure sale commenced pursuant to NRS 116.3116 through NRS 116.31168, inclusive, in order to satisfy HNARHOA's super-priority lien.
10. HNARHOA's foreclosure sale on its super-priority lien pursuant to NRS 116.3116 through NRS 116.31168, inclusive, freed and cleared all liens and encumbrances on the subject property.
11. Therefore, Plaintiff acquired the title to the subject property free and clear of all liens and encumbrances as well.
12. Thus, Plaintiff seeks declaratory and injunctive relief for a determination that Plaintiff is the rightful holder of title to the subject property free of all prior liens and encumbrances.
13. Upon information and belief, Defendants may have held an interest in the subject property at one time prior to the foreclosure sale.
14. Upon information and belief, none of the Defendants, currently, have any valid interest in the subject property subsequent to HNARHOA's foreclosure sale commenced pursuant to NRS 116.3116 and NRS 116.31168 in order to satisfy HNARHOA's super-priority lien.
15. HNARHOA's foreclosure sale freed and cleared all liens and encumbrances on the subject property.
16. Therefore, Plaintiff acquired the title to the subject property free and clear of all liens and encumbrances as well.
17. Thus, Plaintiff seeks declaratory relief for a determination that Plaintiff is the rightful holder of title to the subject property free of all prior liens and encumbrances.

FIRST CLAIM FOR RELIEF
(QUIET TITLE)

18. Plaintiff repeats and realleges every allegation contained in Paragraphs 1 through 17 and reincorporated the same as if fully set forth herein.
19. Plaintiff is the rightful owner of the subject property by virtue of the HNARHOA's Trustee Deed Upon Sale and the conveyance of said Deed to Plaintiff.
20. Here, none of the Defendants had a valid interest in the subject property subsequent to the foreclosure sale pursuant to NRS 116.3116 and NRS 116.31168.
21. Upon information and belief, when HNARHOA foreclosed on its super-priority lien thereby eliminating all junior lien holders, including the original mortgagor holding a first mortgage deed of trust.
22. Plaintiff is entitled to a determination from this Court, pursuant to NRS 40.010, that the Plaintiff is the rightful owner of the Property and that the Defendants, and each of them, have no right, title, or interest in the subject property.

SECOND CLAIM FOR RELIEF
(DECLARATORY RELIEF)

23. Plaintiff hereby repleads, realleges and incorporates by reference each and every previous allegation contained in Paragraphs 1 through 22 above, as though fully set forth herein.
24. Plaintiff seeks a declaration from this Court, pursuant to NRS 40.010, that title in the subject property has vested in the Plaintiff free and clear of all liens and encumbrances, that Defendants herein have no estate, right, title or interest in the subject property, and that Defendants are forever enjoined from asserting any estate, title, right or interest in the subject property adverse to the Plaintiff.

THIRD CLAIM FOR RELIEF
(PRELIMINARY INJUNCTION)

25. Plaintiff hereby repleads, realleges and incorporates by reference each and every previous allegation contained in Paragraphs 1 through 24 above, as though fully set forth herein.

1 26. Plaintiff requests that this Court issue a preliminary injunction prevent any further
2 foreclosure, conveyance or sale of the property by any party in order to preserve peace
3 and the subject property during these quiet title proceedings.

4 27. At all times herein, relevant Defendants have once held an interest in the subject
5 property, and wrongfully and unlawfully have threatened to take ownership, possession,
6 or other action that may adversely affect Plaintiff's interest in the subject property.

7 28. Plaintiff has been and will be seriously and irreparably harmed unless Defendants
8 threatened foreclosure, unlawful conveyances and other activities complained of are
9 preliminarily and permanently enjoined and restrained by this Court. Plaintiff will suffer
10 irreparable injury of a continuing nature that cannot be adequately calculated or
11 compensated in money damages.

12 29. Not only will Defendants' threatened conduct cause great and irreparable harm to
13 Plaintiff unless enjoined or restrained, but the same threatened conduct will cause great
14 and irreparable harm to the Nevada community and housing community as well.

15 30. If an injunction does not issue restraining and enjoining Defendants, and each of them
16 from interfering with Plaintiff's rights and interests to the subject property, not only will
17 the Plaintiff be harmed but the Nevada community will be irreparably harmed as a
18 result.

19 31. Plaintiff seeks an injunction to enjoin Defendants from attempting to foreclose non-
20 judicially, conveyance and any other transfer activities of the subject property.

21 **WHEREFORE**, Plaintiff is entitled to judgment in their favor and against the, Defendants
22 and additional parties as follows:

- 23 1. For a determination that HNARHOA lawfully foreclosed on the subject property
24 pursuant to NRS 116.3116 and NRS 116.31168;
25 2. For a determination and declaration that Plaintiff is the rightful holder of title to the
subject property, free and clear of all liens and encumbrances;
3. For a determination and declaration the Defendants have no estate, right or title or
interest in the subject property;

- 1 4. For all costs and all attorneys' fees incurred and accrued in these proceedings; and
- 2
- 3 5. For such other and further relief as the Court may deem just and proper.
- 4

5 Dated this 9th of December, 2013.

6 **KANG & ASSOCIATES, PLLC**

7 

8 **PATRICK W. KANG, ESQ.**

9 Nevada Bar No. 010381

10 **ERICA D. LOYD, ESQ.**

11 Nevada Bar No. 010922

12 **KANG & ASSOCIATES, PLLC**

13 6480 W. Spring Mountain Road, Suite 1

14 Las Vegas, Nevada 89146

15 P: (702) 333-4223

16 F: (702) 507-1468

17 *Attorneys for Plaintiff*

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EXHIBIT A

Inst #: 201307300000805
Fee: \$17.00 N/C Fee: \$0.00
RPTT: \$372.30 Ex: #
07/30/2013 08:44:26 AM
Receipt #: 1712712
Requestor:
ALESSI & KOENIG LLC
Recorded By: RNS Pgs: 2
DEBBIE CONWAY
CLARK COUNTY RECORDER

When recorded mail to and
Mail Tax Statements to:
Properties Plus Investments, LLC
1785 E. Sahara Ave. #490-939
Las Vegas, NV 89104

A.P.N. No.176-20-714-331

TS No. 31123-8787-101

TRUSTEE'S DEED UPON SALE

The Grantee (Buyer) herein was: Properties Plus Investments, LLC
The Foreclosing Beneficiary herein was: High Noon at Arlington Ranch Homeowner's Association
The amount of unpaid debt together with costs: \$5,979.89
The amount paid by the Grantee (Buyer) at the Trustee's Sale: \$7,500.00
The Documentary Transfer Tax: \$372.30
Property address: 8787 TOM NOON AVE #101, LAS VEGAS, NV 89178-7792
Said property is in [] unincorporated area: City of LAS VEGAS
Trustor (Former Owner that was foreclosed on): MEGAN R SULLIBAN

Alessi & Koenig, LLC (herein called Trustee), as the duly appointed Trustee under that certain Notice of Delinquent Assessment Lien, recorded July 20, 2012 as instrument number 0003175, in Clark County, does hereby grant, without warranty expressed or implied to: Properties Plus Investments, LLC (Grantee), all its right, title and interest in the property legally described as: HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111, as per map recorded in Book 115, Pages 21 as shown in the Office of the County Recorder of Clark County Nevada.

TRUSTEE STATES THAT:

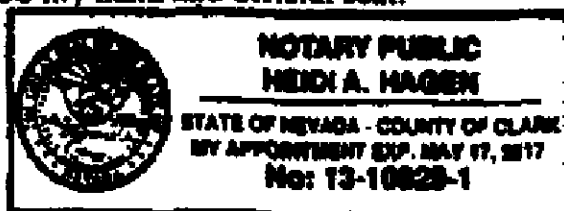
This conveyance is made pursuant to the powers conferred upon Trustee by NRS 116 et seq., and that certain Notice of Delinquent Assessment Lien, described herein. Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the office of the recorder of said county. All requirements of law regarding the mailing of copies of notices and the posting and publication of the copies of the Notice of Sale have been complied with. Said property was sold by said Trustee at public auction on July 17, 2013 at the place indicated on the Notice of Trustee's Sale.

Huong Lam, Esq.
Signature of AUTHORIZED AGENT for Alessi & Koenig, LLC.

State of Nevada)
County of Clark)

SUBSCRIBED and SWORN before me JUL 22 2013 by Huong Lam.

WITNESS my hand and official seal.
(Seal)



[Signature]
(Signature)

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)

a. 176-20-714-331
b. _____
c. _____
d. _____

2. Type of Property:

a. ☐ Vacant Land b. ☐ Single Fam. Res.
c. ☒ Condo/Twnhse d. ☐ 2-4 Plex
e. ☐ Apt. Bldg f. ☐ Comm'l/Ind'l
g. ☐ Agricultural h. ☐ Mobile Home
☐ Other

FOR RECORDERS OPTIONAL USE ONLY

Book _____ Page: _____
Date of Recording: _____
Notes: _____

3.a. Total Value/Sales Price of Property \$ 7,500.00
b. Deed in Lieu of Foreclosure Only (value of property (_____))
c. Transfer Tax Value: \$ 72,526.00
d. Real Property Transfer Tax Due \$ 372.30

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section _____
b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature [Signature] Capacity: Grantor

Signature _____ Capacity: _____

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Alessi & Koenig, LLC
Address: 9500 W. Flamingo Rd., Ste. 205
City: Las Vegas
State: NV Zip: 89147

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: Properties Plus Investments
Address: 1785 E. Sahara Ave. #490-939
City: Las Vegas
State: NV Zip: 89104

COMPANY/PERSON REQUESTING RECORDING (Required if not seller or buyer)

Print Name: Alessi & Koenig, LLC Escrow # N/A Foreclosure
Address: 9500 W. Flamingo Rd., Ste. 205
City: Las Vegas State: NV Zip: 89147

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

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EXHIBIT B

Inst #: 201207200003175

Fee: \$17.00

N/C Fee: \$0.00

07/20/2012 03:43:54 PM

Receipt #: 1242118

Requestor:

ALESSI & KOENIG LLC

Recorded By: SAO Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded return to:

176-20-714-331

ALESSI & KOENIG, LLC
9500 W. Flamingo Rd., Suite 205
Las Vegas, Nevada 89147
Phone: (702) 222-4033

A.P.N. 176-20-714-331

Trustee Sale # 31123-8787-101

NOTICE OF DELINQUENT ASSESSMENT (LIEN)

In accordance with Nevada Revised Statutes and the Association's Declaration of Covenants, Conditions and Restrictions (CC&Rs) of the official records of Clark County, Nevada, **High Noon at Arlington Ranch Homeowner's Association** has a lien on the following legally described property.

The property against which the lien is imposed is commonly referred to as **8787 Tom Noon Ave., #101, Las Vegas, NV 89178** and more particularly legally described as: **HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111 Book 115 Page 21** in the County of Clark.

The owner(s) of record as reflected on the public record as of today's date is (are): **Megan Sullivan**

The mailing address(es) is: **8787 Tom Noon Ave., #101, Las Vegas, NV 89178**

The total amount due through today's date is: **\$1,887.01**. Of this total amount **\$1,812.01** represent Collection and/or Attorney fees, assessments, interest, late fees and service charges. **\$75.00** represent collection costs. Note: Additional monies shall accrue under this claim at the rate of the claimant's regular monthly or special assessments, plus permissible late charges, costs of collection and interest, accruing subsequent to the date of this notice.

Date: **July 3, 2012**

By: 

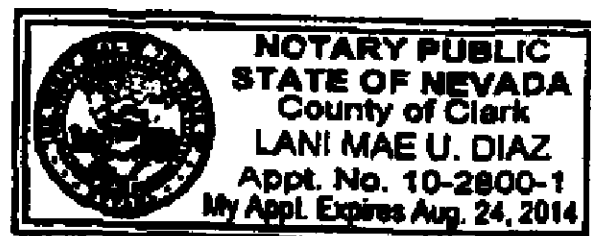
Huong Lam, Esq. of Alessi & Koenig, LLC on behalf of High Noon at Arlington Ranch Homeowner's Association

State of Nevada

County of Clark

SUBSCRIBED and SWORN before me July ¹²~~3~~, 2012

(Seal)



(Signature)


NOTARY PUBLIC

JA0034

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EXHIBIT C

Inst #: 201210310000600

Fees: \$17.00

N/C Fee: \$0.00

10/31/2012 08:04:08 AM

Receipt #: 1364059

Requestor:

ALESSI & KOENIG LLC

Recorded By: MAT Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded mail to:

THE ALESSI & KOENIG, LLC
9500 West Flamingo Rd., Ste 205
Las Vegas, Nevada 89147
Phone: 702-222-4033

A.P.N. 176-20-714-331


Trustee Sale No. 31123-8787-101

NOTICE OF DEFAULT AND ELECTION TO SELL UNDER HOMEOWNERS ASSOCIATION LIEN

WARNING! IF YOU FAIL TO PAY THE AMOUNT SPECIFIED IN THIS NOTICE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE! You may have the right to bring your account in good standing by paying all of your past due payments plus permitted costs and expenses within the time permitted by law for reinstatement of your account. The sale may not be set until ninety days from the date this notice of default recorded, which appears on this notice. The amount due is \$3,190.45 as of October 5, 2012 and will increase until your account becomes current. To arrange for payment to stop the foreclosure, contact: High Noon at Arlington Ranch Homeowner's Association, c/o Alessi & Koenig, 9500 W. Flamingo Rd, Ste 205, Las Vegas, NV 89147, (702)222-4033.

THIS NOTICE pursuant to that certain Notice of Delinquent Assessment Lien, recorded on July 20, 2012 as document number 0003175, of Official Records in the County of Clark, State of Nevada. Owner(s): Megan Sullivan, of HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111, as per map recorded in Book 115, Pages 21, as shown on the Plan and Subdivision map recorded in the Maps of the County of Clark, State of Nevada. PROPERTY ADDRESS: 8787 Tom Noon Ave., #101, Las Vegas, NV 89178. If you have any questions, you should contact an attorney. Notwithstanding the fact that your property is in foreclosure, you may offer your property for sale, provided the sale is concluded prior to the conclusion of the foreclosure. REMEMBER YOU MAY LOSE LEGAL RIGHTS IF YOU DO NOT TAKE PROMPT ACTION. NOTICE IS HEREBY GIVEN THAT Alessi & Koenig, LLC is appointed trustee agent under the above referenced lien, dated July 20, 2012, on behalf of High Noon at Arlington Ranch Homeowner's Association to secure assessment obligations in favor of said Association, pursuant to the terms contained in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs). A default in the obligation for which said CC&Rs has occurred in that the payment(s) have not been made of homeowners assessments due from and all subsequent assessments, late charges, interest, collection and/or attorney fees and costs.

Dated: October 5, 2012



Huong Lam, Esq. of Alessi & Koenig, LLC on behalf of High Noon at Arlington Ranch Homeowner's Association

JA0036

KANG & ASSOCIATES, PLLC.
6480 W SPRING MOUNTAIN ROAD, SUITE 1
LAS VEGAS, NV 89146

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EXHIBIT D

Inet #: 201306210001581

Fees: \$17.00

N/C Fee: \$0.00

06/21/2013 12:30:06 PM

Receipt #: 1664843

Requestor:

ALESSI & KOENIG LLC

Recorded By: ANI Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded mail to:
Alessi & Koenig, LLC
9500 West Flamingo Rd., Suite 205
Las Vegas, NV 89147
Phone: 702-222-4033

APN: 176-20-714-331

TSN 31123-8787-101

NOTICE OF TRUSTEE'S SALE

WARNING! A SALE OF YOUR PROPERTY IS IMMINENT! UNLESS YOU PAY THE AMOUNT SPECIFIED IN THIS NOTICE BEFORE THE SALE DATE, YOU COULD LOSE YOUR HOME, EVEN IF THE AMOUNT IS IN DISPUTE. YOU MUST ACT BEFORE THE SALE DATE. IF YOU HAVE ANY QUESTIONS, PLEASE CALL ALESSI & KOENIG AT 702-222-4033. IF YOU NEED ASSISTANCE, PLEASE CALL THE FORECLOSURE SECTION OF THE OMBUDSMAN'S OFFICE, NEVADA REAL ESTATE DIVISION, AT 1-877-829-9907 IMMEDIATELY.

NOTICE IS HEREBY GIVEN THAT:

On July 17, 2013, Alessi & Koenig as duly appointed Trustee pursuant to a certain lien, recorded on July 20, 2012, as instrument number 0003175, of the official records of Clark County, Nevada, WILL SELL THE BELOW MENTIONED PROPERTY TO THE HIGHEST BIDDER FOR LAWFUL MONEY OF THE UNITED STATES, OR A CASHIERS CHECK at: 2:00 p.m., at 9500 W. Flamingo Rd., Suite #205, Las Vegas, Nevada 89147 (Alessi & Koenig, LLC Office Building, 2nd Floor)

The street address and other common designation, if any, of the real property described above is purported to be: 8787 Tom Noon Ave., #101, Las Vegas, NV 89178. The owner of the real property is purported to be: Megan Sullivan

The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designations, if any, shown herein. Said sale will be made, without covenant or warranty, expressed or implied, regarding title, possession or encumbrances, to pay the remaining principal sum of a note, homeowner's assessment or other obligation secured by this lien, with interest and other sum as provided therein: plus advances, if any, under the terms thereof and interest on such advances, plus fees, charges, expenses, of the Trustee and trust created by said lien. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is \$5,019.80. Payment must be in made in the form of certified funds.

Date:

JUN 03 2013

By:  Huong Lam, Esq. of Alessi & Koenig LLC on behalf of High Noon at Arlington Ranch Homeowner's Association

JA0038

Inst #: 201308130001166

Fee: \$17.00

N/C Fee: \$0.00

08/13/2013 09:00:12 AM

Receipt #: 1730869

Requestor:

ALESSI & KOENIG LLC

Recorded By: DXI Pgs: 1

DEBBIE CONWAY

CLARK COUNTY RECORDER

When recorded return to:

THE ALESSI & KOENIG, LLC
9500 W. Flamingo Rd., Ste 205
Las Vegas, Nevada 89147
Phone: (702) 222-4033

A.P.N. 176-20-714-331

Trustee Sale No. 31123-8787-101

RELEASE OF NOTICE OF DELINQUENT ASSESSMENT LIEN

In accordance with the provisions of Nevada Revised Statutes chapter 116.3116 et al., the Notice of Delinquent Assessment Lien, recorded by **High Noon at Arlington Ranch Homeowner's Association**, is released. Said lien was recorded on **July 20, 2012** in Book **20120720** as instrument number **0003175**, against the property legally described as **HIGH NOON AT ARLINGTON RANCH UNIT 101 BLDG 111**, as per map recorded in Book **115**, Pages **21** inclusive of maps recorded in the County recorder of **Clark County, Nevada**.

The owner(s) of record as reflected on the public record as of the date of Lien recordation is (was):
MEGAN R SULLIBAN

Property Address: **8787 TOM NOON AVE #101, LAS VEGAS, NV 89178-7792**

Dated: **August 8, 2013**

Sara Aslinger

By: **Sara Aslinger** of Alessi & Koenig, LLC on behalf of **High Noon at Arlington Ranch Homeowner's Association**

State of Nevada

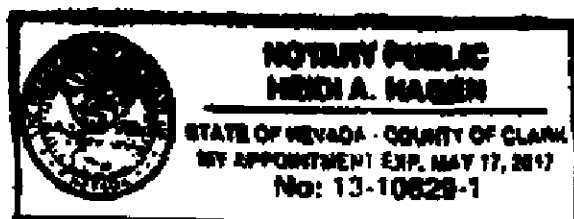
County of Clark

AUG 09 2013

On 1 before me personally appeared **Sara Aslinger**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same in his/her authorized capacity, and that by signing his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and seal.

(Seal)



(Signature)

Heidi A. Hagen
NOTARY PUBLIC

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EXHIBIT B

1 **LISP**

PATRICK W. KANG, ESQ.

2 Nevada Bar No.: 010381

ERICA D. LOYD, ESQ.

3 Nevada Bar No.: 010922

KANG & ASSOCIATES, PLLC

4 6480 W. Spring Mountain Road, Suite 1

5 Las Vegas, Nevada 89146

P: (702) 333-4223

6 F: (702) 507-1468

7 *Attorneys for Plaintiff*

Property Plus Investments, LLC

8
9
10 **DISTRICT COURT**
CLARK COUNTY, NEVADA

11
12 **PROPERTY PLUS INVESTMENTS, LLC, a Nevada**
Limited Liability Corporation

13 **Plaintiff,**

14 **vs.**

15 **BANK OF AMERICA, N.A., a Nevada Association,**
16 **MORTGAGE ELECTRONIC REGISTRATION**
17 **SYSTEM; an Illinois Corporation; ARLINGTON**
18 **RANCH NORTH MASTER ASSOCIATION; a**
19 **Nevada Non-Profit Corporation; ARLINGTON**
20 **RANCH LANDSCAPE MAINTENANCE**
21 **ASSOCIATION; a Nevada Non-Profit**
22 **Corporation; DOES 1 Through 25 inclusive;**
23 **and ROE CORPORATIONS, I through X, inclusive**

24 **Defendants.**

Case No.: A-13-692200-C

Dept. No.: XIV

NOTICE OF PENDENCY OF ACTION
(LIS PENDENS)

25 **NOTICE OF PENDENCY OF ACTION**
(LIS PENDENS)

PLEASE TAKE NOTICE: THAT PLAINTIFF, PROPERTY PLUS INVESTMENTS, LLC, HAS FILED THIS
ACTION AGAINST DEFENDANTS, BANK OF AMERICA, N.A., MORTGAGE ELECTRONIC REGISTRATION SYSTEM,

1 ARLINGTON RANCH NORTH MASTER ASSOCIATION AND ARLINGTON RANCH LANDSCAPE MAINTENANCE
2 ASSOCIATION. PLAINTIFF FILED THIS ACTION ON **NOVEMBER 26, 2013.**

3
4 The Plaintiff has initiated this action against YOU seeking to quiet title on property
5 legally described as follows:

6 **LOCATION ADDRESS:** 8787 Tom Noon Avenue, No. 101, Las Vegas, Nevada 89178

7 **PARCEL NUMBER:** 176-20-714-331

8 **LEGAL DESCRIPTION:** HIGH NOON AT ARLINGTON RANCH, PLAT BOOK 115 PAGE 21,
9 UNIT 101 BLDG 111
SEC 20 TWP 22 RNG 60

10 Plaintiff seeks to protect its' property. Plaintiff is owner of the property as legally
11 described. Further, the above-captioned action has commenced and is pending in the above-
12 entitled Court, specifically, The Eighth Judicial District Court of Nevada, affecting the legally
13 described property, owned and reputedly owned by the Plaintiff in this action.

14 DATED 1st day, December 2013.

18 KANG & ASSOCIATES

19 By: 

20 **PATRICK W. KANG, ESQ.**

Nevada Bar No. 010381

21 **ERICA D. LOYD, ESQ.**

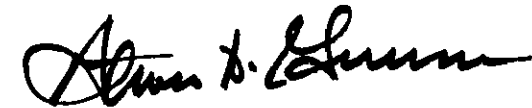
Nevada Bar No. 010922

22 6480 W. Spring Mountain Rd., Ste. 1

Las Vegas, NV 89146

23 (702) 333-4223

24 *Attorneys for Plaintiff*



CLERK OF THE COURT

1 **AFFT**

2 **PATRICK W. KANG, ESQ.**

3 Nevada Bar No.: 010381

4 **ERICA D. LOYD, ESQ.**

5 Nevada Bar No.: 010922

6 **KANG & ASSOCIATES, PLLC**

7 6480 W. Spring Mountain Road, Suite 1

8 Las Vegas, Nevada 89146

9 P: (702) 333-4223

10 F: (702) 507-1468

11 *Attorneys for Plaintiff*

12 *Property Plus Investments, LLC*

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15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 **PROPERTY PLUS INVESTMENTS, LLC, a Nevada**
18 **Limited Liability Corporation**

19 **Plaintiff,**

20 **vs.**

21 **BANK OF AMERICA, N.A., a Nevada Association,**
22 **MORTGAGE ELECTRONIC REGISTRATION**
23 **SYSTEM; an Illinois Corporation; ARLINGTON**
24 **RANCH NORTH MASTER ASSOCIATION; a**
25 **Nevada Non-Profit Corporation; ARLINGTON**
RANCH LANDSCAPE MAINTENANCE
ASSOCIATION; a Nevada Non-Profit
Corporation; DOES 1 Through 25 inclusive;
and ROE CORPORATIONS, I through X, inclusive.

Defendants.

Case No.: A-13-692200-C
Dept. No.: XIV

AFFIDAVIT OF SERVICE

ARLINGTON RANCH LANDSCAPE MAINTENANCE ASSOCIATION

SEE ATTACHED

AFFIDAVIT OF SERVICE

State of Nevada

County of Clark

District Court

Case Number: A-13-692200-C Court Date: 3/25/2014

Plaintiff:

Property Plus Investments, LLC

vs.

Defendant:

**Bank of America, N.A., a Nevada Association Mortgage Electronic
Registration System, et al.**

Received by AM:PM Legal Solutions on the 10th day of December, 2013 at 2:45 pm to be served on **Arlington
Ranch Landscape Maintenance Association c/o Community Management Group as Registered Agent, 3360
W. Sahara Ave., Ste. 200, Las Vegas, NV 89102.**

I, Stan McGrue, being duly sworn, depose and say that on the 11th day of December, 2013 at 11:50 am, I:

at all times herein, pursuant to NRCP 4(c), was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceeding in which this affidavit is made and served the within named individual or entity by delivering a true and correct copy of the **Summons, Complaint to Quiet Title and Declaratory Relief, Plaintiff's Erratum to the Complaint and Lis Pendens and Notice of Pendency of Action** on the date and hour of service endorsed thereon by me, at the aforementioned address, to, Jennifer Nichols (Receptionist), as a person of suitable age and discretion at the above address to receive service of legal process pursuant to NRS 14.020.

Description of Person Served: Age: 44+, Sex: F, Race/Skin Color: Caucasian, Height: 5'7, Weight: 160, Hair: Brown, Glasses: Y

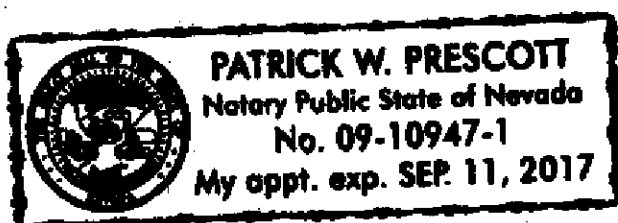
Subscribed and Sworn to me on the 11th day of
December, 2013.

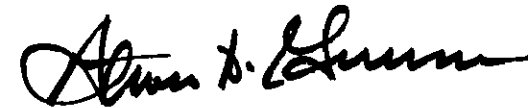
NOTARY PUBLIC


Stan McGrue
NV License 1190

**AM:PM Legal Solutions
520 S. 7th St., Ste. B
Las Vegas, NV 89101
(702) 385-2676**

Our Job Serial Number: AMP-2013005287





CLERK OF THE COURT

1 **AFFT**

2 **PATRICK W. KANG, ESQ.**

3 Nevada Bar No.: 010381

4 **ERICA D. LOYD, ESQ.**

5 Nevada Bar No.: 010922

6 **KANG & ASSOCIATES, PLLC**

7 6480 W. Spring Mountain Road, Suite 1

8 Las Vegas, Nevada 89146

9 P: (702) 333-4223

10 F: (702) 507-1468

11 *Attorneys for Plaintiff*

12 *Property Plus Investments, LLC*

13
14
15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 **PROPERTY PLUS INVESTMENTS, LLC, a Nevada**
18 **Limited Liability Corporation**

19 **Plaintiff,**

20 **vs.**

21 **BANK OF AMERICA, N.A., a Nevada Association,**
22 **MORTGAGE ELECTRONIC REGISTRATION**
23 **SYSTEM; an Illinois Corporation; ARLINGTON**
24 **RANCH NORTH MASTER ASSOCIATION; a**
25 **Nevada Non-Profit Corporation; ARLINGTON**
RANCH LANDSCAPE MAINTENANCE
ASSOCIATION; a Nevada Non-Profit
Corporation; DOES 1 Through 25 inclusive;
and ROE CORPORATIONS, I through X, inclusive

Defendants.

Case No.: A-13-692200-C

Dept. No.: XIV

AFFIDAVIT OF SERVICE

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

SEE ATTACHED

DISTRICT COURT
CLARK COUNTY, NEVADA

PROPERTY PLUS INVESTMENTS, LLC

PLAINTIFF(S)

vs.

BANK OF AMERICA, N.A, ET AL

DEFENDANT(S)

Case No.
A-13-692200-C

SERVICE DOCUMENTS:
SUMMONS & COMPLAINT; LIS PENDENS; CIVIL COVER SHEET

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

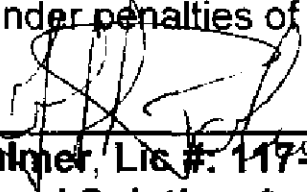
On Dec 11, 2013, at 3:00 PM, I served the above described documents upon **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** as shown below:

CORPORATE SERVICE was made by leaving a true and correct copy(ies) thereof, by then presenting to and leaving the same with **PATRICIA RUSH / SENIOR ASSOCIATE.**

Said service was effected at **1901 E VOORHEES ST., STE C, DANVILLE, IL 61834.**

DESCRIPTION: Gender: F Race: **WHITE** Age: **35** Hgt: **5'5"** Wgt: **130** Hair: **BROWN** Glasses: **NO**

I declare under penalties of perjury that the information contained herein is true and correct.

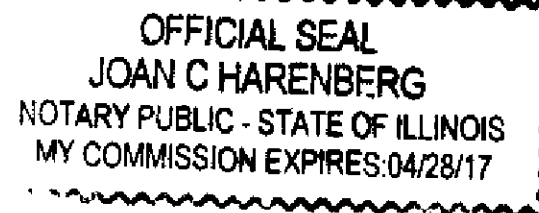


Jeffrey Palmer, Lic #: 117-004419
AM:PM Legal Solutions*
520 S. 7th St., Ste B
Las Vegas, NV 89101
(702) 385-2676

SUBSCRIBED AND SWORN to before me this 11th day of December, 2013



NOTARY PUBLIC

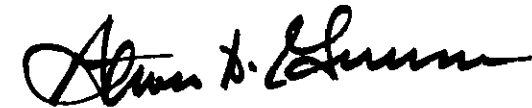


CLIENT NAME:
AM:PM Legal Solutions*
FILE #:

ORIGINAL PROOF OF SERVICE

TRACKING #
144817

JA0046



CLERK OF THE COURT

1 **AFFT**
2 **PATRICK W. KANG, ESQ.**
3 Nevada Bar No.: 010381
4 **ERICA D. LOYD, ESQ.**
5 Nevada Bar No.: 010922
6 **KANG & ASSOCIATES, PLLC**
7 6480 W. Spring Mountain Road, Suite 1
8 Las Vegas, Nevada 89146
9 P: (702) 333-4223
10 F: (702) 507-1468

11 *Attorneys for Plaintiff*
12 *Property Plus Investments, LLC*

13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 **PROPERTY PLUS INVESTMENTS, LLC, a Nevada**
16 **Limited Liability Corporation**

Case No.: A-13-692200-C
Dept. No.: XIV

17 **Plaintiff,**

18 **vs.**

19 **BANK OF AMERICA, N.A., a Nevada Association,**
20 **MORTGAGE ELECTRONIC REGISTRATION**
21 **SYSTEM; an Illinois Corporation; ARLINGTON**
22 **RANCH NORTH MASTER ASSOCIATION; a**
23 **Nevada Non-Profit Corporation; ARLINGTON**
24 **RANCH LANDSCAPE MAINTENANCE**
25 **ASSOCIATION; a Nevada Non-Profit**
Corporation; DOES 1 Through 25 inclusive;
and ROE CORPORATIONS, I through X, inclusive

Defendants.

AFFIDAVIT OF SERVICE

BANK OF AMERICA, N.A.

SEE ATTACHED

AFFIDAVIT OF SERVICE

State of Nevada

County of Clark

District Court

Case Number: A-13-692200-C

Plaintiff:

Property Plus Investments, LLC, a Nevada Limited Liability Corporation

vs.

Defendant:

Bank of America, N.A., a Nevada Association, et al

Received by AM:PM Legal Solutions on the 11th day of December, 2013 at 10:45 am to be served on **Bank Of America, N.A., 100 North Tryon Street, Suite 170, Charlotte, NC 28202.**

I, Wendy L. Henrich, being duly sworn, depose and say that on the **11th day of December, 2013 at 2:22 pm, I:**

served an **AUTHORIZED** entity by delivering a true copy of the **Summons - Civil, Civil Cover Sheet, Complaint to Quiet Title and Declaratory Relief, Exhibit A, B, C & D, Release of Notice of Delinquent Assessment Lien, Lis Pendens, Notice of Pendency of Action (Lis Pendens), Plaintiff's Erratum to the Complaint and Lis Pendens, Exhibit A & A & B & C & D, to: Paula Schmitt as Banking Officer at the address of: 100 North Tryon Street, Suite 170, Charlotte, NC 28202, who stated they are authorized to accept service for Bank Of America, N.A., and informed said person of the contents therein, in compliance with state statutes.**

Description of Person Served: Age: 38, Sex: F, Race/Skin Color: White, Height: 5'2", Weight: 135, Hair: Brown, Glasses: N

I certify that I am over the age of 21 and a resident of North Carolina and not a party to the action and who is not related by blood or marriage to a party to the action or to a person upon whom service is to be made.

State of
County of

North Carolina
Mecklenburg

Subscribed and Sworn to before me on the 12th day of December, 2013 by the affiant who is (☒) personally known to me or (☐) produced appropriate identification.

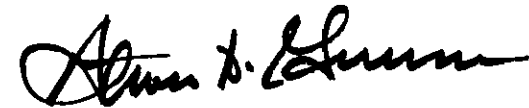
Ruth Reynolds
NOTARY PUBLIC

RUTH REYNOLDS
Print Name

Wendy L. Henrich

Wendy L. Henrich
Process Server

AM:PM Legal Solutions
520 S. 7th Street
Suite B
Las Vegas, NV 89101
(702) 385-2676
Our Job Serial Number: REY-2013001722



CLERK OF THE COURT

1 **AFFT**

2 **PATRICK W. KANG, ESQ.**

3 Nevada Bar No.: 010381

4 **ERICA D. LOYD, ESQ.**

5 Nevada Bar No.: 010922

6 **KANG & ASSOCIATES, PLLC**

7 6480 W. Spring Mountain Road, Suite 1

8 Las Vegas, Nevada 89146

9 P: (702) 333-4223

10 F: (702) 507-1468

11 *Attorneys for Plaintiff*

12 *Property Plus Investments, LLC*

13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 **PROPERTY PLUS INVESTMENTS, LLC, a Nevada**
16 **Limited Liability Corporation**

17 **Plaintiff,**

18 **vs.**

19 **BANK OF AMERICA, N.A., a Nevada Association,**
20 **MORTGAGE ELECTRONIC REGISTRATION**
21 **SYSTEM; an Illinois Corporation; ARLINGTON**
22 **RANCH NORTH MASTER ASSOCIATION; a**
23 **Nevada Non-Profit Corporation; ARLINGTON**
24 **RANCH LANDSCAPE MAINTENANCE**
25 **ASSOCIATION; a Nevada Non-Profit**
Corporation; DOES 1 Through 25 inclusive;
and ROE CORPORATIONS, I through X, inclusive

Defendants.

Case No.: A-13-692200-C
Dept. No.: XIV

AFFIDAVIT OF SERVICE

ARLINGTON NORTH MASTER ASSOCIATION

SEE ATTACHED

AFFIDAVIT OF SERVICE

State of Nevada

County of Clark

District Court

Case Number: A-13-692200-C Court Date: 3/25/2014

Plaintiff:

Property Plus Investments, LLC

vs.

Defendant:

**Bank of America, N.A., a Nevada Association Mortgage Electronic
Registration System, et al.**

Received by AM:PM Legal Solutions on the 10th day of December, 2013 at 2:45 pm to be served on **Arlington North Master Association c/o The Prescott Companies as Registered Agent, 8345 W. Sunset Rd., Ste. 150, Las Vegas, NV 89113.**

I, Stan McGrue, being duly sworn, depose and say that on the 11th day of December, 2013 at 10:37 am, I:

at all times herein, pursuant to NRCP 4(c), was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceeding in which this affidavit is made and served the within named individual or entity by delivering a true and correct copy of the **Summons, Complaint to Quiet Title and Declaratory Relief, Plaintiff's Erratum to the Complaint and Lis Pendens and Notice of Pendency of Action** on the date and hour of service endorsed thereon by me, at the aforementioned address, to, Christina Castle (Assistant Community Manager), as a person of suitable age and discretion at the above address to receive service of legal process pursuant to NRS 14.020.

Description of Person Served: Age: 43+, Sex: F, Race/Skin Color: Caucasian, Height: 5'5, Weight: 140, Hair: Brown, Glasses: N

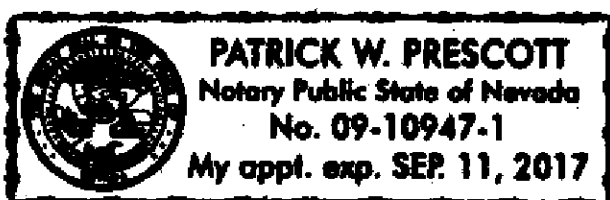
Subscribed and Sworn to me on the 11th day of
December, 2013.

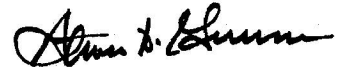
NOTARY PUBLIC


Stan McGrue
NV License 1190

**AM:PM Legal Solutions
520 S. 7th St., Ste. B
Las Vegas, NV 89101
(702) 385-2676**

Our Job Serial Number: AMP-2013005286





CLERK OF THE COURT

1 ANSC
2 ARIEL E. STERN, ESQ.
3 Nevada Bar No. 8276
4 STEVEN G. SHEVORSKI, ESQ.
5 Nevada Bar No. 8256
6 AKERMAN LLP
7 1160 Town Center Drive, Suite 330
8 Las Vegas, Nevada 89144
9 Telephone: (702) 634-5000
10 Facsimile: (702) 380-8572
11 Email: ariel.stern@akerman.com
12 Email: steven.shevorski@akerman.com

13 *Attorneys for Defendant Bank of America, N.A.*

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DISTRICT COURT
CLARK COUNTY, NEVADA

PROPERTY PLUS INVESTMENTS, LLC, a
Nevada limited liability company,

Plaintiff,

v.

BANK OF AMERICA, N.A., a Nevada
Association, MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., an Illinois
Corporation; ARLINGTON NORTH MASTER
ASSOCIATION; a Nevada Non-Profit
Corporation; ARLINGTON RANCH
LANDSCAPE MAINTENANCE
ASSOCIATION; a Nevada Non-Profit
Corporation and DOES 1 through 25, inclusive;
ROE ENTITIES I through X, inclusive,

Defendants.

Case No.: A-13-692200-C
Dept.: XIV

**DEFENDANTS BANK OF AMERICA,
N.A. AND MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.'S
ANSWER TO PLAINTIFF'S
COMPLAINT**

Defendants Bank of America, N.A. and Mortgage Electronic Registration Systems, Inc.
(Defendants) answer the Complaint For Quiet Title And Declaratory Relief (Complaint) filed by
Property Plus Investments, LLC (Plaintiff) as follows.

I. Parties

1. Defendants are without sufficient information to admit or deny the allegations of
Paragraph 1 involving whether Plaintiff is a Nevada limited liability company with its principal

1 place of business in Clark County, Nevada, and therefore deny the same and demand strict proof
2 thereof.

3 2. Bank of America is a national banking association. Bank of America admits that it
4 lawfully conducts business in Clark County, Nevada.

5 3. Denied.

6 4. Defendants are without sufficient information to admit or deny the allegations of
7 Paragraph 4 and therefore deny the same.

8 5. Defendants are without sufficient information to admit or deny the allegations of
9 Paragraph 5 and therefore deny the same.

10 6. Defendants are without sufficient information to admit or deny the allegations of
11 Paragraph 6 and therefore deny the same.

12 7. Defendants are without sufficient information to admit or deny the allegations of
13 Paragraph 7 and therefore deny the same.

14 II. Venue and Jurisdiction

15 8. Admit.

16 9. Admit.

17 10. Defendants are without sufficient information to admit or deny the allegations of
18 Paragraph 10 and therefore deny the same.

19 III. General Allegations

20
21 1. Denied.

22 2. Defendant admits that a Trustee's Deed Upon Sale was recorded on July 30, 2013 as
23 Instrument # 201307300000805.

24 3. Denied.

25 4. Denied.

26 5. Denied.

27 6. Denied.

28 7. Denied.

1 8. Bank of America admits it is the beneficiary of the senior deed of trust, which was
2 recorded against the property on April 30, 2007.

3 9. Denied.

4 10. Denied.

5 11. Denied.

6 12. Denied.

7 13. Bank of America admits it is the beneficiary of the senior deed of trust, which was
8 recorded against the property on April 30, 2007.

9 14. Denied.

10 15. Denied.

11 16. Denied.

12 17. Denied.

13 **FIRST CLAIM FOR RELIEF**

14 **(QUIET TITLE)**

15 18. Defendants adopt and incorporate by reference all of the preceding paragraphs.

16 19. Denied.

17 20. Denied.

18 21. Denied.

19 22. Denied.

20 **SECOND CLAIM FOR RELIEF**

21 **(DECLARATORY RELIEF)**

22 23. Defendants adopt and incorporate by reference all of the preceding paragraphs.

23 24. Denied.

24 **THIRD CLAIM FOR RELIEF**

25 **(PRELIMINARY INJUNCTION)**

26 25. Defendants adopt and incorporate by reference all of the preceding paragraphs.

27 26. Denied.

28 27. Denied.

1 28. Denied.

2 29. Denied.

3 30. Denied.

4 31. Denied.

5 **AFFIRMATIVE DEFENSES**

6 **FIRST AFFIRMATIVE DEFENSE**

7 **(Failure to State a Claim)**

8 Defendants allege that the Plaintiff has failed to state facts sufficient to constitute any cause
9 of action against Defendants.

10 **SECOND AFFIRMATIVE DEFENSE**

11 **(Superior Title)**

12 Defendants allege that Bank of America's title to the property is superior to that of Plaintiff.

13 **THIRD AFFIRMATIVE DEFENSE**

14 **(No Statutory Right to Relief Sought)**

15 Nevada Revised Statute 116.3116 does not support Plaintiff's position that it has superior
16 title to the property.

17 **FOURTH AFFIRMATIVE DEFENSE**

18 **(Due Process Violations)**

19 The senior deed of trust beneficiary cannot be deprived of its interest property in violation of
20 the Procedural Due Process Clause of the 14 Amendment of the United States Constitution and
21 Article 1, Sec. 8, of the Nevada Constitution.

22 **FIFTH AFFIRMATIVE DEFENSE**

23 **(Mortgagee Protection Clause)**

24 Bank of America's priority lien interest is protected from the relief sought by Plaintiff as set
25 forth in the controlling Homeowners' association documents of the homeowner's association.

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28 ///

SIXTH AFFIRMATIVE DEFENSE**(Plaintiff is not a Bona Fide Purchaser for Value)**

Plaintiff purchased the property with record notice of the interest of the senior deed of trust recorded against the property.

SEVENTH AFFIRMATIVE DEFENSE**(Violation of Procedural Due Process)**

The super priority lien was satisfied prior to the homeowner's association foreclosure under the doctrines of tender, estoppel, laches, or waiver.

EIGHTH AFFIRMATIVE DEFENSE**(Violation of Good Faith – NEV. REV. STAT. §116.1113)**

The circumstances of sale of the property violated the homeowner's association's obligation of good faith and duty to act in a commercially reasonable manner.

NINTH AFFIRMATIVE DEFENSE**(Additional Affirmative Defenses)**

Pursuant to NRCP Rule 11, Defendants reserve the right to assert additional affirmative defenses in the event discovery and/or investigation disclose the existence of other affirmative defenses.

PRAYER FOR RELIEF

WHEREFORE, Defendants pray for the following:

1. That Plaintiff's Complaint be dismissed in its entirety with prejudice and that Plaintiff take nothing by way of its Complaint;

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2. For attorney's fees and costs of defending this action; and
3. For such other and further relief as this Court deems just and proper.

DATED this 10th day of February, 2014.

AKERMAN LLP

/s/ Steven Shevorski, Esq.
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 Nevada Bar No. 8276
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 Las Vegas, Nevada 89144

Attorneys for Defendant Bank of America, N.A.

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on the 10th day of February, 2014 and pursuant to NRCP 5(b), I
3 served and deposited for mailing in the U.S. Mail a true and correct copy of the foregoing
4 **DEFENDANTS BANK OF AMERICA, N.A. AND MORTGAGE ELECTRONIC**
5 **REGISTRATION SYSTEMS, INC.'S ANSWER TO PLAINTIFF'S COMPLAINT**, postage
6 prepaid and addressed to:

7 Patrick W. Kang, Esq.
8 Erica D. Loyd, Esq.
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14 *Attorneys for Defendant*
15 *Arlington North Master Association nka*
16 *Arlington Ranch North Master Association*

17 /s/ Eloisa Nuñez
18 An employee of AKERMAN LLP
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