

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELK POINT COUNTRY CLUB
HOMEOWNERS', ASSOCIATION, INC.,
AKA ELK POINT COUNTRY CLUB, INC.,
A NEVADA NON-PROFIT, NON-STOCK
CORPORATION,

Appellant,

vs.

K. J. BROWN, L.L.C., A NEVADA
LIMITED LIABILITY COMPANY; AND
TIMOTHY D. GILBERT AND NANCY
AVANZINO GILBERT, AS TRUSTEES OF
THE TIMOTHY D. GILBERT AND
NANCY AVANZINO GILBERT
REVOCABLE FAMILY TRUST DATED
DECEMBER 27, 2013,

Respondents.

Electronically Filed
Nov 15 2021 04:40 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court No. 82484

District Court Case No. 2020-CV-00124

APPEAL

From the Ninth Judicial District Court, Department 1
The Honorable Nathan Tod Young, District Court Judge

**OPPOSITION TO MOTION FOR LEAVE TO FILE *AMICI CURIAE* BRIEF
OF PROPERTY OWNERS IN SUPPORT OF APPELLANT**

GAYLE A. KERN, ESQ.

Nevada Bar No. 1620

SOPHIE A. KARADANIS, ESQ.

Nevada Bar No. 12006

LEACH KERN GRUCHOW

ANDERSON SONG

5421 Kietzke Lane, Ste. 200

Reno, Nevada 89511

Tel: (775) 324-5930

E-Mail: skaradanis@lkglawfirm.com

RICHARD H. BRYAN, ESQ.

Nevada Bar No. 2029

FENNEMORE CRAIG, P.C.

300 S. Fourth St., Ste. 1400

Las Vegas, NV 89101

Tel: (702) 791-8249

E-mail: rbryan@fennemorelaw.com

Attorneys for Respondents

This Court should deny the Motion for Leave to File an *Amici Curiae* Brief filed by 27 purported EPCC “Property Owners.” The proposed *amici* brief, which is literally copied and pasted from the same individuals’ previously denied April 23, 2021 Motion to Intervene in this appeal, is nothing more than a “me-too” brief mirroring EPCC’s position. The putative *amici*’s interests are adjoined with EPCC, and their status as EPCC owners proponents of rental activities within does not give them a “unique” perspective or interest in this matter and whatever “interest” they assert is entirely irrelevant to the Court’s review of the specific issues on appeal.

I. Argument and Authorities

A. The excessively long *amici* brief violates NRAP 29(e).

The proposed *amici* brief egregiously violates NRAP 29(e). At 35 pages in length, it more than doubles the 15-page limit for an *amicus* brief, and exceeds the 30-page limit for Appellant’s opening brief under NRAP 32(a)(7). The putative *amici* were not granted permission to exceed the page limit as would be required under NRAP 29(e). Leave should not be permitted and the brief would be subject to a motion to strike on that basis alone. *See* NRAP 32(a)(7)(D). The putative *amici* obviously scrambled to attach some form of a brief to their Motion to Leave in order to comply with NRAP 29(c). However, the rules do not contemplate allowing revisions to a proposed brief once leave is requested. Rather, NRAP 29(e) states the motion for leave “*shall* be accompanied by *the* proposed brief” indicating that after-

the-fact revisions are not permitted. Thus, in the event leave is considered, it would be condoning the putative *amici curiae*'s blatant violation of the rules and would be permitting them to either submit a brief that is in violation of the rules or surreptitiously buy extra time to revise their brief under the guise of complying with the mandatory page limit. That is a bad faith litigation tactic that should be rejected. Further, the *amici* brief is nothing more than a resubmittal of the Motion to Intervene previously denied, with slight alterations to reflect their change in status from putative intervenors to that of *amici*. Just as the Motion to Intervene was properly denied by the Court, the Court should reject this latest interference by the putative *amici*.

B. The *amici* will not assist this Court to decide the issues on appeal.

The purpose of an *amicus* is to be a friend of the court, and not a friend of a party. *Ryan v. Commodity Futures Trading Com'n*, 125 F.3d 1062, 1063 (7th Cir. 1997). There is no inherent right to file an *amicus curiae* brief. *Long v. Coast Resorts, Inc.*, 49 F. Supp. 2d 1177, 1178 (D. Nev. 1999). Rather, it is left to the discretion of the Court. *Dow Chem. Co. v. Mahlum*, 115 Nev. 13, 15, 973 P.2d 842, 843 (1999). In *Ryan v. Commodity Futures Trading Com'n*, one court observed, “[t]he vast majority of *amicus* briefs are filed by allies of litigants and duplicate the arguments made in the litigants’ briefs, in effect merely extending the length of the litigant’s brief. Such *amicus* briefs should not be allowed. *They are an abuse.*” 125

F.3d 1062, 1063 (7th Cir. 1997)(*Emphasis added*); *See also Gabriel Technologies Corp. v. Qualcomm Inc.* 212 WL 849167 at *4 (S.D. Cal., Mar. 13, 2012)(“An *amicus* brief is meant to assist the court and not merely extend the length of the litigant’s brief”). That is precisely what is happening here. Allowing the *amici* brief in its current form would issue a full 60 pages of argument for EPCC.

When determining whether to grant leave to file an *amicus* brief, the question for this Court is whether the *amicus* can offer “unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *See NGV Gaming, Ltd. v. Upstream Point Molate, LLC*, 355 F. Supp. 2d 1061, 1067 (N.D. Cal.). On the flip side, “[w]hen the party seeking to appear as *amicus curiae* is perceived to be an interested party or an advocate of one of the parties to the litigation, leave to appear as *amicus curiae* should be denied.” *Liberty Lincoln Mercury, Inc. v. Ford Marketing Corp.*, 149 F.R.D. 65, 82 (D.N.J. 1993). The opinions and arguments presented in the proposed *amici* brief, while having no bearing on the specific issues in this appeal, are also legally flawed, and do nothing more than advocate on behalf of EPCC’s position.

The main issue in EPCC’s Appeal is whether the plain unambiguous terms of EPCC’s Bylaws and recorded Rules and Regulations (“Rules”) authorize EPCC members to engage in for-profit use of the properties and facilities within EPCC, including member units. Opening Brief at 9, 12-17. No amount of additional

argument by the putative *amici* about any effect the preliminary injunction may have on their commercial rental businesses or property rights would be helpful or even relevant to this Court's interpretation of the four corners of EPCC's governing documents because contract interpretation is a question of law subject to de novo review. *May v. Anderson*, 121 Nev. 668, 673, 119 P.3d 1254, 1257 (2005). At most, the proposed *amici* brief merely agrees with EPCC that the district court misinterpreted EPCC's Bylaws and Rules. Proposed *Amici* Brief at 13, 23-14; Opening Brief at 12, 15. A double "me too" repetition does not assist this Court.

There are two questions of fact raised by EPCC in this appeal, which are reviewed for an abuse of discretion, and the putative *amici* offer nothing relevant for this Court's consideration. *Boulder Oaks Cmty. Ass'n v. B & J Andrews Enters., L.L.C.*, 125 Nev. 397, 403, 215 P.3d 27, 31 (2009), holding the district court maintains discretion in determining whether to grant a preliminary injunction, and that this Court will only reverse a decision "where the district court abused its discretion or based its decision on an erroneous legal standard or on clearly erroneous findings of fact." (internal quotations omitted). The first question of fact identified by EPCC at issue is whether the district court abused its discretion when it made its evidence-based determination that when EPCC members derive revenue or profit from renting their units to the general public, and in turn selling access to EPCC's private property and facilities (such as the roads, private beach, marina, and

boat storage), it puts EPCC at risk of losing its IRC 501(c)(7) tax-exempt status. Appellant's Opening Brief at 17-20, APP 595-604. The second question of fact at issue identified by EPCC is whether the district court erred when it determined that the social club's loss of its 96-year-old tax-exempt status constitutes irreparable harm. *Id.*

The *amici* brief lacks analysis, or citation to the record, as to whether the district court's findings were clearly erroneous or not supported by substantial evidence, the required standard, and is nothing more than the self-serving arguments of counsel and unsupported assumptions. The brief should be disregarded because this Court is *required* to rule on the evidence and the law based on the actual record. *Toigo v. Toigo*, 109 Nev. 350, 350, 849 P.2d 259, 259 (1993). The putative *amici* are once again seeking to intervene and now rewrite the record, after-the-fact, in their favor, which should be rejected. In other words, any consideration of the putative *amici*'s counsel's speculation as to the *amici*'s claimed damages, or any other unverified argument why counsel think the district court erred, would inevitably lead this Court to engage in guesswork outside the written record, which is not permitted and is irrelevant to the issues on appeal. *See Johnson v. State*, 113 Nev. 772, 776, 942 P.2d 167, 170 (1997), wherein this Court stated it "cannot properly consider matters not appearing in th[e] record."

Further, the proposed *amici* brief mirrors EPCC's completely unsupported arguments that EPCC will not lose its tax-exempt status because some members are commercially renting for profit, and that the loss of EPCC's tax exempt status somehow does not constitute irreparable harm. Proposed *Amici* Brief at 29-31; Opening Brief at 17-22. Merely repeating EPCC's erroneous and unsupported opinion is nothing more than superfluous and is an unjust burden on this Court. While the putative *amici* may not like the evidence-based conclusions made by the district court, the fact remains that Respondents introduced expert testimony during the preliminary injunction hearing, from a licensed Certified Public Accountant who had analyzed the applicable tax codes and factors the Internal Revenue Service considers when auditing a tax-exempt social club, like EPCC, for compliance. APP 747-748, 755-797. It was the licensed Certified Public Accountant's conclusion that EPCC *would* lose its tax-exempt status because of for-profit commercialized rental activities within EPCC. APP 777-779, 782-786, 791-794. Despite this uncontroverted evidence being in the record that was before the district court, both EPCC and the putative *amici* merely attempt to discredit same without identifying any contradictory evidence in the record. Finally, this Court must recognize that the purpose of the Board of Directors of EPCC is to represent the interests of all Unit owners, just as any corporate board represents the best interests of its shareholders. As the proposed *amici* brief demonstrates, the *amici* essentially seek the exact same

outcome as EPCC, and that they have an identical position; both urge the Court to reconsider the district court's Order prohibiting for-profit commercial use of Units within EPCC. Thus, insofar as this goal is sought by the putative *amici*, there is no need for their commentary.

C. The putative amici have no protectable property rights.

The putative *amici* assert they have an interest in this appeal because their “property rights” have been impaired. Motion for Leave to file *Amici* Brief at 2-3. However, they fail to understand that no individual or entity that owns a unit within EPCC has any ownership interest in EPCC's real property. APP649-650, 661-664, 700, 346-347. A unit owner's right to use EPCC's privately owned property is derived through their individual social club membership. APP 698-699, 705-709. Before becoming a member to the social club, a purchaser of a unit within EPCC must first apply for a social club membership, and to become a member, one must agree to be contractually bound by the Bylaws and Rules of EPCC's social club. *Id.* To the extent the putative *amici* complain that the preliminary injunction impermissibly limits their ability to “use their real property as they see fit,” they ignore the fact that they contractually bound themselves to abide by EPCC's Bylaws and Rules, such that the preliminary injunction is not the cause of their alleged harm. *Id.* This analysis is relevant for purposes of establishing that the *amici*'s entire premise for their statement of interest is incorrect because no evidence exists that

they are relieved from complying with the Bylaws and Rules, which they contractually agreed to or that they have some special right to engage in commercial for-profit use of their units that supersedes or exempts them from their contractual obligations. As such, the putative amici have nothing to “protect” and the bulk of their proposed *amici* brief is entirely irrelevant. Proposed *Amici* Brief at 3-20. Further, no member can have any “right to rent” if that right runs afoul of the contractually agreed to Bylaws and Rules. APP 698-699, 705-709.

D. The proposed *amici* brief is not truthful.

The alleged status of the putative *amici* as EPCC property owners/members is the sole basis for their statement of interest in this appeal. Their purported ownership interests are not part of the record nor an issue on appeal, but the veracity of their claims is directly relevant to this Court’s analysis whether to grant them leave to file an *amici brief*. Respondents discovered that of the 27 putative *amici* identified, only 8 individuals are EPCC members that own property within EPCC and are authorized to rent their unit pursuant to a Douglas County Vacation Home Rental (“VHR”) permit. They collectively own just 5 units out of 100 units within EPCC. The facts regarding these individuals’ property ownership and their ability to rent their units pursuant to a valid VHR permit could not have been introduced below because the *amici* have just inserted this irregularity making these facts an issue for the first time. Thus, the Court is asked to take judicial notice of the public records

attached to the Declaration of Nancy A. Gilbert, in which she also identifies that Douglas County only allows 14 VHR permits within EPCC, and of those 14 units, 2 of the 5 EPCC Board members have current VHR permits and 4 Board members support the putative *amici*. *See* Exhibit 1. This Court has the authority to take judicial notice of documents that are not part of the record. *See Occhiuto v. Occhiuto*, 97 Nev 143, 145, 625 P.2d 568, 569 (1981). FRE 201(b) allows judicial notice of adjudicative facts that are “not subject to reasonable dispute.” Ownership records cannot be disputed, and this Court must be apprised of the *true* status of the putative *amici* when deliberating on the Motion for Leave. Further, the putative *amici* state their interest is based upon the fact that they have been “seriously damaged” by the preliminary injunction. Motion for Leave to File *Amici* Brief at 1; *Amici* Brief at 1. Their claim of “damage” is disingenuous because it is belied by the obvious fact that the preliminary injunction *never* went into effect and was completely stayed before it even went into effect. *See* March 15, 2021 Order Granting Motion to Stay attached as Exhibit 2. Additionally, it would be impossible for 19 of the 27 putative *amici* to show any damage whatsoever because they either have no interest in any property within EPCC, are not renting their units, or are prohibited by Douglas County from engaging in any rental activities. *See* Exhibit 1. To extent the putative *amici*’s proposed brief sought to present *evidence* of any

alleged damage, it is not part of the record and must be disregarded. *Toigo*, 109 Nev. at 350, 849 P.2d at 259.

Unfortunately, the false statements do not stop there. The putative *amici* falsely claim, for the second time, that they were not given an opportunity to participate at the preliminary injunction hearing. *Amici* Brief at 2, 9-10. This exact same blatantly false argument was lodged in in their April 23, 2021 Motion to Intervene in this appeal. As previously rebutted with evidence, all EPCC members, including the putative *amici*, were notified of the hearing and many were present. *See* Respondents' April 30, 2021 Opposition to Motion to Intervene at 6. EPCC was free to call them as witnesses if there had been any relevant evidence to offer to the district court. This Court should take note of the *amici*'s continued attempt to bend the truth to support to their position.

III. Conclusion

Allowing the proposed *amici* brief to be filed is not supported and would be contrary to the applicable application of relevant law. The *amici* brief does nothing to assist this Court in any meaningful way to decide the issues on appeal and it fails to comply with the page requirements of NRAP 29(e) and cannot be filed. Granting leave to file an *amici* brief would expanding EPCC's procedural limitations on the length of its arguments by way of the putative *amici*'s assistance, placing Respondents at a clear disadvantage. Leave to file the *amici* brief should be denied.

DATED this 15th day of November, 2021.

LEACH KERN GRUCHOW ANDERSON SONG

By: /s/ Sophie A. Karadanis, Esq.

Sophie A. Karadanis, Esq. (NV Bar No. 12006)
5421 Kietzke Lane, Ste. 200
Reno, Nevada 89511

and

FENNEMORE CRAIG, P.C.

Richard H. Bryan, Esq. (NV Bar No. 2029)
Attorneys for Respondents

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c), I certify that I am an employee of the law firm of Leach Kern Gruchow Anderson Song, and that on this day I served the foregoing ***Opposition to Motion for Leave to File Amici Curiae Brief of Property Owners in Support of Appellant*** on the parties set forth below, at the address listed below by:

 X Electronic means to registered user of the court's electronic filing system consistent with NEFCR 9:

Prescott T. Jones, Esq. | Resnick & Louis, P.C. | Las Vegas

Gayle A. Kern, Esq. | Leach Kern Gruchow Anderson Song | Reno

 X Notification by traditional means must be sent to the following:

William E. Peterson, Esq.	Kelly H. Dove, Esq.
Janine C. Prupas, Esq.	Snell & Wilmer L.L.P.
Snell & Wilmer L.L.P.	3883 Howard Hughes Pkwy
50 W. Liberty St., Ste. 510	Suite 1100
Reno, NV 89501	Las Vegas, NV 89169

DATED this 15th day of November 2021.

/s/ Sylvia Baldemor
Sylvia Baldemor

INDEX OF EXHIBITS

Exhibit #	Exhibit Description	Pages
1.	Declaration of Nancy Gilbert.	65
2.	A copy of the March 15, 2021 Order Granting Motion to Stay.	5

EXHIBIT “1”

EXHIBIT “1”

DECLARATION OF NANCY AVANZINO

NANCY AVANZINO GILBERT, being first duly sworn, depose and avers:

1. I am a resident of the City of Reno, County of Washoe, State of Nevada, and am over 18 years of age. This declaration is based on my personal knowledge, except for those matters stated on information and belief, and as to those items, I believe them to be true. This declaration is made in support of the Opposition to Motion for Leave to File *Amici Curiae* Brief of Property Owners in Support of Appellant, filed herewith, and represents my testimony if called upon to present same in Court.

2. I am informed and believe that a number of putative *amici* are not registered as, applied for, nor in receipt of EPCC social club membership, as addressed more fully below.

3. I am informed and believe that three out of the five EPCC Board members are either currently engaged in transient commercial use of their units pursuant to a Douglas County Vacation Home Rental permit or have engaged in such for profit use of their units in the recent past. At the most recent Board of Directors meeting on October 23, 2021, one of the current board members informed the membership that he fully supports the putative *amici*. The other two Board Members have said that they are of the same opinion that for-profit use of

units within EPCC should be permitted. Three of the five Board Members (Cathy Peck, Mark Morosky, and Rick Lagomarsino) have also stated that they disagree with the district court's findings as set forth in the order granting the preliminary injunction. Further, when asked about their individual solicitation of financial support for the putative amici, and/or their financial contributions made toward the putative amici's legal costs, these three Board Members have continually refused to disclose any information about same to the EPCC membership, including those who have specifically inquired concerning their potential conflict of interests.

4. I have reviewed the list of the twenty-seven (27) proposed *amici curiae* **each** purporting to be "property owners" within the Elk Point Country Club ("EPCC") and each alleging they had been "seriously damaged" by the preliminary injunction because it prohibits long-term and short term-rentals. Those individuals are: (1) Lex Adams; (2) Cheri Adams; (3) Pam Cash; (4) Suzanne Dante; (5) Shayne Dante; (6) Zack Dante; (7) Jim Gosline; (8) Papaha Gosline; (9) Jim Greenhalgh; (10) Nancy Greenhalgh; (11) Roianne Hart; (12) Brooke Hart; (13) Linda Hoffman; (14) Val Licon; (15) Bruce Munson; (16) Kristine Nelson; (17) Eleanor Pott; (18) Andrea Pott; (19) Katie Rowe; (20) Richard Rowe; (21) Mark Schulze; (22) Robert Schulze; (23) Jeanette Schulze;

(24) Mary Tanner; (25) Richard Tanner; (26) Bill Zeller; (27) Marty Zeller.

5. I have personally reviewed the Douglas County Assessor's website, the Douglas County Recorder's website, the Douglas County Vacation Home Rental Authorized Permit listings and the ownership transfer records pertaining to the 27 individuals identified as putative *amici*. Based on my personal research, I have found that of the 27 putative *amici* claiming to have suffered "serious damage" from the preliminary injunction; only eight (8) individuals are actually EPCC members. Only those 8 individuals are listed as record title owners of property within EPCC, and are authorized to rent per a valid permit to rent in EPCC, in compliance with Douglas County, Nevada's Vacation Home Rental ("VHR") ordinance, (Title 20, Consolidated Development Code 20.622).

6. Douglas County's VHR ordinances have imposed mandatory restrictions on specific Tahoe Township subdivisions which limit the number of units that are authorized to rent. Douglas County's VHR ordinance states that the act of renting of a unit in Douglas County, Nevada is not a property right. The authorized maximum number of units that could be rented within EPCC is fourteen (14) units. That means that no more than 14 units, out of the one hundred (100) units in EPCC, are legally permitted to engage in transient commercial use of their unit in EPCC, pursuant the regulations imposed by Douglas County. Of

the 14 units that are authorized to engage in transient commercial use by way of the Douglas County VHR ordinance, just 8 unit owners are identified as putative *amici*. This is confirmed by my research on the Douglas County Assessor website, Douglas County Recorder website and the Douglas County VHR Enforcement division records. In other words, while the putative *amici* purport to represent a large number of rental owners within EPCC, who are claiming to have been seriously injured, the indisputable evidence from Douglas County, Nevada demonstrates that just 8 individuals within EPCC could feasibly claim to be affected by the preliminary injunction. In the event the stay of the preliminary injunction is lifted and is allowed to go into effect to enjoin for-profit rental activity in accordance with the social club's Bylaws and Rules and Regulations.

7. The following is a summary of the results of my research. Only the following 8 individuals, out of the 27 putative *amici*, are record title holders of property within EPCC that also have valid Douglas County VHR permits: (3) Pam Cash; (9) Jim Greenhalgh; (10) Nancy Greenhalgh; (20) Richard Rowe; (22) Robert Schulze; (23) Jeanette Schulze; (26) Bill Zeller; and (27) Marty Zeller. Notably, out of these 8 individuals, they collectively only own five (5) out of 100 units within EPCC. The remaining nineteen (19) putative *amici* either are not record title owners of any property within EPCC, are not EPCC members, do not

have a current Douglas County VHR permit to rent, and/or are prohibited from renting their units within EPCC. As such, they would be precluded from asserting any damage by way of the preliminary injunction:

a. I am informed and believe that (1) Lex Adams and (2) Cheri Adams do not individually own property within EPCC. Lake Cove LLC is on title as the record owner of 462 Reno Avenue, located within EPCC. Lake Cove LLC is not identified as a putative *amicus*. As such, Lex and Cheri Adams would be precluded from asserting any serious damage by way of the preliminary injunction. *See* Exhibit 1.

b. I am informed and believe that (3) Pam Cash is on title as the owner of 431 Lakeview Avenue, located within EPCC. She does have a current Douglas County VHR permit. Thus, she may represent 1 out of 100 units within EPCC. *See* Exhibit 2.

c. I am informed and believe that (4) Suzanne Dante, (5) Shayne Dante and (6) Zack Dante do not individually have title ownership of property in EPCC. Dante Enterprises, LLC is identified as the record title owner of 467 Elks Avenue, located within EPCC. I am also informed and believe that neither Suzanne Dante, Shayne Dante, Zack Dante and/or Dante Enterprises, LLC currently hold a Douglas County VHR permit. Dante

Enterprises, LLC is not separately identified as a putative *amicus*. I therefore believe that Suzanne Dante, Shayne Dante and Zack Dante would thus be precluded from asserting any serious damage by way of the preliminary injunction. *See* Exhibit 3.

d. I am informed and believe that (7) James “Jim” Gosline and (8) Papaha Gosline have an ownership interest in 414 Lakeview Ave., located within EPCC. I am further informed and believe that neither hold a current Douglas County VHR permit, are not authorized to rent in Douglas County, and thus, they would be precluded from claiming any “serious damage” by way of the preliminary injunction. *See* Exhibit 4.

e. I am informed and believe that (9) Jim Greenhalgh and (10) Nancy Greenhalgh are on title as the owners of 469 Elks Avenue located within EPCC. Douglas County has issued a Douglas County VHR permit to said property. Thus, they collectively may represent 1 out of 100 units within EPCC. *See* Exhibit 5.

f. I am informed and believe that (11) Roianne Hart and (17) Eleanor Pott do not individually hold title to property within EPCC. I am informed and believe that Hart-Pott Tahoe Properties, LLC is the record title owner of 446 Lakeview Avenue located within EPCC. I am informed and believe

that a single Douglas County VHR permit was issued for 446 Lakeview Avenue but that no other Douglas County VHR permit has been issued for any other properties within EPCC. Hart-Pott Tahoe Properties, LLC is not identified as a putative *amicus*. I therefore believe that Roianne Hart and Eleanor Pott would be precluded from asserting any serious damage by way of the preliminary injunction. *See* Exhibit 6.

g. I am informed and believe that (12) Brooke Hart is not a record title owner of any property in EPCC, she does not own any property within EPCC, she is not a member of EPCC's social club, and she does not have a current Douglas County VHR permit. Thus, there is no way she could assert any interest in this appeal or any damage from the preliminary injunction.

h. I am informed and believe that (18) Andrea Pott is not a record title owner of property in EPCC, she does not own any property within EPCC, she is not a member of EPCC's social club, and she does not have a current Douglas County VHR permit. Thus, there is no way she could assert any interest in this appeal or any damage from the preliminary injunction.

i. I am informed and believe that (13) Linda Hoffman may have record title ownership in 421 Lakeview Avenue, located within EPCC. However,

I am further informed and believe that she does not have a current Douglas County VHR permit, and thus would be precluded from asserting any damage by way of the preliminary injunction because she is prohibited by Douglas County from engaging in any rental activity. *See Exhibit 7.*

j. I am informed and believe that (14) Valjean “Val” Licon does not have record title ownership of any property within EPCC. I am further informed and believe that Valari, L.L.C. used to own the real property located at 430 Lakeview Avenue, located within EPCC, until October 14, 2021, when it then sold the property to Laurilo, LLC. Thus, Val Licon is neither an EPCC unit owner, nor an EPCC social club member as of October 14, 2021. Therefore, he could not assert any “serious damage” by way of the preliminary injunction. *See Exhibit 8.*

k. I am informed and believe that (15) Bruce Munson is not a record title owner of property in EPCC, and does not own any property within EPCC. I am informed and believe that a John and Carol Munson are the record title holders of 429 Lakeview Avenue, located within EPCC, but they are not listed as putative *amici*. Therefore, I believe Bruce Munson would be precluded from asserting any “serious damage” by way of the preliminary injunction. *See Exhibit 9.*

l. I am informed and believe that (16) Kristine Nelson is not a record title owner of property in EPCC, she does not own any property within EPCC, nor is she identified as a member of EPCC. I am informed and believe that Karen A. Nielson, who is *not* identified as a putative *amicus*, is the current owner 454 Center Street located within EPCC. I therefore believe that Kristine Nelson could not assert any “serious damage” by way of the preliminary injunction. *See* Exhibit 10.

m. I am informed and believe that (20) Richard Rowe is the record title holder of 467 Lakeview Avenue located within EPCC, and a current Douglas County Nevada VHR permit was issued upon said property. I am informed and believe that (14) Katie Rowe is not listed as having an ownership interest in 467 Lakeview, she is not identified as a current EPCC member, nor does she hold a current VHR permit to rent in EPCC. Therefore, I do not believe that Katie Rowe could assert any “serious damage” by way of the preliminary injunction. As such, Richard Rowe, only, may represent 1 out of 100 units within EPCC. *See* Exhibit 11.

n. I am informed and believe that (22) Robert and (23) Jeannette Schulze are identified as having record title ownership in 439 Lakeview Avenue. I am informed and believe that 439 Lakeview Avenue was issued

a current Douglas County Nevada VHR permit. I am informed and believe that (21) Mark Schulze is not identified as a record title holder of 439 Lakeview Avenue. Therefore, I do not believe that Mark Schulze could assert any “serious damage” by way of the preliminary injunction. Robert and Jeannette, collectively, may represent 1 out of 100 units within EPCC. *See Exhibit 12.*

o. I am informed and believe that (24) Mary Tanner and (25) Richard Tanner do not hold record title ownership to any property within EPCC, and as such, would be unable to assert any “serious damage” by way of the preliminary injunction. I am informed and believe that an Edwin Tanner holds record title ownership interest to 432 Elks Avenue, located within EPCC, and Edwin is not identified as a putative *amicus*. *See Exhibit 13.*

p. I am informed and believe that (26) William “Bill” Zeller and (27) Marty Zeller are identified as having record title ownership in 412 Lakeview Avenue, located within EPCC, and that 412 Lakeview was issued a current Douglas County Nevada VHR permit. Thus, William and Marty Zeller, collectively, may represent 1 out of 100 units within EPCC. *See Exhibit 14.*

8. I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED this 15th day of November 2021.



NANCY A. GILBERT

INDEX OF EXHIBITS

Exhibit #	Exhibit Description	Pages
1.	462 Reno Avenue: (1) Lex Adams and (2) Cheri Adams do not individually own property within EPCC.	4
2.	431 Lakeview Avenue: (3) Pam Cash is on title as the owner.	4
3.	467 Elks Avenue: (4) Suzanne Dante, (5) Shayne Dante and (6) Zack Dante do not individually have title ownership of property in EPCC.	4
4.	414 Lakeview Avenue: (7) James “Jim” Gosline and (8) Papaha Gosline have an ownership interest.	4
5.	469 Elks Avenue: (9) Jim Greenhalgh and (10) Nancy Greenhalgh are on title as the owners.	4
6.	446 Lakeview Avenue: (11) Roianne Hart and (17) Eleanor Pott do not individually hold title to property within EPCC.	4
7.	421 Lakeview Avenue: (13) Linda Hoffman may have record title ownership.	4
8.	430 Lakeview Avenue: (14) Valjean “Val” Licon does not have record title ownership of any property within EPCC.	6
9.	429 Lakeview Avenue: (15) Bruce Munson is not a record title owner of property in EPCC, and does not own any property within EPCC.	2
10	454 Center Street: (16) Kristine Nelson is not a record title owner of property in EPCC, does not own any property within EPCC, nor is she identified as a member of EPCC.	2
11.	467 Lakeview Avenue: (20) Richard Rowe is the record title holder.	4
12.	439 Lakeview Avenue: (22) Robert and (23) Jeannette Schulze are identified as having record title ownership.	4
13.	432 Elks Avenue: (24) Mary Tanner and (25) Richard Tanner do not hold record title ownership to any property within EPCC.	2
14.	412 Lakeview Avenue: (26) William “Bill” Zeller and (27) Marty Zeller are identified as having record title ownership.	4

EXHIBIT “1”

EXHIBIT “1”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-001
Prior Parcel # 0000-05-241-130

Location

 Property Location [462 RENO AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [88](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [LAKE COVE LLC](#)

Mailing Address

[18124 WEDGE PKWY #1045](#)
[RENO, NV 89511](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [LAKE COVE LLC](#)

 Vesting Doc #, Date [939426](#) [12/11/2019](#) Year / Book / Page [19 / 12](#)
 / 0

Map Document #s

Description

 Total Acres [.110](#)

 Square Feet [4,792](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [2.0](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [480](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

 Attached / Detached [B](#)

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [3,258](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1990](#)

 Weighted Year [1995](#)

 Owner-Occupied or Rental for 2021-22 [O](#)
Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	236,250	236,250	182,000
Improvements	133,309	125,415	123,564
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	369,559	361,665	305,564

Increased (New) Values

Land	0	0	0
Improvements	5,595	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	675,000	675,000	520,000
Improvements	380,883	358,329	353,040
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	1,055,883	1,033,329	873,040

Increased (New) Values

Land	0	0	0
Improvements	15,986	0	0
Personal Property	0	0	0

[Back to Search List](#)



[Home](#) [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
462 RENO AVE ZEPHYR COVE, NV 89448	ADAMS, CHERI (775) 846-2526	5/4/2022

Total records found: 1

Powered by

EXHIBIT “2”

EXHIBIT “2”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-031
Prior Parcel # [0000-05-242-160](#)
Location

 Property Location [431 LAKEVIEW AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [49](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [CASH, JERRY W & PAMELA J TTEE](#)

Mailing Address

[12664 WILLIAMSON RD](#)
[REDDING, CA 96003](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [CASH 2018 TRUST](#)

 Vesting Doc #, Date [925525](#) [02/08/2019](#) Year / Book / Page [19 / 2 / 0](#)

Map Document #s

Description

 Total Acres [.100](#)

 Square Feet [4,356](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [1.0](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [400](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

 Attached / Detached [B](#)

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [1,161](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1927](#)

Weighted Year

Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	210,000	210,000	147,000
Improvements	19,737	19,032	18,231
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	229,737	229,032	165,231

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	600,000	600,000	420,000
Improvements	56,391	54,377	52,089
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	656,391	654,377	472,089

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



[Home](#) [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
431 LAKEVIEW AVE ZEPHYR COVE, NV 89448	CASH, PAMELA (530) 275-8124	7/7/2022

Total records found: 1

Powered by

EXHIBIT “3”

EXHIBIT “3”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-049
Prior Parcel # 0000-05-242-380

Location

 Property Location [467 ELKS AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [120](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [DANTE ENTERPRISES LLC](#)

Mailing Address

[3027 AUDUBON CI](#)
[DAVIS, CA 95618](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [DANTE ENTERPRISES LLC](#)

 Vesting Doc #, Date [929293](#) [05/20/2019](#) Year / Book / Page [19 / 5 / 0](#)

Map Document #s

Description

 Total Acres [.110](#)

 Square Feet [4,792](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [2.0](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [462](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

 Attached / Detached [B](#)

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [2,394](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1994](#)

Weighted Year

Assessed Valuation

Assessed Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	236,250	236,250	182,000
Improvements	97,376	95,778	94,285
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	333,626	332,028	276,285

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	675,000	675,000	520,000
Improvements	278,217	273,651	269,386
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	953,217	948,651	789,386

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



[Home](#) [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
Total records found: 0		

Powered by

EXHIBIT “4”

EXHIBIT “4”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-018
Prior Parcel # 0000-05-241-310

Location

Property Location [414 LAKEVIEW AV](#)
 Town [ELK POINT SANI DIST](#)
 District [210.0 - ELK POINT DIST](#)
 Subdivision [ELKS SUB](#) Lot [35](#) Block
 Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

Assessed Owner Name [GOSLINE, WILLIAM JR & JEFFERY](#)

Mailing Address
[983 ACAPULCO ST](#)
[LAGUNA BEACH, CA 92651](#)

[Ownership History](#)
[Document History](#)

Legal Owner Name
[GOSLINE TRUST 2013 *ET AL](#)

Vesting Doc #, Date [853274](#) [11/24/2014](#) Year / Book / Page [14](#) / [11](#) / [0](#)

Map Document #s

Description

Total Acres [.110](#) Square Feet [4,792](#)
 Ag Acres [.000](#) W/R Acres [.000](#)

Improvements

Single-family Detached [1](#) Non-dwelling Units [0](#)
 Single-family Attached [0](#) Mobile Home Hookups [0](#) Stories [2.0](#)
 Multiple-family Units [0](#) Wells [0](#) Garage Square Ft... [0](#)
 Mobile Homes [0](#) Septic Tanks [0](#) Attached / Detached
 Total Dwelling Units [1](#) Buildings Sq Ft [0](#)
[Improvement List](#) Residence Sq Ft [1,936](#)
[Improvement Sketches](#) Basement Sq Ft [0](#)
[Improvement Photos](#) Finished Basement SF [0](#)

Appraisal Classifications

Current Land Use Code [200](#) [Code Table](#)

Zoning Code(s)

Re-appraisal Group [5](#) Re-appraisal Year [2021](#)
 Original Construction Year [1944](#) Weighted Year

Assessed Valuation

Assessed Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	236,250	236,250	182,000
Improvements	24,055	23,192	22,359
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	260,305	259,442	204,359

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	675,000	675,000	520,000
Improvements	68,729	66,263	63,883
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	743,729	741,263	583,883

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



 [Home](#)  [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\).](#)

No records found that match your search criteria.

Powered by 

EXHIBIT “5”

EXHIBIT “5”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-048
Prior Parcel # 0000-05-242-520

Location

 Property Location [469 ELKS AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [119](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [GREENHALGH, JAMES & NANCY TTEE](#)

Mailing Address

[1900 FOOTHILL RD](#)
[RENO, NV 89511](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [GREENHALGH FAMILY TRUST 1996](#)

 Vesting Doc #, Date [916027](#) [06/25/2018](#) Year / Book / Page [18 / 6 / 0](#)

Map Document #s

Description

 Total Acres [.120](#)

 Square Feet [5,227](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [1.5](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [350](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

 Attached / Detached [B](#)

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [1,674](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1925](#)

 Weighted Year [1988](#)
Assessed Valuation

Assessed Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	236,250	236,250	182,000
Improvements	45,446	44,887	44,486
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	281,696	281,137	226,486

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	675,000	675,000	520,000
Improvements	129,846	128,249	127,103
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	804,846	803,249	647,103

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



Home Report a Problem

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
469 ELKS AVE ZEPHYR COVE, NV 89448	ARNOLD, MAGGIE (530) 318-3604	10/21/2022

Total records found: 1

Powered by

EXHIBIT “6”

EXHIBIT “6”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-003
Prior Parcel # 0000-05-241-180

Location

Property Location [446 LAKEVIEW AV](#)
 Town [ELK POINT SANI DIST](#)
 District [210.0 - ELK POINT DIST](#)
 Subdivision [ELKS SUB](#) Lot [81](#) Block
 Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

Assessed Owner Name [HART-POTT TAHOE PROPERTIES LLC](#)
 Mailing Address [C/O ELEANOR B POTT](#)
[950 DALE ST](#)
[PASADENA, CA 91106](#)
 Legal Owner Name [HART-POTT TAHOE PROPERTIES LLC](#)
 Vesting Doc #, Date [827814](#) [07/25/2013](#) Year / Book / Page [13](#)
[/ 7 / 6475](#)
 Map Document #s

[Ownership History](#)
[Document History](#)
Description

Total Acres [.330](#) Square Feet [14,375](#)
 Ag Acres [.000](#) W/R Acres [.000](#)

Improvements

Single-family Detached [1](#) Non-dwelling Units [0](#)
 Single-family Attached [0](#) Mobile Home Hookups [0](#) Stories [2.0](#)
 Multiple-family Units [0](#) Wells [0](#) Garage Square Ft... [420](#)
 Mobile Homes [0](#) Septic Tanks [0](#) Attached / Detached [B](#)
 Total Dwelling Units [1](#) Buildings Sq Ft [0](#)
[Improvement List](#) Residence Sq Ft [3,781](#)
[Improvement Sketches](#) Basement Sq Ft [776](#)
[Improvement Photos](#) Finished Basement SF [776](#)

Appraisal Classifications

 Current Land Use Code [200](#) [Code Table](#)

Zoning Code(s)

Re-appraisal Group [5](#) Re-appraisal Year [2021](#)
 Original Construction Year [1982](#) Weighted Year

 Owner-Occupied or Rental for 2021-22 [R](#)
Assessed Valuation

Assessed Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	960,750	960,750	945,000
Improvements	213,036	212,237	200,192
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	1,173,786	1,172,987	1,145,192

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	2,745,000	2,745,000	2,700,000
Improvements	608,674	606,391	571,977
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	3,353,674	3,351,391	3,271,977

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



[Home](#) [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
446 LAKEVIEW AVE ZEPHYR COVE, NV 89448	HART, ROIANNE (831) 320-9199	5/5/2022

Total records found: 1

Powered by

EXHIBIT “7”

EXHIBIT “7”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-026
Prior Parcel # 0000-05-242-450

Location

 Property Location [421 LAKEVIEW AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [54](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [HOFFMAN, LINDA LEE TTEE](#)

Mailing Address

[PO BOX 11937](#)
[ZEPHYR COVE, NV 89448](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [HOFFMAN TRUST 2020](#)

 Vesting Doc #, Date [953527](#) [09/29/2020](#) Year / Book / Page [20 / 9 / 0](#)

Map Document #s

Description

 Total Acres [.110](#)

 Square Feet [4,792](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [3.0](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [722](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

 Attached / Detached [B](#)

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [3,275](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1983](#)

Weighted Year

 Owner-Occupied or Rental for 2021-22 [0](#)
Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	210,000	210,000	147,000
Improvements	81,489	81,340	80,600
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	291,489	291,340	227,600

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	600,000	600,000	420,000
Improvements	232,826	232,400	230,286
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	832,826	832,400	650,286

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



Home

Report a Problem

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
Total records found: 0		

Powered by Hdl

EXHIBIT “8”

EXHIBIT “8”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-009
Prior Parcel # [0000-05-241-230](#)
Location

 Property Location [430 LAKEVIEW AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [45](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [LAURILO LLC](#)

Mailing Address

[413 WEST BROOKFIELD AVE](#)
[NASHVILLE, TN 37205](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [LAURILO LLC](#)

 Vesting Doc #, Date [975509](#) [10/14/2021](#) Year / Book / Page [21 / 10 / 0](#)

Map Document #s

Description

 Total Acres [.140](#)

 Square Feet [6,098](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [1.5](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [0](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

Attached / Detached

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [1,380](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1945](#)

Weighted Year

 Owner-Occupied or Rental for 2021-22 [V](#)
Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	271,250	271,250	255,500
Improvements	16,893	16,251	15,669
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0

Net Assessed Value [288,143](#) [287,501](#) [271,169](#)

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	775,000	775,000	730,000
Improvements	48,266	46,431	44,769
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0

Net Taxable Value [823,266](#) [821,431](#) [774,769](#)

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)

APN: 1318-16-810-009
R.P.T.T.: \$9,165.00
Escrow No.: 21022185-DR
When Recorded Return To:
LauriLo, LLC a Nevada Series limited liability
company
413 West Brookfield Avenue
Belle Meade, TN 37205

Mail Tax Statements to:
LauriLo, LLC a Nevada Series limited liability
company
413 West Brookfield Avenue
Belle Meade, TN 37205

SPACE ABOVE FOR RECORDER'S USE

GRANT, BARGAIN, SALE DEED

This document is being executed in counterpart

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Valari, L.L.C., a Nevada Limited Liability Company

do(es) hereby Grant, Bargain, Sell and Convey to

LauriLo, LLC a Nevada Series limited liability company

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

PARCEL 1:

Lot 45, of Elks Subdivision Plat, according to the map thereof, filed in the Office of the County Recorder of Douglas County, Nevada, recorded on January 5, 1928, and as shown on the Second Amended Plat of the Elks Subdivision, on June 5, 1952, as Document No. 8537.

PARCEL 2:

A portion of Lot 46 as shown on the Amended Plat of the Elks Subdivision, Document No. 8537 and further described as follows:

BEGINNING at the Northwest corner of Lot 45 as the same is laid down, delineated and numbered upon a certain map entitled "Elks Subdivision, Lake Tahoe, Nevada", filed in the office of the County Recorder of said County, May 5, 1927; thence Southwesterly 100 feet to an iron pipe or stake; thence Easterly 25 feet and 10 inches to a pine tree with a brass tag stamped "R.E. 334" in blaze thereon; thence Northerly 100 feet to the Place of Beginning.


NOTE: Said legal description was previously recorded in Grant, Bargain and Sale Deed recorded November 10, 2010, in Book 1110, Page 2621, Official Records, Douglas County, Nevada.

Assessors Parcel No.: 1318-16-810-009

Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated this 12 day of October, 2021.

Valari, L.L.C., a Nevada Limited Liability Company

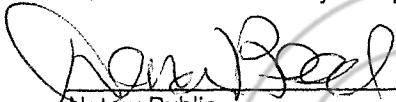
BY: 
Valjean E. Licon
Managing Member

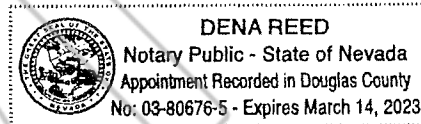
BY: **SIGNED IN COUNTERPART**
Lari P. Licon
Managing Member

STATE OF NEVADA

COUNTY OF Douglas

This instrument was acknowledged before me on this 12 day of October, 2021 by Valjean E. Licon, as Managing Member and Lari P. Licon, as Managing Member of Valari, L.L.C., a Nevada Limited Liability Company.


Notary Public



Dated this 13 day of October, 2021.

Valari, L.L.C., a Nevada Limited Liability Company

BY:

SIGNED IN COUNTERPART

Valjean E. Licon
Managing Member

BY:

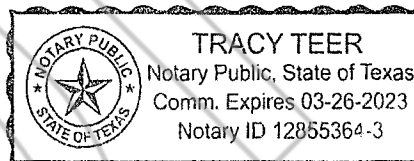
Lari Licon
Lari P. Licon
Managing Member

TEXAS
~~STATE OF NEVADA~~

COUNTY OF Ellis

This instrument was acknowledged before me on this 13 day of October, 2021, by ~~Valjean E. Licon, as Managing Member and~~ Lari P. Licon, as Managing Member of Valari, L.L.C., a Nevada Limited Liability Company

Tracy Teer
Notary Public



STATE OF NEVADA
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)
a) 1318-16-810-009
b) _____
c) _____
d) _____

2. Type of Property:

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

FOR RECORDER'S OPTIONAL USE ONLY

Document/Instrument No.: _____

Book _____ Page _____

Date of Recording: _____

Notes: _____

3. a. Total Value/Sale Price of Property: \$2,350,000.00
b. Deed in Lieu of Foreclosure Only (value of property) (\$0.00)
c. Transfer Tax Value: \$2,350,000.00
d. Real Property Transfer Tax Due: \$9,165.00

4. IF EXEMPTION CLAIMED:

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

5. Partial Interest: Percentage Being Transferred: 100.00%

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 the 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: Grantee

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Valari, L.L.C., a Nevada Limited Liability Company
Address: 1816 Alpine Street
City: Carson City
State: NV Zip: 89703

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: LauriLo, LLC a Nevada Series Limited liability company
Address: 413 West Brookfield Avenue
City: Belle Meade
State: Tennessee Zip: 37205

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

Print Name: First Centennial Title Company of Nevada Esc. #: 21022185-DR
Address: 896 W Nye Ln, Ste 104
City: Carson City State: NV Zip: 89703

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

EXHIBIT “9”

EXHIBIT “9”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-030
Prior Parcel # 0000-05-242-170

Location

 Property Location [429 LAKEVIEW AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot 50 Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [MUNSON, JOHN & CAROL TTEE ET AL](#)

 Mailing Address [C/O HELEN B MUNSON](#)
[267 SEAVIEW DR](#)
[SAN RAFAEL, CA 94901](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [MUNSON FAMILY TRUST ET AL](#)

 Vesting Doc #, Date [746169](#) [06/29/2009](#) Year / Book / Page [09 / 6 / 8943](#)

Map Document #s

Description

 Total Acres [.110](#) Square Feet [4,792](#)

 Ag Acres [.000](#) W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#) Non-dwelling Units [0](#)

 Single-family Attached [0](#) Mobile Home Hookups [0](#) Stories [2.0](#)

 Multiple-family Units [0](#) Wells [0](#) Garage Square Ft... [455](#)

 Mobile Homes [0](#) Septic Tanks [0](#) Attached / Detached [A](#)

 Total Dwelling Units [1](#) Buildings Sq Ft [0](#)

 Improvement List [Residence Sq Ft 1,200](#)

 Improvement Sketches [Basement Sq Ft 0](#)

 Improvement Photos [Finished Basement SF 0](#)
Appraisal Classifications

 Current Land Use Code [200](#) [Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#) Re-appraisal Year [2021](#)

 Original Construction Year [1951](#) Weighted Year [1965](#)

 Owner-Occupied or Rental for 2021-22 [V](#)
Assessed Valuation

Assessed Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	210,000	210,000	147,000
Improvements	22,456	21,623	20,872
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	232,456	231,623	167,872

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	600,000	600,000	420,000
Improvements	64,160	61,780	59,634
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	664,160	661,780	479,634

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)

EXHIBIT “10”

EXHIBIT “10”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-15-410-020
Prior Parcel # 0000-05-242-660

Location

Property Location [454 CENTER ST](#)
 Town [ELK POINT SANI DIST](#)
 District [210.0 - ELK POINT DIST](#)
 Subdivision [ELKS SUB](#) Lot [67](#) Block
 Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

Assessed Owner Name [NELSON, KAREN A TRUSTEE](#)
 Mailing Address [506 S HIGH ST](#)
[BLOOMINGTON, IN 47401](#)
 Legal Owner Name [NELSON REVOCABLE LIVING TRUST](#)
 Vesting Doc #, Date [665097](#) [01/06/2006](#) Year / Book / Page [06 / 1 / 1570](#)
 Map Document #s [265487](#)

[Ownership History](#)
[Document History](#)
Description

Total Acres [.170](#) Square Feet [7,405](#)
 Ag Acres [.000](#) W/R Acres [.000](#)

Improvements

Single-family Detached [1](#) Non-dwelling Units [0](#)
 Single-family Attached [0](#) Mobile Home Hookups [0](#) Stories [1.5](#)
 Multiple-family Units [0](#) Wells [0](#) Garage Square Ft... [338](#)
 Mobile Homes [0](#) Septic Tanks [0](#) Attached / Detached [A](#)
 Total Dwelling Units [1](#) Buildings Sq Ft [0](#)
[Improvement List](#) Residence Sq Ft [1,838](#)
[Improvement Sketches](#) Basement Sq Ft [0](#)
[Improvement Photos](#) Finished Basement SF [0](#)

Appraisal Classifications

 Current Land Use Code [200](#) [Code Table](#)

Zoning Code(s)

Re-appraisal Group [5](#) Re-appraisal Year [2021](#)
 Original Construction Year [1959](#) Weighted Year [1974](#)

 Owner-Occupied or Rental for 2021-22 [O](#)
Assessed Valuation

Assessed Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	210,000	210,000	147,000
Improvements	35,489	35,763	36,040
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	245,489	245,763	183,040
Increased (New) Values			
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	<u>2021-22</u>	<u>2020-21</u>	<u>2019-20</u>
Land	600,000	600,000	420,000
Improvements	101,397	102,180	102,971
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	701,397	702,180	522,971
Increased (New) Values			
Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)

EXHIBIT “11”

EXHIBIT “11”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-710-018
Prior Parcel # 0000-05-242-540

Location

 Property Location [467 LAKEVIEW AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [107](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [ROWE, RICHARD ET AL](#)

Mailing Address

[65 OAK GATE DR](#)
[HENDERSONVILLE, NC 28739](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [ROWE, RICHARD ET AL](#)

 Vesting Doc #, Date [943038](#) [03/02/2020](#) Year / Book / Page [20 / 3 / 0](#)

Map Document #s

Description

 Total Acres [.140](#)

 Square Feet [6,098](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [1.0](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [0](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

Attached / Detached

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [1,072](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1950](#)

Weighted Year

Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	271,250	271,250	255,500
Improvements	16,087	15,405	14,720
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	287,337	286,655	270,220

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	775,000	775,000	730,000
Improvements	45,963	44,014	42,057
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	820,963	819,014	772,057

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



[Home](#) [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\).](#)

Property Address	Emergency Name & Phone	Expire Date
467 LAKEVIEW AVE ZEPHYR COVE, NV 89448	DOYLE, BILL (775) 831-7778	5/31/2022

Total records found: 1

Powered by Hdl

EXHIBIT “12”

EXHIBIT “12”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-033
Prior Parcel # 0000-05-242-140

Location

Property Location [439 LAKEVIEW AV](#)
 Town [ELK POINT SANI DIST](#)
 District [210.0 - ELK POINT DIST](#)
 Subdivision [ELKS SUB](#) Lot [129](#) Block
 Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

Assessed Owner Name [SCHULZE, ROBERT C JR & JEANETTE](#)

Mailing Address

[8899 CURREY RD](#)
[DIXON, CA 95620](#)

[Ownership History](#)
[Document History](#)

Legal Owner Name [RS & JS FAMILY TRUST](#)

Vesting Doc #, Date [949473](#) [07/21/2020](#) Year / Book / Page [20](#) / [7](#) / [0](#)

Map Document #s

Description

Total Acres [.110](#) Square Feet [4,792](#)
 Ag Acres [.000](#) W/R Acres [.000](#)

Improvements

Single-family Detached [1](#) Non-dwelling Units [0](#)
 Single-family Attached [0](#) Mobile Home Hookups [0](#) Stories [2.0](#)
 Multiple-family Units [0](#) Wells [0](#) Garage Square Ft... [484](#)
 Mobile Homes [0](#) Septic Tanks [0](#) Attached / Detached [D](#)
 Total Dwelling Units [1](#) Buildings Sq Ft [0](#)
[Improvement List](#) Residence Sq Ft [2,326](#)
[Improvement Sketches](#) Basement Sq Ft [495](#)
[Improvement Photos](#) Finished Basement SF [495](#)

Appraisal Classifications

Current Land Use Code [200](#)

[Code Table](#)

Zoning Code(s)

Re-appraisal Group [5](#) Re-appraisal Year [2021](#)
 Original Construction Year [1948](#) Weighted Year [1957](#)

Owner-Occupied or Rental for 2021-22 [R](#)

Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	271,250	271,250	255,500
Improvements	41,402	39,790	38,306
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0

Net Assessed Value [312,652](#) [311,040](#) [293,806](#)

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	775,000	775,000	730,000
Improvements	118,291	113,686	109,446
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0

Net Taxable Value [893,291](#) [888,686](#) [839,446](#)

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



[Home](#) [Report a Problem](#)

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
439 LAKEVIEW AVE ZEPHYR COVE, NV 89448	GUNTER, JEREN (775) 339-1188	6/17/2022

Total records found: 1

Powered by

EXHIBIT “13”

EXHIBIT “13”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-15-410-013
Prior Parcel # 0000-05-250-020

Location

Property Location [432 ELKS AV](#)
 Town [ELK POINT SANI DIST](#)
 District [210.0 - ELK POINT DIST](#)
 Subdivision [ELKS SUB](#) Lot Block
 Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [TANNER, EDWIN S](#)
[TRUSTEE](#)

Mailing Address
[18 COTELLA CT](#)
[ALAMEDA, CA 94502](#)

[Ownership History](#)
[Document History](#)

Legal Owner Name
[TANNER, MARIE JEPSEN](#)
[FAM TRUST](#)

Vesting Doc #, Date [637404](#) [02/24/2005](#) Year / Book / Page [05](#)
[/ 2 / 8495](#)

 Map Document #s [08537](#)
Description

Total Acres [.370](#) Square Feet [16,117](#)
 Ag Acres [.000](#) W/R Acres [.000](#)

Improvements

Single-family Detached [1](#) Non-dwelling Units [0](#)
 Single-family Attached [0](#) Mobile Home Hookups [0](#) Stories [1.5](#)
 Multiple-family Units [0](#) Wells [0](#) Garage Square Ft... [0](#)
 Mobile Homes [0](#) Septic Tanks [0](#) Attached / Detached
 Total Dwelling Units [1](#) Buildings Sq Ft [0](#)
[Improvement List](#) Residence Sq Ft [1,817](#)
[Improvement Sketches](#) Basement Sq Ft [0](#)
[Improvement Photos](#) Finished Basement SF [0](#)

Appraisal Classifications

 Current Land Use Code [200](#) [Code Table](#)

Zoning Code(s)

Re-appraisal Group [5](#) Re-appraisal Year [2021](#)
 Original Construction Year [1935](#) Weighted Year

 Owner-Occupied or Rental for 2021-22 [V](#)
Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	245,000	245,000	219,450
Improvements	24,155	23,224	22,371
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	269,155	268,224	241,821

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	700,000	700,000	627,000
Improvements	69,014	66,354	63,917
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	769,014	766,354	690,917

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)

EXHIBIT “14”

EXHIBIT “14”



DOUGLAS COUNTY, NEVADA
ASSESSOR'S OFFICE
 Trent A. Tholen, Assessor

[Assessor Home](#)
[Personal Property](#)
[Sales Data](#)
[Annual Taxes](#)
[Recorder Website](#)
Parcel Detail for Parcel # 1318-16-810-019
Prior Parcel # 0000-05-241-450

Location

 Property Location [412 LAKEVIEW AV](#)

 Town [ELK POINT SANI DIST](#)

 District [210.0 - ELK POINT DIST](#)

 Subdivision [ELKS SUB](#) Lot [34](#) Block

Property Name

[Add'l Addresses](#)
[Parcel Map](#)
Ownership

 Assessed Owner Name [ZELLER, WILLIAM H & MARTHA TTEE](#)

Mailing Address

[220 GRANADA DR](#)
[CORTE MADERA, CA 94925](#)
[Ownership History](#)
[Document History](#)

 Legal Owner Name [ZELLER FAMILY 2005](#)
[REVOC TRUST](#)

 Vesting Doc #, Date [791173](#) [10/19/2011](#) Year / Book / Page [11 / 10 / 3188](#)

 Map Document #s [442539](#)
Description

 Total Acres [.120](#)

 Square Feet [5,227](#)

 Ag Acres [.000](#)

 W/R Acres [.000](#)
Improvements

 Single-family Detached [1](#)

 Non-dwelling Units [0](#)

 Single-family Attached [0](#)

 Mobile Home Hookups [0](#)

 Stories [2.0](#)

 Multiple-family Units [0](#)

 Wells [0](#)

 Garage Square Ft... [514](#)

 Mobile Homes [0](#)

 Septic Tanks [0](#)

 Attached / Detached [A](#)

 Total Dwelling Units [1](#)

 Buildings Sq Ft [0](#)
[Improvement List](#)

 Residence Sq Ft [2,145](#)
[Improvement Sketches](#)

 Basement Sq Ft [0](#)
[Improvement Photos](#)

 Finished Basement SF [0](#)
Appraisal Classifications

 Current Land Use Code [200](#)
[Code Table](#)

Zoning Code(s)

 Re-appraisal Group [5](#)

 Re-appraisal Year [2021](#)

 Original Construction Year [1998](#)

Weighted Year

 Owner-Occupied or Rental for 2021-22 [R](#)
Assessed Valuation

Assessed Values	2021-22	2020-21	2019-20
Land	236,250	236,250	182,000
Improvements	90,026	88,407	86,993
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed Value	326,276	324,657	268,993

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

Taxable Valuation

Taxable Values	2021-22	2020-21	2019-20
Land	675,000	675,000	520,000
Improvements	257,217	252,591	248,551
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Taxable Value	932,217	927,591	768,551

Increased (New) Values

Land	0	0	0
Improvements	0	0	0
Personal Property	0	0	0

[Back to Search List](#)



Home

Report a Problem

Search VHR Permits

Search By:

Property Address ▾

 Value:

Search

[Specify Start Date Range \(Optional\)](#)

Property Address	Emergency Name & Phone	Expire Date
412 LAKEVIEW AVE ZEPHYR COVE, NV 89448	GERARD, BRANDON (530) 545-8102	10/8/2022

Total records found: 1

Powered by Hdl

EXHIBIT “2”

EXHIBIT “2”

1 Case No. 2020-CV-00124

2 Dept. No. I

RECEIVED

MAR 15 2021

Douglas County
District Court Clerk

FILED

NO.

21 MAR 15 P1:20

BOBBIE R. WILLIAMS

CLERK

BY *Kabat* DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

9 K.J. BROWN, L.L.C., a Nevada limited
10 liability company; and TIMOTHY D.
11 GILBERT and NANCY AVANZINO
12 GILBERT, as trustees of the TIMOTHY D.
13 GILBERT AND NANCY AVANZINO
14 GILBERT REVOCABLE FAMILY
15 TRUST DATED DECEMBER 27, 2013,

16 Plaintiffs,

17 v.

ORDER

18 ELK POINT COUNTRY CLUB
19 HOMEOWNERS ASSOCIATION, INC.,
20 also known as ELK POINT COUNTRY
21 CLUB, INC., a Nevada non-profit, non-
22 stock corporation; and DOES 1-50,
23 inclusive,

24 Defendants.

25 THIS MATTER comes before the court upon Defendant Elk Point Country Club
26 Homeowners Association, Inc.'s Motion to Stay Matter Pending Interlocutory Appeal. The
27 motion is opposed. Having examined all relevant pleadings and papers on file herein, the
28 court now enters the following order, good cause appearing:

THAT the motion to stay the court's preliminary injunction pending an interlocutory
appeal is GRANTED.

1 Pursuant to NRAP 8(a)(1), defendant requests the court stay the preliminary
2 injunction due to become effective on Saturday, March 20, 2021. Defendants appealed the
3 preliminary injunction on February 4, 2021. Defendants also request a stay of the discovery
4 process.

5 The Supreme Court of the State of Nevada considers the following factors in
6 deciding whether to issue a stay:
7

8 (1) whether the object of the appeal will be defeated if the stay is denied;

9 (2) whether appellant will suffer irreparable or serious injury if the stay is denied;

10 (3) whether respondent will suffer irreparable or serious injury if the stay is granted; and

11 (4) whether appellant is likely to prevail on the merits in the appeal.

12 *Mikohn Gaming Corp. v. McCrear*, 120 Nev. 248, 251, 89 P.3d 36, 38 (2004) (citing *NRAP*
13 *8(c)*); see also *Fritz Hansen A/S, Petitioner v. Eighth Jud. Dist. Ct.*, 116 Nev. 650, 657,
14 6 P.3d 982, 986 (2000). “We have not indicated that any one factor carries more weight
15 than the others, although *Fritz Hansen A/S v District Court* recognizes that if one or two
16 factors are especially strong, they may counterbalance other weak factors.” *Mikohn Gaming*
17 *Corp.*, 120 Nev. at 251, 89 P.3d at 38.

19 Absent a stay of the preliminary injunction, defendant is to begin preventing long
20 and short term rentals of members’ real property as of March 20, 2021. Such action will
21 require that some tenants of long term rentals be displaced from their primary residences.
22 The object of the appeal is to overturn the preliminary injunction, thereby preventing it from
23 remaining in effect during the pendency of this matter. The court finds the object of the
24 appeal is defeated if no stay is granted and the preliminary injunction is allowed to become
25 effective on March 20, 2021.

27 Counsel for defendant declares upon information that serious injury will occur,
28

1 without remedy, if the stay is denied. While plaintiff avers that only three of the one
2 hundred members are currently conducting long term rentals of their property, causing those
3 renters to relocate is a burdensome measure, especially during a period of pandemic.

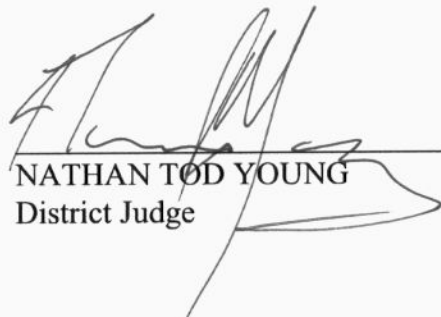
4 Plaintiffs emphasize the return of the threat to defendant's tax exempt status and the
5 ongoing violation of defendant's bylaws if the stay is granted, thereby defeating the very
6 purpose of the preliminary injunction. This is a potentially serious and lasting adverse
7 impact to the Elk Point Country Club. The court finds the competing allegations of serious
8 or irreparable injury to both sides to be of serious consequence, causing the two separate
9 factors set forth within NRAP 8(c) to be of equal import.

10 While defendant clearly disagrees with the court's preliminary ruling, nothing new or
11 significant is proffered within the motion to convince the court the decision was in error and
12 will be overturned. Other than asserting at page 6 of the motion, at lines 11 - 14, that the
13 possibility of being overturned on *de novo* review "cannot be said to be insubstantial,"
14 defendant has proffered no reason for the court not to rely upon the existing judgment
15 reflected within the injunction.

16 Weighing the four factors, the court finds the result equally balanced and is therefore
17 persuaded that issuing a stay to preserve the status quo is warranted in this instance. The
18 order of preliminary injunction is stayed pending resolution of the interlocutory appeal, and
19 all discovery processes are stayed until such resolution.

20
21
22
23 IT IS SO ORDERED.

24 Dated this 15 day of March, 2021.

25
26
27
28

NATHAN TOD YOUNG
District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


Copies served by mail this 15 day of March, 2021, to:

- Gayle A. Kern, Esq.
- Sophie A. Karadanis, Esq.
- Leach Kern Gruchow Anderson Song
- 5421 Kietzke Lane, Ste. 200
- Reno, NV 89511

- Richard H. Bryan, Esq.
- Fennemore Craig, P.C.
- 300 S. Fourth St., Ste. 1400
- Las Vegas, NV 89101

- Prescott Jones, Esq.
- Joshua Ang, Esq.
- Resnick & Louis, P.C.
- 8925 W. Russell Road, Ste. 220
- Las Vegas, NV 89148

- William E. Peterson, Esq.
- Janine C. Prupas, Esq.
- Kelly H. Dove, Esq.
- Snell & Wilmbur, L.L.P.
- 50 West Liberty Street, Ste. 510
- Reno, NV 89501


Judicial Executive Assistant