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7 *Attorneys for Plaintiff*
JPMorgan Chase Bank, N.A.

9 **UNITED STATES DISTRICT COURT**
 10 **DISTRICT OF NEVADA**

11 JPMORGAN CHASE BANK, N.A.,
 12
 Plaintiff,
 13
 vs.
 14 WILDCREEK GARDEN
 15 CONDOMINIUMS ASSOCIATION
 16
 Defendant,

Case No. 2:16-cv-0178-GMN-CWH

**STIPULATION AND ORDER
 QUIETING TITLE**

BALLARD SPAHR LLP
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 LAS VEGAS, NEVADA 89106
 (702) 471-7000 FAX (702) 471-7070

17 Plaintiff JPMorgan Chase Bank N.A. (“Chase”), by and through its counsel of
 18 record, Ballard Spahr, LLP, and Defendant Wildcreek Garden Condominiums
 19 Association (“Wildcreek”), by and through its counsel of record, Walsh, Baker &
 20 Rosevear, stipulate and agree as follows:

21 1. On or about September 20, 2005, a deed of trust securing a loan in the
 22 amount of \$97,600.00 was recorded in the Official Records of Washoe County as
 23 Document Number 3279818 (the “Deed of Trust”) against that certain real property
 24 commonly described as 3916 Clear Acre Lane, Unit 71, Reno, Nevada, 89502, (APN
 25 026-052-04) (the “Property”) and more specifically described as:

26 UNIT 71 IN BLOCK A OF WILDCREEK GARDEN CONDOMINIUMS, A CONDOMINIUM,
 27 ACCORDING TO THE MAP THEREOF FILED IN THE OFFICE OF THE COUNTY
 28 RECORDER OF WASHOE COUNTY, STATE OF NEVADA, ON DECEMBER 31, 1981, AS
 DOCUMENT NO. 775164, AND BEING TRACT MAP NO. 2030, AND CERTIFICATE OF

1 AMENDMENT, RECORDED JULY 8, 1983, IN BOOK 1888, PAGE 870, DOCUMENT NO.
2 865506, OFFICIAL RECORDS.

3 TOGETHER WITH AN UNDIVIDED 1/312TH INTEREST IN AND TO ALL OF THE
4 COMMON AREA, AS SHOWN ON SAID MAP.

5 2. On or about August 4, 2011 a Notice of Delinquent Assessment
6 (“Wildcreek Notice of Assessment”) was recorded under the direction of Wildcreek as
7 Document Number 4028601 in the Official Records of Washoe County.

8 3. On or about September 13, 2011, a Notice of Default and Election to Sell
9 Under Homeowners Association Lien (“Wildcreek Notice of Default”) was recorded
10 under the direction of Wildcreek as Document Number 4040172 in the Official
11 Records of Washoe County.

12 4. On or about November 17, 2011, Mortgage Electronic Registration
13 Systems, Inc. (as beneficiary in a nominee capacity for the original lender, Bell Home
14 Loans, Inc.), recorded as Document Number 4059556 in the Official Records of
15 Washoe County an assignment of the Deed of Trust to Chase, with Chase acting as
16 loan servicer for the Federal Home Loan Mortgage Corporation (“FHLMC”).

17 5. On or about January 30, 2012, Wildcreek caused the Property to be sold
18 (the “HOA Foreclosure Sale”), and a Foreclosure Deed Upon Sale recorded on
19 February 9, 2012, as Document Number 4083120 in the Official Records of Washoe
20 County (the “Wildcreek Deed”) recites that Wildcreek purchased the Property at the
21 HOA Foreclosure Sale with an amount paid of \$2,788.09.

22 6. On or about March 10, 2014, an Assignment of Deed of Trust was
23 recorded as Document Number 4333120 in the Official Records of Washoe County
24 reflecting an assignment of the Deed of Trust from Chase to FHLMC.

25 7. According to the Trustee’s Deed Upon Sale recorded as Document
26 Number 4335212 in the Official Records of Washoe County on March 17, 2014,
27 Cooper Castle Law Firm, LLP, as duly appointed trustee under the Deed of Trust,
28 caused the Property to be sold in foreclosure of the Deed of Trust, at which sale (the

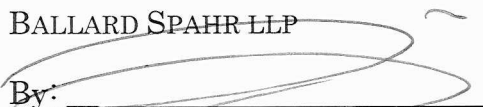
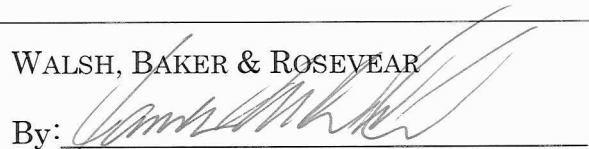
1 "DOT Foreclosure Sale") FHLMC was the purchaser of the Property, with an amount
2 paid of \$35,183.59.

3 8. Wildcreek agrees to a rescission of the Wildcreek Deed attached hereto
4 as "Exhibit A," and requests a court order declaring that the Wildcreek Deed is void
5 and of no further force and effect.

6 9. Wildcreek hereby disclaims all right, title, or interest in the Property as
7 a result of the HOA Foreclosure Sale and the Wildcreek Deed, and consents to the
8 quieting and vesting of title to the Property in FHLMC as the purchaser of the
9 Property at the DOT Foreclosure Sale.

10 10. This lawsuit shall be dismissed, with prejudice, with each party to bear
11 its own attorney's fees and costs that were incurred in connection therewith.

12 Dated: August 30, 2016

14 BALLARD SPAHR LLP 15 By:  16 Abran E. Vigil 17 Nevada Bar No. 7548 18 Holly Ann Priest 19 Nevada Bar No. 13226 100 N. City Parkway, Suite 1750 Las Vegas, Nevada 89106 Attorneys for Plaintiff JPMorgan Chase Bank, N.A.	14 WALSH, BAKER & ROSEVEAR 15 By:  16 James Walsh 17 Nevada Bar No. 796 18 9468 Double R Blvd., Suite A 19 Reno, Nevada 89521 Attorney for Defendant Wildcreek Garden Condominiums Association
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20
21 **ORDER**

22 IT IS SO ORDERED.

23
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25 UNITED STATES DISTRICT JUDGE
26 DATED: September 7, 2016
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“EXHIBIT A”

APN # 026-052-04

When recorded, return to:
JPMorgan Chase Bank, N.A.
3415 Vision Drive
Columbus, OH 43219-6009

RESCISSION OF FORECLOSURE DEED

THE UNDERSIGNED HEREBY DECLARES:

1. On August 4, 2011, Wildcreek Garden Condominiums Association (“Undersigned”), through its Authorized Agent, caused a Notice of Delinquent Assessment (“Lien”) to be recorded as Document No. 4028601 in the official records of Washoe County, Nevada, pursuant to the Declaration of Covenants, Conditions, and Restrictions of the Undersigned recorded on July 13, 1983, in Book No. 1890, Page 695 as Document No. 866394 in the Official Records of Washoe County Nevada, and any subsequent modifications or amendments thereto.
2. On or about January 30, 2012, the Undersigned, through its Authorized Agent, foreclosed upon the Lien and caused a Foreclosure Deed Upon Sale to be recorded on February 9, 2012, as Document No. 4083120 in the official records of Washoe County, Nevada (the “Foreclosure Deed”). A copy of the Foreclosure Deed is attached hereto as Exhibit A.
3. The Undersigned hereby cancels and rescinds the Foreclosure Deed to the same extent and effect as if the Foreclosure Deed had never been issued and recorded. The express purpose of this rescission is to return the priority and existence of all title and lienholders to the status quo-ante as existed prior to the foreclosure sale and the execution of the Foreclosure Deed.
4. The Undersigned did not accept delivery of the Foreclosure Deed and rejects the Foreclosure Deed.

5. The Undersigned hereby recognizes and reaffirms that through this rescission, the following Deed of Trust would have retained its previous lien position upon said real property:

Dated: September 20, 2005

Grantor: Dominic S. Grossi, a married man as his sole and separate property

Original Trustee: First American Title Company of Nevada

Original Beneficiary: Bell Home Loans, Inc.

Recorded: September 20, 2005, Document No. 3279818 in the Official Records of Washoe County, Nevada

Dated: 8/25/16

Wildcreek Garden Condominiums Association

[Signature]

By: KEVIN SIGSTAD

Its: PRESIDENT

STATE OF Nevada)
) ss.
COUNTY OF Washoe)

This instrument was acknowledged before me on the 25 day of August, 2016, by Kevin Sigstad, as the authorized representative of Wildcreek Garden Condominiums Association.

[Signature]
Notary Public

My Commission Expires on: 12-17-18

