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12 Attorneys for The Bank of New York Mellon fka
13 The Bank of New York as Successor in Interest to
14 JPMorgan Chase Bank, N.A. as Trustee for
15 Structured Asset Mortgage Investments II Trust
16 2006-AR6, Mortgage Pass-Through Certificates
17 Series 2006-AR6

18 **UNITED STATES DISTRICT COURT**
19 **DISTRICT OF NEVADA**

20 THE BANK OF NEW YORK MELLON FKA
21 THE BANK OF NEW YORK AS SUCCESSOR
22 IN INTEREST TO JPMORGAN CHASE
23 BANK, N.A., AS TRUSTEE FOR
24 STRUCTURED ASSET MORTGAGE
25 INVESTMENTS II TRUST 2006-AR6,
26 MORTGAGE PASS-THROUGH
27 CERTIFICATES SERIES 2006-AR6,

28 Plaintiff,
v.

DAISY TRUST
29
THE BANK OF NEW YORK MELLON FKA
30 THE BANK OF NEW YORK AS SUCCESSOR
31 IN INTEREST TO JPMORGAN CHASE
32 BANK, N.A., AS TRUSTEE FOR
33 STRUCTURED ASSET MORTGAGE
34 INVESTMENTS II TRUST 2006-AR6,
35 MORTGAGE PASS-THROUGH
36 CERTIFICATES SERIES 2006-AR6,

Defendants.

Case No.: 2:16-cv-01897-KJD-GWF

STIPULATION TO DISMISS TRAMONTO
VILLAGGIO HOMEOWNERS
ASSOCIATION

DAISY TRUST
37
Counter-Claimant,
v.

38 THE BANK OF NEW YORK MELLON FKA
39 THE BANK OF NEW YORK AS SUCCESSOR
40 IN INTEREST TO JPMORGAN CHASE
41 BANK, N.A., AS TRUSTEE FOR
42 STRUCTURED ASSET MORTGAGE
43 INVESTMENTS II TRUST 2006-AR6,
44 MORTGAGE PASS-THROUGH
45 CERTIFICATES SERIES 2006-AR6,

Counter-Defendant.

1 Plaintiff and counter-defendant The Bank of New York Mellon fka The Bank of New York
2 as Successor in Interest to JPMorgan Chase Bank, N.A. as Trustee for Structured Asset Mortgage
3 Investments II Trust 2006-AR6, Mortgage Pass-Through Certificates Series 2006-AR6 (**BoNYM**)
4 and defendant Tramonto Villaggio Homeowners Association (**Tramonto**) stipulate as follows:

5 1. This matter relates to real property located at 9576 Trattoria Street, Las Vegas,
6 Nevada 89178-8261, APN No. 17621811012, described as:

7 PARCEL I:

8 LOT TWELVE (12) OF FINAL MAP OF MOUNTAINS EDGE 116 (A COMMON
9 INTEREST COMMUNITY), AS SHOWN BY MAP THEREOF ON FILE IN
10 BOOK 120, OF PLATS, PAGE 39 IN THE OFFICE OF THE COUNTY
RECODER OR CLARK COUNTY, NEVADA.

11 PARCEL II:

12 A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND ENJOYMENT
13 IN AND TO THE COMMON ELEMENTS AS DELINEATED ON SAID MAP
14 REFERRED TO ABOVE AND AS FURTHER DESCRIBED IN THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
TRAMONTO VILLAGIO RECORDED JANUARY 4, 2005 IN BOOK 20050104
AS DOCUMENT NO. 01524 AS OFFICIAL RECORDS.

15 (the **property**).

16 2. BoNYM is the beneficiary of record of a deed of trust encumbering the property
17 recorded with the Clark County Recorder on June 21, 2006, as Instrument No. 20060621-0001036.

18 3. On September 25, 2012, Alessi & Koenig, LLC recorded a trustee's deed upon sale
19 with the Clark County Recorder, as Instrument No. 201209250000454, reflecting defendant Daisy
20 Trust purchased the property at a foreclosure sale of the property held on September 19, 2012 (the
21 **foreclosure deed**).

22 4. BoNYM and Tramonto have entered into a confidential settlement agreement in
23 which they have settled all claims between them in this case.

24 5. Among other things in the settlement agreement, Tramonto agrees it no longer has an
25 interest in the property for purposes of this action vis a vis the deed of trust. This disclaimer of
26 interest does not apply to the continuing encumbrance of Tramonto's declaration of covenants,
27 conditions and restrictions, and any governing documents adopted thereunder, easements, servitudes,
28 or other rights and interests in the property as governed by NRS chapter 116. Tramonto further

1 agrees it will take no position in this action or in any subsequent action regarding whether the deed
2 of trust survived Tramonto's foreclosure sale.

3 6. BoNYM and Tramonto further stipulate and agree that all claims in this matter
4 asserted by BoNYM against Tramonto are dismissed in their entirety with prejudice, with each party
5 to bear its own attorneys' fees and costs.

6 7. BoNYM and Tramonto request the court enter an order approving this stipulation.

7 DATED July 9, 2019.

8 **AKERMAN LLP**

9
10 /s/ Patricia Larsen _____
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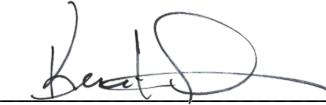
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18 Attorneys for plaintiff and counter-defendant
19 The Bank of New York Mellon fka The Bank of
20 New York as Successor in Interest to JPMorgan
21 Chase Bank, N.A. as Trustee for Structured
22 Asset Mortgage Investments II Trust 2006-AR6,
23 Mortgage Pass-Through Certificates Series
24 2006-AR6

25 **IT IS SO ORDERED.**

8 **BOYACK ORME & ANTHONY**

9
10 /s/ Christopher B. Anthony _____
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14 Las Vegas, Nevada 89117

15
16 Attorneys for defendant Tramonto Villaggio
17 Homeowners Association



18
19 **UNITED STATES DISTRICT COURT JUDGE**
20 Case No.: 2:16-cv-01897-KJD-GWF

21
22 DATED: July 11, 2019