

1 MELANIE D. MORGAN, ESQ.
 Nevada Bar No. 8215
 2 THERA A. COOPER, ESQ.
 Nevada Bar No. 13468
 3 AKERMAN LLP
 1160 Town Center Drive, Suite 330
 4 Las Vegas, NV 89144
 Telephone: (702) 634-5000
 5 Facsimile: (702) 380-8572
 Email: melanie.morgan@akerman.com
 6 theracooper@akerman.com

7 Attorneys for Plaintiffs Bank of America, N.A.
 and Federal National Mortgage Association

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10
 11 **BANK OF AMERICA, N.A. and FEDERAL**
 12 **NATIONAL MORTGAGE ASSOCIATION,**

Case No.: 2:16-cv-02923

13 Plaintiffs,

**STIPULATION AND ORDER OF FINAL
 JUDGMENT AND QUIET TITLE**

14 vs.

15 **THE ARBORS OWNERS' ASSOCIATION and**
 16 **HAMPTON & HAMPTON COLLECTIONS,**
 17 **LLC,**

Defendants.

18 Plaintiffs Bank of America, N.A. ("BANA") and Federal National Mortgage Association
 19 ("Fannie Mae") (together, "Plaintiffs") and defendant The Arbors Owners' Association ("Arbors"),
 20 being the only parties to have appeared in this action, through their counsel of record, stipulate as
 21 follows:

22 1. This matter relates to real property located 5584 Orchard Lane Unit 153, Las Vegas,
 23 Nevada 89110, APN 140-33-818-027 (the "Property"). The Property is more specifically described
 24 as:

25 All that certain parcel of land situate in the County of Clark, State of Nevada, being
 known and designated as follows:

26 Parcel I:

27
 28 APN 140-33-818-027
 1968030.1
 43296005;1

AKERMAN LLP

1160 TOWN CENTER DRIVE, SUITE 330
 LAS VEGAS, NEVADA 89144
 TEL.: (702) 634-5000 – FAX: (702) 380-8572

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

An undivided one-eighteenth (1/18th) fractional interest as tenant in common to the Amended Map of the Arbors-Unit 2, according to the map thereof filed in Book 32 of Plats, Page 18, in the Office of the County Recorder of Clark County, Nevada.

Excepting therefrom the following:

Units 143 through 162, including garages as shown on the Amended Map of the Arbors-Unit 2, Condominium Plan recorded in the Office of the County Recorder of Clark County, Nevada on July 10, 1984 in Book 30 of Plats, Page 61, and recorded on September 12, 1984 in Book 32 of Plats, Page 18.

And reserving therefrom:

The right to possession of all those areas designated as Exclusive Use Areas, shown upon the Condominium Plan referred to above.

And further reserving therefrom:

For the benefit of the owners of Phase 1 through 5 and 7 through 9, inclusive, of the Arbors-Unit 1 and Unit 3 and of the Amended Map of the Arbors - Unit 2, non-exclusive easements on, over and under the common areas as defined and shown upon the Condominium Plan referred to above for ingress, egress and recreational use, subject to the terms and as more particularly set forth in the Declaration of Restrictions to which reference is hereafter made, excepting from the common area any residential buildings thereon, and any portion thereof which is designated as an Exclusive Use Area.

APN 140-33-818-027

2. BANA, on behalf of Fannie Mae, is the servicer and beneficiary of record of a Deed of Trust that encumbers the Property and was recorded on January 9, 2008, as Instrument Number 20080109-0000934 in the Official Records of Clark County, Nevada (the "Deed of Trust").

3. On July 30, 2014, Arbors recorded a Trustee's Deed Upon Sale as Instrument Number 20140730-0000387 of the Official Records of Clark County, Nevada (the "HOA Foreclosure Deed"), reflecting that Arbors acquired the Property via credit bid a foreclosure sale of the Property held June 30, 2014 (the "HOA Sale").

4. On December 16, 2016, BANA and Fannie Mae initiated a quiet title action against Arbors and Hampton & Hampton Collections, LLC in the United States District Court, District of Nevada, Case No. 2:16-cv-02923 (the "Quiet Title Action").

5. BANA, Fannie Mae, and Arbors have entered a confidential settlement agreement in which they have settled all claims between them in this case.

1 6. Among other things, Arbors has transferred any and all interest it acquired as a result of
2 the HOA Sale and HOA Foreclosure Deed to BANA, as reflected by the quit-claim deed attached
3 hereto as Exhibit A.

4 7. Among other things, the parties agree that title to the Property is quieted in BANA's
5 favor. Arbors disclaims all right, title, or interest in the Property as a result of the HOA Sale and the
6 HOA Foreclosure Deed.

7
8 Dated: November 3, 2017.

Dated: November 3, 2017.

9 **AKERMAN LLP**

**GIBBS GIDEN LOCHER TURNER SENET &
WITTBRODT LLP**

10 /s/ Thera A. Cooper

/s/ Richard E. Haskin

11 Melanie D. Morgan, Esq.
12 Nevada Bar No. 8215
13 Thera A. Cooper, Esq.
14 Nevada Bar No. 13468
15 1160 Town Center Drive, Suite 330
16 Las Vegas, Nevada 89144
17 Attorneys for Plaintiffs Bank of America,
18 N.A. and Federal National Mortgage
19 Association

Richard E. Haskin, Esq.
Nevada Bar No. 11592
Matthew L. Grode, Esq.
Nevada Bar No. 11592
1140 N. Town Center Dr., Suite 300
Las Vegas, NV 89144
Attorneys for Defendant The Arbors
Owners Association

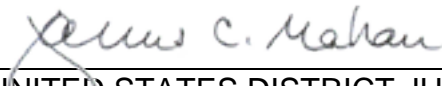
ORDER

Based on the above stipulation between Plaintiffs Bank of America, N.A. ("BANA") and Federal National Mortgage Association ("Fannie Mae") (together, "Plaintiffs") and defendant The Arbors Owners' Association ("Arbors"), the Parties' agreement, and good cause appearing therefore,

IT IS ORDERED that title to the real property located 5584 Orchard Lane Unit 153, Las Vegas, Nevada 89110, APN 140-33-818-027 (the "Property") is quieted in favor of BANA.

IT IS FURTHER ORDERED that all claims in this case are dismissed with prejudice, each side to bear its own attorney fees and costs. This is the final judgment of this Court.

DATED 11/06/2017


UNITED STATES DISTRICT JUDGE

Respectfully submitted by:

AKERMAN LLP

/s/ Thera A. Cooper
Melanie D. Morgan, Esq.
Nevada Bar No. 8215
Thera A. Cooper, Esq.
Nevada Bar No. 13468
1160 Town Center Drive, Suite 330
Las Vegas, Nevada 89144

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the November 3, 2017 service of the foregoing **STIPULATION AND ORDER OF FINAL JUDGMENT AND QUIET TITLE** was made pursuant to FRCP 5(b) and electronically transmitted to the Clerk’s Office using CM/ECF system for filing and transmittal to all interested parties.

Edward D. Boyack, Esq.
Richard E. Haskin, Esq.
Boyack Orme & Anthony
7432 W. Sahara Avenue, Suite 101
Las Vegas, Nevada 89117

Attorneys for The Arbors Owners’ Association

/s/ Erin Spencer
An employee of AKERMAN LLP