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STATE OF NEW MEXICO COUNTY OF CHAVES FIFTH JUDICIAL DISTRICT COURT

AUG 1 3 2007

KATHRYN HILL

GLORIA MONTOYA, CLERK

Plaintiff.

riaiiii:

CV-2007- 096

THE FOLLOWING NAMED PERSONS IF LIVING, OR IF DECEASED, THEIR UNKNOWN HEIRS:

THE HEIRS OF DELIA HILL.

BEATRICE HATCH, LLOYD EARL HATCH, MARY LEE DAVIS, JOYCE FANSLER, ERNIE SMITH,

LLOYD HILL, ERNIE MEARL HILL, JANETTE LAUWERYS, EVON BROCK, WANDA BASS, VERNA MAY SPANOL, PAT INGERSOLL, CHARLES INGERSOLL, MARK INGERSOLL, STEVEN INGERSOLL, REBECCA MUMA.

ALLINE MALONE, FAYE BURCHETTE, MEARLINE JANSSEN,

VERNON HILL, SHARON DEARDORFF, DELIA HILL-MODER, JERRY HILL,

GEORGE NORRIS and OPAL NORRIS.

ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISES ADVERSE TO THE PLAINTIFF, IF LIVING, OR IF DECEASED. THEIR UNKNOWN HEIRS,

Defendants.

Before the City Conservation Division

Refore the Exhibit No. Jeurn 13963, 2007

Parallel Cast August 23, 2007

Hearing: August 23, 2007

## AGREED JUDGMENT OF QUIET TITLE

THIS CAUSE having come before the Court:

#### PARTIES APPEARING

1. Plaintiff, Kathryn Hill, appearing by and through her attorney of record, Law Offices of R. Matthew Bristol.

- 2. Defendant Opal Norris, being represented by her attorney of record, Kelly Mack Cassels of Sanders, Bruin, Coll & Worley.
- 3. Defendants, Lloyd Earl Hatch, Mary Lee Davis, Joyce Fansler and Emie Smith, being represented by their attorney of record, Marion J. Craig III.
- 4. Defendants, Sharon Deardorff, Delia-Hill Moder and Jerry Hill, being represented by their attorney of record, A.J. Olsen of Hennighausen & Olsen, LLP.
- 5. Defendants Faye Burchett and Mearline Janssen, being represented by their attorney of record, A.D. Jones of Jennings & Jones, LC.
- 6. Defendants Ernie Mearl Hill, Janette Lauwerys, Kathy Evon Brock, Wanda Bass, Verna May Spanol, Charles Ingersoll, Mark Ingersoll, Steven Ingersoll, Rebecca Lynn Muma, being represented by their attorney of record, Phillip T. Brewer.

#### PARTIES NOT APPEARING

7. Any and all Unknown Heirs and all Unknown Claimants of Interest, have totally failed to enter an appearance, or file an answer, or respond to the Complaint on file herein and more than 30 days have elapsed since the Defendants were properly served. These Defendants are hereby in default.

#### IT IS ORDERED, ADJUDGED AND DECREED THAT:

8. Venue and Jurisdiction are proper in this Court. The Court has jurisdiction of the parties.

- 9. The mineral rights which are the subject matter of this suit are in Chaves County to wit:

  3/4 only of the minerals underlying NE1/4 of Section 7, N1/2

  SW1/4 and S1/2 NW1/4 of Section 8, Township 15 South, Range
  25 East, N.M.P.M.
  - 10. All parties of record are in agreement as to this Judgment.
- 11. Defendant, Opal Norris, has paid her proportionate share of Plaintiff's attorney's fees and costs prior to this Agreed Judgment of Quiet Title being entered herein.
- 12. Defendants, Lloyd Earl Hatch, Mary Lee Davis, Joyce Fansler and Ernie Smith, shall pay their proportionate share of Plaintiff's attorney's fees and costs within five (5) days of this Agreed Judgment of Quiet Title being entered herein.
- 13. Defendants Faye Burchett and Mearline Janssen, shall pay their proportionate share of Plaintiff's attorney's fees and costs, as agreed upon by and between such parties, within five (5) days of this Agreed Judgment of Quiet Title being entered herein.
- 14. Defendants Ernie Mearl Hill, Janette Lauwerys, Kathy Evon Brock, Wanda Bass, Verna May Spanol, Charles Ingersoll, Mark Ingersoll, Steven Ingersoll, Rebecca Lynn Muma, have paid their proportionate share of Plaintiff's attorney's fees and costs prior to this Agreed Judgment of Quiet Title being entered herein.
- 15. Plaintiff, Kathryn Hill, has paid Vernon Hill's (deceased) proportionate share of attorney's fees and costs prior to this Agreed Judgment of Quiet Title being entered herein.

#### **OUIET TITLE**

16. Title is quieted to the 3/4 mineral interest underlying the above described lands as the parties' sole and separate property as set forth in Exhibit A.

17. All persons' respective title to the 3/4 mineral interest is forever quieted against the unknown heirs and unknown claimants.

18. Title in fee simple absolute in the persons herein is quieted against all other claimants.

19. The sole and separate interests of the persons herein in the premises are hereby declared and established in and to the above described 3/4 mineral interests and is hereby declared fee simple absolute, and that the claims of the persons herein are hereby declared and established to be superior to the interest of any other claimant herein, and all persons claiming under or through them, and that all persons bound by these proceedings are barred, foreclosed and forever estopped from having or claiming any lien upon or any right, title, or interest to the property described herein, adverse to the persons herein, and that the sole and separate title of the persons herein to the 3/4 mineral interest is hereby forever quieted and set at rest.

PASTEVEN L. BELL DISTRICT COURT JUDGE

Submitted by:

LAW OFFICES OF R. MATTHEW BRISTOL

R. Matthew Bristol

P.O. Box 2929

Roswell, New Mexico 88202-2929

(505) 625-5284

Attorney for Plaintiff

Agreed to by: SANDERS, BRUIN, COLL & WORLEY, PA

**Approved** 

Kelly Mack Cassels PO Box 550 Roswell, NM 88202-0550 (505) 622-5440 Attorney for Opal Norris

Agreed to by: MARION J. CRAIG III PC

Approved

Marion J. Craig III
PO Box 1436
Roswell, NM 88202-1436
(505) 622-1106
Attorney for Descendants of Beatrice Hatch

Agreed to by: JENNINGS & JONES, LC

#### Approved

A.D. Jones PO Box 1180 Roswell, NM 88202-1180 (505) 622-8432 Attorney for Descendants of Alline Malone

Agreed to by: PHIL BREWER, ATTORNEY

Approved

Phillip T. Brewer PO Box 298 Roswell, NM 88202-0298 (505) 625-0298 Attorney for Descendants of Lloyd Hill Approved as to form: HENNIGHAUSEN & OLSEN, LLP

Approved

A.J. Olsen
Robert J. McCrea
PO Box 1415
Roswell, NM 88202-1415
(505) 624-2463
Attorney for Vernon Hill's Children

# DIVISION OF DELIA HILL'S REMAINING 3/4 MINERAL INTEREST

Transferee or Descendant	Fractional Interest		Decimal Interest	Net Mineral Acres
Opal Norris, surviving Joint tenant	1/5	1/5	0.20	48
Vernon Hill, deceased	1/5	1/5	0.20	48
Lloyd Earl Hatch	1/12 x 3/5	1/20	0.05	12
Mary Lee Davis	1/12 x 3/5	1/20	0.05	12
Joyce Fansler	1/12 x 3/5	1/20	0.05	12
Earnest Smith	1/12 x 3/5	1/20	0.05	12
Faye Burchette	1/12 x 3/5	1/20	0.05	12
Mearline Janssen	1/12 x 3/5	1/20	0.05	12
Ernie Hill	1/12 x 3/5	1/20	0.05	12
Janette Lauwerys	1/12 x 3/5	1/20	0.05	12
Kathy Evon Brock	1/12 x 3/5	1/20	0.05	12
Wanda Bass	1/12 x 3/5	1/20	0.05	12
Verna May Spanol	1/12 x 3/5	1/20	0.05	12
Charles William Ingersoll	1/4x1/12x3/5	1/80	0.0125	3
Mark Allen Ingersoll	1/4x1/12x3/5	1/80	0.0125	3
Steven Ingersoll	1/4×1/12×3/5	1/80	0.0125	3
Rebecca Lynn Muma	1/4x1/12x3/5	1/80	0.0125	3

### **EXHIBIT A**