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**IN THE THIRD DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH**

KATSANEVAS ENTERPRISES INC., a Utah
corporation,

Plaintiff,

v.

THOMAS W. ELLSBECK, an individual; EMMA
SPIVEY ELLSBECK, an individual; THE HEIRS
OF THOMAS W. ELLSBECK, deceased; THE
HEIRS OF EMMA SPIVEY ELLSBECK, deceased;
DAVIS BROTHERS, a co-partnership; THE
PARTNERS, HEIRS, SUCCESSORS, AND
ASSIGNS OF DAVIS BROTHERS, a co-
partnership; DOES 1-10; and ALL OTHER
PERSONS UNKNOWN, CLAIMING ANY RIGHT,
TITLE, ESTATE, OR INTEREST IN, OR LIEN
UPON THE REAL PROPERTY DESCRIBED IN
THE PLEADING ADVERSE TO PLAINTIFF'S
OWNERSHIP, OR CLOUDING ITS TITLE
THERETO,

Defendants.

**DEFAULT JUDGMENT
QUIETING TITLE**

Civil No. 260906208

Judge STEPHEN NELSON

This matter came before the Court on Plaintiff Katsanevas Enterprises Inc.'s Motion for
Default Judgment against all Defendants (the "Motion"). The Court, having reviewed the

Motion, the supporting declaration, the Complaint, and the record in this action, and good cause appearing, finds as follows:

1. Plaintiff Katsanevas Enterprises Inc. (“Plaintiff”) filed its Complaint in this action seeking to quiet title to the real property described in this Judgment (the “Property”) against Thomas W. Ellsbeck, an individual; Emma Spivey Ellsbeck, an individual; the Heirs of Thomas W. Ellsbeck, deceased; the Heirs of Emma Spivey Ellsbeck, deceased; Davis Brothers, a co-partnership; the Partners, Heirs, Successors, and Assigns of Davis Brothers, a co-partnership; Does 1-10; and All Other Persons Unknown, Claiming Any Right, Title, Estate, or Interest in, or Lien upon the Real Property Described in the Pleading Adverse to Plaintiff’s Ownership, or Clouding Its Title Thereto (collectively, the “Defendants”).

2. On August 11, 2026, the Court entered its Order Granting Ex Parte Motion to Serve by Publication (the “Order”), authorizing Plaintiff to serve the Defendants by publishing the summons in the Deseret News, a newspaper of general circulation in Salt Lake County, once a week for two consecutive weeks, and on the public legal notice website. The Order provided that service would be effective as of the date of first publication, and that any response to the Complaint was required to be filed twenty-one (21) days after the date of that first publication.

3. Pursuant to the Order, the summons was published in the Deseret News on August 21, 2026, and August 28, 2026, and was posted on the public legal notice website, as shown by the Return of Service of Summons by Publication and the Affidavit of Publication on file with the Court. Service of the Summons and Complaint upon all Defendants was complete on August 21, 2026.

4. More than twenty-one (21) days have elapsed since the date of first publication. No Defendant has answered or otherwise responded to the Complaint or appeared in this action, and the time for the Defendants to do so has expired. The default of each of the Defendants has been entered pursuant to Rule 55(a) of the Utah Rules of Civil Procedure.

5. Plaintiff seeks no monetary relief in this action. Nothing in the record indicates that any Defendant is a minor, an incompetent person, or a person in the military service of the United States.

6. By reason of their default, the Defendants have admitted the allegations of the Complaint. Those allegations establish that Plaintiff and its predecessors-in-interest is the actual and proper owner of the Property, and have occupied, used, controlled, improved, and maintained the Property together with Plaintiff's adjoining property, for at least twenty consecutive years before the commencement of this action; that the Property was omitted from the deeds of conveyance to Plaintiff and its predecessors-in-interest by mistake, inadvertence, or scrivener's error; that no Defendant has been seised or possessed of the Property for more than twenty years before the commencement of this action; and that any claim of the Defendants to the Property has been abandoned, waived, vacated, or released and is not a valid claim.

7. Plaintiff is the rightful owner of the Property, and Plaintiff's title to the Property is superior to any right, title, estate, lien, or interest claimed by the Defendants, or any of them. Plaintiff is entitled to judgment quieting title to the Property in its name.

Based on the foregoing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. Judgment is entered in favor of Plaintiff Katsanevas Enterprises Inc. and against each of the Defendants on Plaintiff's Complaint.

2. The judgment creditor, or grantee, is Katsanevas Enterprises Inc., a Utah corporation. The judgment debtors, or grantors, are the Defendants, namely Thomas W. Ellsbeck, an individual; Emma Spivey Ellsbeck, an individual; the Heirs of Thomas W. Ellsbeck, deceased; the Heirs of Emma Spivey Ellsbeck, deceased; Davis Brothers, a co-partnership; the Partners, Heirs, Successors, and Assigns of Davis Brothers, a co-partnership; Does 1-10; and All Other Persons Unknown, Claiming Any Right, Title, Estate, or Interest in, or Lien upon the Real Property Described in the Pleading Adverse to Plaintiff's Ownership, or Clouding Its Title Thereto (collectively, the "Defendants").

3. The real property that is the subject of this Judgment is located in Salt Lake City, Salt Lake County, Utah, and is more particularly described as follows (the "Property"):

A parcel of land, situate in Lot 3 and Lot 4 of Block 96, Plat 11, Salt Lake City Survey Plat "A", also situate in the South Half of Section 36, Township 1 North, Range 1 West, Salt Lake Base and Meridian, in Salt Lake County, Utah. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest Corner of said Lot 4, said point is also the intersection of the westerly block line of said Block 96 and the extension of the southerly boundary line of property described in Warranty Deed in favor of BOARD OF EDUCATION OF SALT LAKE CITY recorded as Entry No. 822265 in Book 211 of Deeds at Page 162 in the Office of the Salt Lake County Recorder, said point is 383.84 feet N.00°01'05"W. along the monument line of 300 West Street (US-89) and 67.97 feet N.89°58'55"E. from the found Salt Lake City Street Monument at the intersection of 300 West Street (US-89) and North Temple Street) (Basis of Bearing is N.00°01'05"W. along the monument line of 300 West Street

(US-89) between the found Salt Lake City Street Monuments at the intersection of North Temple Street and 300 North Street); and running thence along the northerly lot line and its extension of said Lot 4 and the southerly boundary line and it's extension of said described property in favor of BOARD OF EDUCATION OF SALT LAKE CITY N.89°58'41"E. 247.57 feet; thence S.00°01'11"E. 4.00 feet to a point in the extension of and existing chain link fence line; thence along said existing chain link fence line and it's extension S.89°58'41"W. 247.57 feet to a point in the westerly block line of said Block 96, said point is also in the easterly right of way line of 300 West Street (US-89); thence along said westerly block line and said easterly right of way line N.00°01'08"W. 4.00 feet to the point of beginning.

The above described parcel of land contains 990 square feet or 0.02 acre in area, more or less.

4. Title to the Property is quieted in Plaintiff Katsanevas Enterprises Inc., a Utah corporation, as the sole owner of the Property in fee simple. Plaintiff's title to the Property is superior to any right, title, estate, lien, or interest claimed by the Defendants, or any of them, in or to the Property.

5. The Defendants, and each of them, and all persons claiming by, through, or under them, have no right, title, estate, lien, or interest in or to the Property or the improvements thereon, or any part thereof, and are forever barred and enjoined from asserting any right, title, estate, lien, or interest in or to the Property adverse to Plaintiff.

6. This Judgment may be recorded in the Office of the Salt Lake County Recorder, showing the Defendants as grantors and Katsanevas Enterprises Inc. as grantee. The recording of this Judgment with the Salt Lake County Recorder shall be effective to vest fee simple title to the Property in Katsanevas Enterprises Inc., and no one else.

7. This Judgment resolves all claims against all parties in this action and is a final judgment. Because no Defendant has appeared in this action, and this Judgment adjudicates title to real property only, this Judgment may be recorded immediately upon entry as allowed by Rule 62(a) of the Utah Rules of Civil Procedure.

END OF ORDER

(Date, court signature, and court seal appear at the top of the first page)