

**OBTAINING TITLE TO AN ABANDONED  
VEHICLE ON PRIVATE PROPERTY**

# OBTAINING A NEW TITLE TO A VEHICLE ABANDONED ON PRIVATE PROPERTY

## **IMPORTANT DISCLOSURE:**

This set of forms and instructional material has not been approved for use in any Court and is provided as a courtesy only. Any entity distributing these materials will have no liability for errors contained herein or for direct, indirect, special or consequential damages in connection with the furnishing of this material.

*Representation by licensed counsel is ALWAYS recommended in any legal matter.*

## **BEFORE YOU START:**

Read the forms carefully. The information requested is required, not optional.

You must attempt to contact the titled owner of the vehicle. The Petition requires that you explain how you have attempted to contact the titled Owner and proof must be provided regarding your attempts. For instance, by certified mail with a return receipt to the last known address of the titled owner.

You will need the market value of the vehicle either through Kelly Blue Book or by having it appraised. That information is also required in the Petition.

When filling out the forms use black ink, print neatly, and do not use white out on the forms.

The set of forms consists of:

Civil Cover sheet

Affirmation Form

Petition for Writ of Mandamus

Request for Submission

Judgment

Some definitions:

- \*Petitioner: The person making this Petition for a title to be issued to them.
- \*Respondent Owner: The legal owner of the vehicle from whom Petitioner wishes to gain title.
- \*Respondent: The Director of the Nevada Department of Motor Vehicles, currently is Troy Dillard,  
but , ALWAYS CHECK [www.dmvnv.com](http://www.dmvnv.com).

(The Director of DMV must be named because the Judgment is going to direct the DMV to issue the new title if your request is granted.)

Filling in the forms:

On the Civil Cover Sheet, fill in the information under PART Y INFORMATION:

- \*Your name, address and date of birth go on the Plaintiff side.
- \*The names of the Respondents go on the Defendants side. You do not have to fill in addresses and dates of birth for the Respondents
- \*Date and sign at the bottom of the form

On the Petition for Writ of Mandamus:

- \*Leave the Case No. and Dept. No. blank. The filing clerk will fill in the Case No. and Dept. No. when you file the case.
- \*Fill in the names of the Plaintiffs and Defendants.
- \*Fill in the blanks on the form. The form must be signed in the presence of a Notary Public.

On the Request for Submission:

- \*Fill in the form and sign. This form does not need to be notarized.

**On the Judgment Form:**

**\*Fill in the description of the vehicle, i.e. make, model, VIN, color, etc.**

**\*On line 21, fill in the name of the current Director of DMV.**

**\*Fill in your name and address as indicated.**

**\*DO NOT FILL IN THE DATE. The Judge will fill in the date when he/she signs the Judgment.**

The Affirmation form is filled out the same as the others.

Make 3 copies of the documents and take the original and the copies to the Filing Clerk's Office. The Clerk will charge you a fee to file (as of October 2011 \$255.00—check with the Court Clerk about fee). For the amount to file the documents, call the Clerk's Office.

The Clerk will keep the originals and return the copies to you EXCEPT for the Judgment. The clerk will keep all of the Judgment forms.

You will need to check with the Clerk's Office to determine the status of the documents and whether they have been signed by a Judge. You will return to the Clerk's Office and pay a fee to have the Judgment certified.

You then take the certified copy of the documents to the Department of Motor Vehicles (DMV) and after paying the DMV fees, a certificate of title to the vehicle should be issued.

# CIVIL COVER SHEET

County, Nevada

Case No. \_\_\_\_\_

*(Assigned by Clerk's Office)*

## I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): _____ _____	Defendant(s) (name/address/phone): _____ _____
Attorney (name/address/phone): _____ _____	Attorney (name/address/phone): _____ _____

## II. Nature of Controversy

*(Please check applicable bold category and applicable subcategory, if appropriate)*

**Arbitration Requested**

### Civil Case Filing Types

Real Property	Torts	
<input type="checkbox"/> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> <b>Title to Property</b> <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> <b>Condemnation/Eminent Domain</b> <input type="checkbox"/> <b>Other Real Property</b> <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<p style="text-align: center;">Negligence</p> <input type="checkbox"/> <b>Negligence -- Auto</b> <input type="checkbox"/> <b>Negligence -- Medical/Dental</b> <input type="checkbox"/> <b>Negligence -- Premises Liability</b> (Slip/Fall) <input type="checkbox"/> <b>Negligence -- Other</b>	<input type="checkbox"/> <b>Product Liability</b> <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> <b>Intentional Misconduct</b> <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> <b>Employment Torts</b> (wrongful termination) <input type="checkbox"/> <b>Other Torts</b> <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> <b>Summary Administration</b> <input type="checkbox"/> <b>General Administration</b> <input type="checkbox"/> <b>Special Administration</b> <input type="checkbox"/> <b>Set Aside Estates</b> <input type="checkbox"/> <b>Trust/Conservatorships</b> <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> <b>Other Probate</b>  Estimated Estate Value: _____	<input type="checkbox"/> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> <b>Breach of Contract</b> <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> <b>Civil Petition for Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> <b>Appeal from Lower Court</b> <i>(also check applicable civil case box)</i> <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil appeal <input type="checkbox"/> <b>Civil Writ</b> <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment - Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recover of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

***Business Court filings should be filed using the Business Court civil coversheet.***

Date \_\_\_\_\_

Signature of initiating party or representative \_\_\_\_\_

*See other side for family-related case filings.*

1 Case No. \_\_\_\_\_

2 Dept. No. \_\_\_\_\_

3 The undersigned hereby affirms that  
4 this document does not contain the  
5 social security number of any person.

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IN THE 7TH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WHITE PINE

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10 \_\_\_\_\_,  
Petitioner,

11 v.

PETITION FOR WRIT OF MANDAMUS

12 \_\_\_\_\_,  
Owner Respondent

13 and

14

15 \_\_\_\_\_,  
Respondent  
Director of Motor Vehicles  
State of Nevada

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1. At all relevant times, Petitioner was, and now is, a resident of the City of

19

\_\_\_\_\_, \_\_\_\_\_ County, State of Nevada.

20

2. At all relevant times, Respondent \_\_\_\_\_,  
(Name)

21

hereinafter referred to as Respondent Owner, was, and now is, a resident of the City of

22

\_\_\_\_\_, \_\_\_\_\_ County, State of \_\_\_\_\_.

23

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3. At all relevant times, Respondent \_\_\_\_\_ was, and still is,  
(Name)

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Director of Motor Vehicles of the State of Nevada.

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1 4. Since \_\_\_\_\_, vehicle has been located on private property of Petitioner  
(Date)

2 \_\_\_\_\_ and continues to be located on such property at:  
(Name)

3 \_\_\_\_\_  
(Address of location of vehicle)

4  
5 ***On the lines below, fully describe the vehicle. Give VIN#, model, color, year, whether running***  
6 ***or not, license plate number, and market value of the vehicle.***

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14 5. On the above mentioned date, Respondent Owner \_\_\_\_\_  
15 (Name)  
16 left the above described vehicle on the property.

17 ***On the lines below, fully describe in detail the circumstances under which the vehicle***  
18 ***was left on your property***

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6. I have tried to contact the Respondent Owner in the following manner:

*On the lines below, describe in detail how and when you have tried to contact the Respondent Owner. Attach copies of any evidence you have of your attempts to contact the Respondent Owner.*

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7. Petitioner is unable to sell or use the vehicle without obtaining a Nevada certificate of title and has no plain, speedy and adequate remedy in the ordinary course of the law other than by the issuance of this court of a Judgment.

*Check all boxes below that apply to your circumstances.*

A storage lien is not appropriate because:

- Vehicle was abandoned on private land owned by petitioner and remains on this land.
- Petitioner did not charge respondent owner fees for storage on the private land.
- Vehicle was not towed or moved to any garage, facility, or other place to be stored.

A mechanic's lien is not appropriate because:

- Vehicle was not towed or moved to any garage, facility, or other place to be repaired or maintained.

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Respondent owner did not request that any labor be performed on vehicle, or materials provided for maintenance by any person.

WHEREFORE, Petitioner requests that:

1. Petitioner be decreed the owner of the vehicle free and clear of any claims of respondent owner.

2. Respondent \_\_\_\_\_, as Director of Motor Vehicles  
(Name)  
of the State of Nevada be compelled, by issuance of a Judgment to recognize the petitioner as the owner of the vehicle and to issue a certificate of title to petitioner on payment by the petitioner of the usual fees; and

3. Petitioner may have such other relief as the court may deem proper.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)  
\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
(Telephone)

SUBSCRIBED and SWORN to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public)

VERIFICATION AND ACKNOWLEDGEMENT

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STATE OF NEVADA     )  
  ) ss:  
COUNTY OF            )

\_\_\_\_\_ , being first duly sworn, under penalties of perjury, deposes  
(Your Name)  
and says:

I am the Plaintiff in the attached Complaint for Annulment action; that I have read the foregoing document and am competent to testify of its contents of my own knowledge and the contents are true of my own knowledge except for those matters stated therein on information and belief, and, as to those matters, I believe them to be true.

\_\_\_\_\_  
(Signature)

SUBSCRIBED and SWORN to before me

This \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEVADA     )  
  ) ss:  
COUNTY OF            )

On this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared before me, the undersigned, a Notary Public in and for the County of \_\_\_\_\_, State of Nevada, \_\_\_\_\_, personally known to me or proved to me, to be the person whose name is subscribed to the attached instrument who acknowledged that (he/she) \_\_\_\_\_ executed the attached instrument.

\_\_\_\_\_  
NOTARY PUBLIC

1 Case No. \_\_\_\_\_

2 Dept. No. \_\_\_\_\_

3 The undersigned hereby affirms that  
4 this document does not contain the  
5 social security number of any person.

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6 \_\_\_\_\_

7 IN THE 7TH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8 IN AND FOR THE COUNTY OF WHITE PINE

9 \_\_\_\_\_,  
10 Petitioner,

11 v.

**REQUEST FOR SUBMISSION OF  
PETITION**

12 \_\_\_\_\_,  
13 Owner Respondent

13 and

14 \_\_\_\_\_,  
15 Respondent  
16 Director of Motor Vehicles  
17 State of Nevada

18 \_\_\_\_\_ /

18 It is requested that the petition for \_\_\_\_\_

19 \_\_\_\_\_

20 \_\_\_\_\_, which was filed on the \_\_\_\_\_ day of

21 \_\_\_\_\_, 20\_\_\_\_, in the above-entitled matter be submitted to the Court

22 for decision.

23 The undersigned certifies that a copy of this request has been mailed to all counsel of  
24 record.

25 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

26 \_\_\_\_\_  
27 (Signature)

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1 Case No. \_\_\_\_\_

2 Dept. No. \_\_\_\_\_

3 The undersigned hereby affirms that  
4 this document does not contain the  
5 social security number of any person.

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IN THE 7TH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WHITE PINE

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10 \_\_\_\_\_,  
Petitioner,

11

v.

**JUDGMENT**

12

\_\_\_\_\_,  
Owner Respondent

13

and

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15

\_\_\_\_\_  
Respondent  
Director of Motor Vehicles  
State of Nevada

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This matter having come before the Court on a petition for a Writ of Mandamus filed by  
18 Petitioner requesting a new title to the vehicle described therein as \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_ ; and

20

This Court finding that it is appropriate to issue such a judgment hereby orders as follows:

21

It is hereby ordered that \_\_\_\_\_ in his/her capacity as Director of  
22 the Department of Motor Vehicles of the State of Nevada issue a Certificate of Title to

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Name: \_\_\_\_\_

24

Address: \_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

for the vehicle above described.

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Date: \_\_\_\_\_

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\_\_\_\_\_  
District Court Judge