

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA.

IN THE MATTER OF THE ESTATE OF
WILLIAM S. YATES, ALSO KNOWN AS
W.S. YATES, DECEASED.

No. 525

FILED: May 28, 1938.

By ED. DELANEY, Clerk.
McNAMARA & ROBBINS
Elko, Nevada
Deputy Attorneys for Executor.

DECREE APPROVING AND SETTLING FIRST AND FINAL ACCOUNT AND OF DISTRIBUTION

Comes now FRANKLIN S. YATES, the Executor of the above-entitled Estate, and proves to the satisfaction of the Court that his first and final account and report of his administration of said Estate was filed in the office of the Clerk of the above-entitled Court on the 5th day of May, 1938; that on the same day the Clerk of this Court appointed the 28th day of May, 1938, at the hour of ten o'clock A.M., for the hearing thereof; and said account, report and petition coming on regularly to be heard on this the 28th day of May, 1938, and there having been filed herein affidavit of the posting of the notice of said hearing, together with the affidavit of the publication of the notice of said hearing, under the terms of an order heretofore made and entered, and no person appearing to contest or object to same, and proof having been made to the satisfaction of the Court that due and legal notice of the hearing of said account and petition has been given in the manner and for the time required by law;

IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED, that due and legal notice of the hearing of said account and petition has been given as required by law to all persons interested in said Estate.

After hearing the evidence upon the matters and things contained in said account and report, wherefrom it appears that said account is in all respects true and correct as rendered, and that the residue of cash in the hands of the Executor at the time of filing said account was the sum of \$1,769.63;

And it further appearing that all claims filed against said Estate have been paid in full, and there remains for the Executor to pay certain charges and expenses of administration, together with an attorneys' fee to be paid to McNAMARA & ROBBINS, of Elko, Nevada, as reported in said account and report;

IT IS, THEREFORE, HEREBY ORDERED, ADJUDGED AND DECREED, that said first and final account of said Executor is approved, allowed and settled as rendered, and that all things done by him as said Executor are approved and confirmed as reported.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that due and legal notice to creditors has been given according to law, and that more than three months have elapsed since the first publication thereof.

IT IS HEREBY FURTHER ORDERED that said Executor pay forthwith the following sums as reported in said account and report as being due and payable:

To McNAMARA & ROBBINS, for cash advanced for items as reported,	\$72.00
To W.A.REINKEN, C.A.SEWELL, and H.L. BARTLETT of Elko, Nevada, the sum of \$10.00 each for services rendered as appraisers for said Estate,	30.00
To W.A.REINKEN, for expenses and services as appearing in said account and report, the further sum of	25.00

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the sum of \$1000.00, be, and the same is hereby fixed as a reasonable attorney's fee to be paid to McNAMARA & ROBBINS, of Elko, Nevada, for legal services rendered in connection with said Estate, and said Executor is ordered and directed to pay said sum to said attorneys.

From the proofs taken in support of said petition for distribution, it appears that said Executor was duly and regularly appointed as such by order of the above-entitled Court on the 2nd day of September, 1937, and thereupon letters testamentary were issued to said Executor, and that ever since said time he has been and is now the duly appointed, qualified and acting Executor of said Estate;

That thereafter said Executor caused to be made and returned to this Court, in the manner and form as provided by law, a true inventory and appraisal of the Estate of said Deceased which had come to his knowledge and possession.

Said Executor, in open Court, waived all right to any fees and commissions to which he would be entitled as Executor of said Estate according to law.

And it further appearing that the above-named Decedent died testate on or about the 20th day of June, 1937, in the County of Fremont, State of Idaho, and that at the time of his death he was a resident of the County of Eureka, State of Nevada;

And it further appearing from the last will and testament of said Decedent, heretofore admitted to probate in this Court, and as reported by said Executor in his said first and final account, that the devisees and legatees and heirs-at-law mentioned in said will, and their respective interest therein, are as follows:

RUTH WINEFRED HARMON CHISHOLM, 429 So. 3rd St., Silverton, Ore., a specific bequest of \$1,000.00;

MILTON FRANKLIN HARMON, Kalama, Washington, a specific bequest of \$1,000.00;

MRS. LUCY TAYLOR, Kalama, Washington, a specific bequest of \$2,000.00;

That also, by the terms of said last will and testament, said Decedent devised and bequeathed all of the rest, residue and remainder of his property, both real and personal, to FRANKLIN S. YATES, Palisade, Nevada, Executor herein.

The Court being satisfied that the Estate is now in condition to be closed and that there will be no further costs or expense, save the cost and expense of the publication of the notice of the final hearing on said account and petition and the recording fees for recording the certified copy of this Decree in the Counties of Eureka, Elko and Washoe, Nevada, which the Executor has agreed to assume.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said Executor pay forthwith the above-mentioned specific legacies, totaling the sum of \$4,000.00.

Said Executor is hereby authorized to convert into cash four certain Home Owner's Loan Corporation bonds, described in the inventory and appraisal heretofore filed in connection with this Estate and as accounted for in said Executor's account and report, and to use the proceeds of such conversion to pay the above specific bequests.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the rest, residue and remainder of said Estate, both real and personal property, together with any other property which may belong to said Decedent, or to his said Estate, or in which said Decedent or said Estate may have any interest, or which may hereafter be discovered, be distributed to FRANKLIN S. YATES, of Palisade, Nevada.

The rest, residue and remainder of said Estate herein distributed to the said FRANKLIN S. YATES, is as follows:

REAL PROPERTY

Elko County, Nevada:

Lots 13 and 14, Block 7, Elko, Nevada, and improvements;

Washoe County, Nevada:

North 80 feet of Lot 1, and north 80 feet of the West 44 feet of Lot 2, Block 7, Southern Addition to Reno, Nevada, and improvements.

PERSONAL PROPERTY

200 shares Wells Power Co. common, Cert. No. 27,
1000 shares Wells Power Co., Preferred 7%, No. 140,
1000 shares Wells Power Co., Preferred 7%, No. 27,
10 shares Arnold Mortuary, Inc., Cert. No. 73,
38 shares North Coast Insurance Investors Inc. Ltd., Common, Cert. No. TCL 196,
35 shares North Coast Insurance Investors Inc. Ltd., Preferred, Cert. No. TPL 195,
240 shares Pacific States Life Insurance Co., Cert. No. 7214,
100 shares Safety First Metal Tie Co., Cert. No. 382,
200 shares Elko Drill Co., Cert. No. 135,
1193.98 shares Henderson Banking Company Mortgage Corporation, Cert. No. 2339,
2000 shares Calvada Superior Oil Co., Cert. No. 414.

PROMISSORY NOTES

W.S. Dupont to W.S. Yates, dated July 20, 1927, interest at rate of 8% per annum, paid to January 1, 1937; balance due on principal in the sum of \$5,000.00. Secured by mortgage on Lots 23 and 24, Block 1, Elko, Nevada, recorded in Book 11 of Real Mortgages, Pages 453-454, records of Elko County, Nevada.

George W. Goodfellow, to W.S. Yates, dated January 24, 1932, interest at rate of 7% per annum, in principal sum of \$500.00.

LIVESTOCK, ETC.

148 head cows and weaners,
2 bulls,
11 work horses,
4 saddle horses
4 unbroken horses
Machinery and equipment.

IT IS HEREBY FURTHER ORDERED, that upon the filing by said Executor of receipts from the various devisees and legatees, and upon the recording in the offices of the County Recorders of the Counties of Eureka, Elko and Washoe, Nevada, of a certified copy of this Decree, that said Executor shall be discharged from his trust.

Done in open Court this 28th day of May, 1938.

EDGAR EATHER
DISTRICT JUDGE.

STATE OF NEVADA,)
 COUNTY OF EUREKA.) ss.

I, ED DELANEY, County Clerk and Ex-Officio Clerk of the District Court of the Third Judicial District of the State of Nevada, in and for the County of Eureka, do hereby certify that the annexed is a full, true and correct copy of DECREE APPROVING AND SETTLING FIRST AND FINAL ACCOUNT AND OF DISTRIBUTION IN THE MATTER OF THE ESTATE OF WILLIAM S. YATES, ALSO KNOWN AS W.S.YATES, DECEASED, as the same appears on file and of record in my office.

WITNESS my hand and the seal of said Court affixed this 28th day of May A.D., 1938.

(SEAL OF COURT)

Ed. Delaney Clerk.

Recorded at the request of McNamara & Robbins May 28, A.D. 1938 At 15 minutes past 11 A.M.

Peter Merialdo---- Recorder.