

File No. 27090.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO.

IN THE MATTER OF THE ESTATE OF)
THOMAS GRIFFIN,)
DECEASED.)

NO. 963
FILED: November 5, 1947.
Mae E. Caine
CLERK

McNAMARA & ROBBINS
Elko, Nevada
Attorneys for Petitioner.

DECREE TERMINATING LIFE ESTATE AND
OF DISTRIBUTION

Comes now JAMES J. GRIFFIN, one of the residuary devisees and legatees in the last will and testament of the above-named Deceased, and entitled to share in the final distribution of the above-entitled Estate, and proves to the satisfaction of the Court that his petition for a decree terminating the life estate heretofore created in the above-entitled matter and for final distribution under the terms of the decree of distribution heretofore entered on March 12, 1931, has heretofore been filed with the Clerk of the above-entitled Court, and was duly set and noticed for hearing for October 29, 1947, in the manner and for the time prescribed by law and by order of the Court filed herein on this the 30th day of October, 1947, and duly continued to this date at two o'clock P.M., and the matter now coming on regularly to be heard, and there having been filed herein the affidavit of posting of said notice as required by law, and there having also been filed the written admissions of service, waiver of notice and consents, signed by all of the residuary devisees and legatees, and being all of the persons interested in said Estate, and there being present in Court the said petitioner and JOHN E. ROBBINS, ESQ., of his counsel, and no person appearing to contest or object to the hearing of said petition, and proof having been made to the satisfaction of the Court that due and legal notice had been given to all persons interested in said Estate according to law;

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

After hearing the testimony submitted in support of said petition the Court finds that Kate Griffin, the life tenant named in the Decree of Distribution filed in the above-entitled proceeding on March 12, 1931, died in Elko County, Nevada, on February 18, 1946, and that her life estate, right, title and interest in and to the property embraced in said life estate terminated on her said death.

The Court finds that the said petitioner, in his own behalf, and in behalf of all of the other residuary devisees and legatees waived any accounting of the said life tenant in the said life estate.

The Court further finds that there are no taxes of any name, nature, kind or description due or payable against the property of said Estate.

The Court further finds that there are no creditors or unpaid claims against the said THOMAS GRIFFIN or the said KATE GRIFFIN, or the estates of either of them.

The petitioner and his attorney, in open Court, informed the Court that all costs, including attorney fees, incident to the distribution of said Estate, would be paid by the said residuary devisees and legatees, and no order in that regard was requested or asked of the Court, and for that reason no order is made as to costs and attorney fees.

The Court further finds that the said life estate having terminated, that the rest, residue and remainder of the said Estate is subject to distribution under the terms of the

decree of distribution heretofore entered in the above-entitled proceedings on March 12, 1931, and under the terms of the last will and testament of the above-named Deceased and the said KATE GRIFFIN, life tenant.

The Court further finds that of the specific legacies to be paid under the terms of the said decree of distribution and said last will and testament, the specific legacy in the sum of \$5,000.00, payable to VIRGINIA CATHERINE GRIFFIN SAUERS, has been paid in full, as represented by the receipts and vouchers filed herein.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the said Estate be finally distributed as follows:

To HELEN GRIFFIN BIELAR, the sum of \$5,000.00;
 To JOHANNA MARGARET GRIFFIN RADELINGER, the sum of \$5,000.00;
 To JOHN C. GRIFFIN, the sum of \$5,000.00;
 To NORA CATHERINE GRIFFIN BARREDO, the sum of \$2,000.00

All of the rest, residue and remainder of said Estate, after the payment of the above-specific legacies, and as hereinafter described, be distributed to WILLIAM B. GRIFFIN, JAMES J. GRIFFIN, CHARLES J. GRIFFIN and ALLEN T. GRIFFIN, share and share alike.

The real and personal property so distributed is described as follows:

REAL PROPERTY

(LANDS IN ELKO COUNTY, NEVADA)

IN TOWNSHIP 32 NORTH, RANGE 52 EAST, M. D. B. & M.

Section 5: SE $\frac{1}{4}$ of SE $\frac{1}{4}$;
 Section 8: E $\frac{1}{2}$ of NE $\frac{1}{4}$; NE $\frac{1}{4}$ of SE $\frac{1}{4}$; SE $\frac{1}{4}$ of SW $\frac{1}{4}$;
 Section 10: SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
 Section 14: SW $\frac{1}{4}$ of NW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$;
 Section 17: E $\frac{1}{2}$; E $\frac{1}{2}$ of NW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$;
 Section 24: SW $\frac{1}{4}$ of SW $\frac{1}{4}$;

IN TOWNSHIP 33 NORTH, RANGE 52 EAST, M. D. B. & M.

Section 25: S $\frac{1}{2}$ of N $\frac{1}{2}$; N $\frac{1}{2}$ of SW $\frac{1}{4}$;
 Section 26: Fractional SW $\frac{1}{4}$ of NE $\frac{1}{4}$; E $\frac{1}{2}$ of SE $\frac{1}{4}$;
 Fractional S $\frac{1}{2}$ of SW $\frac{1}{4}$;
 Section 27: SE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$;

IN TOWNSHIP 33 NORTH, RANGE 53 EAST, M. D. B. & M.

Section 20: S $\frac{1}{2}$ of S $\frac{1}{2}$;
 Section 28: N $\frac{1}{2}$ of NW $\frac{1}{4}$;
 Section 29: All (Except R/W)
 Section 30: N $\frac{1}{2}$ of S $\frac{1}{2}$; S $\frac{1}{2}$ of NW $\frac{1}{4}$; SW $\frac{1}{4}$ of NE $\frac{1}{4}$;
 Less S.P., W. P., and P.F.E. R/W and Terminals, ponds, etc. (about 206) 2274 acres.

(LANDS IN EUREKA COUNTY, NEVADA)

IN TOWNSHIP 32 NORTH, RANGE 52 EAST, M. D. B. & M.

Section 20: W $\frac{1}{2}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$;

IN TOWNSHIP 32 NORTH, RANGE 51 EAST, M. D. B. & M.

Section 4: SW $\frac{1}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$; 360 acres above described.

The following described lots situate in the Town of Carlin, County of Elko, State of Nevada, as shown upon the official plat thereof on file in the office of the County Recorder of the County of Elko, State of Nevada, to-wit:

Lots 20 to 24, inclusive, Block A;
 Lots 13 to 20, inclusive, Block G;
 Lots 13 to 23, inclusive, Block F;
 Lots 5 to 24, inclusive, Block O;
 Southerly half of Lots 3 and 4, Block O.

PERSONAL PROPERTY

Cash on hand in the approximate sum of \$30,000.00

700 head of cattle, more or less.

40 head of horses, more or less.

Farming machinery and equipment, motor vehicles, harness and saddles, household furniture and fixtures, hay and feed and personal property of every name, nature, kind and description situate upon any of the above lands, and used in connection with the operation of the livestock and ranching business conducted under said life estate, together with the following brands:

That certain brand made thus: **TG** of record in the 1946 Nevada Brand Book, Page 75, square 7.

Also that certain brand made thus: **T** of record in the 1946 Nevada Brand Book, Page 132, square 8.

The Court further finds that under the terms of the last will and testament of the above-named Deceased, which was a joint will by the said THOMAS GRIFFIN and the said KATE GRIFFIN, all property, real, personal or mixed owned by the said THOMAS GRIFFIN and said KATE GRIFFIN, was declared by them to be community property, and the Court so finds. The Court further finds that under the terms of the said last will and testament it was further provided that the rest, residue and remainder of the property not specifically disposed of was to be divided, share and share alike among their children, WILLIAM B. GRIFFIN, JAMES J. GRIFFIN, CHARLES J. GRIFFIN and ALLEN T. GRIFFIN.

IT IS, THEREFORE, FURTHER ORDERED, ADJUDGED AND DECREED, that any property, either real or personal, not now known or discovered, which may belong to the above estate, or the said THOMAS GRIFFIN, or the said KATE GRIFFIN, or in which the said estate, or the said THOMAS GRIFFIN, or the said KATE GRIFFIN may have any interest, or which may be hereafter discovered, be distributed share and share alike to the said WILLIAM B. GRIFFIN, JAMES J. GRIFFIN, CHARLES J. GRIFFIN and ALLEN T. GRIFFIN.

IT IS FURTHER ORDERED that a certified copy of this decree be filed for record in the office of the County Recorder of the Counties of Elko and Eureka, State of Nevada.

Done in open Court this 30th day of October, 1947.

TAYLOR H. WINES

DISTRICT JUDGE.

State of Nevada)
County of Elko.) ss.

I, MAE E. CAINE, County Clerk and Ex-Officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed is a full, true and correct copy of DECREE TERMINATING LIFE ESTATE AND OF DISTRIBUTION IN THE MATTER OF THE ESTATE OF THOMAS GRIFFIN, DECEASED, Probate No. 963, as the same appears on file and of record in my office.

WITNESS my hand and the Seal of said Court affixed this 5th day of November, A.D. 1947.

Mae E. Caine-----Clerk.

(Clerk of Court Seal)

Recorded at the request of McNamara & Robbins Nov. 28 A.D. 1947 At 0 minutes past 9 A.M.

Peter Merialdo----Recorder.