

File No. 34050

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

No. 2162

IN THE MATTER OF THE ESTATE)
OF)
CHARLES J. GRIFFIN, ALSO KNOWN)
AS CHARLES JEFFERY GRIFFIN AND)
C. J. GRIFFIN,)
DECEASED)

FILED: March 6, 1959

_____, Clerk

LEO J. PUCCINELLI
ELKO, NEVADA
ATTORNEY FOR EXECUTRIX

ORDER APPROVING FIRST AND FINAL ACCOUNT AND DECREE OF DISTRIBUTION

Come now LEOTA S. GRIFFIN, Executrix of the Estate of CHARLES J. GRIFFIN, ALSO KNOWN AS CHARLES JEFFERY GRIFFIN AND C. J. GRIFFIN, deceased, by and through LEO J. PUCCINELLI, her attorney, and proves to the satisfaction of the Court that her First and Final Account and Petition for Distribution herein was rendered and filed on the third day of February, 1959; that due notice of the hearing thereof was given in the manner prescribed by law and that ORVILLE R. WILSON, attorney for the surviving partners of the above named deceased was present in Court; that no persons appeared to object to or contest said account and it appearing to the Court after hearing the evidence that said account is true and correct with the exception of the other funds that the said surviving partners have, since the filing of the petition, paid unto the Executrix in the sum of \$524.11 from partnership funds; that no claims have been presented against said estate and that none are due and payable, save and except as hereinafter set forth.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the said account be, and the same hereby is, as hereinbefore amended, in all respects, approved, allowed and settled in that the Executrix has accounted for all receipts obtained by her and for all other assets set forth in the inventory and appraisal heretofore filed.

IT FURTHER APPEARING TO THE SATISFACTION OF THE COURT that due and legal notice was given on the hearing of the First and Final Account and that all interested persons have heretofore waived notice of hearing of the Petition of Distribution as required by law; that all taxes upon the property of the estate have been fully paid and that the estate, subject to the imposition of a trust as hereafter provided, is in a condition to be closed and ready for distribution.

IT FURTHER APPEARING TO THE COURT that the above named deceased died testate on the 12th day of May, 1958 in Elko, Nevada and at the time of his death was a resident of the Town of Carlin, County of Elko, State of Nevada and that he left real and personal property situate in the County of Elko, State of Nevada and in the County of Eureka, State of Nevada all of which said property was of the appraised value of \$52,842.46; that said deceased left a will bearing date the 31st. of August, 1956 which said will was admitted to probate on the 13th day of June, 1958 in the above entitled Court and that Letters Testamentary issued to the petitioner on said date. That she has ever since said date been the duly appointed, qualified and acting Executrix of said estate; that under the terms of said will, the deceased devised and bequeathed all of the property with which he died seized or possessed to the Executrix herein, LEOTA S. GRIFFIN; that Notice To Creditors was given in the manner prescribed by law and that the Executrix in Open Court has waived any statutory right to fees and commissions; that there remains nothing for the Executrix to do or perform except to make distribution as provided in the Will of above named deceased.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED That all of the real and personal property hereinafter described and wherever situate be distributed as provided by the Will of the above named deceased to LEOTA S. GRIFFIN. That more particular, there be distributed to her, the said LEOTA S. GRIFFIN, the following real and personal property, more particularly described as follows, to-wit:-

Lots 8 and 9 in Block J of the Town of Carlin, County of Elko, State of Nevada, as the same appear upon the official map or plat of the said Town of Carlin on file in the Office of the County Recorder of Elko County, Nevada.

Together with all buildings and improvements situate thereon and all household furniture and fixtures situate therein.

ALL OF THE RIGHT, TITLE AND INTEREST OF THE ABOVE-NAMED DECEASED, BEING AN UNDIVIDED ONE-FOURTH ($\frac{1}{4}$) INTEREST, IN AND TO THE FOLLOWING LOTS, PIECES OR PARCELS OF LAND SITUATE IN THE TOWN OF CARLIN.

Lots 13, 14, 15, 16, 17 18, 19, 20, 21 22, and 23 in Block F of the Town of Carlin, County of Elko, State of Nevada, as the same appear upon the official map or plat of the said Town of Carlin on file in the office of the County Recorder of Elko, County, Nevada.

Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 in Block O of the Town of Carlin, County of Elko, State of Nevada, as the same appear upon the official map or plat of the said Town of Carlin, on file in the office of the County Recorder of Elko County, Nevada.

$S\frac{1}{2}$ of Lots 3 and 4 of Block O of the Town of Carlin, County of Elko, State of Nevada, as the same appear upon the official map or plat thereof on file in the Office of the County Recorder of Elko, County, Nevada.

Lots 13, 14, 15, 16, 17 and 18 of Block G of the Town of Carlin, County of Elko, State of Nevada, as the same appear upon the official map or plat of the Town of Carlin on file in the office of the County Recorder of Elko County, Nevada.

Lots 20, 21, 22, 23 and 24 in Block A of the Town of Carlin, County of Elko, State of Nevada as the same appear upon the official map or plat of the Town of Carlin, on file in the office of the County Recorder in Elko County, Nevada

ALL OF THE RIGHT, TITLE AND INTEREST OF THE ABOVE NAMED DECEASED, BEING AN UNDIVIDED ONE-FOURTH ($\frac{1}{4}$) INTEREST OR THE PARTNERSHIP INTEREST OF THE DECEASED, IN AND TO THE FOLLOWING LANDS SITUATE IN ELKO AND EUREKA COUNTIES AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IN TOWNSHIP 32 N - RANGE 52E - ELKO COUNTY

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

IN TOWNSHIP 32N - RANGE 52E - EUREKA COUNTY

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

IN TOWNSHIP 32N - RANGE 51E - EUREKA COUNTY

Section 4: $SW\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$

IN TOWNSHIP 33N - RANGE 52E - ELKO COUNTY

Section 20: $S\frac{1}{2}S\frac{1}{4}$
 Section 25: $S\frac{1}{2}N\frac{1}{4}$; $N\frac{1}{2}SW\frac{1}{4}$
 Section 26: $SW\frac{1}{4}NE\frac{1}{4}$; $E\frac{1}{2}SE\frac{1}{4}$; $S\frac{1}{2}SW\frac{1}{4}$
 Section 27: SE Corner of $SE\frac{1}{4}SE\frac{1}{4}$
 Section 28: $N\frac{1}{2}NW\frac{1}{4}$
 Section 29: All
 Section 30: $N\frac{1}{2}S\frac{1}{2}$; $S\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$; Less 20.155
 A. sold to Nevada Dept of Highways.

Together with any and all buildings and improvements situate thereon.

An undivided one-fourth interest, being the interest of the above named deceased in and to the partnership bank account in the First National Bank of Nevada, Elko Branch, Elko, Nevada, showing a total bank balance as of December 21, 1958 to be in the sum of \$25,463.31 less \$524.11 heretofore advanced from said partnership funds to the Executrix for her personal support and living expenses.

An undivided one-fourth ($\frac{1}{4}$) interest in and to the following described personal property, less any sales heretofore made:

250 head of cows	Farmall tractor
75 head of heifers	stacker
120 head of weiners	mowing machine
102 head of calves	buck rake
81 head of steers	buck rake
6 bulls	sled
2 milk cows	wagon
4 work horses	power mower
6 stock horses	wagon
125 tons of hay	hay rake
1948 Dodge Stock truck, used	hay rake
1941 GMC Dump Truck, used	hay rake
1958 Willys Pickup	Scoop

That all of the ranch properties, both real and personal, including the partnership bank account, above described, which the above named deceased owned in partnership with three (3) of his surviving brothers, namely: WILLIAM B. GRIFFIN, JAMES J. GRIFFIN AND ALLEN T. GRIFFIN of CARLIN, NEVADA, is hereby distributed to the Executrix, LEOTA S. GRIFFIN, subject to a trust herewith imposed on the said surviving brothers and partners in favor of the said LEOTA S. GRIFFIN, which said trust shall be subject to any and all lawful partnership liabilities as would affect the said LEOTA S. GRIFFIN'S interest.

IT BEING FURTHER ORDERED that said trust interest is reduced by the sum of \$524.11 previously paid to the said LEOTA S. GRIFFIN. That as to all other real and personal property not previously part of the partnership assets of the above named deceased, particularly Lots 8 and 9 in Block J of the Town of CARLIN, County of ELKO, State of NEVADA, together with all buildings and improvements situate thereon and all other properties situate in the Town of CARLIN, County of ELKO, State of NEVADA, the trust provision shall not apply.

It further Appearing to the Court that the Executrix having petitioned the court to set a reasonable attorney's fee for the services of LEO J. PUCCINELLI heretofore rendered to her, the court hereby finds that the sum of \$2,750.00 is a reasonable attorney's fee to be paid to the said LEO J. PUCCINELLI which said amount the Executrix is herewith ordered to pay prior to distribution. In addition thereto, the Executrix is ordered to pay unto the said LEO J. PUCCINELLI the sum of \$46.81 cost of administration heretofore advanced, by him, and a reasonable sum for all usual costs incurred in the closing and winding up of the said estate.

IT IS FURTHER ORDERED that the Executrix record in the office of the County Recorder of the County of Elko, State of Nevada and in the office of the County Recorder of the County of Eureka, State of Nevada, a certified copy of this Decree and that upon delivery of the property to the person entitled thereto as hereinabove provided, and upon filing true and proper vouchers and receipts in this Court, be fully and finally discharged from her trust as such Executrix.

DATED this 27th day of February, A. D., 1959.

Jon R. Collins
DISTRICT JUDGE

State of Nevada,)
) ss.
County of Elko,)

I, R. L. KANE, 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 APPROVING THE FIRST AND FINAL ACCOUNT AND DECREE OF DISTRIBUTION IN PROBATE NO. 2162 (GRIFFIN) as the same appears on file and of record in my office.

WITNESS my hand and the Seal of said Court affixed this 6th day of March, A.D., 1959.

R. L. Kane, Clerk

(Official Seal)

by Beulah McDermott
Deputy Clerk

Recorded at the request of Leo J. Puccinelli March 11, A.D., 1959 at 10 minutes past 1 P. M.

Willis A. DePaoli - Recorder