

File No. 39765

BOOK 4 PAGE 082

**STATE OF NEVADA,** } ss  
**COUNTY OF EUREKA.**

I, Joan Shangle County Clerk and ex-officio Clerk of the Third Judicial District Court of the State of Nevada, Eureka County, do hereby certify that the annexed is a full, true and correct copy of Judgment & Decree - No. 710 Estate of J.E.F. Gibellina as appears as of record and on file in my office.

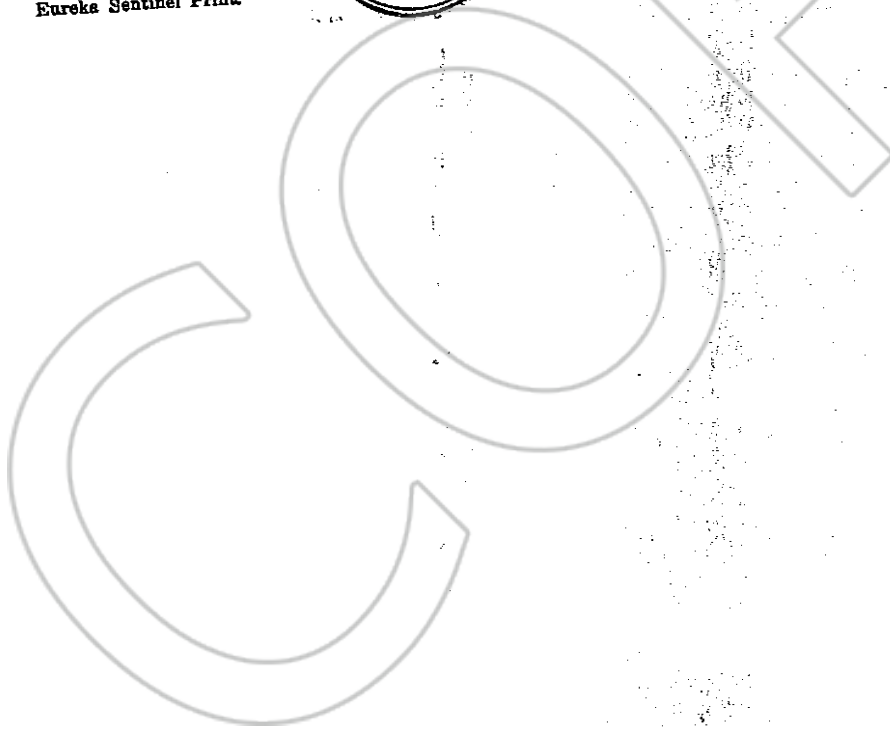
IN TESTIMONY WHEREOF, I have hereunto set my hand officially and affixed the Seal of said Court, at my office in the town of Eureka, this 16 day of April, A. D. 1964.

Joan Shangle, County Clerk,  
And ex-officio Clerk of the District Court, Eureka County.

By \_\_\_\_\_, Deputy.



Eureka Sentinel Print.



1 IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
2 IN AND FOR THE COUNTY OF EUREKA

3 \* \* \*

4 In the Matter of the Estate )  
5 of JOSEPHINE E. FLORIO GIBELLINI, )  
6 Deceased )

No. 710

*Filed April 16, 1964  
Jan. Shangi, Clerk*

7  
8 FINDINGS OF FACT, CONCLUSIONS OF LAW  
9 JUDGMENT AND DECREE

10 This matter having been submitted upon written briefs,  
11 the Court now makes its findings of fact, conclusions of law,  
12 decree, and judgment. Upon all of the papers, pleadings and  
13 proceedings heretofore had in this action, and being fully  
14 advised in the premises, the Court makes the following

15 FINDINGS OF FACT

16 1. The Decedent above-named was a resident of the  
17 Town of Eureka, County of Eureka, State of Nevada, and she  
18 passed away at East Ely, County of White Pine, State of  
19 Nevada, on November 29, 1962.

20 2. Said Decedent died intestate leaving her hus-  
21 band, LOUIS GIBELLINI, and her two adult daughters, SHARON  
22 LEA GIBELLINI and JANELLE Y. ETCHEVERRY, as her sole heirs-  
23 at-law.

24 3. Petitioner, ALICE AIMEE FLORIO, is a sister of  
25 the Decedent and a resident of the Town of Eureka, County of  
26 Eureka, State of Nevada.

27 4. On August 2, 1948, Decedent and Petitioner, as  
28 tenants in common, acquired fee title to the following de-  
29 scribed property, all situate in the Town of Eureka, County  
30 of Eureka, State of Nevada:  
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Lots Seven and Eight in Block Six; Lots Eight, Nine, and Ten in Block Fourteen, Lots Three in Block Thirty-Five; Also all that portion of Lot Seven in Block Fourteen, which is more particularly described as follows: Beginning at the SW corner of Lot Seven in Block Fourteen, thence N. 80°58'E. a distance of 54.56 ft. to the SE corner of Lot Seven, thence N. 14°43' W. along the East end line of Lot Seven, a distance of 13 ft., thence S.80°58'W. parallel with the South side line of Lot Seven to a point on the West end line of Lot Seven, thence S.10°58' E. along the West end line of Lot Seven, a distance of 13 ft. to the SW corner of Lot Seven, the place of beginning.

hereinafter called "said property," by virtue of the deed of JUDGE W. R. REYNOLDS, Trustee of said Eureka Townsite.

5. Said Trustee's Deed contains no language of survivorship or joint tenancy.

Upon the basis of the foregoing findings of fact, after due deliberation, and being fully advised in the premises, the Court draws the following

CONCLUSIONS OF LAW

1. Said Trustee's Deed created a tenancy in common and not a joint tenancy in said property.

2. Decedent's interest in said property descended to her heirs-at-law according to the law of intestate succession.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Petitioner's Petition for termination of interest of joint tenant be, and the same hereby is, denied, on the ground that the tenure is that of tenancy in common and not that of joint tenancy;

2. That each of the aforesaid heirs-at-law holds title to an undivided one-sixth (1/6) interest in and to said property as tenants in common with Petitioner; and

3. Petitioner holds title to an undivided one-half

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(1/2) interest in and to said property as a tenant in common with said heirs-at-law.

DATED this 14<sup>th</sup> day of April, 1964.

John F. Searles  
DISTRICT JUDGE

FILE NO. 39765

Filed for record at the request of Joan Shangle  
April 23, 1964, at 46 minutes past 2 P. M. Recorded in  
Book 4 of Official Records, page 82-85, Records of EUREKA  
COUNTY, NEVADA.

Fee: \$ 3.05 Willis A. McFarl Recorder.