

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

3 \_\_\_\_\_ ) No. 2679  
4 )  
5 In the Matter of the Estate of ) Filed: April 21, 1969.  
6 WILLIAM B. GRIFFIN, ) R. L. KANE, Clerk.  
7 Deceased. ) By Sharon M. Kane, Deputy.  
8 )  
9 \_\_\_\_\_ )

10 DECREE SETTling FIRST AND FINAL ACCOUNT  
11 AND PETITION FOR DISTRIBUTION

12 MURRAY A. McBRIDE and JOHN H. WALKER, Joint Administra-  
13 tors C.T.A. of the Estate of WILLIAM B. GRIFFIN, Deceased, having  
14 on the 3rd day of April, 1969, rendered and filed herein a full  
15 account and report of their administration of said Estate, which  
16 said Account was for a final settlement, and having with said  
17 Account filed a Petition for the final distribution of said Estate  
18 and hearing on said Account and Petition having been set for the  
19 16th day of April, 1969, at the hour of 10:00 A.M., and having  
20 duly and regularly come for hearing at said time, and proof  
21 having been made to the satisfaction of the Court that due and  
22 legal notice of the settlement of said Account and the hearing  
23 of said Petition for Distribution had been given as required by  
24 law and the Order of this Court;

25 THE COURT HEREBY FINDS:

- 26 1. That the First and Final Account is in all respects  
27 true and correct.  
28 2. That due and legal Notice to Creditors of said  
29 Estate has been given in the manner and for the time required by  
30 law.  
31 3. That said Joint Administrators C.T.A. posted bond,

1 pursuant to the Order of this Court, in the sum of \$500.00.

2 4. That all Creditors' Claims filed in said Estate  
3 have been withdrawn.

4 5. That the funeral expenses and costs of last illness  
5 have been paid.

6 6. That all taxes of every name or nature required to  
7 be paid by Decedent's Estate have been paid.

8 7. That WILSON and WILSON, Attorneys for said Estate,  
9 have not been paid any sum as fees, and a reasonable fee to be  
10 paid to said firm is the sum of \$2,097.90.

11 8. That the firm of WILSON and WILSON, as said Attorneys,  
12 has advanced the sum of \$76.54 as costs of administration and  
13 will incur necessary closing costs in the sum of \$39.50, and said  
14 firm is entitled to be reimbursed therefor.

15 9. That the Joint Administrators C.T.A. have waived  
16 payment of commissions from the Estate.

17 10. That FRED B. HARRIS, HUGH D. McMULLEN and JAMES M.  
18 OLIN, the Appraisers for said Estate, have not been paid their  
19 fees, and a reasonable sum to be paid to each of said Appraisers  
20 is the sum of \$50.00.

21 11. That ALLEN T. GRIFFIN, the surviving partner in  
22 possession of the partnership properties of Griffin Bros.,  
23 appeared at the hearing of the Petition for Distribution in the  
24 Estate of PEARL GRIFFIN, Deceased, immediately prior to the  
25 hearing of this Petition, together with his Accountant, HAYDEN  
26 HENDERSON, JR. and presented his accounting therein as surviving  
27 partner, from the date of death of JAMES J. GRIFFIN on March 13,  
28 1965, to April 16, 1969, which accounting was approved and  
29 confirmed by the Court therein, subject to examination by the  
30 Court of the written accounting to be filed therein by HAYDEN  
31 HENDERSON, JR. forthwith. That said accounting and the action of  
32 the Court thereon in all respects is adopted herein.

12. That pursuant to an agreement between Decedent and ALLEN T. GRIFFIN, Decedent's living expenses during his lifetime were paid from his share of the partnership monies, and other monies of his were retained in the partnership account, as reflected by the capital account of this Decedent in the said surviving partner's accounting.

That there should be drawn from the bank account of Griffin Bros. partnership, by the surviving partner, the sum of \$12,000.00 to be forthwith delivered to the Joint Administrators C.T.A. herein, to provide sufficient funds for the honoring of bequests and the payment of costs of administration.

That the surviving partner should then pay from his partnership account the bill of HAYDEN HENDERSON, JR. for services rendered, and if any monies then remain in such account, they should be delivered unto the Joint Administrators C.T.A. herein.

13. That pursuant to the terms of Decedent's Will, there was bequeathed unto HELEN BIELAR, Decedent's sister, the sum of \$3,000.00; unto VIRGINIA SAUER, Decedent's sister, \$3,000.00; and unto JUDY MAUST, now JUDY ANDERSON, \$3,000.00. These sums should be distributed to said respective legatees.

That said Decedent's Will, in addition, contained the following paragraph:

"SIXTH: All the rest, residue and remainder of my estate, real, personal and mixed, and wherever situate, I do hereby give, devise and bequeath, share and share alike, unto my brothers, JAMES GRIFFIN and ALLEN T. GRIFFIN, of Carlin, Nevada."

That ALLEN T. GRIFFIN is living, but JAMES GRIFFIN predeceased WILLIAM B. GRIFFIN, leaving as his lineal heirs, DONALD GRIFFIN, ROWENNA WALKER and MARGUERITE McBRIDE. That pursuant to NRS 133.200, these said persons are entitled to take the estate so given by Will unto JAMES GRIFFIN, in the same manner as the latter would have done if he had survived the Testator.

1           That DONALD GRIFFIN survived his father, JAMES GRIFFIN,  
2 but predeceased WILLIAM B. GRIFFIN. That RUTH GRIFFIN, Admini-  
3 stratrix of the Estate of DONALD GRIFFIN, Deceased, should receive  
4 the share said DONALD GRIFFIN would have received.

5           That ALLEN T. GRIFFIN is entitled to receive an undivided  
6 one-half of all the rest, residue and remainder of the properties  
7 comprising Decedent's Estate, as hereinafter described.

8           That said Estate is in all respects ready to be  
9 distributed.

10           WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

11           A. That due and legal notice of the hearing of said  
12 First and Final Account and Petition for Distribution was given  
13 as provided by law. That the First and Final Account of said  
14 Joint Administratrices C.T.A. be, and the same hereby is finally  
15 settled, allowed and approved.

16           B. That the surviving partner, ALLEN T. GRIFFIN, draw  
17 from the partnership bank account the sum of \$12,000.00, being a  
18 portion of Decedent's share of the Griffin Bros. partnership, and  
19 forthwith deliver the same to the Joint Administrators herein  
20 for the satisfaction of bequests and costs of administration.

21           C. That a reasonable fee of \$2,097.90 be allowed and  
22 paid unto the firm of WILSON and WILSON, Attorneys for said  
23 Estate, in full of its services.

24           D. That there be allowed and paid unto the firm of  
25 WILSON and WILSON, as said Attorneys, the sum of \$76.54 in full of  
26 costs of administration advanced by said Attorneys and necessary  
27 closing costs in the sum of \$39.50.

28           E. That no commissions be allowed unto MURRAY A.  
29 McBRIDE and JOHN H. WALKER, Joint Administrators C.T.A., for their  
30 services to said Estate.

31           F. That there be allowed and paid unto FRED B. HARRIS,  
32

1 HUGH D. McMULLEN and JAMES M. OLIN, Appraisers, the sum of \$50.00  
2 each.

3 G. That the accounting of ALLEN T. GRIFFIN, the  
4 surviving partner in possession of the partnership property of  
5 Griffin Bros., be, and the same hereby is ratified, approved  
6 and confirmed, subject to any subsequent Order of the Court made  
7 necessary by examination of the final written accounting to be  
8 filed herein.

9 H. That there be and hereby is distributed unto HELEN  
10 BIELAR the sum of \$3,000.00.

11 I. That there be and hereby is distributed unto  
12 VIRGINIA SAUER, also known as VIRGINIA SAUERS, the sum of  
13 \$3,000.00.

14 J. That there be and hereby is distributed unto JUDY  
15 ANDERSON, formerly JUDY MAUST, the sum of \$3,000.00.

16 K. That HAYDEN HENDERSON, JR. be paid his accounting  
17 fee, for rendering the account of the surviving partner, from  
18 the remaining monies on hand in the surviving partner's account  
19 by ALLEN T. GRIFFIN, and if any monies then remain in such account  
20 they shall be delivered unto the Joint Administrators herein for  
21 distribution as hereinafter provided.

22 L. That there be and hereby is distributed unto ALLEN  
23 T. GRIFFIN an undivided one-eighth (1/8th) interest; unto ROWENNA  
24 WALKER an undivided one-twenty-fourth (1/24th) interest; unto  
25 MARGUERITE McBRIDE an undivided one-twenty-fourth (1/24th)  
26 interest; and unto RUTH GRIFFIN, as Administratrix of the Estate  
27 of DONALD GRIFFIN, Deceased, an undivided one-twenty-fourth  
28 (1/24th) interest, in and to all of the rest, residue and  
29 remainder of Decedent's Estate, being the following real and  
30 personal property which had comprised an undivided one-fourth  
31 (1/4th) interest in Griffin Bros. partnership:

32



Township 32 North, Range 51 East, MDB&N

Section 4: SW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; Lot 11

Township 32 North, Range 52 East, MDB&N

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 $\frac{1}{4}$

EXCEPTING therefrom a strip of land 100 feet in width conveyed by GEORGE McINTOSH to WESTERN PACIFIC RAILWAY COMPANY by deed recorded June 25, 1906, in Book 29 of Deeds at page 100, Elko County, Nevada, records.

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 $\frac{1}{4}$

Section 17: ALL, excepting therefrom, a strip of

land 400 feet in width as reserved by CENTRAL PACIFIC RAILWAY COMPANY in Deeds to THOMAS GRIFFIN recorded in Book 23 of Deeds at page 756 and Book 38 of Deeds at page 7, Elko County, Nevada, records, and Book 18 of Deeds at page 367, Eureka County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 100 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 200 feet in width conveyed to WESTERN PACIFIC RAILWAY COMPANY by CENTRAL PACIFIC RAILWAY COMPANY in Deed recorded in Book 31 of Deeds at page 71, Elko County, Nevada, records and Book 16 of Deeds, page 108, Eureka County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 50 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

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

EXCEPTING therefrom a strip of land 400 feet in width over the W $\frac{1}{2}$ NW $\frac{1}{4}$  of said section conveyed by THOMAS GRIFFIN et ux, to CENTRAL PACIFIC RAILWAY COMPANY by deed recorded in Book 27 of Deeds at page 365, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 100 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY, recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom three strips of land 50 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

Section 24: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 33 North, Range 52 East, MDB&M

Section 25: S $\frac{1}{2}$ N $\frac{1}{2}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING therefrom a strip of land 100 feet in width lying within the S $\frac{1}{2}$ N $\frac{1}{2}$  of said Section 25, conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 200 feet in width lying within the S $\frac{1}{2}$ N $\frac{1}{2}$  of said Section 25, conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 225 feet in width in the S $\frac{1}{2}$ N $\frac{1}{2}$  of said Section 25, bounded on the Southerly side by the Northerly right of way line of the WESTERN PACIFIC RAILWAY COMPANY; bounded on the Northerly side by a line drawn parallel to said Northerly right of way line and 225 feet distant measured at right angles northerly therefrom; bounded on the west end by the west line of said Section 25 and bounded on the east end by a line drawn at right angles to said northerly right of way line and 1000 feet easterly from said west line of said Section 25 measured on the centerline of said strip together with a strip of land 80 feet in width extending northerly from the northerly boundary line of the parcel described above to the lands of Central Pacific Railway Company, as conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY recorded in Book 33 of Deeds at page 117, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom two parcels of land lying within the S $\frac{1}{2}$ N $\frac{1}{2}$  of said Section 25 conveyed by THOMAS GRIFFIN to CENTRAL PACIFIC RAILWAY COMPANY recorded in Book 41 of Deeds at page 295, said deed stating that the two parcels contain 2.759 acres.

Section 26: That portion of the SE $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$  lying southerly of the southerly boundary line of those parcels conveyed to the WESTERN PACIFIC RAILWAY COMPANY by THOMAS GRIFFIN, et ux, by deed recorded in Book 31 of Deeds at page 401; by WILLIAM GRIFFIN recorded in

Book 31 of Deeds at page 458, and southerly of the southerly boundary line of the parcel conveyed by THOMAS GRIFFIN to J. W. PUEIT by deed recorded in Book 28 of Deeds at page 459 all Elko County, Nevada, records.

EXCEPTING therefrom those three parcels of land lying in the S $\frac{1}{2}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$  of said Section 26 conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILROAD COMPANY by deeds recorded in Book 40 of Deeds at page 238 and in Book 44 of Deeds at page 233, all Elko County, Nevada, records.

Section 27: That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying southerly of that parcel conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY recorded in Book 31 of Deeds at page 401, Elko County, Nevada, records.

EXCEPTING therefrom those two parcels conveyed to the CENTRAL PACIFIC RAILWAY COMPANY by Deeds recorded in Book 35 of Deeds at page 278 and Book 47 of Deeds at page 345, Elko County, Nevada, records, which deeds state that the two parcels contain 1.092 acres.

Township 33 North, Range 53 East, MDB&M

Section 20: S $\frac{1}{2}$ S $\frac{1}{2}$

EXCEPTING therefrom a strip of land of varying widths conveyed by THOMAS GRIFFIN, et ux, to CENTRAL PACIFIC RAILWAY COMPANY recorded in Book 27 of Deeds at page 365, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land of varying width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY by deed recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom that parcel, along with all abutters rights, including access rights, conveyed by ALLEN T. GRIFFIN, et al, to STATE OF NEVADA recorded in Book 69 of Official Records at page 527, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 20 along with all abutters rights, including access rights, conveyed by ALLEN T. GRIFFIN, recorded in Book 69, Official Records, page 530, Elko County, Nevada.

Section 28: N $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPTING therefrom a strip of land 400 feet in width conveyed by THOMAS GRIFFIN, et ux, to CENTRAL PACIFIC RAILWAY COMPANY recorded in Book 27 of Deeds at page 365, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom a strip of land 200 feet in width conveyed by THOMAS GRIFFIN, et ux, to WESTERN PACIFIC RAILWAY COMPANY recorded in Book 29 of Deeds at page 98, Elko County, Nevada, records.



FURTHER EXCEPTING therefrom all that portion lying northeasterly of the Northerly boundary line of the CENTRAL PACIFIC RAILWAY COMPANY as conveyed by THOMAS GRIFFIN, et ux, to THE PACIFIC FRUIT EXPRESS COMPANY recorded in Book 31 of Deeds at page 615, Elko County, Nevada, records.

Section 29: All

EXCEPTING therefrom a strip of land 400 feet in width as reserved in Deed executed by CENTRAL PACIFIC RAILWAY COMPANY to THOMAS GRIFFIN, recorded in Book 38 of Deeds at page 7, Elko County, Nevada, records.

FURTHER EXCEPTING therefrom that strip of land lying in the N $\frac{1}{2}$  of Section 29 conveyed by CENTRAL PACIFIC RAILWAY COMPANY to WESTERN PACIFIC RAILWAY COMPANY recorded in Book 31 of Deeds at page 71, Elko County, Nevada, records.

Section 30: Lot 2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ); Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$ ); SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 33 North, Range 52 East, MDB&M

Section 27: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  lying southwesterly of Blocks "F" and "O" and southeasterly of the northerly line of Block "F" extended to the west line of the SE $\frac{1}{4}$  of said Section 27, excepting therefrom a parcel of land described as follows:

Beginning at the northwesterly corner of Block "F", Corner #1, thence southwesterly along the northerly line of Block "F" extended a distance of 250 feet to Corner #2; thence at right angles and southeasterly a distance of 100 feet to Corner #3; thence at right angles and northeasterly on a line which is the southerly boundary line of the N $\frac{1}{2}$  of Block "F" extended, a distance of 250 feet to Corner #4; being the southwest corner of Lot 12, Block "F", thence northwesterly along the western boundary line of said Lot 12 a distance of 100 feet to Corner No. 1 the P.O.B.

All that part of the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 27, Township 33 North, Range 52 East, lying southerly of Block "O" and "G", westerly of Block "N" and northerly of the northerly boundary line of the Western Pacific Railway Company.

That portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26, Township 33 North, Range 52 East, lying northerly of the northerly boundary line of the Central Pacific Railway Company's right of way line.

Real property situate in the Town of Carlin, County of Elko, State of Nevada, as follows:

Lots 20 thru 24, inclusive, Block A;  
 Lots 13 thru 23, inclusive, Block F;  
 Lots 13 thru 18, inclusive, Block G;  
 S $\frac{1}{2}$  of Lots 3 and 4, Block O;  
 Lots 5 thru 24, inclusive, Block O;

TOGETHER WITH all improvements situate thereon.

TOGETHER WITH all water, water rights, rights to the use of water, dams, ditches, canals, pipe lines, reservoirs and all other means for the diversion or use of waters appurtenant to the said property or any part thereof, or used or enjoyed in connection therewith, and together with all stockwatering rights used or enjoyed in connection with the use of any of said lands, and together with all range rights and grazing rights, and in particular, but without limitation thereto, all rights to graze livestock on the public domain under what is known as the Taylor Grazing Act, owned by Decedent, or used or enjoyed in connection with any of said property.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

PERSONAL PROPERTY OF GRIFFIN BROS.

Livestock:

103 Cows with big calves  
 106 Cows with little calves  
 73 Dry Cows  
 143 Yearling heifers and steers mixed  
 3 Bulls  
 All other livestock.

TOGETHER WITH all ranch equipment.

TOGETHER WITH Southern Pacific Lease No. M-2778.

TOGETHER WITH the brand TG, thus: TG.

TOGETHER WITH the brand Quartercircle T, thus: T.

TOGETHER WITH any and all accounts receivable and all claims of every name or nature possessed by said Griffin Bros. partnership, and together with any and all partnership property not herein specifically described.

SUBJECT TO any variations in distribution imposed by the surviving partner's final accounting to be filed herein.

Any remaining monies in the Griffin Bros. partnership account, after the payment of the Accountant's fee, are a portion of the share of this Decedent in said partnership. Said monies shall be and the same hereby are distributed one-half to ALLEN T. GRIFFIN, and to ROWENNA WALKER, MARGUERITE McBRIDE, and RUTH GRIFFIN, Administratrix of the Estate of DONALD GRIFFIN, Deceased, each one-sixth thereof.

M. That any and all other real and personal property of any name or nature not hereinabove described and within the jurisdiction of the above-entitled Court, in which said Estate shall have an interest and whether now known or not, be and the same hereby is distributed as follows: an undivided one-half interest unto ALLEN T. GRIFFIN; and an undivided one-half interest, share and share alike, unto ROWENNA WALKER, MARGUERITE McBRIDE, and RUTH GRIFFIN, Administratrix of the Estate of DONALD GRIFFIN, Deceased.

N. That upon filing receipts showing distribution in accordance herewith, the Joint Administrators C.T.A. be discharged from their trust and their bond exonerated.

DONE IN OPEN COURT on the 16th day of April, 1969, and this written Decree signed on this 21st day of April, 1969.

STATE OF NEVADA, }  
COUNTY OF ELKO. } ss.

GEORGE F. WRIGHT  
DISTRICT JUDGE.

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 SETTLING FIRST AND FINAL ACCOUNT AND PETITION FOR DISTRIBUTION, In the Matter of the Estate of WILLIAM B. GRIFFIN, Deceased, Probate No. 2679, as the same appears on file and of record in my office.



WITNESS my hand and the seal of said court affixed this 21st day of April, A.D., 19 69.

R. L. Kane, Clerk.

By Sharon Marks, Deputy Clerk.

ELKO INDEPENDENT PRINT

RECORDED AT THE REQUEST OF  
Orville R. Wilson  
on April 22 19 69  
at 48 mins. past 10 A. M.  
in Book 28 of OFFICIAL  
RECORDS, page 486-496 RECORDS  
OF EUREKA COUNTY, NEVADA  
Sharon Marks  
Recorder **49078** 13.00  
File No.            Fee           

Wilson and Wilson  
Attorneys At Law  
Elko, Nevada