

62908

No. 559

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

FILED

1977 FEB 25 PM 1:34

CLERK *R. K. King*

DEPUTY

In the Matter of the Estate of
JOHN L. BROWN,

Deceased.

ORDER SETTING ASIDE AN ESTATE
WITHOUT ADMINISTRATION

MABEL FLORENCE BROWN having filed herein a Petition to set aside an Estate of less than \$10,000.00 without administration, on February 7, 1977, and notice of hearing of said Petition having been duly given as required by law, and said Petition having been set for hearing on February 25, 1977, at 1:00 P.M., and having been duly and regularly heard at said time in the Courtroom of the Elko County Courthouse, Elko, Nevada, and oral and documentary evidence having been introduced in support of the Petition, and the Court having been duly advised in the premises;

THE COURT HEREBY FINDS AS FOLLOWS:

That the above Petition was filed in lieu of probate proceedings commenced in the above entitled Court on June 17, 1971, under File No. 2792. That circumstances prevented the Estate being closed in a timely manner; however, due to changes in the law since that time, it is believed that the estate matters may be best handled under a Petition to Set Aside without Administration; that Petitioner is the surviving wife of JOHN L. BROWN,

WILSON, WILSON AND BARROWS, LTD.
Attorneys at Law
P. O. Box 389
Elko, Nevada 89801

1.

1 Deceased, who died in Elko County, Nevada, on May 14, 1970,
 2 leaving an estate in the Counties of Elko, Nye, Eureka and White
 3 Pine, State of Nevada; that there were no liens or encumbrances
 4 of record on any of the properties comprising Decedent's Estate;
 5 that the value of Decedent's one-half interest in said property
 6 was less than \$10,000.00; that said property was the community
 7 property of Decedent and MABEL FLORENCE BROWN, his surviving
 8 wife.

9 That the property hereinafter described comprising
 10 Decedent's Estate should be set aside unto MABEL FLORENCE BROWN,
 11 surviving wife, for her support.

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

13 That the following described property comprising
 14 Decedent's Estate be, and the same hereby is assigned and set
 15 apart unto MABEL FLORENCE BROWN for her support, as the owner
 16 thereof:

- 17 A. An undivided one-half interest in the ISI Brand registered
 18 with the State Department of Agriculture, shown on page 114
 19 of Nevada Brands.
- 20 B. An undivided one-half interest in all minerals, oil, gas and
 21 hydrocarbon substances conveyed to the Decedent by Quitclaim
 22 Deed dated February 10, 1950, from OSCAR RUDNICK and LIBBIE
 23 RUDNICK, his wife, FILBERT ETCHEVERRY and NORMA ETCHEVERRY,
 24 his wife, and SAM RUDNICK, a single man, and OSCAR RUDNICK,
 25 SAM RUDNICK and FILBERT ETCHEVERRY, doing business as
 26 EUREKA LIVESTOCK COMPANY, a copartnership, which Quitclaim
 Deed has been placed of record in Book 64, Deeds, page 422,
 Elko County Recorder's Office; Book 164, Mining Deeds Record,
 page 233, White Pine County Recorder's Office; Book 56, Deeds,
 page 70, Nye County Recorder's Office; and Book 24, Deeds,
 page 109, Eureka County Recorder's Office. A copy of said
 Deed is attached hereto and made a part hereof, marked
 Exhibit A, and contains a full description of said property.

27 That a certified copy of this Order shall be placed
 28 of record in the County Recorder's Office in the Counties of
 29 Elko, Nye, Eureka and White Pine, State of Nevada.

30 DONE IN OPEN COURT and this written Order signed this
 31

WILSON, WILSON AND BARROWS, LTD.
 Attorneys at Law
 P. O. Box 389
 Elko, Nevada 89601

2.

1 25th day of February, 1977.

JOS. O. McDANIEL
DISTRICT JUDGE.

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STATE OF NEVADA,
COUNTY OF ELKO.

} ss.

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 ORDER SETTING ASIDE AN ESTATE WITHOUT ADMINISTRATION,
In the Matter of the Estate of JOHN L. BROWN, No. 559,
as the same appears on file and of record in my office.



WITNESS my hand and the seal of said court affixed

the 25th day of February, A.D. 1977.

R. L. Kane, Clerk

By _____ Deputy Clerk

ELKO INDEPENDENT PRINT

WILSON, WILSON AND BARROWS, LTD.
Attorneys at Law
P. O. Box 329
Elko, Nevada 89601

3.

QUITCLAIM DEED

EXHIBIT A

IN CONSIDERATION of the sum of Ten Dollars and other valuable consideration, the receipt of which is hereby acknowledged, the undersigned OSCAR RUDNICK and LIBBIE RUDNICK, his wife, FILBERT ETCHEVERRY and NORMA ETCHEVERRY, his wife, and SAM RUDNICK, a single man, and OSCAR RUDNICK, SAM RUDNICK and FILBERT ETCHEVERRY, doing business as EUREKA LIVESTOCK COMPANY, a copartnership, hereinafter called Grantors or First Parties, do hereby remise, release and quitclaim to JOHN L. BROWN, hereinafter called Grantee or Second Party, an undivided one-sixth of the right, title and interest of the First Parties in and to the minerals, oil, gas, and hydrocarbon substances within and underlying the following described real property located in the Counties of Eureka and Elko, White Pine and Nye, in the State of Nevada, and more particularly described as follows:

EUREKA COUNTYTOWNSHIP 21 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 35 $SE\frac{1}{4}$ of $NE\frac{1}{4}$; $NE\frac{1}{4}$ of $SE\frac{1}{4}$
 Section 36 $SW\frac{1}{4}$ of $NW\frac{1}{4}$; $NW\frac{1}{4}$ of $SW\frac{1}{4}$

TOWNSHIP 22 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 24 $E\frac{1}{2}$ of $NE\frac{1}{4}$

TOWNSHIP 22 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 8 $NW\frac{1}{4}$ of $SE\frac{1}{4}$
 Section 19 Lots 3 and 4 of $SW\frac{1}{4}$, or $W\frac{1}{2}$ of $SW\frac{1}{4}$; $SE\frac{1}{4}$ of $SW\frac{1}{4}$
 Section 30 $NE\frac{1}{4}$ of $NW\frac{1}{4}$; Lot 1 of $NW\frac{1}{4}$, or $NW\frac{1}{4}$ of $NW\frac{1}{4}$; Lot 2 of $NW\frac{1}{4}$, or $SW\frac{1}{4}$ of $NW\frac{1}{4}$; Lot 3 of $SW\frac{1}{4}$, or $NW\frac{1}{4}$ of $SW\frac{1}{4}$; Lot 4 of $SW\frac{1}{4}$, or $SW\frac{1}{4}$ of $SW\frac{1}{4}$

TOWNSHIP 20 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 13 $SW\frac{1}{4}$ of $SE\frac{1}{4}$; $NE\frac{1}{4}$ of $SW\frac{1}{4}$

TOWNSHIP 23 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 2 $W\frac{1}{2}$ of Lot 11
 Section 13 $N\frac{1}{2}$ of $SW\frac{1}{4}$
 Section 14 $N\frac{1}{2}$ of $S\frac{1}{2}$
 Section 24 $SW\frac{1}{4}$ of $NE\frac{1}{4}$; $N\frac{1}{2}$ of $SW\frac{1}{4}$; $SW\frac{1}{4}$ of $SW\frac{1}{4}$
 Section 26 $NW\frac{1}{4}$ of $NE\frac{1}{4}$
 Section 27 $NE\frac{1}{4}$ of $SE\frac{1}{4}$

TOWNSHIP 23 NORTH, RANGE 52 EAST, M.D.B.&M.

Section 19 Lots 5 and 9

TOWNSHIP 24 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 36 $NE\frac{1}{4}$ of $SE\frac{1}{4}$

TOWNSHIP 24 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 1 $SW\frac{1}{4}$ of $SW\frac{1}{4}$
 Section 2 $E\frac{1}{2}$ of $SE\frac{1}{4}$
 Section 11 $NE\frac{1}{4}$ of $NE\frac{1}{4}$
 Section 12 $NW\frac{1}{4}$ of $NW\frac{1}{4}$; $S\frac{1}{2}$ of $NW\frac{1}{4}$; $E\frac{1}{2}$ of $SW\frac{1}{4}$
 Section 13 $E\frac{1}{2}$ of $NW\frac{1}{4}$

TOWNSHIP 25 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 34 $N\frac{1}{2}$ of $NE\frac{1}{4}$; $SE\frac{1}{4}$ of $NE\frac{1}{4}$
 Section 35 $SW\frac{1}{4}$ of $NW\frac{1}{4}$
 Section 36 $SW\frac{1}{4}$ of $NE\frac{1}{4}$; $S\frac{1}{2}$ of $NW\frac{1}{4}$; $N\frac{1}{2}$ of $SE\frac{1}{4}$; $SE\frac{1}{4}$ of $SE\frac{1}{4}$

ELKO COUNTYTOWNSHIP 29 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 19 $N\frac{1}{2}$ of $NE\frac{1}{4}$; $SW\frac{1}{4}$ of $NE\frac{1}{4}$; $E\frac{1}{2}$ of $NW\frac{1}{4}$; Lots 1 and 2 of $NW\frac{1}{4}$

TOWNSHIP 30 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 34 $SW\frac{1}{4}$ of $SW\frac{1}{4}$

TOWNSHIP 29 NORTH, RANGE 54 EAST, M.D.B.&M.

Section 24 Lot 1 of $NE\frac{1}{4}$; $SE\frac{1}{4}$ of $NW\frac{1}{4}$; $SW\frac{1}{4}$ of $NE\frac{1}{4}$

TOWNSHIP 32 NORTH, RANGE 57 EAST, M.D.B.&M.

Section 30 $NE\frac{1}{4}$ of $NE\frac{1}{4}$; $SW\frac{1}{4}$ of $SE\frac{1}{4}$; $NE\frac{1}{4}$ of $SW\frac{1}{4}$

WHITE PINE COUNTYTOWNSHIP 14 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 12 $S\frac{1}{2}$ of $NE\frac{1}{4}$; $NW\frac{1}{4}$ of $SE\frac{1}{4}$; $N\frac{1}{2}$ of $SW\frac{1}{4}$; $SW\frac{1}{4}$ of $SW\frac{1}{4}$
 Section 13 $W\frac{1}{2}$ of $NE\frac{1}{4}$; $NW\frac{1}{4}$ of $SW\frac{1}{4}$
 Section 14 $S\frac{1}{2}$ of $SE\frac{1}{4}$
 Section 23 $NW\frac{1}{4}$ of $NE\frac{1}{4}$; $E\frac{1}{2}$ of $E\frac{1}{2}$
 Section 25 $S\frac{1}{2}$ of $NW\frac{1}{4}$; $N\frac{1}{2}$ of $SW\frac{1}{4}$; $SE\frac{1}{4}$ of $SW\frac{1}{4}$
 Section 26 $NE\frac{1}{4}$ of $NE\frac{1}{4}$
 Section 36 $E\frac{1}{2}$ of $W\frac{1}{2}$

TOWNSHIP 17 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 5 $SW\frac{1}{4}$ of $SE\frac{1}{4}$
 Section 14 $NW\frac{1}{4}$ of $NE\frac{1}{4}$

TOWNSHIP 18 NORTH, RANGE 55 EAST, M.D.B.&M.

Section 7 $SE\frac{1}{2}$ of $SW\frac{1}{4}$

TOWNSHIP 18 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 28 $NE\frac{1}{4}$ of $NW\frac{1}{4}$

NYE COUNTYTOWNSHIP 11 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 1 $W\frac{1}{2}$ of $SW\frac{1}{4}$
 Section 2 $E\frac{1}{2}$ of $SE\frac{1}{4}$
 Section 11 $NE\frac{1}{4}$ of $NE\frac{1}{4}$
 Section 12 $NW\frac{1}{4}$

TOWNSHIP 13 NORTH, RANGE 56 EAST, M.D.B.&M.

Section 1 $SW\frac{1}{4}$ of $NE\frac{1}{4}$; Lot 3, or $NE\frac{1}{4}$ of $NW\frac{1}{4}$; $W\frac{1}{2}$ of $SE\frac{1}{4}$
 Section 12 $W\frac{1}{2}$ of $E\frac{1}{2}$
 Section 13 $E\frac{1}{2}$ of $E\frac{1}{2}$
 Section 24 $E\frac{1}{2}$ of $E\frac{1}{2}$
 Section 25 $E\frac{1}{2}$ of $E\frac{1}{2}$
 Section 36 $E\frac{1}{2}$ of $E\frac{1}{2}$

TOWNSHIP 14 NORTH, RANGE 43 EAST, M.D.B.&M.

Section 23 $W\frac{1}{2}$ of $SE\frac{1}{4}$

TOWNSHIP 15 NORTH, RANGE 53 EAST, M.D.B.&M.

Section 23 $SW\frac{1}{4}$ of $NE\frac{1}{4}$
 Section 28 $NE\frac{1}{4}$ of $NW\frac{1}{4}$

It is the intention of the parties hereto that there shall be conveyed by this deed to the Second Party, one-sixth of the right, title and interest of the First Parties in and to the minerals, oil, gas and hydrocarbon substances, and in the event First Parties own less than 100% of the minerals in any parcel or parcels of land above described, then in that event Second Party shall receive only one-sixth of the fractional interest owned by the First Parties.

This conveyance is made subject to any and all leases affecting said mineral interests, if any, and in the event any of the parcels of land above described are so leased, the Second Party herein shall be entitled to receive one-sixth of the royalties that may be payable on First Parties' interest in said properties, and one-sixth of all other moneys, considerations or things of value which may hereafter be made by the lessee or others under the terms and conditions of any such lease, and for any renewal, modification, extension, or for the cancellation, surrender and termination thereof, in so far as the same affects the First Parties' interest therein.

The grantee herein, as the owner through this conveyance of one-sixth of the mineral rights in said land, shall be entitled to, and shall receive one-sixth of any and all bonus, rental, royalty or other benefits that may be paid for any future oil and gas or mining leases covering the mineral interests in the real property referred to in this deed, or any portion thereof.

It is expressly provided that the interest hereby conveyed is chargeable with its proportionate share of all deductions for taxes and other costs incident to oil, gas and mineral rights permitted to be withheld by the lessee under any existing or future oil and gas or mining leases, and said interest is likewise chargeable with its proportionate share of any oil, gas

and mineral rights taxes and taxes based on the severance or production of said substance that the owners of the mineral rights may be required to pay.

The terms and provisions of this mineral deed shall be binding upon and shall inure to the benefit of the heirs, administrators, representatives, successors and assigns of the First Parties and the grantee herein.

This mineral deed is made without warranties or representations of any kind or nature, including but not limited to warranties or representations as to the extent, nature or value of the rights or interest transferred hereby.

IN WITNESS WHEREOF, the First Parties have hereunto set their hands this 10th day of February, 1980.

Oscar Rudnick
Oscar Rudnick

Libbie Rudnick
Libbie Rudnick

Filbert Etcheverry
Filbert Etcheverry

Norma Etcheverry
Norma Etcheverry

Sam Rudnick
Sam Rudnick

Oscar Rudnick
Oscar Rudnick

Sam Rudnick
Sam Rudnick

Filbert Etcheverry
Filbert Etcheverry

Doing business as Eureka Livestock Company
a copartnership

238

RECORDERS MEMO: LEGIBILITY
OF WRITING, TYPING OR PRINTING
UNSATISFACTORY IN THIS
DOCUMENT WHEN RECEIVED

BOOK 81

State of California }
County of Kern } ss

On this 10 day of February, 1959, before me,
M. Conron, the undersigned Notary Public in and for said
county and state, personally appeared Oscar Rudnick and Libbie
Rudnick, his wife, Filbert Etcheverry and Norma Etcheverry, his
wife, and Sam Rudnick, a single man, known to me to be the
persons whose names are subscribed to the within instrument,
and acknowledged to me that they executed the same.

WITNESS my hand and official seal the day and year in
this certificate first above written.

Harry M. Conron
Notary Public in and for said county
and state

State of California }
County of Kern } ss

On this 10 day of February, 1959, before me,
Harry M. Conron, the undersigned, a Notary Public in and for said
county and state, personally appeared Oscar Rudnick, Sam Rudnick
and Filbert Etcheverry, known to me to be the partners of the
partnership that executed the within instrument, and acknowledged
to me that such partnership executed the same.

WITNESS my hand and official seal the day and year in
this certificate first above written.

Harry M. Conron
Notary Public in and for said county
and state

92912

January 22 1959
164 3233-238, Menzies, Deeds Record
B. 20914
23 20

-6-

File No. 119021
FILED FOR RECORD
John L. Brown
DEC 21 1 01 PM '53
RECORDED BOOK 64 PAGE 422-Deeds
RUTH GRISWOLD SABALA
ELKO COUNTY RECORDER
Feb 6 19

RECORDER'S MEMO: LEGIBILITY
OF WRITING, TYPING OR PRINTING
UNSATISFACTORY IN THIS
DOCUMENT WHEN RECEIVED

62908

RECORDED AT THE REQUEST OF WILSON, WILSON, & BARROWS, LTD.
on April 19 19 77 at 50 mins. past 10 P.M. In
Book 58 of OFFICIAL RECORDS, page 541-550, RECORDS OF
EUREKA COUNTY, NEVADA. WILLIS A. DePAOLI, Recorder
File No. 62908 Fee \$ 12.00

VERIFIED

189091

189091

Recorded at request of:
Wilson, Wilson and Barrows, Ltd.
DATE April 6, 1977 TIME 9:45 A.M.
BOOK NO. 402 PAGE NO. 6 TO 15
REAL ESTATE RECORD
BY James J. Mahoney RECORDER
WHITE PINE COUNTY, STATE OF NEVADA

James J. Mahoney, County Recorder
Eureka County, Nevada

12.00 103430
FEE FOR
AT REQUEST OF
Wilson, Wilson & Barrows
77 FEB 25 P 1: 37

RECORDED BY 243 192
JERRY D. REYNOLDS
ELKO CO. RECORDER

Fee: \$12.00

INDEXED

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BOOK 243 PAGE 201