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No. 5067

Filed: JUL 13 1981

W. G. HARRING Clerk

By: ANNA RUSTON Deputy

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF LANDER

IN THE MATTER OF THE ESTATE OF:)
JOHN C. NEWELL,)
Deceased.)

ORDER RATIFYING,
CONFIRMING, ACCEPTING AND APPROVING
FIRST AND FINAL REPORT,
ACCOUNT AND REQUEST FOR DISTRIBUTION

This matter came on for hearing before the above entitled Court, pursuant to Notice, on the 13th day of July, 1981 at the hour of 1:00 p.m., there being no one appearing in opposition thereto,

THE COURT FINDS:

1. The First and Final Report, Account and Request for Distribution was filed herein on May 11, 1981; Notice of Hearing thereof was posted, as more fully appears by the Affidavit of Posting on file herein, on the 11th day of June, 1981; Notice of the within hearing was published in the Battle Mountain Bugle on July 1 and 8, 1981, as more fully appears from the Affidavit of Publication on file herein, and a copy of the First and Final Report, Account and Request for Distribution and Notice of Hearing in connection therewith was served by certified mail on all interested parties as more fully appears in the Affidavit of

1 Mailing on file herein and the receipts and returns for Certified
2 mail on file herein. Notice of the within hearing was given in
3 all respects as required by Law.

4 THE COURT FURTHER FINDS:

5 2. A Petition for Ancillary Letters of Administration C.T.A.
6 was filed herein on May 5, 1979, and granted June 8, 1979, and on
7 said latter date Ancillary Letters of Administration were issued;
8 Notice to Creditors was posted that date as more fully appears
9 from the Notice to Creditors and Affidavit of Posting filed herein
10 June 8, 1979. Publication as required by Law was completed July 6,
11 1979, as more fully appears from the Affidavit of Publication
12 dated July 6, 1979 attached to the First and Final Report. No
13 claims have been filed against said Estate and all real property
14 taxes levied against the interest of the Estate in real property
15 have been paid. As more fully appears from the Judgment of Final
16 Distribution an authenticated copy of which was attached to the
17 First and Final Report, the personal property of the decedent has
18 been administered in the State of California. Pursuant to the
19 terms of the decedent's Will, a copy of which is attached to the
20 Petition for Ancillary Letters herein, the following property in
21 the State of Nevada is bequeathed to petitioner JOSEPH A. WEBER:

22 "b. All Real Property or interest in real proper-
23 ty of whatsoever kind and nature owned by me at the
24 time of my death in the State of Nevada, as well as
25 all Promissory Notes or other right to collect money
26 which is secured by Deeds of Trust on real property
27 in the State of Nevada."

28 which property consists of the following:

- 29 (1) NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 6, Township 31 North, Range 46 East,
30 M.D.B. & M., containing 40 acres more or less.
- 31 (2) E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 31, Township 32 North, Range 46
East, M.D.B. & M., containing 34.1 acres more or less.
- 32 (3) N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 1, Township 31 North, Range
45 East, M.D.B. & M., containing 23 acres more or less.

- 1 (4) S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 1, Township 31 North, Range
45 East, M.D.B. & M., containing 20 acres more or less.
- 2
- 3 (5) Lot 7, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Lot 8, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Lot 13, SW $\frac{1}{4}$ of
SE $\frac{1}{4}$, Sec. 3, Township 31 North, Range 48 East, M.D.B.
& M., containing 120.1 acres more or less.
- 4
- 5 (6) SW $\frac{1}{4}$ & NW $\frac{1}{4}$ of Sec. 15, Township 31 North, Range 48 East,
M.D.B. & M., containing 320 acres more or less.
- 6
- 7 (7) W $\frac{1}{2}$ of NE $\frac{1}{4}$ & SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 3, Township 31 North,
Range 48 East, M.D.B. & M., containing 120.01 acres,
more or less.
- 8
- 9 (8) Undivided one-half interest in the NE $\frac{1}{4}$, the E $\frac{1}{2}$ of NW $\frac{1}{4}$
and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 20, Township 34 North, Range 44
East, M.D.B. & M., containing 280 acres, more or less.

10 THE COURT FURTHER FINDS:

11 3. Petitioner has received, from geothermal leases of
12 property of the within Estate in Eureka County, Nevada, the sum
13 of One Thousand Six Hundred Eighty Dollars (\$1,680.00), and Petit-
14 ioner has paid, from the California Estate, the sum of One Thou-
15 sand Three Hundred Ninety-three Dollars Fifty-eight cents
16 (\$1,393.58) for costs and attorney's fees to June 10, 1979. There
17 remains to be paid in services rendered and to be rendered the
18 sum of approximately \$1,043.67.

19 THE COURT THEREFORE CONCLUDES:

20 4. The First and Final Report, Account and Request for Dis-
21 tribution should be ratified, confirmed and approved in all re-
22 spects as hereinafter set forth.

23 IT IS THEREFORE ADJUDGED, ORDERED, AND DECREED:

24 5. That the First and Final Report, Account and Request for
25 Distribution filed herein on May 11, 1981, be, and the same here-
26 by is

27 RATIFIED, CONFIRMED, ACCEPTED AND APPROVED AND Petitioner
28 is hereby authorized and directed to execute his Executor's Deed
29 to each of the following parcels of land in Lander, Eureka and
30 Humboldt Counties, Nevada, conveying said properties to JOSEPH A.
31 WEBER as beneficiary under the decedent's Will:

- 32 (1) NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 6, Township 31 North, Range 46 East,

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M.D.B. & M., containing 40 acres more or less.

- (2) E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$, Sec. 31, Township 32 North, Range 46 East, M.D.B. & M., containing 34.1 acres more or less.
- (3) N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 1, Township 31 North, Range 45 East, M.D.B. & M., containing 23 acres more or less.
- (4) S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 1, Township 31 North, Range 45 East, M.D.B. & M., containing 20 acres more or less.
- (5) Lot 7, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Lot 8, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Lot 13, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3, Township 31 North, Range 48 East, M.D.B. & M., containing 120.1 acres more or less.
- (6) SW $\frac{1}{4}$ & NW $\frac{1}{4}$ of Sec. 15, Township 31 North, Range 48 East, M.D.B. & M., containing 320 acres more or less.
- (7) W $\frac{1}{2}$ of NE $\frac{1}{4}$ & SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 3, Township 31 North, Range 48 East, M.D.B. & M., containing 120.01 acres, more or less.
- (8) Undivided one-half interest in the NE $\frac{1}{4}$, the E $\frac{1}{2}$ of NW $\frac{1}{4}$ & NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 20, Township 34 North, Range 44 East, M.D.B. & M., containing 280 acres, more or less.

TOGETHER WITH all real property or interest in real property of whatsoever kind and nature owned by the decedent at the time of his death in the State of Nevada, as well as all Promissory Notes or other right to collect money which is secured by Deeds of Trust on real property in the State of Nevada, together with any and all reversionary interests arising therein or therefrom, and it is

FURTHER ADJUDGED, ORDERED AND DECREED:

6. That petitioner pay to DAVID HORTON, ESQUIRE, counsel for Petitioner herein, the sum of \$1,043.67, or such other sum as may be found owing at the completion of the acts herein directed to be done, and that said Petitioner pay over to himself, as beneficiary under the decedent's Will, any further sums then remaining in the within Estate.

DATED AND DONE this 13th day of July, 1981.

Stanley A. Smart
 STANLEY A. SMART
 District Judge

Prepared by:

David Horton
 DAVID HORTON
 P. O. Box 2107
 Carson City, Nevada 89702
 Attorney for Petitioner

DAVID HORTON
 Attorney At Law
 P.O. Box 2107
 Carson City
 Nevada 89701

THIRD JUDICIAL DISTRICT COURT, IN AND FOR COUNTY OF LANDER, STATE OF NEVADA	} SS
I, the undersigned COUNTY CLERK and ex-officio CLERK of the THIRD JUDICIAL DISTRICT COURT do hereby CERTIFY that the foregoing is a full, true and correct copy of the original on file in my office and that I have carefully compared the same with the original.	
DISTRICT COURT this 14th day of July 1981	
Court Clerk and ex-officio Court Clerk <i>Anna Budon</i>	Deputy Clerk

RECORDED AT REQUEST OF
David Horton
BOOK 97 PAGE 299

81 AUG 28 AM 11:28

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
WILLIS A. DEPAOLI - RECORDER
FILE NO. 81695
FEE \$ 2.00

COPY