

FILED

No. 2873

Dept. 1

CUSAN E. HARRER
CLERK OF DIST. COURT

BY

IN THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF HUMBOLDT.

IN THE MATTER OF THE ESTATE

OF

LOUIS L. ROSSI,

Deceased.

ORDER APPROVING, ALLOWING AND
SETTLING FIRST AND FINAL ACCOUNT
AND DECREE OF DISTRIBUTION

The matter of the hearing of the First and Final Account and Petition for Distribution of MAIOLA CURTIS, Executrix of the Estate of LOUIS L. ROSSI, Deceased, coming on regularly to be heard this 20th day of June, A.D. 1983, and proof being duly made and offered, the Court finds that said First and Final Account and Petition for Distribution was filed in the Office of the Clerk of the above-entitled Court on the 24th day of May, A.D. 1983; that on the same day the Clerk of the above-entitled Court appointed Monday, the 20th day of June, A.D. 1983, as the day for the hearing and settlement thereof; that notice of the time and place of said hearing and settlement has been given, as required by law; that Notice of Settlement of Account and Hearing Petition for Distribution of Estate and Petition for Approval of Attorney's fee, why said account should not be settled and why said petition should not be granted and distribution made was issued by the Clerk of the above-entitled Court, and that notice was given, as required by law, by causing the

1 same to be published in the Humboldt Sun, a newspaper printed
2 and published in Winnemucca, Nevada, on three dates of publication
3 over a period of two weeks, and, also by mailing postage prepaid,
4 certified mail to: Maiola Curtis, P.O. Box 634, Corte Madera,
5 CA 94925, Certified No. P226-343-018; William Englebright, 6
6 Malvino Court, Tiburon, CA 94920, Certified No. P226-343-019;
7 Joseph Keller, Gladys Drive West, Star Route, Fallon, NV 89406,
8 Certified No. P226-343-020; Rene Ireland, 1508 Georgina Ave.,
9 Santa Monica, CA 90402, Certified No. P226-343-021; return
10 receipts requested, all of which is shown by the Affidavit of
11 Mailing of Michelle M. Pitts, on file herein and the Affidavit
12 of Rex Bovee, Jr., on file herein; that due and legal notice
13 to show cause why said account should not be approved and
14 settled and said distribution made has been given as required
15 by law.

16 And no written objections having been filed to the
17 hearing or to the settlement of said account or to the granting
18 of said Petition, and no one now appearing to object thereto,
19 the Court, after hearing the evidence offered and admitted and
20 from the records and files herein finds:

21 I.

22 That on the 7th day of February, A.D. 1983, said
23 petitioner was appointed by this Court as the Executrix of the
24 Estate of Louis L. Rossi, deceased.

25 II.

26 That thereafter, and on the 7th day of February, A.D.
27 1983, said petitioner took the oath of office and filed herein
28 the same.

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III.

That, thereafter, and on the 7th day of February, A.D. 1983, said petitioner gave notice of her appointment and qualification as such Executrix, and at the same time gave notice to creditors of said estate, requiring them to file their claims with proper vouchers and statutory affidavits attached, with the Clerk of the above-entitled Court within ninety (90) days from and after the date of the first publication of said Notice to Creditors, by causing the same to be published in the Humboldt Sun, a newspaper printed and published in the City of Winnemucca, County of Humboldt, State of Nevada, on three dates of publication over a period of two weeks, all of which is shown by the Affidavit of Stanton E. Hawes.

IV.

That thereafter an Inventory and Appraisement was filed herein appraising all of the property belonging to said estate in the sum of ONE HUNDRED NINETY FOUR THOUSAND DOLLARS (\$194,000.00). Subsequent to the filing to the Inventory and Appraisement a Supplemental Inventory and Appraisement was filed herein appraising property belonging to said estate in the sum of FOUR THOUSAND DOLLARS (\$4,000.00) for a total value of property belonging to said estate of ONE HUNDRED NINETY EIGHT THOUSAND DOLLARS (\$198,000.00).

V.

That within the time allowed by law, the following claim was filed against said Estate with the Clerk of this Court, to-wit:

Humboldt General Hospital	\$ 310.00
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VI.

That since the appointment and qualification of said petitioner as Executrix of said Estate, she has paid out on account of costs and expenses of administration the following sums, to-wit:

Humboldt County Clerk Filing Fee	\$ 65.00
Humboldt Sun	
Notice-Admittance of Will	28.00
Notice-Creditors	23.20
Kafoury, Armstrong & Co.	
Professional Accounting Service	90.00
Eddy's Funeral Home	1,246.81
Cal-Gas	83.30
Humboldt General Hospital (Creditor's Claim)	310.00
	<hr/>
	\$1,846.31

subsequent to the filing of the First and Final Account the following sum was expended:

Dennis Ballew - Appraisal Fee	50.00
	<hr/>
TOTAL	\$ 1,896.31

VII.

That since the appointment and qualification of said petitioner as Executrix of Estate, she has received the following sums of money belonging to said estate, to-wit:

Placer Amex, Inc. Royalties for the Months of November, December of 1982 and January, February, March and April of 1983.	\$ 7,800.00
Intermountain CATV, Inc. (Deposit)	30.96
Nevada Bell (Credit Balance)	9.44
Milchem, Inc. Royalty (yearly)	600.00
	<hr/>
	\$ 8,440.40

1 subsequent to the filing of the First and Final Account the
2 following sums were received:

3 Placer Amex, Inc. Royalties
4 for the months of May and
5 June 1983.

\$ 2,600.00

6 TOTAL

\$11,040.40

8 VIII.

9 That the following is an accounting showing the total
10 amount received by said Petitioner as Executrix of this estate,
11 the total amount expended by her as such Executrix, and the
12 balance of cash on hand, to-wit:

13 AMOUNT RECEIVED:

14 Received from Paragraph VII above \$11,040.40

16 TOTAL RECEIVED \$11,040.40

18 AMOUNT EXPENDED:

19 Expended per Paragraph VI above \$ 1,896.31

21 TOTAL EXPENDED \$1,896.31

22 BALANCE OF CASH ON HAND \$ 9,144.09

24 IX.

25 That said decedent died testate on the 23rd day of
26 November, A.D. 1982, in the City of Winnemucca, County of
27 Humboldt, State of Nevada, and was at the time of his death a
28 resident of the City of Winnemucca, County of Humboldt, State
29 of Nevada.

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X.

That said decedent left property in the State of Nevada, subject to administration, consisting of real and personal property.

XI.

That the names, residences, ages and relationships of the surviving heirs of said decedent, so far as known to said petitioner are:

<u>NAME AND RESIDENCE</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
Maiola Curtis P.O. Box 634 Corte Madera, CA 94925	Over 18	Sister
William Englebright 6 Malvino Court Tiburon, CA 94920	Over 18	Nephew
Joseph Keller Gladys Drive West Star Route Fallon, NV 89406	Over 18	Nephew
Rene Ireland 1508 Georgina Ave. Santa Monica, CA 90402	Over 18	Niece

XII.

That the name and residence of the legatee and devisee of the decedent, over the age of 18, is as follows:

NAME AND RESIDENCE

Maiola Curtis
P.O. Box 634
Corte Madera, CA 94925

XIII.

That the decedent left property in the State of Nevada, subject to administration; that all of the estate of decedent which is now in the hands of said petitioner, as Executrix, or of which she has any knowledge is as follows, to-wit:

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Mining Claims located in the Cortez
Mining District, Eureka County,
State of Nevada, Township 26 N,
Range 48 E, M.D.B.&M., described
as follows:

- Mockingbird No. 1
- Mockingbird No. 2
- Mockingbird No. 3
- Mockingbird No. 4
- Mockingbird No. 5
- Mockingbird No. 6
- Juniper No. 1
- Juniper No. 2
- Juniper No. 3
- Juniper No. 4
- Juniper No. 5
- Juniper No. 6
- Juniper No. 7
- Juniper No. 8
- Juniper No. 9

Subject to a Lease with Option to
Purchase dated March 21, 1967, in
which the Deceased is Lessor and
American Exploration & Mining Co.
is Lessee; monthly payments of
\$300.00 per month with a term of
twenty years expiring February 1,
1987.

Mining Claims located in the Cortez
Mining District, Eureka County,
State of Nevada, Township 26 North,
and 27 North, Range 48 E, M.D.B.&M.,
described as follows:

- Blue Mountain No. 1
- Blue Mountain No. 2
- Blue Mountain No. 3
- Blue Mountain No. 4
- Blue Mountain No. 5
- Blue Mountain No. 6
- Wild Cat No. 1
- Wild Cat No. 2

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Wild Cat No. 3
Sage Hen
Porcupine
Owl
Bull Snake
Weasel
Yellow Squirrel
Red Robin
Deer
Coyote

Subject to an Agreement with Option
to Purchase dated February 9, 1976
between Louis L. Rossi, Deceased,
as owner, and Placer Amex, Inc., a
California Corporation. Monthly
payments of \$1,000.00 guaranteed
royalty. Term of Agreement twenty
years beginning February 1, 1976
ending February 1, 1996.

Mining Claims located in the County
of Lander, State of Nevada, Section 31,
Township 32 North, Range 47 East.

Prince Albert No. 1
Prince Albert No. 2
Prince Albert No. 3
Prince Albert No. 4

Said Claims subject to a Lease
with Milchem, Inc.

CASH ON HAND: \$9,144.09
First Interstate Bank of NV
Winnemucca Branch
#058-779-648-5

XIV.

That the following costs and expenses of administration
which have not been paid are as follows, to-wit:

///

1 Cost of Publication of Notice of Settlement of
2 Final Account and Hearing Petition for Distribu-
3 tion of Estate and Petition for Approval of
4 Attorney's Fees of hearing on the Final Account
5 and Petition for Distribution.

6 Costs of procuring a certified copy of the Decree
7 of Distribution and recording the same with the
8 Eureka County Recorder, together with recording
9 appropriate documents of conveyance.

10 That James A. Callahan, Esq., as the attorney
11 representing the estate, has made one appearance
12 in Court in relation to the appointment of the
13 Executrix. That a further appearance will be
14 made for the approval of the First and Final
15 Account and Petition for Distribution. That in
16 addition thereto, he has prepared all pleadings
17 required with reference to this estate and as
18 attorney for Executrix and the Estate is entitled
19 to a reasonable attorney fee in an amount of
20 three per cent (3%) of the gross value of the
21 Estate or the sum of \$5,940.00 less \$250.00
22 retainer leaving a balance of \$5,690.00. That
23 the Petitioner and sole Beneficiary of the Estate
24 agrees to the attorney fees in this amount.

25 XV.

26 That said Petitioner has waived any fees and commis-
27 sions due her as Executrix.

28 XVI.

29 That said estate is now in a condition to be wound up,
30 settled and finally closed.

XVII.

And the Court further expressly finds from the records
and files herein, and the evidence given upon this hearing,
that all of the allegations contained in said account and
petition are true and correct; that the Executrix has accounted
for all of the assets belonging to said estate, or those which
with reasonable diligence could be ascertained or discovered;

1 that the items for which the Executrix asks to be allowed credit,
2 as set out in said First and Final Account were proper in amount,
3 and that the Executrix should be allowed credit therefore.
4

5 XVIII.

6 And the Court further expressly finds that all costs
7 and expenses have been paid and satisfied, except the remaining
8 expenses of administration; that the cost of publication of the
9 Notice of Settlement of Account and Hearing Petition for Distri-
10 bution of Estate and Approval of Attorney Fees, is the sum of
11 \$ 37.60 ; to pay unto the Clerk of Humboldt County, Susan E.
12 Harrer, the sum of \$ 4.00 to procure certified copies of the
13 Decree of Distribution; and to pay unto the Lander County Recorder
14 the sum of \$ 23.00 , and unto the Eureka County Recorder the
15 sum of \$ 24.00 , representing the recording fee in relation
16 to recording a certified copy of the Decree of Distribution
17 and Executrix's Deeds; and to pay unto James A. Callahan, Esq.,
18 Attorney for said Estate as a reasonable attorney fee to be
19 allowed attorney for said estate.
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21 XIX.

22 And the Court further expressly finds that after
23 payment of all remaining costs and expenses of administration,
24 all of the property belonging to said estate, now or in the hands
25 of said Executrix, together with any and all other property
26 belonging to said Estate not now known or discovered and where-
27 soever situate, be set apart and distributed in accordance with
28 the terms of the Last Will and Testament of said Decedent.
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1 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
2 DECREED:

3 First: That the First and Final Account of said
4 Executrix, in all respects be, and the same hereby is, settled,
5 allowed, approved and confirmed as rendered.

6 Second: That the Executrix of this estate file herein
7 receipts showing the distribution of this estate as herein
8 directed.

9 Third: That the Executrix is hereby authorized and
10 directed to pay unto the Humboldt Sun, publication costs of
11 the Notice of Settlement of Account and Hearing Petition for
12 Distribution and Approval of Attorney's fee, in the sum of
13 \$37.60 ; and to pay unto the Clerk of Humboldt County, the sum
14 of \$4.00 to procure certified copies of the Decree of Distrib-
15 ution; and to pay unto the Lander County Recorder the sum of
16 \$ 23.00 , and the Eureka County Recorder the sum of \$ 24.00
17 which sums represent the recording fee in relation to the
18 certified copy of the Decree of Distribution and the Executrix'
19 Deed; and to pay unto James A. Callahan, Esq., Attorney for said
20 Executrix and said Estate, the sum of \$5,940.00.

21 Fourth: That after all remaining costs and expenses
22 of administration have been paid, all the rest, residue and
23 remainder of this estate, together with any and all property
24 belonging to this estate, or in which said estate has any
25 interest not now known or discovered and wheresoever situate,
26 be set apart and distributed in accordance with the terms of
27 the Last Will and Testament of the decedent, to-wit:

28 Unto MAIOLA CURTIS,
29 her heirs and assigns forever.

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1 Fifth: That upon said Executrix filing herein receipts
2 showing distribution of the residue of said estate, she be
3 discharged from her trust as such Executrix.

4 Sixth: That the rest, residue and remainder of this
5 estate now in the hands of said Executrix so ordered distributed
6 is as follows, to-wit:

7 Mining Claims located in the Cortez
8 Mining District, Eureka County,
9 State of Nevada, Township 26 N,
Range 48 E, M.D.B.&M., described
as follows:

10 Mockingbird No. 1

11 Mockingbird No. 2

12 Mockingbird No. 3

13 Mockingbird No. 4

14 Mockingbird No. 5

15 Mockingbird No. 6

16 Juniper No. 1

17 Juniper No. 2

18 Juniper No. 3

19 Juniper No. 4

20 Juniper No. 5

21 Juniper No. 6

22 Juniper No. 7

23 Juniper No. 8

24 Juniper No. 9

25 Subject to a Lease with Option to
26 Purchase dated March 21, 1967, in
27 which the Deceased is Lessor and
28 American Exploration & Mining Co.
29 is Lessee, monthly payments of
\$300.00 per month with a term of
twenty years expiring February 1,
1987.

30 Mining Claims located in the Cortez
Mining District, Eureka County,
State of Nevada, Township 26 North,
and 27 North, Range 48 E, M.D.B.&M.,
described as follows:

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- 1 Blue Mountain No. 1
- 2 Blue Mountain No. 2
- 3 Blue Mountain No. 3
- 4 Blue Mountain No. 4
- 5 Blue Mountain No. 5
- 6 Blue Mountain No. 6
- 7 Wild Cat No. 1
- 8 Wild Cat No. 2
- 9 Wild Cat No. 3
- 10 Sage Hen
- 11 Porcupine
- 12 Owl
- 13 Bull Snake
- 14 Weasel
- 15 Yellow Squirrel
- 16 Red Robin
- 17 Deer
- 18 Coyote
- 19
- 20 Subject to an Agreement with Option
to Purchase dated February 9, 1976
between Louis L. Rossi, Deceased,
as owner, and Placer Amex, Inc., a
California Corporation. Monthly
payments of \$1,000.00 guaranteed
royalty. Term of Agreement twenty
years beginning February 1, 1976
ending February 1, 1996.
- 21 Mining Claims located in the County
of Lander, State of Nevada, Section 31,
Township 32 North, Range 47 East.
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- 23 Prince Albert No. 1
- 24 Prince Albert No. 2
- 25 Prince Albert No. 3
- 26 Prince Albert No. 4
- 27 Said Claims subject to a Lease
with Milchem, Inc.
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CASH ON HAND: \$9,144.09

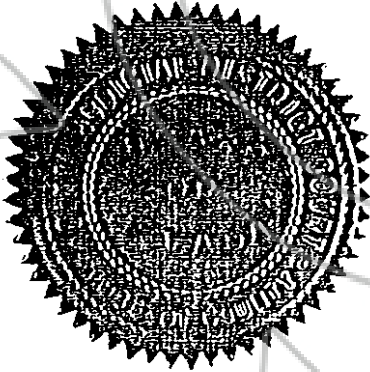
DONE IN OPEN COURT this 20th day of June, A.D. 1983.

Llewellyn A. Young /s/
District Judge

STATE OF NEVADA } ss.
County of Humboldt }

I, Susan E. Harrer, County Clerk of said County and State, and ex-officio Clerk of the Sixth Judicial District Court of the State of Nevada, in and for the County of Humboldt, do hereby certify the Hereunto attached to be a full, true and correct copy of ORDER APPROVING, ALLOWING AND SETTLING FIRST AND FINAL ACCOUNT AND DECREE OF DISTRIBUTION In The Matter Of The Estate of Louis L. Rossi, Deceased.

and includes all endorsements that appear upon the original ORDER APPROVING, ALLOWING AND SETTLING FIRST AND FINAL ACCOUNT AND DECREE OF DISTRIBUTION, on file and of record in my said office and in said Probate No. 2873



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District Court on this 20th day of June A.D. 1983

Susan E. Harrer Clerk
..... Deputy

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RECORDED AT REQUEST OF
James A. Callahan
BOOK 111 PAGE 387

83 JUN 24 A10:34

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. 87879
SEE 17.00

JAMES A. CALLAHAN
ATTORNEY AT LAW
WINNEMUCCA, NEVADA