

NO. FILED

JUL 1 1985

JOAN SHANGLE,
CLERK

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA

IN THE MATTER OF THE ESTATE OF
VICTOR BEREINCUA, aka
VIC BEREINCUA,

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

DECEASED.

MARIA AREITIO PODINS, Executrix of the Estate of
VICTOR BEREINCUA, aka VIC BEREINCUA, Deceased, having on the
18th day of December, 1984, rendered and filed herein her
First and Final Account and Petition for Distribution, and the
hearing on said Account and Petition having been set for the
4th day of January, 1985, at the hour of 11:00 A.M. of said
day, and proof having been made to the satisfaction of the
Court that due and legal notice of the settlement of said
Account and the hearing on said Petition for Distribution
having been given as required by law, the Court hereby finds:

1. That the First and Final Account is in all
respects true and correct as rendered; that the property in
the hands of the Executrix of the Estate, at the time of said
hearing of said Account was, and is, as hereinafter described
in the Decree of Distribution.

2. That the above-named Decedent died testate in
the City of Elko, County of Elko, State of Nevada, on May 27,
1984; that at the time of Decedent's death, he was a resident
of the Town of Eureka, County of Eureka, State of Nevada, and
left estate consisting of real and personal property within

1 the County of Eureka, State of Nevada, and within the juris-
2 diction of this Court.

3 3. That the above-named MARIA AREITIO PODINS was
4 appointed Executrix of the above-entitled Estate on July 6,
5 1984, and duly qualified as such on the same date.

6 4. That due and legal Notice to Creditors of said
7 Estate has been given in the manner and for the time required
8 by law.

9 5. That no taxes of any name or nature are due or
10 payable on any of the property of Decedent.

11 6. That there have been no Creditor's Claims
12 presented against said Estate.

13 7. That the Executrix of said Estate having waived
14 statutory fees and commissions, none shall be paid to her.

15 8. That CLARKE COOPER, the appraiser engaged to
16 appraise the automobile included in the Estate, be allowed
17 fees in the sum of \$10.00.

18 9. That all of the property and property interests
19 of every name and nature comprising Decedent's Estate at the
20 date of his death were his sole and separate property.

21 10. That the sole devisee and legatee named in
22 Decedent's Will is MARIA AREITIO PODINS.

23 11. That the names, ages and residences of the
24 heirs-at-law of the Decedent are as follows:

<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
Miguel Bereincua Durango, Viscaya Spain	Adult	Brother
Sr. Maria Luisa Bereincua Providence, Saintes 17100 France	Adult	Sister
Maria Areitio Podins 2082 Haultain Victoria, B.C. Canada V8R2L7 (Daughter of a deceased sister of the above-named Decedent)	Adult	Niece

1 12. That the property in the possession of the
2 Executrix for distribution unto the parties entitled thereto
3 is as more fully hereinafter set forth in the Decree of
4 Distribution.

5 13. That in accordance with the terms of Paragraph
6 SECOND of the Last Will and Testament, the Estate is to be
7 distributed to MARIA AREITIO PODINS.

8 14. That the Law Firm of PUCCINELLI & PUCCINELLI,
9 P.C. has rendered to the Executrix services in connection with
10 the administration of said Estate, together with costs of
11 administration heretofore advanced by said attorneys on behalf
12 of said Estate.

13 15. That the Estate is in all respects ready to be
14 closed.

15 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that
16 said Account be, and is, in all respects, approved, allowed
17 and settled.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
19 statutory fees to the Executrix having been waived, that none
20 be paid to her.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
22 Executrix pay unto CLARKE COOPER, the appraiser engaged to
23 appraise the automobile included in said Estate, the sum of
24 \$10.00 forthwith.

25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
26 the property remaining in the hands of the Executrix of said
27 said Estate, after the payment of all costs of administration,
28 including attorney fees advanced costs and closing costs,
be distributed in accordance with Paragraph SECOND of the Last
Will and Testament of the above-named Decedent. Said property
to be distributed is more particularly described as follows:

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PUCCINELLI & PUCCINELLI
ATTORNEYS AT LAW
FIRST NATIONAL BANK BLDG.
ELKO, NEVADA 89601
(702) 730-7293

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1 Item 1:

2 Lot 14, Block 22, of the Town of Eureka,
3 County of Eureka, State of Nevada, as the
4 same appears on the Official Map on file
5 in the Office of the County Recorder,
6 Eureka County, Nevada.

7 TOGETHER WITH all buildings and improve-
8 ments situate thereon.

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

14 TOGETHER WITH all furniture, fixtures,
15 equipment and appliances, and other
16 personal property situate in or on the
17 above-described parcel of real property.

18 Item 2:

19 An undivided one-half (1/2) interest in and
20 to that certain real property situate in
21 the County of Eureka, State of Nevada, and
22 more particularly described as follows:

23 Adelphi Patented Mining Claim, Survey
24 No. 80, Patent No. 6261.

25 TOGETHER WITH any and all buildings and
26 improvements situate thereon.

27 TOGETHER WITH an undivided one-half (1/2)
28 interest in and to any and all equip-
ment, fixtures, appliances, and other
personal property situate in, or on the
above-described property.

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

22 Item 3:

23 A 1981 Oldsmobile 6, Type CP, Model 3R47,
24 VIN 1G3AR47A2BR414315

24 Item 4:

25 A Deed of Trust as to Lots 7 and 8 of
26 Block 22 of the Town of Eureka, County of
27 Eureka, State of Nevada, securing a
28 Promissory Note in the original principal
sum of \$77,000.00, wherein CARL RICHARD
McCOY is Trustor, FRONTIER TITLE COMPANY
is Trustee, and VICTOR BEREINCUA, an
unmarried man, is Beneficiary, which Deed

1 of Trust is recorded in Book 64 at page
2 523 of Official Records of Eureka County,
3 Nevada; said Deed of Trust being assumed
4 by HARLAN G. HILES and EVA J. HILES, his
5 wife, by Assumption Agreement and Consent
6 to Assumption dated April 29, 1979, and
7 recorded on June 7, 1979, in Book 70 at
8 page 425 of Official Records of Eureka
9 County, Nevada; and which, by Assumption
10 Agreement and Consent to Assumption dated
11 June 8, 1981, was assumed by TED R.
12 CARRION and MARY R. CARRION, his wife, as
13 recorded on June 10, 1981, in Book 95 at
14 page 308 of Official Records of Eureka
15 County, Nevada. At the date of death of
16 the Decedent, the above-described
17 Promissory Note was payable at the rate of
18 \$692.10 per month, which amount includes
19 interest at the rate of 7% per annum. On
20 July 6, 1984, said Promissory Note was
21 revised, and is now payable at the rate of
22 \$774.75 per month, which amount includes
23 interest at the rate of 12% per annum.
24 The balance due on said Promissory Note at
25 the date of death of the Decedent was the
26 sum of \$55,352.30.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any
14 property either real or personal, not now known or discovered,
15 which may belong to the estate of the above-named Decedent, or
16 in which the estate of the above-named Decedent may have any
17 interest or which may be hereafter discovered, be distributed
18 to MARIA ARETIO PODINS, the above-named devisee and legatee,
19 in accordance with the terms of the Last Will and Testament of
20 the Decedent.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
22 Executrix file for record in the office of the County Recorder
23 of the County of Eureka, State of Nevada, a certified copy of
24 this Decree; that, upon the delivery of the property to the
25 persons entitled thereto, as hereinabove ordered, and upon
26 filing true and proper vouchers and receipts in this Court,
27 the said Executrix be fully and finally discharged from her
28 trust as such Executrix.

DATED this 4th day of January, 1985.

E. P. Puccinelli
DISTRICT JUDGE

PUCCINELLI & PUCCINELLI
ATTORNEYS AT LAW
FIRST NATIONAL BANK BLDG.
ELKO, NEVADA 89801
(702) 738-7292

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STATE OF NEVADA,
COUNTY OF EUREKA.

I, John H. Hangle 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 Order of Appointment # 918 as appears as of record and on file in my office. Walter J. Victor Berwick

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 14th day of January, A. D. 1985



John H. Hangle County Clerk,
And ex-officio Clerk of the District Court, Eureka County.

By _____, Deputy.

RECORDED AT REQUEST OF
Puccinelli & Puccinelli
BOOK 133 PAGE 435

85 JAN 8 P 2:25

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. 98228
FEE \$ 10.00