

NO. _____

FILED

March 4, 1985

98599

CASE NO. 917

**JOAN SHANGLE,
CLERK**

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

IN THE MATTER OF THE ESTATE OF
HERBERT W. STOTENBUR.

Deceased.

ORDER AND DECREE
SETTING ASIDE ESTATE
WITHOUT ADMINISTRATION

The verified PETITION TO SET ASIDE ESTATE WITHOUT
ADMINISTRATION pursuant to N.R.S. 146.070 filed herein on
March 4, 1985, having come on regularly to be
heard on the 4th day of March, 1985 at the hour of 11:00
o'clock A.M., the Court finds that:

1. The Notice of this hearing has been given for the period of time and in the manner required by law.
2. The allegations of the Petition are true and correct.
3. HERBERT W. STOTENBUR died on or about the 30th day of July, 1982 in the City of Los Angeles, County of Los Angeles, State of California, and was at the time of death a resident of the City of Los Angeles, County of Los Angeles, State of California.
4. The Decedent left a Last Will and Testament bearing the date of August 26, 1976, the original of which is filed with the Los Angeles Clerk of the County of Los Angeles, State of California, a copy of which was filed hearing.

///

VAUGHAN, HULL, COPENHAVER & HANSEN, LTD.
ATTORNEYS AND COUNSELORS
930 IDAHO STREET
ELKO, NEVADA 89801

1.

1 5. The names, ages, relationships, and addres-
2 ses of the heirs of said deceased are as follows:

3 <u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
4 Alice W. Stotenbur	Adult	Wife	5068 Franklin Ave. #301 Los Angeles, CA 90027
5 Dorothy Elaine 6 Jackson fka Dorothy 7 Elaine Stotenbur	Adult	Granddaughter	861 Napa Street Napa, CA 94559

8 6. The names, ages and addresses of the devisees
9 and legatees of said deceased are as follows:

10 <u>NAME</u>	<u>AGE</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
11 Alice W. Stotenbur	Adult	Wife	5068 Franklin Ave. #301 Los Angeles, CA 90027

12 7. The following is a specific description of
13 the decedent's property:
14

15 All that certain property situate in the
16 County of Eureka, State of Nevada, described
17 as follows:

18 PARCEL I:

19 TOWNSHIP 30 NORTH, RANGE 49 EAST, M.D.B.&M.

20 Section 1: E $\frac{1}{2}$ SW $\frac{1}{4}$

21 EXCEPTING THEREFROM 90% of all coal, oil, gas
22 and other minerals of every kind and nature
23 whatsoever, lying in or under said land, as
reserved by Strathearn Cattle Company in deed
recorded May 25, 1959, in Book 25, Page 297,
Deed Records, Eureka County, Nevada.

24 PARCEL II

25 TOWNSHIP 31 NORTH, RANGE 49 EAST, M.D.B.&M.

26 Section 23: N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

27 EXCEPTING THEREFROM all petroleum, oil,
28 natural gas, and products derived therefrom,
29 lying in and under said land, as reserved by
Southern Pacific Company in deed recorded
April 23, 1959, in Book 25, Page 290, Deed
Records, Eureka County, Nevada.

30 Together with all buildings and improvements
31 thereon.

32 Together with all and singular the tenements,
hereditaments, easements, and appurtenances

1 thereunto belonging or in anywise appertain-
2 ing, and the reversions, remainders, rents,
3 issues and profits thereof or of any part
4 thereof.

5 8. That all of the above-described Parcel II was
6 owned one-half by the deceased and one-half by the Petition-
7 er.

8 9. That all of the above-described Parcel I was
9 the separate property of the deceased.

10 10. So far as known to Petitioner, the debts of
11 the last illness and funeral expenses of Decedent have been
12 paid in the administration of the domicillary estate and
13 Decedent left no unpaid debts in Nevada.

14 11. That VAUGHAN, HULL, COPENHAVER & HANSEN,
15 LTD., Attorneys at Law, Elko, Nevada, have performed ser-
16 vices and advanced costs for said Estate acting as attor-
17 ney's for the Petitioner and that Petitioner and said
18 attorneys have agreed that a reasonable fee for said ser-
19 vices would be the sum of \$350.00 plus costs advances and
20 that Petitioner has arranged for payment of said fees and
21 costs.

22 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND
23 DECREED THAT:

24 1. Due and legal notice of the hearing of said
25 PETITION TO SET ASIDE ESTATE WITHOUT ADMINISTRATION pursuant
26 to NRS 146.070 has been given to or waived by all persons
27 interested in said Estate or who are entitled to notice
28 thereof for the time and in the manner required by law.

29 2. The property of the estate was the entire
30 interest as to Parcel I hereinafter specifically described
31 and undivided one-half interest as to Parcel II hereinbefore
32 specifically described.

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VAUGHAN, HULL, COPENHAVER & HANSEN, LTD.
ATTORNEYS AND COUNSELORS
230 (DANG STREET
ELKO, NEVADA 89801

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3. The fee of \$350.00 for services rendered by VAUGHAN, HULL, COPENHAVER & HANSEN, LTD., Attorneys at Law, as agreed by between Petitioner and said attorneys, is approved as reasonable, and ordered paid.

4. In accordance with NRS 146.070, all right, title and interest of HERBERT W. STOTENBUR, deceased, in the above-described property be and hereby is set aside to ALICE W. STOTENBUR, the surviving wife, for her support.

5. In accordance with NRS 146.070, the interest of HERBERT W. STOTENBUR, deceased, in and to any and all other property, real or personal, of any name, nature, kind, character or description not hereinabove described, or which may be incorrectly described herein, which is within the jurisdiction of this Court, and does not cause the gross value of the estate to exceed \$25,000.00, is assigned and set aside to ALICE W. STOTENBUR, the surviving wife for her support.

6. A certified copy of this Order be recorded in the Office of the County Recorder of Eureka County, Nevada.

Done in Open Court this 4th day of March, 1985.

Ed Dechen H. Holt
DISTRICT JUDGE

STATE OF NEVADA,
COUNTY OF EUREKA }

I, JOAN SHANGLE County Clerk and ex-officio Clerk of the District Court of the Seventh Judicial District of the State of Nevada, in and for the County of Eureka do hereby certify that the annexed is a full, true and correct copy of the ORDER AND DECREE SETTING ASIDE ESTATE WITHOUT ADMINISTRATION

as the same appears on file and of record in my office.

WITNESS my hand and the seal of said court affixed
the 4th day of March, A.D., 19 85
Joan Shangle, Clerk
By _____, Deputy Clerk



RECORDED AT REQUEST OF
Vaughan, Hull, Copenhagen & Hanson, Ltd.
BOOK 134 PAGE 412

85 MAR 27 A10:45

OFFICIAL RECORDS
ERUSALEM COUNTY NEVADA
M.N. REDALEAL RECORDER
FILE NO. 98599
FEE \$ 9.00