

NO. _____
FILED

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JOAN SHANGLE,
CLERK

by M. E. East
Deputy

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
CHARLES J. DAMELE, SR.,

AMENDED DECREE SETTLING
FIRST AN FINAL ACCOUNTING
OF EXECUTORS AND
PETITION FOR DISTRIBUTION
AND DISCHARGE AND
APPLICATION FOR FEES

CHARLES N. DAMELE, R. D. DAMELE and STEPHEN D. DAMELE,
Executors of the above-named Decedent, having on the 3rd day of
October, 1985, rendered and filed herein their First and Final
Account and Petition for Distribution and Discharge and
Application for Attorney Fee, and hearing on said Account and
Petition and Application having been set for the 1st day of
November, 1985, at the hour of 11:00 o'clock 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 and Distribution and Application for Fees
having been given as required by law, the Court hereby finds;

Petitioners filed no detailed statement of money received or
monies disbursed, for the reasons that Petitioners are entitled to
have the whole of the residue of said Estate distributed to them
absolutely and forever, and therefore, the rendition and
settlement of a detailed account as such Executors is not
necessary or required, other than to show the payment of all debts
and any expenses of administration, and by the filing of their
Petition, the Petitioners, in their individual capacity, waived
any accounting or the filing of any detailed statement of money
received and disbursed.

1 That CHARLES J. DAMELE, SR., died on or about the 15th day of
2 April, 1984, in the City of Elko, County of Elko, State of Nevada;
3 that Decedent was a resident of the County of Eureka, State of
4 Nevada, and left an Estate consisting of real and personal
5 property situate in the County of Eureka, State of Nevada; that he
6 was an adult person at the time of his death and left a Last Will
7 and Testament executed by him on the 1st day of May, 1979; that
8 said Will was signed by the Testator in the presence of two
9 witnesses, and that it was executed in all respects as required by
10 laws of the State of Nevada; that in said Will, CHARLES N. DAMELE,
11 R. D. DAMELE, and STEPHEN D. DAMELE were named Executors; that
12 they filed their Petition for Probate of Will on the 26th day of
13 April, 1985; that the hearing of said Petition was set for the 7th
14 day of June 1985, at the hour of 10:00 a.m., of said day; and
15 Notice thereof was given by publication and mailing, all in the
16 manner required by law, as more fully appears from the respective
17 Affidavits of publication and mailing; that upon hearing said
18 Petition, the Court entered its Order Admitting Will to Probate
19 and directing issuance of Letters Testamentary to CHARLES
20 N. DAMELE, R. D. DAMELE, and STEPHEN D. DAMELE, upon their taking
21 the oath of office, without filing bond; that CHARLES N. DAMELE,
22 R. D. DAMELE, and STEPHEN D. DAMELE, duly qualified as Executors
23 on the 7th day of June, 1985, and Letters Testamentary issued to
24 them on said date.

25 That Notice to Creditors was filed herein, on June 7, 1985,
26 and was posted on said date, that a copy of the Notice to
27 Creditors was published in the Eureka Sentinel in its issues on
28 June 20th and 27th, and July 4, 1985; that said publication has
29 been established by the Affidavit on file herein.

30 That on the 21st day of June, 1985, the Executors filed
31 their Motion to Waive Appraisement of the real property the
32 subject of this Estate; that the Motion was set for hearing on the

1 5th day of July, 1985, at the hour of 10:00 a.m.; that Notice of
2 the Motion was duly mailed on the 25th day of June, 1985, as more
3 fully appears from the Affidavit of Mailing on file herein; that
4 the Motion came on for hearing at the time and place set for
5 hearing, and on July 5, 1985, the Court ordered formal
6 appraisement of the real property assets be waived.

7 That on the 2nd day of August, 1985, the Executors filed an
8 Inventory and Appraisement covering the real and personal property
9 for said Estate; that said Inventory and Record of Value set the
10 value of the Estate in the sum of \$2,141.18, with contingent
11 future values in excess of \$100,000.00.

12 That there were no Creditor's Claim filed against said
13 Estate.

14 That all taxes of every name and nature required to be paid
15 by Decedent's Estate have been paid. That no Federal Estate Tax
16 Return is required.

17 That all of the property and property interest of every name
18 and nature comprising Decedent's Estate at the date of his death
19 was Decedent's sole and separate property.

20 That the LAW OFFICES OF RICHARD J. MATTHEWS, CHARTERED,
21 entered into a Fee Agreement with the Executors of the Estate
22 allowing fees for services rendered to said Estate in the sum of
23 \$1,600.00, which is a reasonable attorney fee.

24 That CHARLES N. DAMELE, R. D. DAMELE, and STEPHEN D. DAMELE,
25 having waived their right to the allowance for any payment of
26 statutory fees and commissions for services as Executors, none be
27 allowed.

28 That there will be closing costs not to exceed the sum of
29 \$50.00.

30 That the sole devisees and legatees named in Decedents Will
31 is as follows:
32

NAME AND ADDRESS	RELATIONSHIP	AGE
CHARLES N. DAMELE Waysack Elko, Nevada 89801	Son	Adult
R. D. DAMELE P.O. Box 342 Eureka, Nevada 89801	Son	Adult
STEPHEN D. DAMELE c/o Sheep Creek Ranch Carlin, Nevada 89822	Son	Adult

That the property to be distributed is as follows:

1. An undivided one-fourth (1/4) interest in and to the following described unpatented mining claims situate in the County of Eureka, State of Nevada, recorded on February 20, 1980, under the following described names:

Zero 1 through 6	Weatherford
Damele 1 through 9	Cedar
Curlew 1 through 20	Cedar #2
D2	Rocky
Polywog	Sunset
Big Ben	Rain Cap
Dales Boner	Sunday
Miss Carriage	Mtn. View
Marie	Dale
Irishman	Snow Cap 2 through 4

2. An undivided one-third (1/3) interest in that certain mineral reservation contained in the Deed, recorded in Book 34, at page 196, as Document No. 52046, Official Records, of the Eureka County Recorder, concerning the following described real property situate in the County of Eureka, State of Nevada:

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

Section 19: SW 1/4 NE 1/4

3. An undivided one-sixth (1/6) interest in that certain mineral reservation and mining lease contained in the Deed, recorded in Book 41, at page 318, as Document No. 55529, Official Records, of the Eureka County Recorder, concerning the following described real property situate in the County of Eureka, State of Nevada:

1 TOWNSHIP 23 1/2 NORTH, RANGE 49 EAST, M.D.B.&M.

2 Section 1: Lot 3.

3 TOWNSHIP 24 NORTH, RANGE 49 EAST, M.D.B.&M.

4 Section 9: N1/2 NW1/4; SE1/4 NW1/4; SW1/4 NE1/4

5 Section 10: SE1/4 SW1/4; SW1/4 SE1/4

6 Section 12: SW1/4 SE1/4; NE1/4 SE1/4

7 Section 13: NE1/4 NW1/4; SW1/4 NW1/4; SW1/4 NW1/4; NW1/4

8 Section 14: SE1/4 SE1/4

9 Section 15: N1/2 NW1/4

10 Section 23: NE1/4 NE1/4; SW1/4 NE1/4; W1/2 SE1/4

11 Section 26: W1/2 E1/2; NE1/4 NW1/4

12 Section 35: E1/2 W1/2

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

14 Section 2: Lot 3, SE1/4 NW1/4

15 Section 7: Lot 2

16 TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

17 Section 24: SE1/4 NW1/4; NW1/4 SW1/4

18 Section 25: S1/2 SW1/4; SE1/4

19 Section 28: W1/2 NE1/4; SE1/4 NW1/4; S1/2 SW1/4

20 Section 32: SE1/4 NE1/4

21 Section 33: NW1/4 NW1/4

22 Section 35: E1/2 NE1/4; SW1/4 NE1/4; E1/2 SW1/4; SE1/4

23 Section 36: NW1/4 NE1/4; NW1/4; NW1/4 SW1/4

24 TOWNSHIP 26 NORTH, RANGE 50 EAST, M.D.B.&M.

25 Section 1: SE1/4 NE1/4; W1/2 SW1/4; E1/2 SE1/4

26 Section 11: NE1/4 NE1/4

27 Section 12: E1/2 NE1/4; NE1/4 SE1/4

28 Section 24: E1/2 SE1/4

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

30 Section 6: Lots 3, 4, 5, 6, and 7; SE1/4 NW1/4;

31 E1/2 SW1/4

32 Section 7: E1/2 NW1/4

Section 19: SE1/4 SW1/4

Section 30: NW1/4 NE1/4; E1/2 NW1/4; Lots 2 and 3

Section 35: N1/2 NW1/4

33 TOWNSHIP 26 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 6: Lots 3, 4, 5, 6, and 7; SE1/2 NW1/4;

E1/2 SW1/4

Section 7: Lots 1, 2, 3, and 4

Section 18: Lots 1, 2, 3, and 4

Section 19: Lots 1, 2, 3, and 4

Section 30: Lots 1, 2, 3, and 4; E1/2 SW1/4

Section 31: NW1/4 NE1/4; E1/2 W1/2; Lot 4; SW1/4 SE1/4

34 TOWNSHIP 27 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 30: S1/2 NE1/4; Lot 4; E1/2 SW1/4; N1/2 SE1/4

Section 31: Lot 1

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

2 Section 20: W1/2 SW1/4

3 Section 30: N1/2 NE1/4; NE1/4 NW1/4; Lot 1 (NW1/4 NW1/4)

4 TOWNSHIP 25 NORTH, RANGE 50 EAST, M.D.B.&M.

5 Section 32: NE1/4 SE1/4; SW1/4 SE1/4

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

7 Section 14: SW1/4 NE1/4; SE1/4 NW1/4; SW1/4; W1/2 SE1/4

8 Section 22: NE1/4

9 4. An undivided one-fifth (1/5) interest in and to the
10 Mining Lease and Option to Purchase Unpatented Mining Claims dated
11 December 17, 1979, as amended May 18, 1982, concerning those
12 certain unpatented mining claims located in Township 26, North,
13 Range 49 East, M.D.B.&M., situate in the County of Eureka, State
14 of Nevada, more particularly described as:

15 Zeke No. 1 through Zeke No. 20

16 5. Checking Account No. 051 361 348 6, First Interstate
17 Bank of Nevada, Eureka Branch, Eureka, Nevada, with a balance as
18 of June 21, 1985, of \$1,741.18. Said Account is in the name of
19 J. CHARLES DAMELE.

20 That the Estate is in all respects ready to be closed.

21 WHEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED:

22 A. That due and legal notice of hearing of said First and
23 Final Account and Petition for Distribution and Agreement on Fee
24 was given as required by law. That the First and Final Account
25 be, and the same hereby is, finally settled, allowed and approved;

26 B. That due and legal Notice to Creditors of said Estate
27 was given in the manner and for the time required by law;

28 C. That the LAW OFFICES OF RICHARD J. MATTHEWS, CHARTERED,
29 be allowed a reasonable attorney fee in the sum of \$1,600.00, and
30 it hereby is allowed and approved;

31 D. That your Petitioners have waived statutory fees and
32 commissions, and that no fees or commissions are allowed;

E. That the funds actually required, not to exceed \$50.00

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1 be set aside for closing costs.

2 F. That, after the payment of fees and costs, all property
3 belonging to the Estate of CHARLES J. DAMELE, deceased, be
4 distributed to CHARLES N. DAMELE, R. D. DAMELE, and STEPHEN
5 D. DAMELE, in equal shares.

6 The property to be distributed is as set forth above.

7 G. That any and all property, both real and personal, of
8 any kind or nature, not hereinabove described, but within the
9 jurisdiction of the above-entitled Court in which said Estate may
10 have an interest, whether now known or not, be distributed to
11 CHARLES N. DAMELE, R. D. DAMELE, and STEPHEN D. DAMELE, in equal
12 shares.

13 H. That upon filing receipts showing distribution in
14 accordance herein, the Executors be discharged.

15 DATED this 13 day of November, 1985.

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DISTRICT JUDGE

STATE OF NEVADA, }
COUNTY OF EUREKA. }ss

I, Joan Shangle 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 IN THE MATTER OF THE ESTATE OF CHARLES J. DAMELE, SR., as appears
Amended Decree Settling First and Final Accounting of Executors and Petition
as of record and on file in my office. for Distribution and Discharge and Application for
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 15 day of November, A. D. 1985

SEAL
Affixed

Joan Shangle County Clerk,
And ex-officio Clerk of the District Court, Eureka County.

By Maxine Elliott Deputy.

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LAW OFFICES
DILYEU AND MATTHEWS
CHARTERED
PROFESSIONAL CENTER
ELKO, NEVADA 89801

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BOOK 140 PAGE 231

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
FILED NO. 100887
FEE \$ 11.00

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85 NOV 15 P 3:25

RECORDED AT REQUEST OF
Richard J. Matthews
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