

JAN 2 1987

JOAN SHANGLE,  
CLERK  
by M. Elliott  
Deputy

No. 929

106821

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  
ERNEST O. BAUMANN,  
Deceased.

DECREE SETTLING FIRST AND  
FINAL ACCOUNT, PETITION  
FOR FEES, AND PETITION FOR  
FINAL DISTRIBUTION

WALTER E. BAUMANN, Executor of the Estate of ERNEST O.  
BAUMANN, Deceased, having on the 19th day of December, 1986,  
petitioned for approval of his First and Final Account, Petition  
for Fees, and Petition for Final Distribution in the administration  
of said Estate; and STEWART R. WILSON on said day having filed his  
Application for Attorney's Fees, and the hearing on said Account,  
Petition, and Application having been set for the 2nd day of  
January, 1987, at 1:30 p.m., in the Eureka County Courtroom, and  
having come on duly and regularly for hearing at said time and place;  
and proof having been made to the satisfaction of the Court that  
due and legal notice of the settlement of said Account and Applica-  
tion for Attorney's Fees were given as required by law:

THE COURT HEREBY FINDS THAT:

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P. O. BOX 389  
ELKO, NEVADA 89801-0389

1           1. The First and Final Account is in all respects  
2 true and correct.

3           2. No bond was required of said Executor.

4           3. Due and legal notice to the creditors of said Estate  
5 has been given in the manner and for the time required by law.

6           4. No claims of creditors have been filed against  
7 said Estate.

8           5. The Executor has filed an Inventory, Appraisement,  
9 Record of Value, and Affidavit in Lieu of Appraisement on December 19,  
10 1986 and Amendment thereto valuing the property of the Estate at  
11 \$395,895.00, being the Decedent's separate property.

12           6. The necessary tax returns for the Decedent and for the  
13 Estate to date have been filed and there are no taxes unpaid. The  
14 final fiduciary return will be prepared and filed by the Accountants  
15 for the Estate by the time of the final hearing on this Account and  
16 Petition or as soon as possible thereafter.

17           7. The funeral expenses and costs of last illness have  
18 been paid.

19           8. The firm of WILSON and BARROWS, LTD., Attorneys for  
20 said Estate, has not been paid its fees for services to said Estate,  
21 and it is entitled to reasonable compensation for its services in  
22 the sum of \$10,000.00, being 2.5% of the assets of the Estate upon  
23 Decedent's date of death.

24           9. The firm of WILSON and BARROWS, LTD., Attorneys for  
25 said Estate has advanced for said Estate the sum of \$160.00 as  
26 costs of administration, and will advance for closing costs the sum  
27 of \$50.00, and is entitled to be reimbursed therefor.

28           10. The Executor has waived the allowance and payment  
of statutory fees and commissions for his services to said Estate.

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1 11. The firm of READ & POWELL, Accountants for said Estate,  
2 is entitled to the allowance and payment of a reasonable fee in the  
3 sum of \$8,025.00 for its preparation of the estate and fiduciary  
4 tax returns.

5 12. The devisees and legatees named in Decedent's Will are  
6 as follows:

7	NAME	AGE	RELATIONSHIP	ADDRESS
8	WERNER F. BAUMANN	Adult	Brother	1107 Court Street
9				Elko, NV 89801
10	WALTER E. BAUMANN	Adult	Brother	P. O. Box 497
11				Eureka, NV 89316
12	GERTRUDE L. BUFFINGTON	Adult	Sister	Mina, NV 89422
13	HELEN H. PARTRIDGE	Adult	Sister	394 Sierra Street
				Bishop, CA 93514

14 13. Pursuant to Paragraph Fourth of the Decedent's Will,  
15 all of the Decedent's right, title and interest of every name or nature  
16 in and to all unpatented mining claims or in and to any and all other  
17 minerals, gas and oil rights and all existing oil, gas and mineral  
18 leases of which the Decedent died possessed are to be distributed unto  
19 WALTER E. BAUMANN.

20 14. Pursuant to Paragraph Fifth of the Decedent's Will,  
21 all of the rest, residue and remainder of the property, both real  
22 and personal, in the Estate, after payment of costs of administration,  
23 shall be distributed unto WERNER F. BAUMANN, GERTRUDE L. BUFFINGTON,  
24 WALTER E. BAUMANN and HELEN H. PARTRIDGE, share and share alike.

25 15. The property comprising the Estate available for the  
26 payment of costs of administration and for distribution pursuant to  
27 the terms of the Decedent's Will is the following:

28

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3.



- (1) Monies on Hand
- (2) Monies to be received pursuant to Paragraph XIV of the Petition for Final Distribution
- (3) Promissory Note dated September 20, 1985 in the principal sum of \$400,000.00, in which Grant V. Dobbs and Mabel G. Dobbs are the Payors and Ernest O. Baumann is the Payee. This Note is secured by a First Deed of Trust upon real property and is regarded as 100% collectible.
- (4) Household goods and personal effects
- (5) 1981 Ford pickup
- (6) 1983 Toyota 4-WD Tercel
- (7) The following unpatented Mining Claims situate in the Cortez Mining District in Township 25 North, Range 47 East, MDB&M, approximately one-half mile south of Ned's Canyon, as follows:
  - Marthalena
  - Marthalena No. 1
  - Marthalena No. 2
  - Marthalena No. 3

- (8) An undivided 50% interest in all mineral rights, oil, or gas lying on, in or under the following real property:

Township 26 North, Range 48 East, MDB&M

Section 3: NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$

16. Pursuant to Paragraph XIV of the Petition for Final Distribution GERTRUDE L. BUFFINGTON shall be entitled to distribution of the 1983 Toyota 4-WD Tercel. WERNER F. BAUMANN shall be entitled to distribution of the 1981 Ford pickup, and HELEN H. PARTRIDGE shall be entitled to distribution of all of the Decedent's remaining household goods and personal effects, save and except for one refrigerator.

17. Said Estate is in all respects ready to be closed.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED

THAT:

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1 A. Due and legal notice of the hearing of said First  
2 and Final Account, Petition for Fees, and Petition for Final  
3 Distribution were given as provided by law.

4 B. There be allowed and paid unto the firm of WILSON  
5 and BARROWS, LTD., Attorneys for said Estate, the sum of \$10,000.00  
6 in full for services of said Estate.

7 C. There be allowed and paid unto the firm of WILSON  
8 and BARROWS, LTD., as said Attorneys, the sum of \$160.00 as costs  
9 of administration, together with closing costs in the sum of \$50.00.

10 D. There be allowed and paid unto the firm of READ &  
11 POWELL the sum of \$8,025.00 in full payment of its accounting  
12 services for said Estate.

13 E. After payment and distribution of the items set forth  
14 in Paragraph B through D above, the following property shall be  
15 distributed unto the persons named herein:

16 Unto WERNER F. BAUMANN one 1981 Ford pickup;

17 Unto WALTER E. BAUMANN the following unpatented  
18 mining claims situate in the Cortez Mining District  
19 in Township 25 North, Range 47 East, MDB&M, approx-  
20 imately one-half mile south of Ned's Canyon, as  
21 follows:

22 Marthalena  
23 Marthalena No. 1  
24 Marthalena No. 2  
25 Marthalena No. 3

26 An undivided 50% interest in all mineral rights,  
27 oil, or gas lying on, in or under the following  
28 real property:

Township 26 North, Range 48 East, MDB&M  
Section 3: NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Unto GERTRUDE L. BUFFINGTON one 1983 Toyota 4-WD Tercel;  
Unto HELEN H. PARTRIDGE all of Decedent's remaining  
household goods and personal effects, save and except  
for one refrigerator.

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1 All of the remaining property of the Decedent described  
2 in Paragraph 15 above shall be distributed to WERNER F. BAUMANN,  
3 WALTER E. BAUMANN, GERTRUDE L. BUFFINGTON, and HELEN H. PARTRIDGE,  
4 share and share alike.

5 F. Any and all other real or personal property of any  
6 name or nature not hereinabove described and within the jurisdiction  
7 of the above entitled Court, in which said Estate shall have an  
8 interest and whether now known or not, be, and the same hereby is  
9 distributed unto WERNER F. BAUMANN, WALTER E. BAUMANN, GERTRUDE L.  
10 BUFFINGTON, and HELEN H. PARTRIDGE, share and share alike.

11 G. Upon filing receipts in accordance herewith, the  
12 Executor shall be discharged from his Trust.

13 DONE IN OPEN COURT on the 2nd day of January, 1987.

14  
15 131 Nelson H. Hayt  
16 DISTRICT JUDGE

17  
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19  
20 RECORDED AT REQUEST OF  
21 Wilson & Barrows, Ltd.  
22 BOOK 153 PAGE 343

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24 87 JAN 2 P 1:23

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SEVENTH JUDICIAL DISTRICT COURT, IN AND FOR COUNTY OF EUREKA, STATE OF NEVADA	SS
I, the Undersigned COUNTY CLERK, and Ex-Officio CLERK of the SEVENTH 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.	
WITNESS, My Hand and Seal of said DISTRICT COURT, this <u>2nd</u> day of <u>Jan</u> 19 <u>87</u>	
<u>Joan Shargel</u> County Clerk and Ex-Officio Court Clerk	<u>by M. Elliott</u> Deputy Clerk

OFFICIAL RECORDS  
EUREKA COUNTY, NEVADA  
H.N. REDEAU, RECORDER  
FILE NO. 106821  
FEE \$ 10.00

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