

109287

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)
EUGENE ABRAHAM FOX ,)
Deceased.)

15 P1:27

Kern Vasquez
Win Smith

Case No. P3433

ORDER SETTLING FINAL ACCOUNT AND DECREE OF FINAL DISTRIBUTION

The FIRST AND FINAL ACCOUNT AND PETITION FOR FINAL DISTRIBUTION of the Executor having come on regularly for hearing, the Court, after examining the Account and Petition and after considering the evidence, finds that:

A. Due notice of the hearing of the Petition was given as required by law.

B. Notice to creditors has been given as required by law, the time for presenting claims has expired, and such valid claims as have been timely filed have been satisfied.

C. All allegations of the Petition are true.

D. The decedent's estate consists of the decedent's separate property.

E. The remaining assets of the estate, presently held by the Executor, total \$203,262, of which all is real estate. Said real property is described on Exhibit "A", which is attached hereto and incorporated herein by this reference.

F. The First and Final Accounting is hereby approved, allowed and settled.

Order (Case No. P3433) -- Page 1

BOOK 159 PAGE 005

AFTER RECORDING, RETURN TO:

JOHNSON & RUSHFORTH
530 South Fourth Street
Las Vegas, Nevada 89101-6591

LAW OFFICES
JOHNSON & RUSHFORTH
A PROFESSIONAL
CORPORATION
530 SOUTH FOURTH ST.
LAS VEGAS, NV
89101-6591

1 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED, as follows:

2 1. All acts of the Executor relating to matters in the
3 Petition are approved.

4 2. The administration of the estate shall be brought to a
5 close upon the filing of the appropriate distributees' receipts
6 or vouchers, whereupon the Executor shall be issued a Final
7 Discharge from his responsibilities in this estate.

8 3. The Executor is authorized and directed to pay the law
9 firm of JOHNSON & RUSHFORTH, \$662.54 as attorney's fees and
10 costs.

11 5. The property belonging to the estate, together with any
12 other property of the estate not now known and subsequently
13 discovered, shall be distributed to GREGORY D. FOX, as Trustee of
14 the residuary Trust created under the terms of the decedent's
15 Will. Jurisdiction of said trust, with respect to these ancil-
16 lary proceedings, is hereby transferred to the Superior Court of
17 Calaveras County, California (Case No. 4626), pursuant to NRS
18 1614.130. The real property belonging to the estate shall become
19 the property of the testamentary trustee upon the recording of an
20 Executor's Deed or this order. Said Executor's Deed or this
21 Order shall be recorded in Elko County, Eureka County and
22 Humboldt County, Nevada records. The real property is described
23 on Exhibit "A", which is attached hereto and incorporated herein
24 by this reference.

25 DATED June 15, 1987

Joe. O. McDonald
DISTRICT JUDGE

27 Submitted by:

Layne T. Rushforth

LAW OFFICES
JOHNSON & RUSHFORTH
A PROFESSIONAL
CORPORATION
830 SOUTH FOURTH ST.
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LAYNE T. RUSHFORTH OF JOHNSON & RUSHFORTH
530 South Fourth Street, Las Vegas, NV 89101

BOOK 159 PAGE 006

CASE NO. P3433

Estate of Eugene A. Fox

INVENTORY & RECORD OF VALUE

All those certain lots, pieces or parcels of land situate in the State of Nevada, County of EUREKA, more particularly described as follows:

Township 30 North Range 50 East, M.D.B.&M.

Section 5: NE 1/4; NE 1/4 NW 1/4; W 1/2 NW 1/4; SE 1/4 SE 1/4; W 1/2 SE 1/4

Township 31 North Range 50 East, M.D.B.&M.

Section 31: W 1/2 of the E 1/2; NE 1/4 NW 1/4; W 1/2 NW 1/4

EXCEPTION THEREFROM, and reserving to EARL EDGAR and DELORES EDGAR dba ITCAINA LIVESTOCK, all minerals, royalties, mineral rights, mineral deposits, oil and gas, and oil and gas rights, and coal, now in, under, on or pertaining to said lands or any portion thereof, together with the right of ingress and egress on, across and through the surface of the land conveyed, and together with all rights, privileges, easements and licenses necessary for the convenient and successful exploration for, location of, exploitation of, mining of and removal of all such minerals, coal, oil and gas and all by-products thereof.

ATTACHMENT A

Page 1

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All those certain lots, pieces or parcels of land situate in the State of Nevada, County of HUMBOLDT, more particularly described as follows:

Township 37 North Range 37 East, M.D.B.

Section 17: W 1/2

Section 21: W 1/2

Section 29: SE 1/4

Section 31: N 1/2 NW 1/4; SE 1/4 NW 1/4; N 1/2 NE 1/4

EXCEPTING THEREFROM, all mineral lands should any such be found to exist, but according to the terms of the Statute shall not be construed to include coal and iron lands, as contained in the Patent from the United States of America, recorded January 20, 1905, in Book 40 of Deeds, Page 427, aforesaid records.

ALSO RESERVING, unto JAMES F. KEARNS and NORMA R. KEARNS each to an undivided 25% of all minerals, including but not limited to oil, gas, hydrocarbon substances and geothermal energy, within or underlying said land, or that may be produced therefrom as contained in the Deed from VELMA A. KEARNS, JAMES F. KEARNS and NORMA R. KEARNS to VELMA A. KEARNS, recorded March 1, 1978 in Book 105 of Official Records, Page 28 as Document No. 181725, aforesaid records.

ATTACHMENT A

Page 2

BOOK 159 PAGE 008

All those certain lots, pieces or parcels of land situate in the County of Elko, State of Nevada, more particularly described as follows:

TOWNSHIP 34 NORTH, RANGE 62 EAST, MDB&M

Section 4: NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5: NW $\frac{1}{4}$

TOWNSHIP 36 NORTH, RANGE 58 EAST, MDB&M

Section 5: W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 37 NORTH, RANGE 56 EAST, MDB&M

Section 11: W $\frac{1}{2}$ SW $\frac{1}{4}$

TOWNSHIP 37 NORTH, RANGE 57 EAST, MDB&M

Section 35: NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 37 NORTH, RANGE 58 EAST, MDB&M

Section 15: SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 17: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21: NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 23: N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$
Section 31: E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 37 NORTH, RANGE 59 EAST, MDB&M

Section 7: SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 17: S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 38 NORTH, RANGE 57 EAST, MDB&M

Section 29: SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 38 NORTH, RANGE 58 EAST, MDB&M

Section 15: S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$
Section 31: NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$

TOWNSHIP 39 NORTH, RANGE 58 EAST, MDB&M

Section 29: NE $\frac{1}{4}$ SE $\frac{1}{4}$

RECORDED AT REQUEST OF
Johnson & Pushforth
BOOK 159... PAGE 005.

87 JUL 8 11:00

OFFICIAL RECORDS
ELKO COUNTY, NEVADA
PLIN RECREATIONAL RECORDER

FILE # 10928
FEE \$ 10.00

CERTIFICATION OF COPY

STATE OF NEVADA
COUNTY OF ELKO, SS.



I, KAREN VASQUEZ, COUNTY CLERK AND EX OFFICIO CLERK OF THE DISTRICT COURT OF THE FOURTH DISTRICT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF ELKO, DO HEREBY CERTIFY THAT THE AFFIXED IS A TRUE AND CORRECT COPY OF THE INSTRUMENT AS THE SAME APPEARS ON FILE AND OF RECORD IN MY OFFICE.

Witness my hand and the seal of said court affixed the 25th day of June, A.D. 19 87.

KAREN VASQUEZ County Clerk

By *Annette Paele* Deputy Clerk