

FILED

No. 5904

No. _____

DEC 01 1987

JUDY E. NEGRO
LANDER COUNTY CLERK

By *Judy E. Negro*

114890

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF LANDER

IN THE MATTER OF THE ESTATE OF
LUCILLE LINTON HOPKINS, aka
LUCILLE L. HOPKINS, aka
LUCILLE HOPKINS,

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

DECEASED.

JOHN V. WOODS, Executor of the Ancillary Estate of
LUCILLE LINTON HOPKINS, Deceased, having on the 9th day of
November, 1987, rendered and filed herein his First and Final
Account and Petition for Distribution, and the hearing on said
Account and Petition having been set for the 1st day of
December, 1987, at the hour of 9:30 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 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 Executor of the Estate at the time of said
hearing of said Account was, and is, valued at the sum of
\$47,828.00, and consists of real property located in the
Counties of Eureka and Lander, State of Nevada.

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1 2. That the above-named Decedent died testate in
2 the City of Santa Cruz, County of Santa Cruz, State of
3 California, on October 16, 1982, that at the time of
4 Decedent's death, she was a resident of said City, County, and
5 State, and left estate consisting of real property within the
6 Counties of Eureka and Lander, State of Nevada, and within the
7 jurisdiction of this Court.

8 3. That the above-named JOHN V. WOODS was appointed
9 Executor of the above-entitled Ancillary Estate on August 2,
10 1983, and duly qualified as such on the same date.

11 4. That due and legal Notice to Creditors of said
12 Estate has been given in the manner and for the time required
13 by law.

14 5. That all taxes of every name and nature required
15 to be paid by Decedent's Estate have been paid.

16 6. That there have been no Creditor's Claims
17 presented against said Estate.

18 7. That the Executor of said Estate, having waived
19 statutory fees and commissions, none be paid to him.

20 8. That all of the property and property interests
21 of every name and nature comprising Decedent's Estate at the
22 date of her death were her sole and separate property.

23 9. That the devisees and legatees named in
24 Decedent's Will are as follows:

<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
25 Wanda Woods	Now Deceased	Niece
26 John Woods	Adult	Husband of
27 5335 Reese Rd.		Wanda Woods
28 Torrance, CA 90505		

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- 2 -

1	Karen Woods Dietrich 1808 Port Charles Newport Beach, CA 92660	Adult	Grand-Niece
2			
3	Linton Woods 1130 Paularino Costa Mesa, CA 92660	Adult	Grand-Nephew
4			
5	Max Woods 67 Hale Street Mosman, Australia 2088	Adult	Grand-Nephew
6			
7	Kendra Woods Risdon 12261 Manley Street Garden Grove, CA 92645	Adult	Grand-Niece
8	Dorcas Gray Smith	Now deceased	Niece
9	Georgiana Mincy P. O. Box 398 Jefferson, TX	Adult	Niece
10			
11	William R. Hopkins, Jr. 7510 Calle Verde Rd. Dublin, CA 94566	Adult	Step-Nephew
12			
13	Thomas S. Hopkins SACLANTCEN APO NY 09019NY	Adult	Step-Nephew
14			
15	Alfred S. Hopkins Chile 910 3-B Buenos Aires, Argentina 1098 South America	Adult	Step-Nephew
16			
17	Carl Linton Gray 10626 238th St. Kent, WA 98031	Adult	Nephew

18 That the names, ages, relationship, and residences
19 of the heirs-at-law of the Decedent are as follows:

20	<u>NAME AND ADDRESS</u>	<u>AGE</u>	<u>RELATIONSHIP</u>
21	Mrs. Eva Gray	Now deceased	Sister
22	<u>CHILDREN OF HOYT A. LINTON, DECEASED, BROTHER OF THE DECEDENT, LUCILLE LINTON HOPKINS:</u>		
23	Wanda Woods	Now Deceased	Niece
24	Karen Woods Dietrich 1808 Port Charles Newport Beach, CA 92660	Adult	Grand-Niece
25			
26	Linton Woods 1130 Paularino Costa Mesa, CA 92660	Adult	Grand-Nephew
27			
28			

- 1 Max Woods Adult Grand-Nephew
- 2 67 Hale Street
- 3 Mosman, Australia 2088
- 4 Kendra Woods Risdon Adult Grand-Niece
- 5 12261 Manley Street
- 6 Garden Grove, CA 92645
- 7 Mary Joyce Strohmer Adult Niece
- 8 2525 Via Campesna, #206
- 9 Palos Verdes Estates, CA 90274
- 10 Linda Kay Hadley Adult Grand-Niece
- 11 P. O. Box 2026
- 12 Chelan, WA 98816
- 13 CHILDREN OF MRS. VERNE KRETSCHMER, DECEASED, SISTER OF THE
- 14 DECEDENT, LUCILLE LINTON HOPKINS:
- 15 Mrs. Robert B. Fox Adult Niece
- 16 P. O. Box 3865
- 17 Fort Pierce, FL 33450
- 18 Albert E. Kretschmer, Jr. Adult Nephew
- 19 1028 Antilles St.
- 20 Fort Pierce, FL 33450
- 21 Mrs. Jane Savage Adult Niece
- 22 c/o Hotel Lincoln
- 23 1816 North Clark Street
- 24 Chicago, IL 60614
- 25 CHILDREN OF GEORGE LINTON, DECEASED, BROTHER OF THE DECEDENT,
- 26 LUCILLE LINTON HOPKINS:
- 27 Mary Wieland Adult Niece
- 28 1776 Jeffery Lane
- 29 Carmichael, CA 95608
- 30 Sally Curd Adult Niece
- 31 725 Gold Street
- 32 Redding, CA
- 33 Georgiana Mincy Adult Niece
- 34 P. O. Box 398
- 35 Jefferson, TX

10. That the Law Firm of PUCINELLI & PUCINELLI, P.C. has rendered to the Executor services in connection with the administration of said Estate, together with costs of administration heretofore advanced by said attorneys on behalf of said Estate.

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1 11. That the property in the possession of the
2 Executor for Distribution unto the parties entitled thereto is
3 as more hereafter described in the Decree of Distribution.

4 12. That Paragraph 3 of Decedent's Last Will and
5 Testament states as follows:

6 3. All the rest, residue and remainder of my
7 estate I hereby give to the following equally, share
and share alike:

8 JOHN WOODS AND WANDA WOODS
9 MRS. DORCAS GRAY SMITH, if she survives me
KAREN WOODS, if she survives me, and if she
10 does not, to her husband
LINTON WOODS, if he survives me, and if he does
11 not, MRS. LINTON WOODS
MAX WOODS, if he survives me, and if he does
12 not, MRS. MAX WOODS.
KENDRA WOODS, if she survives me
13 GEORGIANA MINCY, if she survives me, and if she
does not, the husband of GEORGIANA MINCY
14 WILLIAM R. HOPKINS JR., if he survives me, and
if he does not, MRS. WILLIAM R. HOPKINS,
15 JR.
THOMAS S. HOPKINS, if he survives me, and if he
16 does not, MRS. THOMAS S. HOPKINS
ALFRED S. HOPKINS, if he survives me, and if he
17 does not, MRS. ALFRED S. HOPKINS
CARL LINTON GRAY, if he survives me, and if he
18 does not, MRS. CARL LINTON GRAY.

19 That subsequent to the commencement of this probate
20 action, the said WANDA WOODS has died, and the portion of the
21 estate to which she would have been entitled passed to JOHN V.
WOODS; that DORCAS GRAY SMITH, on December 8, 1986, executed
22 an Assignment of Expectancy, wherein she assigned her interest
23 in this estate to JOHN V. WOODS; that said DORCAS GRAY SMITH
24 is now deceased; that in January, 1987, CARL LINTON GRAY
25 assigned his interest in said estate to WESLEY C. GRAY.

26 14. That there are six parcels of real property
27 included in this Ancillary Estate, which must be divided among
28 twelve devisees and legatees; that it is impractical to have

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1 the smaller parcels divided into twelve equal shares; that a
2 plan was devised and agreed to by each of the devisees and
3 legatees that the parcels would be distributed in the manner
4 following:

5 That four of the named devisees and legatees could
6 share equally in the 160 acre parcel; four others
7 could share the 161.30 acre parcel, and that one
8 each of the remaining four devisees and legatees
9 could be named the sole distributee of the parcels
10 comprising 20 acres, 39.88 acres, 60 acres, and
11 63.86 acres, respectively.

12 That the determination of which devisee and legatee
13 is to receive a particular parcel or share thereof
14 should be determined by lot conducted by the Lander
15 County Clerk, with the approval of the presiding
16 District Judge.

17 That each devisee and legatee has executed a docu-
18 ment entitled "Agreement on Method of Distribution," outlining
19 the above plan of distribution, all of which have been hereto-
20 fore filed herein; that pursuant to the presiding District
21 Judge approving this plan, on October 20, 1987, in open Court,
22 the Lander County Clerk, under the supervision of the
23 Honorable Llewellyn Young, District Judge, drew such lots with
24 the following results:

25 Parcel No. 1 - Lander County, NV

26 TOWNSHIP 31 NORTH, RANGE 48 EAST, MDB&M

27 Section 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$ E $\frac{1}{4}$
(Parcel 8 630 10) consisting of 10 acres;

28 NW $\frac{1}{4}$ NW $\frac{1}{4}$ E $\frac{1}{4}$
(Parcel 8 630 12) consisting of 10 acres;

(Together with Mineral Rights)

will be distributed to KENDRA WOODS RISDOM.

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1 Parcels No. 2, 3, 4, and 5 - Eureka County, NV
2 each consisting of a 25% interest in and to the
3 following described parcel:

4 TOWNSHIP 31 NORTH, RANGE 48 EAST, MDB&M

5 Section 3: Lots 9, 10, 11, and 12 (Parcel 05
6 010 13)
7 consisting of 161.30 acres

8 will be distributed to KAREN WOODS DIETRICH, WILLIAM R.
9 HOPKINS, JR., JOHN V. WOODS, and MAX WOODS, in equal shares,
10 as tenants in common.

11 Parcel No. 6 - Eureka County, NV

12 TOWNSHIP 31 NORTH, RANGE 48 EAST, MDB&M

13 Section 35: Lot 5 (Parcel 05 070 06), con-
14 sisting of 39.88 acres.

15 will be distributed to JOHN V. WOODS, as successor in interest
16 to WANDA WOODS.

17 Parcel No. 7 - Eureka County

18 TOWNSHIP 30 NORTH, RANGE 49 EAST, MDB&M

19 Section 5: N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$
20 (Parcel 05 290 10) consisting of 60 acres.

21 will be distributed to THOMAS S. HOPKINS.

22 Parcel No. 8 - Eureka County

23 TOWNSHIP 29 NORTH, RANGE 49 EAST, MDB&M

24 Section 5: Lot 4; N $\frac{1}{2}$ of Lot 5 (Parcel 05 480
25 01) consisting of 63.86 acres.

26 will be distributed to JOHN V. WOODS, as assignee of DORCAS
27 GRAY SMITH

28 Parcels No. 9, 10, 11, and 12 - Eureka County

each consisting of a 25% interest in and to the
following described parcel:

TOWNSHIP 29 NORTH, RANGE 48 EAST, MDB&M

Section 35: SE $\frac{1}{4}$ (Parcel 05 410 29) consisting
of 160 acres.

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1 will be distributed to ALFRED S. HOPKINS, GEORGIANA MINCY,
2 LINTON WOODS, and WESLEY C. GRAY as assignee of CARL LINTON
3 GRAY, in equal shares, as tenants in common.

4 15. That the Estate is in all respects ready to be
5 closed.

6 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that
7 said Account be, and is, in all respects, approved, allowed,
8 and settled.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
10 statutory fees to the Executor having been waived, that none
11 be paid to him.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
13 the property remaining in the hands of the Executor of said
14 Estate, after the payment of all costs of administration
15 including attorney fees, advanced costs, and closing costs, be
16 distributed in accordance with Paragraph 3 of the Last Will
17 and Testament of the above-named Decedent, in the following
18 manner, to-wit: -

19 KENDRA WOODS RISDON shall receive the following
20 parcel of real property, situate in Lander County, Nevada:

21 TOWNSHIP 31 NORTH, RANGE 48 EAST, MDB&M

22 Section 7: SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
23 (Parcel 8 630 10) consisting of 10 acres;

24 NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
25 (Parcel 8 630 12) consisting of 10 acres;

26 (Together with Mineral Rights)

27 //

28 //

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

KAREN WOODS DIETRICH, WILLIAM R. HOPKINS, JR., JOHN V. WOODS, and MAX WOODS shall receive as tenants in common, each to own an undivided twenty-five percent (25%) interest, the following parcel of real property, situate in Eureka County, Nevada:

TOWNSHIP 31 NORTH, RANGE 48 EAST, MDB&M

Section 3: Lots 9, 10, 11, and 12 (Parcel 05 010 13) consisting of 161.30 acres

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

JOHN V. WOODS, as successor in interest to WANDA WOODS, shall receive as his sole and separate property, the following described parcel of real property situate in Eureka County, Nevada:

TOWNSHIP 31 NORTH, RANGE 48 EAST, MDB&M

Section 35: Lot 5 (Parcel 05 070 06), consisting of 39.88 acres.

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

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/////

1 THOMAS S. HOPKINS shall receive as his sole and
2 separate property the following described parcel of real
3 property situate in Eureka County, Nevada:

4 TOWNSHIP 30 NORTH, RANGE 49 EAST, MDB&M

5 Section 5: N $\frac{1}{2}$ NW $\frac{1}{2}$ SW $\frac{1}{2}$; NE $\frac{1}{2}$ SW $\frac{1}{2}$
6 (Parcel 05 290 10) consisting of 60 acres.

7 TOGETHER WITH the tenements, heredita-
8 ments, and appurtenances thereunto belong-
9 ing or in anywise appertaining, and the
10 reversion and reversions, remainder and
11 remainders, rents, issues, and profits
12 thereof.

13 JOHN V. WOODS, as assignee of DORCAS GRAY SMITH,
14 shall receive as his sole and separate property the following
15 described parcel of real property situate in Eureka County,
16 Nevada:

17 TOWNSHIP 29 NORTH, RANGE 49 EAST, MDB&M

18 Section 5: Lot 4; N $\frac{1}{2}$ of Lot 5 (Parcel 05
19 480 01) consisting of 63.86 acres.

20 TOGETHER WITH the tenements, heredita-
21 ments, and appurtenances thereunto belong-
22 ing or in anywise appertaining, and the
23 reversion and reversions, remainder and
24 remainders, rents, issues, and profits
25 thereof.

26 ALFRED S. HOPKINS, GEORGIANA MINCY, LINTON WOODS,
27 and WESLEY C. GRAY (as assignee of CARL LINTON GRAY), shall
28 receive as tenants in common, each to own an undivided
twenty-five percent (25%) interest, the following parcel of
real property, situate in Eureka County, Nevada:

TOWNSHIP 29 NORTH, RANGE 48 EAST, MDB&M

Section 35: SE $\frac{1}{4}$ (Parcel 05 410 29)
consisting of 160 acres.

TOGETHER WITH the tenements, heredita-
ments, and appurtenances thereunto

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1 belonging or in anywise appertaining, and
2 the reversion and reversions, remainder
3 and remainders, rents, issues, and profits
4 thereof.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
6 any property, either real or personal, not now known or
7 discovered, which may belong to the estate of the above-named
8 Decedent, or in which the estate of the above-named Decedent
9 may have any interest, or which may be hereafter discovered,
10 be distributed to the above-named devisees and legatees in
11 accordance with the terms of the Last Will and Testament of
12 the Decedent.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED
14 that the Executor file for record in the office of the County
15 Recorder of the County of Eureka, State of Nevada, and in the
16 office of the County Recorder of the County of Lander, State
17 of Nevada, a certified copy of this Decree; that, upon the
18 delivery of the property to the person entitled thereto, as
19 hereinabove ordered, and upon filing true and proper vouchers
20 and receipts in this Court, the said JOHN V. WOODS be fully
21 and finally discharged from his trust as such Executor.

22 DATED this 1st day of December, 1987.

23 SIXTH JUDICIAL DISTRICT COURT,
24 AND FOR COUNTY OF LANDER,
25 STATE OF NEVADA.

} SS

/s/ J. Lewellyn A. Young
DISTRICT JUDGE

26 I, The Undersigned COUNTY CLERK, And Ex-Office
27 CLERK OF THE SIXTH JUDICIAL DISTRICT COURT Do
28 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 1st Day Of Dec 19 87

County Clerk And Ex-Office Court Clerk

Deputy Clerk

OFFICE OF THE
CLERK OF THE DISTRICT COURT
EUREKA, NEVADA
FILE NO. 118950
FEE \$ 5.00

87 DEC -3 AM 34

RECORDED AT THE REQUEST OF
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J. Puccinelli

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