

1 NO. 3622

2 114912 FILED

3
4 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
5 OF THE STATE OF NEVADA, IN AND FOR WASHOE COUNTY OF ELKO
6

7 In the Matter of the Estate of

8 DAN FILIPPINI,

DECREE OF DISTRIBUTION

9 Deceased.

10 HENRY FILIPPINI, Executor of the above entitled Estate,
11 filed his Petition for Final Distribution herein on the 27th
12 day of October, 1987; the same came on regularly to be heard
13 on November 13, 1987, at 9:15 a.m.; the Executor appeared in
14 person with his Attorney, STEWART R. WILSON, of the law firm of
15 WILSON and BARROWS, LTD.; no person appeared in opposition;
16 evidence was introduced and arguments presented in support of
17 the Petition; the matter was submitted; ACCORDINGLY,

18 THE COURT HEREBY FINDS AND CONCLUDES THAT:

- 19 1. Due and legal notice of the filing and hearing of
20 the Petition has been given as required by law.
21 2. All averments in the Petition are true and correct.
22 3. Since appointment and qualification, Petitioner has
23 continued to administer the above entitled Estate.
24 4. Petitioner has filed an Inventory, Appraisal, and
25 Affidavit in Lieu of Appraisement or Record of Value of the
26 assets of the Estate showing a value of \$1,397,545.05 as of
27 Decedent's date of death.
28

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BOOK 169 PAGE 594

1 5. As shown by the Affidavit of Publication filed
2 herein, the Notice to Creditors and of appointment was given as
3 provided by NRS 145.050.

4 6. Petitioner has rendered, and filed, a First and
5 Final Account of the administration of the Estate. Petitioner
6 filed a Supplemental Account covering the period from the date
7 of the First and Final Account to November 12, 1987.

8 7. The law firm of WILSON and BARROWS, LTD. has filed
9 its Application for Approval of Agreement on Attorney's Fees
10 and For Allowance of Same.

11 8. Petitioner has filed his application for allowance
12 of Executor's commission.

13 9. There are no known unpaid debts of the Estate or
14 expenses and charges of administration, other than the payment
15 of fiduciary income taxes, personal representative's commission
16 and attorney's fees and costs.

17 10. Petitioner has done all things necessary for the
18 proper administration of the Estate, and the same is in a
19 condition to be finally settled and closed.

20 11. The property comprising said Estate and available
21 for payment of fees and costs and distribution was Decedent's
22 separate property and is the following:

23 ITEM NO. 1 -- Monies

24 Cash on Hand	\$ 679,561.08
25 Monies to be refunded from IRS on	
26 Federal Estate Taxes (Est.)	110,000.00
27 Monies due from settlement of sales	
28 of Exxon and Wellington Fund stocks, and	
Newmont Exploration Limited royalties	90,000.00

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BOOK 169 PAGE 595

1
2 ITEM NO. 2 -- Mineral rights

3 All mineral rights of every name or nature
4 owned by the Decedent in the State of Nevada,
5 including oil, gas, and geothermal rights,
6 further including, but not limited to, all
7 mineral rights owned by Decedent upon, beneath
8 or within the following described real
9 property situate in the Counties of Lander and
10 Eureka, State of Nevada.

11 (See Exhibit A attached hereto.)

12 ITEM NO. 3 -- Jewelry

13 Miscellaneous rings and jewelry

14 12. Pursuant to Decedent's Last Will and Testament
15 dated January 8, 1986, and admitted to probate herein on
16 December 18, 1986, all of Decedent's estate should be
17 distributed as follows:

18 A. Pursuant to Paragraph FIRST of the Will, to
19 Decedent's sister, ANNA FILIPPINI, the sum of \$2,590.56, being
20 the balance due her after payment of Federal Estate Tax upon
21 her bequest previously distributed to her.

22 B. Pursuant to Paragraph SECOND of the Decedent's
23 Will, all of the Decedent's oil, gas, geothermal, and other
24 mineral rights wherever situate, unto the following persons:

- 25 A. Unto JOHN FILIPPINI, an undivided one-sixth;
26 B. Unto HENRY FILIPPINI, an undivided one-sixth;
27 C. Unto ANGELA JOLINE STEWART, an undivided one-sixth;
28 D. Unto JANICE ELAINE LOMBARDI, an undivided one-sixth;
E. Unto JOSEPHINE HELEN VAN DER DUSSEN, an undivided one-sixth;
F. Unto ALISON E. ELQUIST, an undivided one-thirtieth;
G. Unto JOSEPH A. ELQUIST, an undivided one-thirtieth;
H. Unto AMY L. ELQUIST, an undivided one-thirtieth;
I. Unto JAY L. ELQUIST, an undivided one-thirtieth;
J. Unto ANGELA M. ELQUIST, an undivided one-thirtieth,
by and through her Guardian, Rose Filippini.

Provided however, that JOHN FILIPPINI shall
have the sole and exclusive right and duty to

1 lease, sell or otherwise deal with the above
2 described mineral rights on behalf of the above
3 persons, or their heirs, until he dies or
4 becomes unable or unwilling to serve in this
5 capacity. Thereafter, said right and duty
6 shall be given to HENRY FILIPPINI, until his
7 death or until he becomes unable or unwilling
8 to serve.

9 C. All of the rest, residue and remainder of the
10 Decedent's property, real, personal, mixed, and wherever
11 situate, unto the following persons:

- 12 A. Five-sixths thereof, share and share alike
13 unto JOHN FILIPPINI, HENRY FILIPPINI,
14 ANGELA JOLINE STEWART, JANICE ELAINE
15 LOMBARDI, and JOSEPHINE HELEN VAN DER
16 DUSSEN.
- 17 B. One-sixth thereof unto ALISON E. ELQUIST,
18 JOSEPH A. ELQUIST, AMY L. ELQUIST, JAY L.
19 ELQUIST, and ANGELA M. ELQUIST, by and
20 through her Guardian, Rose Filippini.

21 13. The Order Appointing Executor did not require the
22 filing of a bond.

23 14. After payment of costs and fees the Executor shall
24 distribute the mineral rights, jewelry, or proceeds thereof,
25 and available monies on hand as of November 13, 1987,
26 immediately.

27 Additional monies collected should be impounded as
28 received, in an interest bearing estate bank account and
applied on estate fiduciary income tax returns; any additional
Internal Revenue Service assessments upon the estate tax and
tax payable to the Department of Taxation, State of Nevada.

The remaining sum on hand should be distributed per
above.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

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BOOK 169 PAGE 597

1 1. The Inventory, Appraisal, and Affidavit in Lieu of
2 Appraisement or Record of Value is hereby approved as rendered.

3 2. The First and Final Account and Supplemental
4 Account are hereby approved as rendered and filed.

5 3. The Executor's commission and attorney's fees are
6 hereby approved per the applications therefor, together with
7 costs advanced.

8 4. The Executor be, and he hereby is, ordered to
9 immediately pay the approved but unpaid fees and costs of
10 administration to the persons legally entitled thereto.

11 5. All of the remaining property comprising said
12 Estate be, and the same hereby is, distributed as follows:

13 A. Unto ANNA FILIPPINI, the sum of \$2,590.56.

14 B. All of the Decedent's oil, gas, geothermal, and
15 other mineral rights wherever situate, unto those
16 persons, and pursuant to those conditions set forth
17 in Paragraph 12-B above.

18 C. All of the rest, residue, and remainder of the
19 Decedent's property, real, personal, and mixed and
20 wherever situate, as set forth in Paragraph 12-C
21 above, except as follows:

22 Additional monies collected shall be impounded as
23 received, in an interest bearing estate bank account and
24 applied on estate fiduciary income tax returns; any additional
25 Internal Revenue Service assessments upon the estate tax and
26 tax payable to the Department of Taxation, State of Nevada.

27 The remaining sum on hand shall be distributed per
28 above.

29 6. Any and all other personal or real property of any
30 name or nature not hereinabove described, but within the State
31 of Nevada, in which said Estate shall have an interest, and

1 whether known or not, be, and the same hereby is, distributed
2 as set forth in Paragraph 12-C above.

3 7. Immediately upon entry of this Decree the Executor
4 shall secure a certified copy thereof and record it in the
5 Offices of the County Recorder of Lander and Eureka Counties,
6 Nevada.

7 8. Upon distributing the Estate assets in accordance
8 with this Decree, the Executor shall apply by ex parte
9 Affidavit for discharge and closure of the Estate.

10 DONE IN OPEN COURT on the 13th day of November, 1987,
11 and this written Order signed on this 4th day of December,
12 1987.

13 1st Jos O. McDaniel
14 DISTRICT JUDGE

15 CERTIFICATION OF COPY
A-87120132-NSB
STATE OF NEVADA
COUNTY OF ELKO

16 I HAVE VISUAL COPY OF THE ORIGINAL OF THE
17 COURT ORDER OF THE DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF ELKO, NEVADA, FILED IN THE
18 PUBLIC CLERK'S OFFICE OF THE COUNTY OF ELKO, NEVADA,
THE SAME APPROVED BY THE JUDGE OF SAID COURT.

19 Witness my hand and the seal of said court at Elko,
20 the 4th day of Dec, A.D. 1987.

21 John Smith County Clerk

EXHIBIT "A"

DESCRIPTION CONTINUED . . .

PARCEL 1:

TOWNSHIP 28 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 1: All
Section 3: All
Section 9: All
Section 11: All
Section 13: All
Section 15: All
Section 21: N 1/2
Section 23: All

TOWNSHIP 28 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 1: All
Section 3: All
Section 5: All
Section 7: All
Section 9: All
Section 11: All
Section 13: All
Section 15: All
Section 17: All
Section 19: All
Section 21: All
Section 23: All

TOWNSHIP 28 NORTH, RANGE 51 EAST, M.D.B.&M.

Section 5: All
Section 7: All
Section 9: All

TOWNSHIP 29 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 11: All
Section 13: All
Section 23: All
Section 25: All
Section 27: All
Section 35: All

DESCRIPTION CONTINUED . . .

Exhibit A - pg. 1

BOOK 169 PAGE 600

EXHIBIT "A" Continued . . .

DESCRIPTION CONTINUED . . .

PARCEL 1: continued . . .

TOWNSHIP 29 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 3: All
Section 5: All
Section 7: All
Section 9: All
Section 11: All
Section 13: E 1/2; N 1/2 NW 1/4; N 1/2 S 1/2 NW 1/4;
S 1/2 N 1/2 SW 1/4; S 1/2 SW 1/4
Section 15: All
Section 17: All
Section 19: All
Section 21: All
Section 23: All
Section 25: All
Section 27: All
Section 29: All
Section 31: All
Section 33: All
Section 35: All

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

Section 31: All

PARCEL 2:

TOWNSHIP 29 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 1: All
Section 3: All
Section 9: All
Section 15: All
Section 21: All

TOWNSHIP 29 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 1: All

TOWNSHIP 30 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 35: All

DESCRIPTION CONTINUED . . .
Exhibit A - pg. 2

BOOK 169 PAGE 601

EXHIBIT "A" Continued . . .

DESCRIPTION CONTINUED . . .

PARCEL 1:

TOWNSHIP 26 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 20: NW 1/4 NE 1/4; NE 1/4 NW 1/4

TOWNSHIP 27 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 33: NW 1/4 SW 1/4

TOWNSHIP 28 NORTH, RANGE 47 EAST, M.D.B.&M.

Section 5: Lots 2, 3 and 4

Section 6: NE 1/4

TOWNSHIP 28 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 1: All

Section 3: All

Section 5: All

Section 7: All

Section 8: NE 1/4 NE 1/4; S 1/2 S 1/2

Section 9: All

Section 11: All

Section 12: S 1/2 SW 1/4; SW 1/4 SE 1/4

Section 13: All

Section 14: N 1/2; SW 1/4; W 1/2 SE 1/4

Section 15: All

Section 16: W 1/2 NE 1/4; NW 1/4

Section 17: All

Section 18: E 1/2 E 1/2; NW 1/4 NE 1/4; NE 1/4 NW 1/4;
Lot 1 (NW 1/4 NW 1/4)

Section 19: NW 1/4 SE 1/4

Section 21: S 1/2 SE 1/4

Section 22: SW 1/4 SW 1/4

Section 23: N 1/2 NW 1/4

Section 24: NE 1/4 NE 1/4

Section 27: SW 1/4 NW 1/4

Section 28: NE 1/4; E 1/2 NW 1/4; SE 1/4 SW 1/4; SW 1/4 SE 1/4;
NE 1/4 SE 1/4

Section 32: SE 1/4 NE 1/4; SW 1/4 SW 1/4; NE 1/4 SW 1/4;
NW 1/4 SE 1/4

Section 33: NW 1/4 NW 1/4

DESCRIPTION CONTINUED . . .

Exhibit A - pg. 3

BOOK 169 PAGE 602

EXHIBIT "A" Continued . . .

DESCRIPTION CONTINUED . . .

PARCEL 3: continued . . .

TOWNSHIP 28 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 2: S 1/2 NE 1/4
Section 7: All
Section 19: N 1/2
Section 24: NW 1/4 NW 1/4
Section 26: NE 1/4 NW 1/4
Section 28: NW 1/4 NE 1/4; NE 1/4 SE 1/4
Section 30: NE 1/4 NW 1/4
Section 32: SE 1/4 NW 1/4
Section 34: NW 1/4 NW 1/4
Section 35: NW 1/4 SE 1/4
Section 36: NW 1/4 NE 1/4; N 1/2 SW 1/4

TOWNSHIP 29 NORTH, RANGE 47 EAST, M.D.B.&M.

Section 18: Lots 10, 11 and 12
Section 32: Lots 2, 3 and 4; NE 1/4 SE 1/4

TOWNSHIP 29 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 3: All

TOWNSHIP 29 NORTH, RANGE 49 EAST, M.D.B.&M.

Section 36: W 1/2 NE 1/4

TOWNSHIP 29 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 10: SW 1/4 SE 1/4
Section 30: S 1/2 NE 1/4; NE 1/4 SE 1/4

TOWNSHIP 30 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 14: SE 1/4 SW 1/4
Section 36: N 1/2 SW 1/4; S 1/2 NE 1/4

PARCEL 4:

TOWNSHIP 30 NORTH, RANGE 50 EAST, M.D.B.&M.

Section 15: All
Section 21: All
Section 23: All

RECORDED AT THE REQUEST
Willow & Barrow
BOOK 169 PAGE 59

87 DEC -9 P322

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
M.N. REBALANCE DEPARTMENT
FILE NO. 114912
FEE \$ 14.00

Exhibit A - pg. 4

BOOK 169 PAGE 603