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Attorneys for the Surviving Spouse

FILED
11:31 AM P.M.

NOV 14 1988

BARBARA HAYO, CLERK
Barbara Hayo
County Clerk of Magistrate Division

125473

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

* * * * *
MAGISTRATE DIVISION
* * * * *

IN THE MATTER OF THE ESTATE OF) Probate Case No. 6-037
CHARLES F. JANACEK,)
Deceased.) ABSTRACT ORDER
VESTING ESTATE IN
SURVIVING SPOUSE

* * * * *

Upon consideration of the Petition for Summary
Administration of Estate in Which Surviving Spouse is Sole
Beneficiary filed by MAE B. JANACEK on November 7, 1988,
the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, CHARLES F. JANACEK, died testate
on September 4, 1988, domiciled in Owyhee County, Idaho.
4. Venue is proper.

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5. The decedent and MAE B. JANACEK were duly married at Reno, Nevada, on July 31, 1959, and remained married until the date of decedent's death.

6. The surviving spouse, MAE B. JANACEK, is the sole heir and devisee of the decedent.

7. The decedent died testate, leaving a Will dated May 15, 1986. The will was validly executed and is the last Will of the decedent and accompanies the Surviving Spouse's Petition and is duly filed herein.

8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, it is adjudged and decreed as follows:

1. MAE B. JANACEK is the surviving spouse of the decedent and is the sole heir and devisee of the decedent.

2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to MAE B. JANACEK free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

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3. The surviving spouse shall assume and be liable for any and all indebtedness that might be claimed against the estate of the decedent.

DATED This 7 day of November, 1988.

Harold J. Tramm
Magistrate

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EXHIBIT A

SCHEDULE OF PROPERTY OF THE ESTATE OF

CHARLES F. JANACEK, DECEASED

DATE OF DEATH: SEPTEMBER 4, 1968

(ALL COMMUNITY PROPERTY)

REAL PROPERTY - NEVADA

The real property situated in Eureka County, State of Nevada, described as follows:

Parcel No. 1

An undivided one-half interest in the real property situated in Eureka County, State of Nevada, described as:

Township 31 North, Range 49 East, Mount Diablo Base and Meridian
Section 33: All
excepting all rights to petroleum, oil, natural gas and products derived therefrom heretofore reserved in the Southern Pacific Company to Martin T. Magnuson, et al., recorded April 23, 1959, in Book 25, page 290 of Deeds records of said County and State;

TOGETHER WITH all rights, privileges and appurtenances thereunto or in any wise appertaining.

VALUE \$ 7,280.00

Parcel No. 2

TOWNSHIP 30 NORTH, RANGE 48 EAST, M.D.B.&M.

Section 29: NE1/4NW1/4
Together with all buildings and improvements thereon.

VALUE \$ 2,670.00

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Parcel No. 3

Lots No. 57, 58, 59 and 60, all situated in Unit No. 1, El Cortez Rancho, a portion of Section 9, T 29 N, R 48 E, M.D.B.M. Crescent Valley, Eureka County, Nevada.

VALUE \$ 10,400.00

Parcel No. 4

NE1/4 NW1/4 Section 25 Township 31 North Range 48 East M.D.B. & M., Eureka County, Nevada.

VALUE \$ 5,030.00

Parcel No. 5

SW1/4 SW1/4 Section 9 Township 30 North Range 48 East M.D.B. & M., Eureka County, Nevada.

VALUE \$ 5,030.00

Parcel No. 6

An undivided 1/8th interest of the following unpatented mining claims in Bullion Mining District, Lander County, Nevada:

<u>Claim Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Subdivision</u>	
Kathy 3	36	30 North	47 East	NE1/4	
Kathy 4	36	30 North	47 East	NW1/4	
				VALUE (Estimated)	\$ 200.00

Parcel No. 7

An undivided 1/8th interest of the following unpatented mining claims in Bullion Mining District, Eureka County, Nevada:

<u>Claim Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Subdivision</u>	
Betty No. 1	16	30 North	48 East	NW1/4	
Betty No. 2	16	30 North	48 East	NE1/4	
Betty No. 3	16	30 North	48 East	SW1/4	
Betty No. 4	16	30 North	48 East	SE1/4	
Sally No. 1	10	30 North	48 East	NW1/4	
Sally No. 2	10	30 North	48 East	NE1/4	

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Sally No. 3	10	30 North 48 East	SW1/4
Sally No. 4	10	30 North 48 East	SE1/4
June No. 1	8	30 North 48 East	NW1/4
June No. 2	8	30 North 48 East	NE1/4
June No. 3	8	30 North 48 East	SW1/4
June No. 4	8	30 North 48 East	SE1/4
Shelly No. 1	20	30 North 48 East	NW1/4
Shelly No. 2	20	30 North 48 East	NE1/4
Shelly No. 3	20	30 North 48 East	SW1/4
Shelly No. 4	20	30 North 48 East	SE1/4
Misty No. 1	20	29 North 48 East	NW1/4
Misty No. 2	20	29 North 48 East	NE1/4
Misty No. 3	20	29 North 48 East	SW1/4
Misty No. 4	20	29 North 48 East	SE1/4

VALUE (Estimated) \$ 500.00

TOTAL NEVADA REAL PROPERTY \$ 31,110.00

UNRECORDED REAL ESTATE SALES CONTRACTS RECEIVABLE - NEVADA

No. 1 Unrecorded Contract receivable from Martin E. Kientz on the following described real property:

Lots 51 and 52
A portion of Section 9, Township 29 North, Range 48 East, M.D.B.&M., Crescent Valley, Nevada 89821

BALANCE PAYABLE \$ 4,800.00

No. 2 Unrecorded Contract receivable from E. W. Whiting on the following described real property:

N1/2 SW1/4 Section 19 Township 31 North Range 49 East M.D.B. & M., Eureka County, Nevada.

BALANCE PAYABLE \$ 7,848.58

No. 3 Unrecorded Contract receivable from Don and Mildred Morton on the following described real property:

Lot 17 consisting of two acres.
A portion of Section 9, Township 29 North, Range 48 East M.D.B. & M., Crescent Valley, Nevada.

BALANCE PAYABLE \$ 2,362.22

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No. 4 Unrecorded Contract receivable from William and Melba Fay Murray on the following described real property:

SW1/4 of the SE1/4 of Section 13, Township 31 North, Range 48 East M.D.B. & M., Eureka County, Nevada.

BALANCE PAYABLE \$ 3,748.17

No. 5 Unrecorded Contract receivable from William and Melba Fay Murray on the following described real property:

E1/2 of the SW1/4, of the SE1/4 of Section 13, Township 31 North, Range 48 East, M.D.B. & M., Eureka County, State of Nevada.

BALANCE PAYABLE \$ 1,788.81

No. 6 Unrecorded Contract receivable from Diane Kennedy on the following described real property:

Lots 14, 15, and 16
A portion of Section 9, Township 29 North, Range 48 East, M.D.B. & M., Crescent Valley, Nevada 89821.

BALANCE PAYABLE \$ 7,343.38

No. 7 Unrecorded Contract receivable from Jack and Betty Housel on the following described real property:

Lots 21, 22, and 23
A portion of Section 9, Township 29 North, Range 48 East M.D.B. & M., Crescent Valley, Nevada 89821

BALANCE PAYABLE \$ 7,298.90

No. 8 Unrecorded Contract receivable from Don and Alice Hayes on the following described real property:

Lots 11, 12, 13
A portion of Section 9, Township 29 North, Range 48 East M.D.B. & M., Crescent Valley, Nevada 89821.

BALANCE PAYABLE \$ 7,375.28

No. 9 Unrecorded Contract receivable from Scott Siler and Mike Prime on the following described real property:

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Lots 27 and 28
A portion of Section 9, Township 29 North, Range 48
East M.D.B. & M., Crescent Valley, Nevada.

BALANCE PAYABLE \$ 4,900.00

No. 10 Unrecorded Contract receivable from Robert J. and
Elaine Olsen on the following described real
property:

NE1/4 of the SE1/4 of the NE1/4, and the S1/2 of
the SENE1/4 of Section 33, Township 31 N. and Range
48 E., M.D.B., & M. 30 acres, more or less,
subject to all matters of record, Eureka County,
State of Nevada.

BALANCE PAYABLE \$ 2,871.04

TOTAL NEVADA UNRECORDED REAL ESTATE
SALES CONTRACTS RECEIVABLE \$ 50,336.38

PERSONAL PROPERTY

* * *

STATE OF IDAHO } ss.
County of Owyhee }
I hereby certify that the foregoing instru-
ment is a true and correct copy of the
original on file in this office.
Dated 11th day of 11 1988
Barbara J. Jago, Clerk of the District Court
Barbara J. Jago
Deputy Clerk of the District Court

SFAL
Affixed
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RECORDED AT THE REQUEST OF

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Dickson & Hollifield
88 DEC -5 AIO:46

OFFICIAL RECORD
EUREKA COUNTY, NEVADA
M.A. REID, CLERK
FILE NO. FILE 1200

125475

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