

1 Case No. 986

NO.

FILED

JUL 7 1989

JOAN SHANGLE, CLERK  
BY M. Elliott DEPUTY

COPY

128351

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6 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF EUREKA

8  
9 IN THE MATTER OF THE ESTATE  
10 OF LAVERNE D. MACHACEK,  
11 Deceased.

12  
13 ORDER ALLOWING EXECUTRIX TO TRANSFER PROPERTY  
14 FROM ESTATE TO FARMERS HOME ADMINISTRATION

15 NOW COMES the Executrix, EUNICE M. MACHACEK, the  
16 Executrix of said estate and proves to the satisfaction of the  
17 court that it is necessary and the best interests of the estate  
18 are served by allowing the Executrix to execute her Executrix  
19 Deed transferring certain real property from the estate to the  
20 Farmers Home Administration (FmHA).

21 That the property is subject to a lien, security in-  
22 terest, purchase money mortgage and/or trust deed in favor of  
23 Farmers Home Administration (FmHA), and the obligation secured  
24 thereby is in arrears. Executrix is informed and believes  
25 and so alleges that FmHA will foreclose on the property and the  
26 property will thereupon be lost to the estate unless separate

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1 arrangements are made between Executrix and FmHA. Executrix  
2 is without sufficient funds to redeem the property. Executrix  
3 is informed and believes and so alleges that the estate is with-  
4 out sufficient funds to redeem the property.

5 Executrix is informed and believes and so alleges  
6 that a sale of the property would not realize any substantial  
7 benefit to the estate.

8 Executrix is the sole beneficiary under the terms  
9 of the Last Will and Testament of the decedent in that Executrix  
10 has now survived the decedent by a period in excess of 90 days.  
11 Any disposition of the property of the estate will affect only  
12 Executrix and no other person is entitled to a share of or in-  
13 terest in the property of the estate.

14 That due notice has been given as required by law of  
15 this Hearing and the court after hearing the testimony and  
16 examining the petition and other documents, finds to the satis-  
17 faction of the court that the best interests of the estate will  
18 be served by allowing the Executrix, EUNICE M. MACHACEK, who  
19 is also the sole beneficiary of said estate to execute her  
20 Executrix Deed transferring the following described real pro-  
21 perty situate in Eureka County, Nevada from the said estate to  
22 the FmHA.

23 The court further finds that all allegations of the  
24 petition are true.

25 IT IS ORDERED by the court that the Executrix execute  
26 her Executrix Deed transferring by said conveyance the interests

1 of the estate in the following described real property to the  
2 FmHA, and that said transfer by the Executrix Deed is con-  
3 firmed by the court. That said real property is described  
4 as follows:

5 Parcel 1: Township 21 North,  
6 Range 53 East, M.D.B.&M.,  
7 Section 36: Lots 2, 3, 4,;  
8 N1/4; EXCEPTING THEREFROM all  
9 that portion of said land con-  
10 veyed to Jerry LaVerne Machacek  
11 and Trina Lynn Machacek, by deed  
12 recorded September 28, 1981, in  
13 Book 98, Page 147, Official Records,  
14 Eureka County, Nevada, more parti-  
cularly described as follows:  
Township 21 North, Range 53 East,  
M.D.B.&M., Section 36: Beginning  
at the NW1/4 corner thereof, thence  
S. 0°10'24" W., 659.94 feet, thence  
N. 45°05'22" E., 934.75 feet to the  
North section line boundary, thence  
West 660.00 feet to the point of  
beginning.

15 Parcel 2: Township 20 North, Range 53  
16 East, M.D.B.&M., Section 1: Lots 9,  
17 10, 11 and 12;  
18 Township 21 North, Range 53 East,  
19 M.D.B.&M., Section 36: Lot 1; SW1/4,  
20 EXCEPTING THEREFROM Parcel 2, all oil  
and gas lying in and under said land  
as reserved by the United States of  
America, in Patent recorded November 26,  
1963, in Book 2, Page 8, Official Records,  
Eureka County, Nevada.

21 Parcel 3: Township 20 North, Range 53  
22 East, M.D.B.&M.; Section 36: That  
23 portion of the SE1/4 described as follows:  
24 Beginning at the S1/4 corner of said section,  
25 thence N. 0°12'24" E., 2740.18 feet, thence  
26 N. 89°43'41" E., 157.48 feet, thence S.  
0°12'32" W., 2735.76 feet, thence S. 88°07'11"  
W., 157.48 feet to the point of beginning.

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1 EXCEPTING THEREFROM Parcel 3,  
2 fifty percent (50%) of all gas,  
3 oil, and mineral rights lying in  
4 and under said land as reserved by  
5 Maria Teresa LaBarry, et al, in  
6 deed recorded January 5, 1973, in  
7 Book 44, Page 222, Official Records,  
8 Eureka County, Nevada.

9 DATED this 7th day of July, 1989.

10 101 Merlyn H. Hays  
11 DISTRICT JUDGE

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21 SEVENTH JUDICIAL DISTRICT COURT,  
IN AND FOR COUNTY OF EUREKA,  
STATE OF NEVADA } SS  
22 I, the undersigned COUNTY CLERK, and En-Office  
23 CLERK of the SEVENTH JUDICIAL DISTRICT COURT do hereby CERTIFY  
24 that the foregoing is a true and correct copy of the original as the  
25 same appears in my office and that I have correctly compared the same with the  
26 original.

WITNESS, my hand and Seal of said  
DISTRICT COURT, this 7th day of July, 1989.  
By Johnston Lloyd County Clerk  
By Johnston Lloyd En-Office Clerk

RECORDED AT THE REQUEST OF  
BOOK 199 PAGE 233  
Johnston Lloyd  
89 JUL 10 AB 23

OFFICIAL RECORDS  
EUREKA COUNTY, NEVADA  
M.N. REDALEATI, RECORDER  
FILE NO. 128351  
FEE \$8.00

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