Case No. NO. 2 FILED JAN 5 1,00 JOAN SHANGLE, CLERK BY 21 EECCOTT DEPUTY 131069 IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF EUREKA R IN THE MATTER OF THE ESTATE OF 10 HELEN RUSSELL 11 Deceased. 12 13 ORDER APPROVING REPORT AND FIRST ACCOUNTING, PAYMENT OF INTERIM ATTORNEY FEES, RATIFICATION OF SETTLEMENT OF CLAIM 14 AGAINST THE ESTATE AND DECREE OF PARTIAL 15 DISTRIBUTION OF ESTATE 16 First Interstate Bank of Nevada, N.A., Executor of the Last Will and Testament of Helen Russell, having filed herein on the 6th day of December, 1989, a 18 Report, First Accounting, Petition for Partial Distribution, Application for Payment of 19 Interim Attorney Fees and Ratification of Settlement of Claim Against the Estate, and the 20 21 Court having considered the same and having examined the evidence in this matter, finds 22 that proper notice has been given in this matter; and that all allegations in said account, 23 petition, report and application are true and correct. 24 1111 25 26

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1. That the first account of First Interstate Bank of Nevada, N.A., as Executor of the Last Will and Testament of Helen Russell, deceased, be, and the same is, hereby finally allowed and approved, and all actions taken by the Executor in connection with the administration of the estate as set forth in the account, report and application filed herein on December 6, 1989, are hereby ratified and approved and, further, that the Executor has exercised due diligence in the administration of the estate in accordance with applicable laws of the State of Nevada.

That the payment of the following interim attorney fees and costs is hereby ratified and approved:

> (a) Goicocchea & DiGrazia, Ltd. \$12 Elko, Nevada

\$12,832.56

(b) Wilson and Barrows, Ltd. Elko, Nevada

\$12,376.88

3. That the settlement agreement with T. David Horton for all matters relative to T. David Horton's creditor's claim against the Estate of Allen Alonzo Russell, Case No. 946, in the District Court of the Seventh Judicial District of the State of Nevada, in and for the County of Eureka, and against this estate is approved. The Executor is hereby authorized to execute all necessary legal documents to effectuate the settlement and, upon such execution, to pay to T. David Horton the sum of ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00) from estate monies.

- 4. That the following is hereby distributed to Barbara Jean Dugan:
 - (a) One 1980 14 x 70 Van Dyke Mobile Home;

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- Certain real property located in Crescent Valley Subdivision, Eureka County, Nevada, more specifically described as Lot & Block 34, Crescent Valley Ranch and Farms, Unit No. 1:
- One bracelet set with 117 assorted size foil-back rhinestones;
- One lady's necklace with light and dark graduated crystals; and
- The sum of TWENTY THOUSAND DOLLARS (\$20,000.00) (c) in cash.
- The following unpatented mining claim is distributed to Elmer Schroeder and Ruth Schroeder, husband and wife: One unpatented lode mining claim designated May Lode Mining Claim, situated in the Bullion Mining District, Lander County, Nevada, NMC Number 19753,
- The Executor is authorized to distribute the following estate monies to the following people or entities:
 - Gerald and Sandra Tanner of Salt Lake City, Utah, the cash sum of FIFTY THOUSAND DOLLARS (\$50,000.00);
 - St. Mary's Hospital, Reno, Nevada, the cash sum of FIFTY THOUSAND DOLLARS (\$50,000.00); and
 - Animal Relief Foundation of Elko County, Nevada, the cash sum of FIVE THOUSAND DOLLARS (\$5,000,00).
- That the partial distribution of the estate will not cause injury to the creditors of the estate and, after payment of debts as described herein, it appears that, comparatively, the estate is little indebted in view of the remaining liquid or highly liquid assets in the estate. No bond shall be required of the Executor for the partial distribution of the estate.

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That the remainder of the funds and properties in the estate shall remain in the estate pending a decree of final distribution or other order of the Court. DATED this 5th day of January, 1990. DISTRICT JUDGE RECORDED AT THE REQUEST OF MON 207 PAGE 099

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