

1 Case No. 1018

NO. \_\_\_\_\_

FILED

MAY 8 1991

JOAN SHANGLE, CLERK  
BY M. Elliott DEPUTY

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

8  
9 IN THE MATTER OF THE ESTATE OF

10 J. DILLON KNUPP,

11 Deceased.

ORDER SETTLING FIRST AND  
FINAL ACCOUNTING, APPROVAL  
OF ATTORNEY FEES, AND  
DECREE OF DISTRIBUTION

12 The Administratrix C.T.A. of the above-entitled Estate having  
13 on the 23rd day of April, 1991, rendered and filed herein a full  
14 Accounting of the administration of said Estate, which Accounting  
15 was for final settlement, and having with said Accounting filed a  
16 Petition for Distribution of said Estate, and made Application for  
17 Approval of Attorney Fees; and said Accounting and Petition having  
18 come on regularly to be heard on the 3rd day of May, 1991, at 11:00  
19 o'clock a.m.; and proof having been made to the satisfaction of the  
20 Court that notice of the settlement of said Accounting and of the  
21 hearing of said Petition has been given in the manner and for the  
22 time required by law, as more fully appears by the Affidavit of  
23 Service by Mail on file herein, the Court hereby finds:

24 1. That due and legal notice of the hearing of said  
25 Accounting and Petition has been given to all persons interested  
26

1 in said Estate.

2 2. That said Accounting is in all respects true and correct;  
3 that there have been no receipts or disbursements during the  
4 administration of this Estate.

5 3. That due and legal Notice to Creditors of said Estate has  
6 been given in the manner and for the time required by law; that the  
7 time for filing of Creditor's Claims has expired; and that no  
8 Creditor's Claims have been filed in this Estate.

9 4. The funeral expenses and expenses of last sickness have  
10 been paid in full and there are no tax obligations owed by the  
11 Estate.

12 5. That J. DILLON KNUPP died on the 26th day of July, 1990,  
13 and at the time of his death was a resident of the State of Kansas,  
14 and left property in Eureka County, Nevada; that Decedent died  
15 testate.

16 6. That on the 16th day of January, 1991, by its Order, the  
17 above-entitled Court appointed GLENDA BRYANT the Administratrix  
18 C.T.A. of the Estate of the Decedent; that she thereafter  
19 qualified; that Letters of Administration were duly issued, and  
20 said GLENDA BRYANT now is and ever since that date has been the  
21 duly appointed, qualified and acting Administratrix C.T.A. of said  
22 Estate.

23 7. That Fred C. Worline & Associates were engaged as  
24 appraisers of certain property of the Estate. That the Petitioner  
25 has made and returned to this Court a true Inventory and  
26

1 appraisal of all of the Estate located in Eureka County, Nevada  
2 of said Deceased as has come to her knowledge and possession,  
3 showing said probate Estate to have a total value of \$48,000.00.

4 8. That the Decedent died testate and his Last Will and  
5 Testament contained the following pertinent provision:

6 "THIRD

7 Testamentary Trust

8 If my wife, Pauline Knupp, survives me, I bequeath  
9 and devise my entire distributable estate, except for  
10 that part of it as the Court awards here as statutory  
11 allowances, unto the First National Bank & Trust Co. in  
12 Larned, a corporation, of Larned, Kansas, as Trustee, IN  
13 TRUST, for the uses and purposes as my will provides."

14 Decedent was survived by his spouse, one adult child and one  
15 grandchild. His spouse, PAULINE KNUPP, is a disabled person, as  
16 defined by Kansas law. Louis James, Esq., a member of the Bar of  
17 Pawnee County, Kansas, has been appointed by the District Court of  
18 Pawnee County, Kansas to serve as Guardian ad Litem for Pauline  
19 Knupp.

20 The names, relationship, ages and residences of the heirs of  
21 the Decedent are:

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
22 First National Bank 23 & Trust Co. in Larned, 24 a corporation, of 25 Larned, Kansas		Trustee of the Decedent's Testamentary Trust	P.O. Box 29 Larned, KS 67550
26 Pauline Knupp	Over 18	Spouse	c/o Louis James, Esq. Guardian ad Litem 207 E. 6th Street P.O. Box 320 Larned, KS 67550

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1 James D. Knupp, Over 18 Son 831 Monticello Dr.  
2 Jr. Naperville, IL  
60563  
3 Chad Randall Under 18 Grandson 831 Monticello Dr.  
4 Knupp Naperville, IL  
60563

5 9. That the property of the Estate consists of real property  
6 located in Eureka County, Nevada, more particularly described as  
7 follows:

8 The E $\frac{1}{2}$  of Section 26, T. 21 N., R. 53 E., M.D.B., Eureka  
9 County, Nevada, consisting of 320 acres, more or less,  
10 together with all water, water rights and rights to the  
11 use of water, dams, ditches, canals, pipelines and wells,  
12 including water rights evidenced by Application No.  
22698, Certificate Record No. 6329, Book 19, Page 6329,  
and Application No. 19329, Certificate Record No. 6857,  
Book 21, Page 6857, as the same appear in the Records of  
the State Water Engineer's Office of the State of Nevada.  
APN: 7-210-12.

13 10. That your Petitioner, GLENDA BRYANT, has performed  
14 services for the Estate as Administratrix C.T.A. for which she is  
15 entitled to a statutory fee, which fee she has waived.

16 11. That the law firm of GOICOECHEA & DI GRAZIA, LTD.,  
17 Attorneys at Law, Elko, Nevada, has performed services for said  
18 Estate by acting as attorneys for the Administratrix C.T.A., as is  
19 more fully set forth in the Petition filed herein on April 23,  
20 1991; the Administratrix and the attorneys have agreed that the sum  
21 of \$1,943.00 is a reasonable fee for services which have been paid  
22 and \$920.00 is a reasonable fee for services which have been  
23 rendered and not yet paid and for the remaining services to be  
24 rendered by the attorneys.

25 12. That the law firm of GOICOECHEA & DI GRAZIA, LTD.,  
26

1 Attorneys at Law, Elko, Nevada, has been reimbursed costs in the  
2 sum of \$960.84, to date, and estimate an additional sum of \$25.00  
3 will be expended in closing the Estate for which they are entitled  
4 to be reimbursed.

5 13. That no federal income tax return is required to be filed  
6 on behalf of the Estate.

7 14. That the Estate is now in a condition to be finally  
8 settled and the Administratrix C.T.A. will be entitled to be  
9 discharged on producing and filing the necessary vouchers and proof  
10 showing that she has complied with this Order.

11 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

12 1. That due and legal notice of the hearing of this First and  
13 Final Accounting, Application for Approval of Attorney Fees, and  
14 Petition for Distribution has been given to all persons interested  
15 in said Estate as required by law.

16 2. That Notice to Creditors has been given to all persons  
17 interested in said Estate as required by law, and that the time for  
18 preparation of Creditor's Claims has expired.

19 3. That the First and Final Accounting be, and the same is  
20 hereby, approved, allowed and settled.

21 4. That the real property located in Eureka County, Nevada,  
22 be distributed to FIRST NATIONAL BANK & TRUST CO. IN LARNED, A  
23 CORPORATION, OF LARNED, KANSAS, as Trustee of the J. DILLON KNUPP  
24 Testamentary Trust, which property is more particularly described  
25 as follows:

26 The E½ of Section 26, T. 21 N., R. 53 E., M.D.B., Eureka

1 County, Nevada, consisting of 320 acres, more or less,  
2 together with all water, water rights and rights to the  
3 use of water, dams, ditches, canals, pipelines and wells,  
4 including water rights evidenced by Application No.  
5 22698, Certificate Record No. 6329, Book 19, Page 6329,  
6 and Application No. 19329, Certificate Record No. 6857,  
7 Book 21, Page 6857, as the same appear in the Records of  
8 the State Water Engineer's Office of the State of Nevada.  
9 APN: 7-210-12.

10 5. That the agreed fee payable to the law firm of GOICOECHEA  
11 & DI GRAZIA, LTD., Suite 200, Blohm Building, P.O. Box 1358, Elko,  
12 Nevada 89801 in the sum of \$1,943.00 for services rendered and paid  
13 is hereby approved as reasonable and the agreed upon fee for  
14 services rendered and to be rendered but not yet paid in the sum  
15 of \$920.00 is approved as reasonable and ordered paid.

16 6. That costs in the sum of \$960.84 advanced by the attorneys  
17 which have been reimbursed are approved as reasonable and costs  
18 incurred in the final closing of the Estate in the sum of \$25.00  
19 are approved as reasonable and ordered paid.

20 7. That said Estate be brought to a close and that the  
21 Administratrix C.T.A. be discharged upon producing and filing the  
22 necessary vouchers and proof showing that she has complied with the  
23 Order of the Court.

24 DONE IN OPEN COURT this 7th day of May, 1991.

25 H. Merlyn H. Hoyt  
26 DISTRICT JUDGE

SEVENTH JUDICIAL DISTRICT COURT, IN AND FOR COUNTY OF EUREKA, STATE OF NEVADA	} SS
I, the Undersigned COUNTY CLERK, and Ex-Officio CLERK of the SEVENTH JUDICIAL DISTRICT COURT do 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.	
DISTRICT COURT this <u>8th</u> day of <u>May</u> 19 <u>91</u>	
WITNESS My Hand and Seal of said	
<u>Joan Shangle</u> County Clerk and Ex-Officio Court Clerk	<u>by M. Elliott</u> Deputy Clerk



BOOK 222 PAGE 259  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
Goicoechea & DiGrazia  
91 MAY 13 A9:19

EUREKA COUNTY, NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEE \$

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