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Donna Bitt

Donna Bitt
BY *Donna Bitt*

CASE NO. PR-9402005

DEPT NO. 1

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WHITE PINE

ORDER APPROVING
FIRST AND FINAL
ACCOUNTING, REPORT OF
ADMINISTRATION OF ESTATE,
ATTORNEY FEES AND
DECREE OF DISTRIBUTION

IN THE MATTER OF THE ESTATE OF
WILLIAM THOMAS COOPER, SR. aka
WILLIAM COOPER,

Deceased.

The Co-Executors, of the above estate having filed on
October 11, 1994, their first and final Accounting, Report of
Administration of Estate, Application for Approval of Attorney Fees
and Petition for Final Distribution of said Estate; and said first
and final Accounting, Report of Administration of Estate,
Application for Approval Attorney Fees and Petition for Final
Distribution of said Estate having come on regularly to be heard on
the 24th day of October, 1994, at 10:00 a.m., and no objection
thereto having been filed with the Court, the Court hereby finds as
follows.

1. That due and legal notice of the hearing of said
First and Final Accounting, Report of Administration of Estate,
Application for Approval of Attorney Fees and Petition for Final

1 Distribution has been given to all persons interested in said Estate in the manner and for the time required by law.

2 That the Co-Executors have filed an Inventory

3 together with appraisals of all of the assets of the estate of the

4 deceased.

5 That due and legal notice to Creditors of said

6 estate has been given in the manner and for the time required by

7 law and that the time for filing of creditor's claims expired on

8 July 5, 1994.

9 That no creditor's claims have been filed and the

10 expenses for the Decedent's funeral and last illness of the

11 Decedent have been paid in full.

12 The property of the decedent was community property

13 with his surviving wife, LUCY E. COOPER.

14 That by the terms of the Decedent's will he

15 bequeathed all of his property to his wife LUCY E. COOPER.

16 That LUCY E. COOPER filed a Disclaimer of up to

17 \$600,000.00 in value of said estate on March 9, 1994.

18 That the property within the jurisdiction of this

19 Court now under the care, management or control of the Co-

20 Executors, subject to distribution, which was the community

21 property of the Decedent, in which the Decedent owned a one-half

22 (%) interest, is as follows:

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REAL PROPERTY

All that certain property located in Clark County, State of Nevada, and more specifically described as follows:

Parcel 1:

That portion of the Southwest Quarter (SW 1/4) of Section 1, Township 16 South, Range 67 East, M.D.B. & M., described as follows:

Parcel Three (3) as shown by map thereof in File 22 of Parcel Maps, page 87 in the Office of the County recorder, Clark County, Nevada.

EXCEPTING THEREFROM a right of way and easement, not exceeding fifteen (15) feet in width, over, under, across and upon that portion of the Easterly fifty (50) feet of said land that is used as a dirt irrigation ditch.

FURTHER EXCEPTING THEREFROM all petroleum, oil, minerals and hydrocarbons, and products derived therefrom as reserved in the deed recorded April 20, 1979, in Book 1042 of Official Records as Documents No. 1001765.

Parcel B:

A non-exclusive easement and right of way over, under, across and upon the Northernly thirty (30) feet and a strip of land, not exceeding fifteen (15) feet in width lying within the Easterly fifty (50) feet of the following described property that is presently being used as an irrigation ditch (concrete and dirt):

That portion of said Southwest Quarter (SW 1/4) of Section 1, Township 16 South, range 67 East, M.D.B. & M. described as follows:

Parcel Four (4) as shown by map thereof on file in File 22 of Parcel Maps, page 89 in the

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Office of the County recorder of Clark County, Nevada.

APN: 710-120-007

Parcel 2:

That portion of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 1, Township 16 South, Range 67 East, M.D.B. & M., described as follows:

Lot Three (3) as shown by map thereof in file 23 of Parcel Maps, page 63 in the Office of the County recorder, Clark County, Nevada.

EXCEPTING THEREFROM an easement for ingress and egress over the herein described property lying within the private drive as shown on said map.

APN: 710-060-025

That certain real property located in the County of Eureka, State of Nevada, described as follows:

Parcel 1:

Lot 1 of Parcel "H" as shown on that certain Parcel Map and Record of Survey for EARL RASMUSSEN, filed in the office of the County Recorder of Eureka County, Nevada, on June 16, 1982, as file No. 84388, located in a portion of the East 1/2 of Section 17, Township 20 North, range 53 East, M.D.B. & M.

Together with any and all right of grantor to the middle of the road on the westerly side of said parcel.

EXCEPTING THEREFROM all the oil and gas in and under said land, reserved by the United States of America in Patent, recorded April 15, 1966, in Book 10, Page 331, Official Records, Eureka County, Nevada.

APN: 7-391-01

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1 That certain real property located in the County of White Pine, State of Nevada, described as follows:

2 Parcel 1:

3 Lots 1, 2 and 3, Block 2, Baker Townsite,
4 White Pine County, State of Nevada.

5 APN: 05-119-01

6 Parcel 2:

7 Lots 23 and 24, Block 22, of Ely City
8 Townsite, according to the official map
9 thereof, filed in the office of the County
10 Recorder of White Pine County, State of
11 Nevada.

12 APN: 2-036-09

13 Parcel 3:

14 Beginning at the Northeast Corner whence the
15 Southeast Corner of Block Four of the
16 Hermansen Addition to the City of Ely Bears
17 North 41°28' West 929.84 feet distant; thence
18 South 67°50' West 208.75 feet; thence South
19 22°10' East 104.0 feet; thence North 67°50'
20 East 208.75 feet; thence North 22°10' West
21 104.0 feet to the place of beginning, being a
22 portion of the NW¼ of the SW¼, Section 15,
23 Township 16 North, range 63 East, M.D.B. & M.,
24 as shown and delineated upon that certain map
25 or plat entitled "Map of the Hermansen
26 Addition to the City of Ely of record at pages
27 243 of Book "D" 37 of Miscellaneous Records in
28 the Office of the County Recorder of White
29 Pine County, State of Nevada, and to which map
30 and the record thereof reference is hereby
31 made for all of the particulars shown thereby.

32 APN: 1-445-02

33 Parcel 4:

34 Lot "A" in Section Nine (9) as shown and
35 delineated upon the map of Baker Live Stock
36 Company, and being a part of the Southwest
37 Quarter of the Southwest Quarter of the
38 Southwest Quarter of the Northeast Quarter of
39 Section Nine (9) in Township Thirteen (13)

1 North of Range Seventy (70) East, Mt. Diablo Base and Meridian, and described by metes and bounds as follows:

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3 Beginning at the Southwest Corner of said tract whence the South Quarter Corner of said Section Nine (9) bears South 0°32' West, 2645.0 feet; thence North 330.5 feet to the Northwest Corner of said tract; thence East 305.0 feet to the Northeast Corner of said tract; thence South 330.5 feet to the Southeast Corner of said tract; thence West 305.0 feet to the place of beginning, containing 2.3 acres, more or less; together with 2.5 acre feet of water for each acre above described, to be delivered at the rate of 0.15 cubic feet per second continuous flow of 24 hours each eighth day during the irrigation season, for irrigation and domestic purposes. And together with all water and water rights, ditches and ditch rights used therewith and appurtenant thereto.

13 APN: 12-400-08

14 Parcel 5:

15 PRESTON-ST. & CO. DISTRICT
16 Lots 2 and 3, Block 10A
17 Two (2) Ten (10) acre Plats

17 APN: 13-031-03

18 Parcel 6:

19 That certain unpatented lode mining claim known as and called **NEW JERSEY** situate in the Robinson Mining District of White Pine County, State of Nevada. BLM Serial No. NMC 229340.

20 Together with all the dips, spurs and angles, and also all the metals, ores, gold and silver-bearing quartz, rock and earth therein, and all the rights, privileges and franchises thereto incident, appendant and appurtenant, or therewith usually had and enjoyed; and also all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the rents, issues and profits thereof.

Parcel 7:
Township 17 North, Range 62 East, M.D.B. & M.

Section 35: SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, subject to prior right-of-ways for ditches, tunnels, and telephone transmission lines and highway right-of-ways. One-half (%) of all mineral rights are hereby expressly reserved.

APN: 9-360-04

PERSONAL PROPERTY

10,000 Shares of Common Stock in Cooper & Sons, Inc., a Nevada corporation.

Bank account at The First National Bank of Ely, account no. 103010.

Bank account at Bank of America, account no. 090054443.

Bank account at The First National Bank of Ely, account no. 5003110.

Time Certificate of Deposit, Bank of America, No. 249530.

IRA Account at Bank of America.

Miscellaneous furniture, furnishings and personal property.

9. That the Co-Executors have waived the right to the

payment of a commission and fees for serving as Co-Executors of the

Estate.

10. That JAMES M. COPENHAVER, P.C. acting as the

attorney for the Co-Executors and is entitled to a reasonable fee

and the Co-Executors and the attorney have agreed upon a reasonable

fee for said services and said agreed fee of \$8,756.25 is approved.

11. That JAMES M. COPENHAVER, P.C., in acting as the

attorney for the Co-Executors of the Estate has advanced costs in

1 the administration of the Estate and is entitled to reimbursement

2 therefore in the amount of \$833.07.

3 12. That miscellaneous costs and fees in the sum of not

4 to exceed of \$150.00 will be incurred in the final closing of the

5 Estate and should be paid by the Co-Executors.

6 13. That the Estate is now in a condition to be finally

7 settled and distributed.

8 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED AND DECREED:

9 1. That due and legal notice of hearing on this first

10 and final Accounting, Report of Administration of Estate,

11 Application for Approval of Attorney Fees and Petition for Final

12 Distribution has been given to all persons interested in said

13 Estate as required by law.

14 2. That Notice to Creditors has been given for the time

15 and in the manner required by law, the time for presentation of

16 Creditor's Claims has expired and no Creditor's Claims have been

17 filed.

18 3. That the Co-Executors pay to JAMES M. COPENHAVER,

19 P.C. the sum of \$8,756.25 for legal services rendered.

20 4. That the Co-Executors pay to JAMES M. COPENHAVER,

21 P.C. the costs and expenses incurred in the administration of the

22 Estate in the sum of \$833.07, together with all costs incurred in

23 closing the Estate.

24 5. That all necessary fees and costs for closing said

25 Estate be paid by the Co-Executors.

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6. That after payments in compliance with this Order,

the whole of the Estate of Decedent now in the hands of the Co-

Executors and any estate or property of the Decedent not now known

or which may be hereinafter discovered is hereby distributed to:

A. The Decedent's one-half (%) interest in the

following real property:

TO: WILLIAM T. COOPER, of P.O. Box 2247, Page, AZ 86040,

as his sole and separate property, the following:

All that certain real property located in Clark County, State of Nevada, and more specifically described as follows:

Parcel A:

That portion of the Southwest Quarter (SW 1/4) of Section 1, Township 16 South, Range 67 East, M.D.B. & M., described as follows:

Parcel Three (3) as shown by map thereof in File 22 of parcel Maps, page 87 in the Office of the County recorder, Clark County, Nevada.

EXCEPTING THEREFROM a right of way and easement, not exceeding fifteen (15) feet in width, over, under, across and upon that portion of the Easterly fifty (50) feet of said land that is used as a dirt irrigation ditch.

FURTHER EXCEPTING THEREFROM all petroleum, oil, minerals and hydrocarbons, and products derived therefrom as reserved in the deed recorded April 20, 1979, in Book 1042 of Official Records as Documents No. 1001765.

Parcel B:

A non-exclusive easement and right of way over, under, across and upon the Northerly thirty (30) feet and a strip of land, not exceeding fifteen (15) feet in width lying within the Easterly fifty (50) feet of the following described property that is presently

1 being used as an irrigation ditch (concrete and dirt):

2 That portion of said Southwest Quarter (SW 1/4) of Section 1, Township 16 South, range 67 East, M.D.B. & M. described as follows:

3 Parcel Four (4) as shown by map thereof on file in file 22 of Parcel Maps, page 89 in the Office of the County recorder of Clark County, Nevada.

4 APN: 710-120-007

5 That certain real property located in the County of White Pine, State of Nevada, described as follows:

6 PRESTON-ST. & CO. DISTRICT
7 Lots 2 and 3, Block 10A
8 Two (2) Ten (10) acre Plats

9 APN: 13-031-03

10 B. The Decedent's one-half (%) interest in the following real and personal property:

11 TO: DANNY R. COOPER, of P.O. Box 683, Ely, NV 89301, an undivided one-half (%) interest as his sole and separate property and to JACK E. COOPER, of P.O. Box 683, Ely, NV 89301, an undivided one-half (%) interest as his sole and separate property in and to the following property:

12 All that certain property located in Clark County, State of Nevada, and more specifically described as follows:

13 That portion of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 1, Township 16 South, Range 67 East, M.D.B. & M., described as follows:

14 Lot Three (3) as shown by map thereof in file 23 of Parcel Maps, page 63 in the Office of the County recorder, Clark County, Nevada.

15 EXCEPTING THEREFROM an easement for ingress and egress over the herein described property lying within the private drive as shown on said map.

16 APN: 710-060-025

1 That certain real property located in the County of White Pine, State of Nevada, described as follows:

2 Parcel 1:

3 That certain unpatented lode mining claim
4 known as and called **NEW JERSEY** situate in the
5 Robinson Mining District of White Pine County,
6 State of Nevada. BLM Serial No. NMC 229340.

7 Together with all the dips, spurs and angles,
8 and also all the metals, ores, gold and
9 silver-bearing quartz, rock and earth therein,
10 and all the rights, privileges and franchises
11 thereto incident, appendant and appurtenant,
12 or therewith usually had and enjoyed; and also
13 all and singular the tenements, hereditaments
14 and appurtenances thereunto belonging, or in
15 anywise appertaining, and the rents, issues
16 and profits thereof.

17 Parcel 2:

18 Township 17 North, Range 62 East, M.D.B. & M.

19 Section 35: SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, subject to prior
20 right-of-ways for ditches, tunnels, and
21 telephone transmission lines and highway
22 right-of-ways. One-half (%) of all mineral
23 rights are hereby expressly reserved.

24 APN: 9-360-04

25 10,000 Shares of Common Stock in Cooper & Sons, Inc., a
26 Nevada corporation.

27 C. The Decedent's one-half (%) interest in the
28 following real property:

29 TO: **DANNY R. COOPER**, of P.O. Box 683, Ely, NV 89301, an
30 undivided one-third (1/3) interest as his sole and separate
31 property, to **JACK E. COOPER**, of P.O. Box 683, Ely, NV 89301, an
32 undivided one-third (1/3) interest as his sole and separate
33 property, and to **WILLIAM T. COOPER**, of P.O. Box 2247, Page, AZ
34 86040, undivided one-third (1/3) interest as his sole and separate
35 property in and to the following property:

36 That certain real property located in the County of
37 Eureka, State of Nevada, described as follows:

1 Lot 1 of Parcel "H" as shown on that certain Parcel Map and Record of Survey for EARL RASMUSSEN, filed in the office of the County Recorder of Eureka County, Nevada, on June 16, 1982, as File No. 84388, located in a portion of the East 1/2 of Section 17, Township 20 North, range 53 East, M.D.B. & M.

5 Together with any and all right of Grantor to the middle of the road on the westerly side of said Parcel.

7 EXCEPTING THEREFROM all the oil and gas in and under said land, reserved by the United States of America in Patent, recorded April 15, 1966, in Book 10, Page 331, Official Records, Eureka County, Nevada.

10 APN: 7-391-01

11 That certain real property located in the County of White Pine, State of Nevada, described as follows:

12 Parcel 1:

13 Lots 1, 2 and 3, Block 2, Baker Townsite, White Pine County, State of Nevada.

15 APN: 05-119-01

16 Parcel 2:

17 Lots 23 and 24, Block 22, of Ely City Townsite, according to the official map thereof, filed in the office of the County Recorder of White Pine County, State of Nevada.

20 APN: 2-036-09

21 Parcel 3:

22 Beginning at the Northeast Corner whence the Southeast Corner of Block Four of the Hermansen Addition to the City of Ely Bears North 41°28' West 929.84 feet distant; thence South 67°50' West 208.75 feet; thence South 22°10' East 104.0 feet; thence North 67°50' East 208.75 feet; thence North 22°10' West 104.0 feet to the place of beginning, being a portion of the NE1/4 of the SW1/4, Section 15,

1 Township 16 North, range 63 East, M.D.B. & M., as shown and delineated upon that certain map or plat entitled "Map of the Hermansen Addition to the City of Ely of record at pages 243 of Book "D" 37 of Miscellaneous Records in the Office of the County recorder of White Pine County, State of Nevada, and to which map and the record thereof reference is hereby made for all of the particulars shown thereby.

6 APN: 1-445-02

7 Parcel 4:

8 Lot "A" in Section Nine (9) as shown and delineated upon the map of Baker Live Stock Company, and being a part of the southwest Quarter of the southwest Quarter of the southwest Quarter of the Northeast Quarter of Section Nine (9) in Township Thirteen (13) North of Range Seventy (70) East, Mt. Diablo Base and Meridian, and described by metes and bounds as follows:

13 Beginning at the Southwest corner of said tract whence the South Quarter corner of said Section Nine (9) bears South 0°32' West, 2645.0 feet; thence North 330.5 feet to the Northwest corner of said tract; thence East 305.0 feet to the Northeast corner of said tract; thence South 330.5 feet to the Southeast corner of said tract; thence West 305.0 feet to the place of beginning, containing 2.3 acres, more or less; together with 2.5 acre feet of water for each acre above described, to be delivered at the rate of 0.15 cubic feet per second continuous flow of 24 hours each eighth day during the irrigation season, for irrigation and domestic purposes. And together with all water and water rights, ditches and ditch rights used therewith and appurtenant thereto.

23 APN: 12-400-08

24 D. The Decedent's one-half (%) interest in the following personal property TO: LUCY E. COOPER, as her sole and separate property:

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1. Bank account at The First National Bank of Ely, account no. 103010.
2. Bank account at Bank of America, account no. 090054443.
3. Bank account at The First National Bank of Ely, account no. 5003110.
4. Time Certificate of Deposit, Bank of America, No. 249530.
5. IRA Account at Bank of America.
6. Miscellaneous furniture, furnishings and personal property.
7. That upon the filing of receipts and other evidence of compliance with this Order by the Co-Executors, that said Estate be brought to a close and the Co-Executors be discharged of their duties.

DATED this 27 day of October, 1994.

/s/ Merlyn H. Hoyt
MERYLN H. HOYT
DISTRICT JUDGE

This document to which this certificate is attached is a full, true and correct copy of the original, on file and of record in the County Clerk's Office, Ely, Nevada. I have hereunto set my hand and affixed the Seal of the Seventh Judicial District Court and for the County of White Pine, State of Nevada, this 25 day of Oct, 1994.

Donna Batts
clerk
Pat Campbell
Deputy Clerk

BOOK 277 PAGE 542
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
JAMES M. COPENHAVER
94 OCT 28 AM 11:28

EUREKA COUNTY NEVADA
M.N. REBALANCE RECORDER
FILE NO. FEES \$0.00

155616

BOOK 277 PAGE 55